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AGENDA

enda for the Fourth Session of the Bombay Legislative Council, commencing at the Council Hall, Bombay, on Monday, the 30th November 1931, at 2 p.m.

OATH OR AFFIRMATION OF ALLEGIANCE TO THE CROWN.

NOMINATION OF FOUR CHAIRMEN BY THE PRESIDENT.

QUESTIONS AND ANSWERS.

GOVERNMENT BILL—

Bill No. XLV of 1931 (A Bill to provide for a succession duty in the Presidency of Bombay)—*First Reading.*

Notices of amendments* have been received from—

(1) Rao Bahadur D. R. Patil, M.L.C.

(2) Mr. N. E. Navle, M.L.C.

(3) Dr. M. K. Dixit, M.L.C.

(4) The Honourable Sir Govindrao B. Pradhan, Kt., B.A., LL.B., M.L.C.

DEMANDS FOR SUPPLEMENTARY GRANTS.

Vide Appendix to this Agenda.

G. S. RAJADHYAKSHA,
Secretary to the Legislative Council
of the Governor of Bombay.

Bombay,
30th November 1931.

APPENDIX.

AMENDMENTS TO BILLS.

Bill No. XLV of 1931 (*A Bill to provide for a succession duty in the Presidency of Bombay*).

Clause	Amendment	Name of the mover
The whole Bill ..	*Substitute* the word "Judge" in place of the "Collector", wherever it occurs.	Dr. M. K. Dixit.
Clause 2 ..	*Delete* the words "extends to the whole of the Presidency" and *insert* in their place "shall be applicable only to the City of Bombay" and *add* the following words *after* the word "Bombay":— "and shall remain in force only for one year from passing thereof".	Mr. N. E. Navle.
" ..	*Add* the words "and operation" *after* the word "Extent" in the marginal note.	Rao Bahadur D. R. Patil.
" ..	At the end of the clause *add* the following words:— "but it shall not apply to agricultural lands and other properties either movable or immovable owned by an agriculturist as defined by Deccan Agriculturists' Relief Act, 1879."	Do.
" ..	*Add* clause 2A *after* clause 2:— "2A. It shall remain in force for one year."	Do.
" ..	"and shall remain in operation for a period of two years."	Dr. M. K. Dixit.
Clause 3 ..	*Drop* clauses (*a*) and (*b*) and *insert* in their place the following:— "Judge, means a subordinate judge of original civil jurisdiction, appointed under the Bombay Civil Courts Act."	Do.
" ..	*Sub-clause* (*c*).—*Recast* it as under:— "Property" means moveable or immoveable property or any interest in or arising from such property situated in the Bombay Presidency excluding Indian States.	Do.
" ..	*Sub-clause* (*e*).—*Omit* the words "including a Hindu widow.....and an annuity" appearing in sub-clause (*e*) of clause 3.	Rao Bahadur D. R. Patil.
Clause 4 ..	In section 4, clause (1) *after* the words "where a person" *add* the words "who is not an agriculturist as defined in section 2 of the Deccan Agriculturists' Relief Act of 1879."	Mr. N. E. Navle.
" ..	*Amendment to sub-clause* 4 (1).—*Omit* the words "or survivorship" in sub-clause 4 (1).	Rao Bahadur D. R. Patil.
" ..	*Substitute* the words "twenty-five" *for* the word "two" appearing in sub-clause 4 (1).	Do.

Clause	Amendment	Name of the mover
Clause 4 ..	*Section* 4 (1).—*Omit* "or survivorship" and "or to any moveable property without the Presidency of Bombay" and *add* after the word "on" and *before* the word "such" the following :— "the net market value, exclusive of all debts and liabilities of".	Dr. M. K. Dixit.
" ..	*Add* the following words at the end of clause 4 :— "while calculating such duty the amount of any incumbrance on the aforesaid property shall be deducted from the valuation thereof."	Rao Bahadur D. R. Patil.
" ..	In (*b*) of clause 4 *substitute* "one-fifth" *for* "one-half".	Do.
" ..	*Section* 4 (1) (*b*).—In the last line instead of "one-half" *substitute* "one-fifth".	Dr. M. K. Dixit.
" ..	*Section* 4 (1) (*c*).—*Recast* as under :— "Where the property on which the duty is leviable is agricultural land, the duty leviable shall be wholly remitted."	Do.
" ..	In (*c*) of clause 4, *substitute* "one-tenth" *for* "one-fourth".	Rao Bahadur D. R. Patil.
" ..	In (*d*) of clause 4, *substitute* "ten years" *for* "five years" and "ten years" *for* "one year" in "where the second death..... .....fifty per cent." and *after* this *omit* the rest of (*d*) of clause 4.	Do.
" ..	*Section* 4 (1) (*d*).—*Replace* the words "50 per cent.", "40 per cent.", "30 per cent.", "20 per cent.", and "10 per cent.", *by* "80 per cent.", "70 per cent.", "60 per cent.", "50 per cent.", and "40 per cent.", respectively.	Dr. M. K. Dixit.
" ..	*Section* 4 (1) (*f*).—*Drop* the words "Joint Hindu family" (wherever they occur) and *replace* "the same son.....from the family" *by* "any one member".	Do.
" ..	In (*f*) of clause 4 *omit* the words "within eighteen years.....from the family".	Rao Bahadur D. R. Patil.
" ..	*Substitute* the following *for* (2) of clause 4 :— "Any property in the Presidency of Bombay transferred either by sale or gift after the commencement of this Act shall be exempt from the payment of succession duty and if the Collector is of opinion that such transfer by sale was not a transfer for valuable consideration the said duty shall be leviable as if such transfer had not taken place and shall be payable by the transferee of such property at the rate specified in schedule I if the value exceeds twenty-five thousand rupees."	Do.

Clause	Amendment	Name of the mover
Clause 4 ..	*Section* 4 (2).—*Recast* as under :— "If any transfer of property in Presidency of Bombay, by way of sale or gift made after the passing of this Act, within three months of the death of transferor, is found to be not a *bona fide* transaction, but only in order to avoid payment of duty, the said duty shall be payable as if such transfer had not taken place, provided the value of the property so transferred exceeds Rs. 2,000."	Dr. M. K. Dixit.
" ..	*Section* 4 (2).—In line 4 in place of the "Collector" *substitute* "Judicial officer of the rank of a first class sub-judge."	Do.
" ..	*Section* 4 (2).—And in line 8 *after* the first word "duty" *add* "the burden of proving which shall be on him."	Do.
Clause 5 ..	*Section* 5.—*Delete* the whole ..	Do.
" ..	*For* clause 5, the following shall be *substituted*, namely :—	The Hon'ble Sir Govindrao Pradhan.
	Cl. 16 & 17 Vict. c. 51, s. 20. Succession duty when payable. "5. The succession duty on property devolving under a will or by inheritance or succession shall be payable at the time when the person entitled thereto by such devolution becomes entitled in possession, and the succession duty on property devolving by survivorship shall be payable on the death of the deceased coparcener by the person entitled thereto. Provided that, if there be any prior charge or interest upon or in the property not created by such person himself by reason whereof he is not at once entitled to the full enjoyment or value thereof, the succession duty in respect of the increased value accruing upon the determination of such prior charge or interest, if not previously paid or compounded or commuted, shall be payable at the time of the aforesaid determination."	
" ..	In (c) of clause 5 *omit* "or survivorship" ..	Rao Bahadur D. R. Patil.
" ..	For the words in lines 4 and 5 "becomes entitled in possession", *substitute* the words "gets possession thereof". At the end *add* the words "*vice versa*".	Dr. M. K. Dixit.
Clause 6 ..	*Delete* the whole section ..	Do.
" ..	*Omit* "or copartners" ..	Rao Bahadur D. R. Patil.
Clause 7 ..	In (1) of clause 7, *omit* "or survivorship" ..	Do.
" ..	*Section* 7 (1).—*Delete* the words "or survivorship."	Dr. M. K. Dixit.

Clause	Amendment	Name of the mover
Clause 7 ..	*Section* 7 (2).—Line 7, in place of "Collector" *put* "Judicial Officer".	Dr. M. K. Dixit.
,, ..	In line 8, *after* the word "satisfied" *add* "for reasons to be fully satisfied".	Do.
Clause 8 ..	In (1) of clause 8, *omit* "or survivorship" ..	Rao Bahadur D. R. Patil.
,, ..	*Section* 8 (1).—*Delete* "or survivorship" ..	Dr. M. K. Dixit.
,, ..	Section 8 (2): *Delete* ..	Do.
,, ..	*Section* 8 (2).—*Delete* and *substitute* "No order must be passed to the prejudice of any person till he has been heard in his defence on a notice duly served on him."	Do.
,, ..	Section 8 (3) and the proviso: *Delete* both ..	Do.
,, ..	In (3) of clause 8 *substitute* "ninety days" for "thirty days" and in the proviso *substitute* "ninety days" *for* "thirty days" and *omit* "and that any....unreasonable".	Rao Bahadur D. R. Patil.
Clause 9 ..	*Delete* the section	Dr. M. K. Dixit.
Clause 10 ..	*Delete* the words "or survivorship" wherever they occur.	Do.
,, ..	*Omit* "or survivorship" wherever this appears in clause 10.	Rao Bahadur D. R. Patil.
Clause 12 ..	*After* the word "thereof" in the last line, *add* "within one month from the date of the officer being satisfied, and on refusal the person entitled to the refund should have right of appeal to the District Judge."	Dr. M. K. Dixit.
Clause 13 ..	*Delete* the words "the collector....etc." to the end; and *substitute* "the assessable value of such other property shall be computed and allowance made accordingly to the person relinquishing or who has been deprived."	Do.
Clause 16 ..	*Section* 16 (1).—*Drop* "or member of a Hindu joint family" and *drop* from "every person in whom....in possession" (last 4 lines).	Do.
,, ..	*Amendment to* (1) *of clause* 16.—*Omit* "or member of a joint Hindu family".	Rao Bahadur D. R. Patil.
Clause 17 ..	*Section* 17 (1).—*Delete* the word "claims"; and in line 3 "or is accountable for such property".	Dr. M. K. Dixit.
,, ..	In lines 6 to the end *delete* the words from "or if such property....for gain". *Substitute* "or to the judge having jurisdiction in the place in which he resides or carries on business or personally works for gain."	Do.
Clause 18 ..	*Section* 18 (2).—*Substitute* "and" *for* "or"..	Do.
,, ..	*Section* 18 (5).—*Delete* and *substitute* "The deciding officer shall give reasons in writing of his decision whatever it may be."	Do.

Clause	Amendment	Name of the mover
Clause 19 ..	*Substitute* "three months" *for* "one month"	Rao Bahadur D. R. Patil.
Clause 20 ..	*After* the word "exceeding" and *before* the words "the amount" *put* "one-twenty-fifth".	Do.
" ..	Between the words "not exceeding" and "the amount" *insert* the words "one-fourth". At the end *insert* the words "but not actually paid".	Dr. M. K. Dixit.
Clause 22 ..	*Section* 22 (1).—*Drop* the words "if such property is moveable property situated outside the Presidency of Bombay, then".	Do.
" ..	Also *delete* proviso to section 22 (1) ..	Do.
" ..	*Amendment to* (2) *of clause* 22. *Substitute* "ninety days" *for* "thirty days" and *omit* the words "and that any subsequent delay....unreasonable".	Rao Bahadur D. R. Patil.
Clause 23 ..	*Section* 23 (1).—*Drop* the words "and issue notice to the Collector to that effect and".	Dr. M. K. Dixit.
" ..	*Section* 23 (3).—At the end of the clause *add* "and shall give in writing reasons of his decision whatever it may be".	Do.
Clause 27 ..	*Section* 27 (1).—*Delete* "In the Presidency of Bombay" and "as amended by the Court-fees (Bombay Amendment) Act of 1931".	Do.
" ..	Instead of the words "such fee" *substitute* "any court fee".	Do.
" ..	*Section* 27 (1).—*Delete* the words in last two lines from "except" to "High Court".	Do.
" ..	*Section* 27 (2).—*Delete* the sub-clause ..	Do.
Clause 28 ..	*Delete* in lines 3 to 7 the words from "within .....to notice or order" and *substitute* the following:— "within two months of the date of service of notice upon him".	Do.
Clause 29 ..	*Amendment to* (1) *of clause* 29.—*Substitute* "six per cent." *for* "twenty-four per cent."	Rao Bahadur D. R. Patil.
" ..	Instead of "twenty-four" *substitute* "nine".	Dr. M. K. Dixit.
Clause 31 ..	*Delete* the words "a person holding a power of attorney in this behalf" and *substitute* "a recognised agent as defined by the Civil Procedure Code."	Do.
Clause 34 ..	*Delete* the words "either by post or" ..	Do.
Clause 35 ..	*Add* at the end:— "if it has not been paid before."	Do.

Clause	Amendment	Name of the mover
Clause 36 ..	*Delete* ..	Dr. M. K. Dixit.
Clause 37 ..	*Amendment to* (3) *and* (4) of *clause* 37.—In (3) of clause 37 *add* the following words at the end—"after they are sanctioned by the Bombay Legislative Council and that they shall not be liable to be rescinded or modified except by a vote of the said Council."	Rao Bahadur D. R. Patil.
„ ..	*Omit* (4) of clause 37 ..	Do.
Schedule I ..	*Amendment to Schedule I.—Substitute* the following for Schedule (1) :— *See* Section 4 (1) *Rates of Succession Duty* When the aggregate amount or value of the property, income or interest in respect of which succession duty is payable exceeds twenty-five thousand rupees on the part of the amount or value in excess of twenty-five thousand rupees up to fifty thousand rupees.. .. One per centum. When such amount or value exceeds fifty thousand rupees, on the part of the amount or value in excess of fifty thousand up to one lakh of rupees.. ..Two per centum. When such amount or value exceeds one lakh of rupees, on the part of the amount or value in excess of one lakh of rupees .. Three per centum	Rao Bahadur D. R. Patil.
..	*Schedule I.—Add*— "*Note.*—The aggregate value shall be exclusive of all debts, charges, incumbrances and funeral expenses, which are exempted from duty payable for probate or letters of administration."	Dr. M. K. Dixit.
Schedule III ..	*Amendment to* (2) *of Schedule III.—Substitute* "ninety days" for "thirty days."	Rao Bahadur D. R. Patil.

Monday, the 30th November 1931.

The Council met at the Council Hall, Bombay, on Monday, the 30th November 1931, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ALLISON, Mr. F. W.
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
COLLINS, Mr. G. F. S.
COOKE, Mr. G. H.
COOPER, Khan Bahadur D. B.
DHALUMAL LILARAM, Mr.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
HADDOW, Mr. R. R.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JAM JAN MAHOMED KHAN, Khan Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JAYAKAR, Mr. M. S.

JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KANGA, Sir JAMSHEDJI B.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KIRKE-SMITH, Mr. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
LELY, Mr. W. G.
MACKIE, Mr. A. W. W.
MATCHESWALLA, Mr. G. E.
MAXWELL, Mr. R. M.
MEHERBAKSH, Mr. S.
MODAK, Rev. R. S.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. C. N.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable MOULVI
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SAHEBSINHJI JUVANSINHJI, Mr.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHAIKH YAKUB VAZIR MAHOMED, Khan Bahadur

SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WILES, Mr. G.

NEW MEMBERS SWORN.

The following members made the prescribed oath or affirmation of allegiance to His Majesty the King-Emperor, and took their seats in the Council:

1. Mr. G. S. Gangoli,
2. Mr. R. R. Haddow,
3. Mr. E. W. Perry, C.I.E., I.C.S.
4. Mr. M. S. Jayakar,
5. Mr. C. M. Lane,
6. Mr. R. M. Maxwell, C.I.E., I.C.S.
7. Mr. F. W. Allison, I.C.S.
8. Mr. A. W. W. Mackie, I.C.S.
9. Mr. F. O. J. Roose,
10. Sir Jamshedji Behramji Kanga, Kt.
11. Mr. A. Kirke-Smith.

The Honourable the PRESIDENT: Order, order. It is, unfortunately, my first and painful duty to call a member to order. No sticks are allowed in the House.

[*Khan Bahadur Shaikh Yakub Vazir Mahomed then removed his stick from the Council Chamber.*]

NOMINATION OF CHAIRMEN OF COUNCIL.

The Honourable the PRESIDENT: I have now to announce the names of four Chairmen for the session. I appoint:

1. Rao Bahadur G. K. Chitale,
2. Rao Bahadur R. S. Asavale,
3. Mr. M. M. Karbhari, and
4. Mr. Haji Ibrahim Jitekar.

GOVERNOR GENERAL'S ASSENT TO ACTS.

The Honourable the PRESIDENT : I have now to announce the Acts which have received the assent of His Excellency the Governor General since the close of the last session :

1. An Act further to amend the Bombay Hereditary Offices Act, 1874.
2. An Act further to amend the Bombay District Police Act, 1890.
3. An Act further to amend the Bombay Municipal Act, 1888.
4. An Act further to amend the Bombay Pleaders Act, 1920.
5. An Act to amend the Karachi Rent Restriction Act, 1929.
6. An Act further to amend the Bombay Prevention of Prostitution Act, 1923.
7. An Act further to amend the City of Bombay Municipal Act, 1888, and the City of Bombay Improvement Trust Transfer Act, 1925.

Order, order. His Excellency is due to arrive here at 2-25 p.m., and there are quite fifteen minutes to that. Either the House adjourns and I proceed to receive His Excellency, or the House proceeds with a portion of the list of questions for to-day. I would leave it to the House.

The Honourable Sir GOVINDRAO PRADHAN : The questions might be taken up, Sir.

The Honourable the PRESIDENT : Very well ; we will go on with the questions for about ten minutes.

STARRED QUESTIONS AND ANSWERS.

COLLECTORATE OF SATARA : SCHEDULED POSTS ALLOTTED FOR REVENUE OFFICES.

*Mr. A. B. ACHREKAR (Satara District) : Will Government be pleased to state—

(*a*) the number of the scheduled posts allotted for the revenue offices under the Collectorate of Satara ;

(*b*) whether the different communities are properly represented in the holding of these scheduled posts ;

(*c*) the number of these posts held by persons belonging to the forward and backward communities respectively ;

(*d*) the percentage as regards the actual holding of these posts in relation to the numerical strength of these two classes ;

(*e*) whether there are two separate lists, one for the forwards and the other for the backwards, maintained by the Collector of Satara, so as to facilitate the desired recruitment from the backward communities so far as these posts are concerned ?

The Honourable Mr. W. F. HUDSON: (*a*) 26.

(*b*) and (*c*) The posts are held as follows:—

	Advanced classes.		Backward classes.
Brahmins	.. 14	Marathas	.. 4
Christian	.. 1	Mali	.. 1
Sonar	.. 1	Jain	.. 1
		Gujar	.. 1
		Nhavi	.. 1
		Mussalman	.. 2
	16		10

(*d*) The proportion of holders of scheduled posts to the male population of the two classes in the district is as shown below:—

Advanced classes .. ·075 per cent.
Backward classes .. ·002 per cent.

(*e*) Separate lists are maintained for recruitment to the subordinate revenue service but not for promotion to scheduled posts.

MUNICIPAL ADMINISTRATION OF KARACHI CITY.

*Mr. HAJI MIR MAHOMED BALOCH (Karachi City): Will Government be pleased to state—

(*a*) whether their attention has been drawn to the articles appearing in the issues of the daily *Alwahid*, Karachi, dated the 18th, 19th and 21st December 1930, regarding the municipal administration of Karachi City;

(*b*) whether they have made inquiries into the matter, and, if so, with what result?

The Honourable Sirdar Sir RUSTOM J. VAKIL: (*a*) Yes.

(*b*) Yes. Most of the allegations made in the articles of the *Alwahid*, Karachi, pertain to questions of grants of lands by the Karachi Municipality. Government do not think that any action is called for, as in every case of disposal of land the sanction of the Commissioner in Sind is required under section 40 of District Municipal Act and before giving such sanction he takes care to see that no injustice is done to any community. Allegation has also been made that in making appointments to posts in the municipal service favouritism is shown to Hindus. The allegations do not appear to be true. Appointments are made in accordance with the prescribed rules regarding qualifications. Preference is given to men who have previously worked in the Municipality. If such men are not available the President of the Karachi Municipality has issued instructions to the Municipal Executive Officers that if Muslims of the requisite qualifications are forthcoming, they should be given preference in future, as vacancies occur. Copies of the letters of the President of the Municipality dated December 23, 1930, and May 1, 1931, are laid on the table.

KARACHI MUNICIPALITY.

Municipal Office, McLeod Road,
Karachi, 23rd December 1930.

The Collector of Karachi, Karachi.

Sir,

I have the honour to acknowledge receipt of your letter No. CDC 1003, dated the 18th December 1930, and in reply beg to inform you that there is not an atom of truth in the statements made in these applications.

With the fullest sympathy to help and guide them I had tried my patience to the utmost extent and up to now I have not lost my patience with them. To me now it appears that these are all mere excuses to withdraw as they have possibly changed their minds. But they are giving out an appearance of a grievance and complaint in which there is not the slightest truth. The facts are as under :—

The Municipality resolved to leave aside a certain portion of land for the use of the Co-operative Housing Societies under their existing rules. The rules are very clear that applications should be invited and if there are more applicants than one for a plot lots should be taken out. Applications were invited by sending letters to each and every registered co-operative society and seven of them applied for plots. The total area applied for was 390,000 square yards more than the available land which was 290,000 only. I convened the meeting of the representatives of these housing societies and for at least three weeks tried to bring them round by amicable settlement. Whatever proposal I made to them did not find favour from one or another and had to be dropped. Each society wanted nearest plot for themselves. The claim of the Borah and Muslim Housing Societies was that as the other housing societies had got plots before them they should now be given preference. Whatever be my personal views in these matters, the rules were there and I could not go beyond them. It was impossible to accept such a request. I found from the very beginning that the matter was taking communal tension and I tried to avoid it as far as possible. When an amicable settlement ultimately failed there was no other alternative for me but to suggest that lots would be drawn but as the area applied for was much larger than the area of land to be given each society would be given 60 per cent. of the land applied for. Immediately I resolved to do so according to rules and according to the common-sense point of view. The Borah and Muslim Societies each in their applications have asked for extra lands in order to get more allotment than 60 per cent. Such applications were received after the original date of application and so I rejected them. A particular date was given to each society to apply and each society applied according to their requirements. If the allotments came to 60 per cent. I could not accept the applications for more land afterwards. You will thus see that I have acted absolutely impartially. If I had accepted the applications from the Borah and Muslim Societies I would have to accept from other societies also and there would be no end to it, if I had allowed it. Having fixed 60 per cent. for each society I decided upon a date on which allotment would be made by lots. I first called a meeting to decide upon the method of dividing by lots and it took two weeks again. Notwithstanding my earnest appeal and very patient letters to all of these societies they did not turn up. In fact they evaded receiving letters which could be easily seen from the records and files. These are facts which I can state with definiteness. I am not making a complaint of this. As I have written above I have been patiently waiting and I am still in the interest of the co-operative societies and Housing Development of the City of Karachi for which I am very anxious. Again I convened a meeting for drawing lots.

Two societies were not represented. I postponed the meeting to another two weeks. At last when I found that the representatives of these societies would not turn up I decided upon a particular date and drew lots. The system of drawing lots was as under :—

Seven slips were put in a revolving ballot box and each slip was taken out turn by turn with the name of each society and each was to get a privilege of selecting the plot by turn as the slip came out from the ballot box. The ballot turned out to be as under :—

First—the Shewani Housing Society.

Second—the Hyderabad Amil Housing Society.

Third—Upper Sind Housing Society.

Fourth—the Tata Amil Housing Society.

Fifth—the Muslim Housing Society.

Sixth—the Borah Housing Society.

Seventh—the Roman Catholic Housing Society.

I wrote letters appealing to them to come and select the plots. I suggested to them that each plot has advantages and disadvantages and therefore whatever plot was selected would have almost equal facilities and considering the several road connections which were being contemplated the plots would not be far too away as was thought. But to my appeals there was no effect.

Again having patiently waited for two weeks I convened a meeting of the representatives of the societies and the plots were allotted according to the lots. The Tata Amil Societies withdrew their selection. The Borah and Muslim Societies did not send representatives. I therefore allowed the other societies to select their plots according to their turn. It was pointed out to me that because the Borah and Muslim Societies had withdrawn definitely quota of other societies should be increased proportionately but again with a desire to have patience I did not do so and I allowed each society to select land up to the original quota, thus reserved a large area of land for the Borah and Muslim Societies if they cared to take it. You will thus see that in this matter utmost patience and sympathy has been shown and I am certain that if the files are gone through no fair-minded person will say that the Municipality has behaved unfairly to the slightest degree with these societies.

I do admit that the nearest land was not given to them as they wanted but this was not possible under the rules which have been passed by the Corporation and sanctioned by the Government. I also again repeat that the plots as divided are all in a favourable situation and there would have been hardly one or two minutes difference between one plot and another, if any one wanted to walk out the whole area. But where there is a particular sentiment I have no authority to go into the same as I have to be guided by rules laid down.

I have, etc,

(Signed) JAMSHED N. R. MEHTA,

President.

KARACHI MUNICIPALITY.

Reference No. G. 33/2/31.

MUNICIPAL OFFICE,

Karachi, 1st May 1931.

To

The Collector of Karachi, Karachi.

Subject.—Municipal Administration of Karachi City.

Sir,

I have the honour to acknowledge the receipt of your letter No. 8693-G, dated 12th ultimo, on the above subject, and in reply beg to inform you that the facts on the various allegations are briefly as under:—

(1) *Maidan adjoining Idgah on Bunder Road.*—This maidan is a very valuable property of the Municipality in the centre of the City. The general opinion of the Municipality has always been that as the Idgah or a portion of it is only used once in a year by Muslims for the purpose of prayers, on the Id day, they cannot afford to give away a property worth 4 lakhs for Idgah prayers.

(2) *Plot in Alli Buddha lane.*—The Municipality did not accept this proposal as there was a Musjid nearby.

(3) *Plot in Nawabad.*—This matter is still under the consideration of the Municipality and as soon as the alignment of the whole locality is fixed, the decision will be arrived at.

(4) *Britto Road for Muslim Housing Society.*—It is true that the Municipality has received an application for these plots from the Muslim Co-operative Housing Society but there are several similar applications received from the various housing societies for the same purpose and under the Municipal Rules governing the grant of land, a certain prescribed procedure has to be followed and thus the plots cannot be exclusively granted to only one housing society.

(5) *Plot for Ladies' Association.*—A large central plot has already been proposed for this association and this matter is under consideration as similar application has been received from such other association and other communities and I am trying to find out a way out of it. The matter is not yet closed.

(6) *Plot for Physical Culture Society.*—The Municipality did not accept this application but it had nothing to do with the Muslims as a community as it was a cosmopolitan society and it was intended to be used by all irrespective of caste and creed.

As regards appointments in the Municipal service and other matters in general, I have fully explained the whole matter in my previous letter No. 33/2/31, dated 23rd February 1931.

I have, etc.,

(Signed) JAMSHED N. R. MEHTA,
President,
Karachi Municipality.

WATER SUPPLY: EXPENDITURE.

*Mr. HAJI MIR MAHOMED BALOCH (Karachi City): Will Government be pleased to state the expenditure incurred by Government on water supply, drainage and boring works in Sind and the Presidency proper separately for the three years ending March 1930?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: The accompanying statement giving the requisite information is placed on the Council table.

Statement showing the expenditure incurred on water supply, drainage and boring works during the three years ending March 1930.

Year	Water supply		Drainage		Boring works	
	Presidency proper	Sind	Presidency proper	Sind	Presidency proper	Sind
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1927-28	8,08,043	24,332	4,41,690	7,520	2,17,098	962
1928-29	7,04,703	32,075	5,24,466	365	2,02,009	3,837
1929-30	7,53,661	72,487	4,91,676	144	1,53,592	2,006

Mr. HAJI MIR MAHOMED BALOCH: With reference to the statement printed in answer to the question, will the Honourable the Minister be pleased to state why such a niggardly treatment has been meted out to Sind as compared with the Presidency proper as regards all the three items of water supply, drainage and boring works?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: The difference between the amounts spent in the Presidency proper and those spent in Sind is due to the fact that the local bodies themselves have to finance all these development schemes and that Government only pay percentage charges which come to about 28 per cent. Why in Sind large amounts have not been spent on water supply and drainage schemes is because the local bodies in Sind have not asked for any schemes and so they have not been able to finance them. It is not because Government discriminate between Sind and the Presidency proper.

SYED MIRAN MAHOMED SHAH: Will Government be prepared to spend more money on drainage schemes in Sind if such schemes are put forward by the local bodies in Sind?

The Honourable the PRESIDENT: That is hypothetical.

CIVIL HOSPITAL, KARACHI: MILK AND BUTTER SUPPLY.

*Mr. HAJI MIR MAHOMED BALOCH (Karachi City): (1) Will Government be pleased to state—

(*a*) how many tenders were received for milk and butter supply at the Civil Hospital, Karachi, for the current year;

(*b*) the names of the tenderers;

(*c*) the prices quoted by each of them;

(*d*) the name of the tenderer whose tender was accepted;

(*e*) the reason for accepting the highest or higher tender rather than the lowest;

(*f*) the amount of milk and butter used during the months of April and May;

(*g*) the amount paid or billed for the same;

(*h*) the amount that would have been saved during the two months and the year had the lowest tender been accepted?

(2) Is it a fact that the system followed in the previous years was to compel the contractor to milk his cows in the hospital compound under the supervision of hospital authorities?

(3) Is it a fact that this system is not observed with the present contractor?

(4) Is it a fact that the contractor boils his milk before he delivers it to the hospital; if so, have any arrangements been made to inspect the contractor's vessels and utensils?

(5) Is it a fact that the milk is reboiled at the time of serving and thus gets reduced in food value?

(6) Is it a fact that the contractor had utilised the services of the President of the Karachi European Association to secure the contract?

(7) Is it a fact that Government has made a cut of 21 per cent. in the budget for diet?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: (1) (*a*) to (*d*)

(*a*)	(*b*)	(*c*)		(*d*)
		Butter per lb.	Milk per lb.	
		Rs. a. p.	Rs. a. p.	
1	Y. Jaffarji & Sons ..	0 14 0	0 1 7	
2	Haji Imamdin	1 0 0	0 1 6	English Dairy Farm Co.
3	Akbarali Hasanali ..	0 14 0	0 1 5	
4	Gangji Khatao	0 14 0	0 1 2	
5	Hiralal Gopal	1 0 0	0 1 6	
6	Abdulwahid Abdulkadir ..	1 1 0	0 1 8	
7	English Dairy Farm Co. ..	1 2 0	0 2 0	
8	Pitambardas Karsandas ..	1 0 0	0 0 11½	
9	Alimahomedkhan Nabidadkhan	0 15 0	0 1 5	

(*e*) The tender was accepted because it secured the supply of pasteurised milk which has many advantages for hospital purposes and furthermore it relieved the hospital of the cost of boiling the milk.

(*f*) to (*h*)

Month	(*f*)		(*g*)	(*h*)
	Butter	Milk		
	lbs.	lbs.	Rs.	Rs.
April ..	94/7	12,128/6	1,622	1,572 (saving during 2 months).
May ..	54	11,747	1,529	9,432 (saving during the year if the consumption continues at this rate).

(2) Yes.

(3) Yes: because he supplies pasteurised milk.

(4) The milk is pasteurised by the contractor except during a few days in the hot weather when the milk did not keep fresh during the night and the contractor had to deliver boiled milk. The hospital authorities inspect the apparatus for pasteurisation and the boiling cauldrons occasionally.

(5) No.

(6) No.

(7) A provisional cut of 20 per cent. was made in the grant for diets.

Mr. HAJI MIR MAHOMED BALOCH: I see from the printed answer that the lowest tender was 11½ pies per lb. of milk and annas fourteen per lb. of butter and yet the contract was given to a tenderer whose rates were considerably higher (i.e., 24 pies per lb. of milk and Rs. 1-2-0 per lb. of butter) with the result that there was an increase of about Rs. 10,000 in the cost of milk and butter supplied by the successful contractor. What explanation has the Honourable Minister to give of this?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: The difference is due obviously to the quality of the milk which is supplied. As the honourable member will admit, the very best milk is always required for hospital consumption.

Mr. HAJI MIR MAHOMED BALOCH: I wish to ask whether the form of tender did not contain any condition that the very best pasteurised milk only should be supplied?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: One was for pasteurised milk and the others were for ordinary milk. Government have moreover to see that the party tendering is a responsible party which can be trusted to carry out the terms and the conditions of the contract, and therefore it does not mean always that the man who tenders the lowest should get the contract.

Mr. S. S. TOLANI: Was there any condition in the tender that a particular quality of milk was to be supplied?

The Honourable the PRESIDENT: How does that arise?

Dr. M. K. DIXIT: Were the tenders invited with different specifications with different rates for both pasteurised and ordinary milk?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: I am not in a position to reply to that question offhand, but it makes no difference, because the English Dairy Farm Company offered to supply pasteurised milk whereas the others tendered only for ordinary milk.

Dr. M. D. GILDER: Will the Honourable Minister be pleased to give us an idea of how much it costs to pasteurise a pound of milk and to boil a pound of milk ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: I myself am not an expert in dairying, but I can say that pasteurisation is not done by mere boiling but regular machinery has to be used for pasteurising milk, and it is more than I can say what difference there is in the costs of the two processes.

Mr. HAJI MIR MAHOMED BALOCH: The Honourable Minister has told us that the successful contractor supplies a good quality of milk. I wish to ask whether the other tenderers were not in a position to carry out the conditions, if any were laid down, as regards supplying pasteurised milk. Is this what the Honourable Minister wishes to convey ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: I do not know what method was followed in issuing the tenders, but I do not think that Government issues different forms of tender to different people. Either the terms are advertised or published and anybody is free to tender.

Mr. HAJI MIR MAHOMED BALOCH: If Government wanted superior milk, why was not this fact made known to the other unsuccessful tenderers also ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: I have replied to all points already.

Dr. M. D. GILDER: The Honourable Minister says that in giving the tenders the quality of milk was taken into consideration. Will he be pleased to state whether the milk supplied by the different people was analysed and in what way it differed from the milk tendered by the English Dairy Farm Company ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: I said that I am not in a position to say what method was followed and if the honourable member wants an answer to that question, I shall be glad get the information if he will give me notice.

Dr. M. D. GILDER: That question arises out of the Honourable Minister's own reply.

The Honourable the PRESIDENT: The questions put to the Honourable Minister all bear on one point that there is a difference in the rates and the Honourable Minister justified the highest rate by saying that the milk was pasteurised milk. Honourable members are therefore justified in asking now as to the principle on which the other rates were accepted.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: Obviously the different samples of milk must be analysed and put to a test, because otherwise how can the party accepting the tender find that particular

milk supplied by a particular firm is superior to the milk supplied by the other tenderers ?

Mr. HAJI MIR MAHOMED BALOCH : I see that a reduction has been made in the expenditure on the food of patients. Was there no other head under which the reduction could have been made in preference to the patients' diets ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL : The Surgeon General was instructed to reduce the diet grant by 10 per cent. on the whole and it was left to the Surgeon General's discretion to distribute it. Therefore, it may be 15 per cent. in one place and it may be 10 per cent. in the other.

The Honourable the PRESIDENT : I adjourn the House till His Excellency arrives.

(The House re-assembled at 2-25 p.m.)

The Honourable the PRESIDENT : Order, order. His Excellency will be pleased to address the House.

ADDRESS BY HIS EXCELLENCY THE GOVERNOR TO THE MEMBERS OF THE LEGISLATIVE COUNCIL.

Rising to address the Council, HIS EXCELLENCY said :—

Mr. President and Gentlemen, let me begin by saying how glad I am to be back again in Bombay after my enforced sick leave, and how grateful I am for the innumerable expressions I have received since my return of kindly welcome and good wishes. During my absence I regret to say that, in the financial sphere at any rate, things have moved fast, and unfortunately in the wrong direction. The financial crisis has developed with alarming rapidity since I addressed you last in February. As my Honourable Colleague, the Finance Member, is shortly to deliver before you a speech which will give you a full statement of the facts and figures of our position, I do not propose now to go into details. It will suffice for my purpose if I say that our financial situation, which even before was bad, has now become one of the greatest difficulty, which can only be set right by a strenuous effort on the part of us all to face the disagreeable necessities of the situation and unite in the stern determined struggle needed to win our way out of the financial morass. Let me assure you at once, however, that I see no ground for panic or excessive pessimism. The conditions are certainly very serious, but on the whole my impression is that England and India are probably rather less badly off than most other countries of the world.

It is customary for politicians of a certain school of thought to lay all the blame for any difficulties that beset the path of the Presidency on the broad shoulders of the Government. But I do not think that even our most determined critics, if they pause to think for a moment, can maintain that we are to blame for our present position. The catastrophic fall in prices has hit all countries alike. Even those who are accepted as financial experts find it difficult to give an adequate explanation of the world situation ; and the chief feature of their pronouncements appears to be the unanimity with which they differ from one another.

You have seen Australia compelled to adopt a policy of rigid economy and retrenchment which, in addition to being radically opposed to the ideas of the Labour Government which was in power, must have an effect that is temporarily paralysing to her progress. You have more recently seen England faced with an unparalleled financial crisis and compelled to abandon temporarily her Party system of Government in favour of a united national effort to save herself from collapse—an effort again accompanied by the adoption of a policy of the most rigid economy and crushing taxation, affecting all classes alike from the highest to the lowest. You can see Germany governed entirely by a series of emergency decrees involving a virtual suspension of the Constitution. Even so it would be a bold man who would say that the financial position of Germany is safe, or even safe enough to avoid serious political repercussions as the result of its probable future developments. The condition of Central Europe is such that it is likely to prove a seriously retarding factor in the progress of the rest of the world towards recovery. The United States of America is entering on its third year of depression, and her financial difficulties are still increasing. Under modern world conditions all countries are so closely linked together that, when difficulties of this magnitude have come upon so many other States, we cannot expect to be free from them in India. Here, moreover, our financial difficulties have been increased by the political troubles of the last year, and I need not point out to you how much the civil disobedience movement has cost us both in increased expenditure and reduced revenues.

Great, however, as are our difficulties, and due in part to world conditions rather than to any fault of our own, it is to our own efforts that we must look to overcome them. Such efforts are not beyond our capacity. I shall now endeavour to show how Government have made, and are making, their contribution, and how they look to you to support their efforts. Some of you may consider perhaps that our difficulties are temporary and could be met by raising a loan, but this is the very policy that has brought Australia and England to the brink of disaster and made necessary the tremendous efforts that they have had to make to pull themselves together and arrest their downward career. The impossibility of meeting our difficulties by raising further loans has been fully dealt with in the Review of the Financial Position of the Presidency prepared by the Finance Department. This point will be further dealt with by my Honourable Colleague in his speech to you, so I need not go into greater detail; but I would urge upon you that what we all want, I am sure, is an honest attempt to face the facts of the situation and to realise that a policy of drift may not only result in an indefinite prolongation of the depression, but in making our recovery so difficult as to be almost impossible. Others among you no doubt will feel that the remedy is to be sought in retrenchment, and in this I can say that within practical limits my Government entirely agree.

Although the Retrenchment Committee have now concluded their labours, we have not, until to-day, had the advantage of seeing their final report, but we have been able to keep in touch with their recommendations and have taken full advantage thereof to include from time to time in

our own programme of retrenchment some items which they were able to indicate to us. Here I should like to express the thanks of myself and my Government to the Chairman and Members of this Committee for their arduous and devoted labours. I very much regret that we were unable to extend the period of their session as they wished us to do, but I am afraid that it has been found necessary to have their report in our hands by the end of this month in order to get the full benefit of their recommendations in time to be of use to us in framing our next Budget.

The difficulties of enforcing retrenchment on a scale adequate to our present troubles are especially great in view of the fact that we are not given a fair start in dealing with this crisis. We have, as you know, for several years past been constantly pruning and paring all excrescences on our expenditure, and the present necessity for retrenchment finds us with our superfluities cut off already, compelled now to attack not luxuries but necessities, and, indeed, frequently in danger of actually reducing the efficiency of our revenue-collecting departments if we go the least bit too far. In the Police and Jail Departments we have practically been precluded from making any serious economies by the additional strain that has been put upon these departments by the civil disobedience movement last year, and I regret to say that even now the political situation is so uncertain that we have found ourselves unable to contemplate any further reduction of the additional police which we raised to deal with the movement. All we have been able to do in these departments, therefore, is to order a cessation of all new projects and major works. That this has involved a very serious sacrifice will, I think, be obvious to any of you who have taken an interest in the Police Force of our Presidency, to which we owe so much, and who know how urgent is the need of improvement in various directions, such as housing, re-arming and training in modern scientific methods.

I greatly regret that the pruning knife has already had to be applied to Education. In last year's Budget, as honourable members will recollect, we found it necessary to reduce the Educational expenditure by 8 lakhs, with the result that grants to local authorities were subjected to a cut of 5 per cent. I am very glad to have this opportunity of acknowledging the efforts made both by the Educational Department and the local authorities in carrying on their work under these conditions with the least possible sacrifice of efficiency.

Another direction in which I particularly regret the necessity for economy is in the Medical Department. A 10 per cent. cut in grants for diet and medicine has had to be imposed. I am sorry to see that this decision of my Government has been widely misunderstood, and I am glad to have the opportunity of explaining that it does not mean that we have reduced the actual diets given to patients by 10 per cent. What has been done is to reduce the amount provided to each hospital for the supply of diet and medicine by 10 per cent. It was recognised, of course, that this might involve reducing the number of patients admitted, for no reduction in the actual amount provided to each patient was contemplated. But it was also felt that there was a certain wastage in the expenditure of these grants, and that a determined effort to avoid

such waste in future would go some way to compensate for the amount of the cut. We are also, however, doing our best to see that the amount so retrenched is replaced by private contributions. Committees of officials and non-officials have been formed to collect funds for hospitals in mofussil towns, and I am glad to say that reports are being received that their efforts are meeting with considerable success. Bombay City has hitherto absorbed a share of our total expenditure on medical relief which it has been found too high to maintain under our present strained conditions. It has therefore become necessary to close down the Ellappa Balaram Pavilion at the Jamsetjee Jejeebhoy Hospital, the Prince of Wales Ward of 80 beds at the Goculdas Tejpal Hospital, and the Surgical Extension Ward at the Cama and Albless Hospitals. In Bombay City, also, a committee has been appointed to collect funds to supplement the allotment for diets and other supplies in the hospitals in the City. I am sure that you will all agree with me that our best thanks are due to the members of these committees who have put their services at our disposal.

I would also commend to your notice in this connection that, through the good offices of the Western India Turf Club, it has been arranged to have an extra day's racing in Bombay this season and to devote the profits thereof to hospitals in Bombay and Poona. Government have agreed to credit the whole proceeds of the taxes collected on this day under the Entertainments Duty Act and the Totalisator and Betting Act to the same object.

In spite, however, of what has been done in the past in all departments, we have not shrunk from further effort, and my Government has already decided upon a programme of retrenchment to be introduced in the next Budget. It is not, of course, possible at this stage to give you definite figures, but I hope that the total savings may amount to approximately one crore of rupees. This includes both what we have done at the suggestion of the Retrenchment Committee and what we have adopted on our own initiative. One item that will, I imagine, arouse special interest is the abandonment of the move of Government to Mahableshwar. In the Government House budget I have agreed to retrenchments on a scale of 16 per cent. which I hope will save over 1½ lakhs. [*Applause.*] I hope these two items will provide an effective answer to the criticism frequently levelled against us that all retrenchments we adopt affect only the lowest grades of Government servants, and as a further answer to this criticism I may say that I am making a special examination of the possibility of reducing the size of the joint Council. This is a policy which has frequently been suggested before, and has been included by the Retrenchment Committee in their recommendations, but it may be noted that it has not been attempted in any other Presidency. I fear it would involve some sacrifice in efficiency, and it presents other difficulties that require and will receive the most careful examination.

Another suggestion that has been constantly pressed upon us and which we have now adopted is a general cut in salaries; but in this connection I feel that a word of warning is necessary. The great attraction of Government service has always been security of tenure and of emoluments. Government servants do not expect the substantial

remuneration that falls to the lot of those in other professions in good times, but as a countervailing advantage they expect to be free from the danger of reduction when times are bad. The financial crisis that has overwhelmed us has been so severe that I feel sure the Services will loyally accept a departure from this principle on the present occasion, but if they are to do so they must be satisfied that they have been fairly treated, and that everybody else is bearing their share equally in the sacrifice required. Our services have always had a reputation for the conscientious and efficient discharge of the very onerous duties that fall upon them, and in particular our Police during the last two years have earned a world-wide reputation for staunchness in the face of great difficulties. The development of a Service to this pitch of efficiency can only be the result of the growth of tradition over a long period of time, but its morale can be quickly lowered by treatment which is even in the least degree unfair. I would ask you therefore, Gentlemen, to tread warily in this direction. I am sure that none of you would contemplate with equanimity any serious decline in the efficiency and morale of our Services such as would ensue if they got the idea that they were being sacrificed to political pressure.

I have myself accepted a 10 per cent. cut in salary on a voluntary basis [*Cheers*] and I take this opportunity of thanking the Members of the Executive Council and Ministers for having done the same.

The adoption of this policy of retrenchment has naturally involved the abandonment of all new works and all development. We have, however, felt bound to make one exception to this policy. The present unfortunate and helpless position of the depressed classes has appeared to us to call so insistently for some ameliorative effort on the part of my Government that we have made provision for the expenditure of a sum—lamentably small I am afraid—for this deserving object.

I have attempted to indicate to you the efforts which my Government on their part have made, and are continuing to make, to meet the financial crisis. Seeing that we have already decided on cuts which will amount to such a considerable proportion of our budgetted expenditure, I hope, Gentlemen, you will not consider my request unreasonable if I ask you to help in such directions as are in your power. As you know, you have been called together for this special session in order to have presented to you the Succession Duties Bill, and I ask you to give it your most careful consideration. All taxation is bound to be unpopular, and the principle of this Bill being new to India, will no doubt meet with specially severe criticism on that account. The principle, however, is one that has been approved by many economic thinkers both in India and elsewhere. A similar law has been in force in England for many years, and, although it met with considerable criticism at the start, and still meets with some opposition to its details and to the scale on which taxation is imposed under it, I think I may safely say that it is now accepted as a part of the normal taxation of the country and its abolition has never even been seriously suggested. I commend it to you particularly as a carefully considered effort to broaden the basis of our taxation, and, in addition to dealing with the present financial crisis,

to provide in future a source of revenue which may reasonably be expected to develop *pari passu* with our general progress and to overcome the difficulty with which we have been faced in this Presidency even before the present economic crisis of stagnant revenues and growing calls upon our purse.

Gentlemen, I will end as I began. The international situation continues to be very obscure and there are serious difficulties which call for wise and resourceful statesmanship to overcome them. As to our own financial situation, I think few of you will dispute the contention that our position is difficult in the extreme and calls for united effort and a vigorous application of drastic remedies. I ask you to join with me and my colleagues in strenuous determination to set our financial house in order and to use your great influence with the people of this Presidency to induce them to accept the sacrifices which we know are severe, but which we feel equally convinced are necessary to avoid even worse troubles in future. The way may be long and arduous, but the goal can undoubtedly be reached if we agree to work together in a whole-hearted effort to win through. With your co-operation, Gentlemen, I have every hope that it is not beyond our power to force our way through the trough of depression and bring the finances of the Presidency back to a sound condition of prosperity which will enable us once more to resume our forward march of progress and development. [*Applause.*]

ANNOUNCEMENT BY THE HONOURABLE THE PRESIDENT OF A VOLUNTARY CUT OF 10 PER CENT. IN HIS SALARY.

The Honourable the PRESIDENT: Before we proceed with the questions, I should like to make a statement. I have been paying my attention to a question for some time, which I have now decided, and which I should like to bring to the notice of this Honourable House. The moment, I think, is besides most opportune now, after the impressive address of His Excellency and the self-sacrifice he has shown himself. It is a fact which has to be acknowledged all round that India particularly, not going beyond it, and more so our own Presidency has been very hard hit in the matter of finance. Measures have had to be taken to meet the emergency and amongst them a serious programme of cut in salaries. Officials in high position who have accepted a cut or who have shown their willingness to accept a cut have done so with great self-sacrifice and the spirit has to be appreciated by the country. I would like now to add my quota to it. I announce a cut of 10 per cent. in my salary on the same conditions on which the Honourable the Leader of the House (Sir Ghulam Hussain) at the last session announced a voluntary cut of 10 per cent. on behalf of the Members of Council and Ministers. I also volunteer the cut to take effect on the same conditions.

STARRED QUESTIONS AND ANSWERS—(*Resumed*).

Manuscripts: Collection and Publication.

*Mr. A. J. BANGI (Southern Division): (*a*) Will Government be pleased to state whether they are still carrying on their search, collection and publication of Sanskrit manuscripts?

(*b*) What steps have they taken for a similar search, collection and publication of Arabic and Persian manuscripts ?

The Honourable MOULVI RAFIUDDIN AHMAD : (*a*) The Bhandarkar Oriental Research Institute, Poona, carries on the work, for which it receives a grant-in-aid from Government.

(*b*) The work was entrusted to Professor Shaikh Abdul Kadir Sarfraz of the Deccan College, Poona, and at a cost of Rs. 2,133-12-0 114 manuscripts were purchased for Government. The manuscripts are lodged in the Bombay University Library subject to the general control of the Educational Department.

Mr. A. J. Bangi *asked a question which was inaudible.*

The Honourable MOULVI RAFIUDDIN AHMAD : Yes ; the research work regarding the Persian manuscripts was only once done and the amount given in the reply was for the work only. Government, however, is alive to the importance of the work being done regularly and it is proposed to set apart some amount from the annual grant allotted to the Bhandarkar Oriental Institute for publication of works in oriental languages, for publication also of Persian and Arabic works.

SUB-JUDGES : APPOINTMENTS.

* Mr. A. J. BANGI (Southern Division) : (*a*) Will Government be pleased to state how many new appointments of sub-judges were made in the whole of the Presidency including Sind during the last three years ;

(*b*) how many Muhammadans applied for them and how many of them were appointed ;

(*c*) were there any candidates from the Southern Division ;

(*d*) if so, how many of them were appointed ;

(*e*) if none of them was appointed, what were the reasons therefor ?

The Honourable Mr. G. A. THOMAS : (*a*) 26.

(*b*) 40 and 5 respectively.

(*c*) It is assumed that the honourable member refers to Muhammadan candidates. If so, the answer is 3.

(*d*) None.

(*e*) Because they were not considered suitable.

SYED MIRAN MAHOMED SHAH : May I know what was wanting in them to consider them as unsuitable ? Are there no LL.B.'s ?

The Honourable Mr. G. A. THOMAS : LL.B. is not the only qualification.

INDUSTRIES DEPARTMENT : ADVISORY BOARD.

* Khan Bahadur D. B. COOPER (Satara District) : (*a*) Will Government be pleased to state whether their attention has been drawn to the following paragraphs in the report of the Indian Industrial Commission, viz.—

Paragraph 308—regarding proposals for a Board of Industries.

Paragraph 309—regarding composition and strength of the Board ?

(*b*) Have Government taken any steps to carry out the recommendations made in those paragraphs ?

(*c*) If the reply to (*b*) is in the negative, what are the difficulties in the way of Government carrying out those recommendations ?

(*d*) Are Government aware that the other Provincial Governments, viz. Bengal, Madras, Central Provinces, Bihar and Orissa, United Provinces and Punjab have already established Advisory Boards of Industries to assist Government by giving advice and making suggestions in matters relating to the development of indigenous industries in their Provinces ?

(*e*) Was such an Advisory Board appointed by the Government in the year 1918 and did it continue in existence till 1924 ?

(*f*) Was it only due to the abolition of the post of Director of Industries that the Advisory Board was dissolved ?

(*g*) Do Government consider it desirable to re-establish an Advisory Board ?

(*h*) If the reply to (*g*) is in the negative, what are the difficulties in the way of re-establishment of such a Board ?

The Honourable MOULVI RAFIUDDIN AHMAD: (*a*) Yes.
(*b*) Yes.
(*c*) Does not arise.
(*d*) Yes.
(*e*) Yes.
(*f*) Yes.
(*g*) No.
(*h*) There is no scope at present.

Small Cause Court Judges: Appointment of Sub-Judges.

* Mr. L. R. GOKHALE (Poona City): (1) Is it a fact that though the appointments of the Presidency Small Cause Court Judges are open to sub-judges of not less than 5 years' standing, no such appointments have been made from amongst the sub-judges except one ?

(2) If so, will Government state the reasons therefor ?

The Honourable Mr. G. A. THOMAS: (1) Yes.

(2) It is considered that members of the Bombay Bar are best fitted for the post which requires knowledge of the conditions obtaining in Bombay City and of the practice and procedure of the Bombay Small Cause Court.

Police in Sind: Europeans and Indians.

* Mr. GOVER RORA (Karachi City): Will Government be pleased to state—

(*a*) the sanctioned strength of Inspectors, Sub-Inspectors and Sergeants in the Police service in Sind;

(*b*) the number of European Inspectors and Indian Inspectors and the proportion of Indian Inspectors to Indian Sub-Inspectors and European Inspectors to European Sergeants;

(*c*) if the proportion of European Inspectors to Sergeants is higher than the proportion of Indian Inspectors to Sub-Inspectors, the reasons for the difference;

(*d*) whether it is a fact that increased Indianisation of Police and other services has been considered necessary by various Commissions and higher authorities;

(*e*) if so, why subordinate Police service should contain more of the European element than Indians;

(*f*) whether it is a fact that Indian Inspectors are holding charges in Karachi and Shikarpur, and have proved themselves to be efficient;

(*g*) if so, why there are European Inspectors in the Railways, Hyderabad, Sukkur, Karachi City, Karachi Ranchore Lines where most of the population consists of Indians;

(*h*) whether it is a fact that Indians are not appointed in those Divisions because a few Europeans live in those places;

(*i*) whether European Inspectors are in receipt of European allowance in addition to compensatory allowance;

(*j*) if so, the reasons therefor;

(*k*) whether it is a fact that before the grant of compensatory allowance European Inspectors were in receipt of only local allowance, but on Government's sanctioning compensatory allowance for certain towns, the local allowance was not merged in the compensatory allowance but Europeans' compensatory allowance and European allowance was introduced?

The Honourable Mr. G. A. THOMAS:

(*a*) 34 Inspectors.
190 Sub-Inspectors.
21 Sergeants.

(*b*) 9 European Inspectors.
25 Indian Inspectors.

Proportion of Indian Inspectors to Sub-Inspectors.—About 13 per cent.

Proportion of European Inspectors to Sergeants.—About 43 per cent.

(*c*) The number of Indian Inspectors does not depend on the number of Sub-Inspectors, nor does the number of European Inspectors depend on the number of Sergeants.

(*d*) Yes.

(*e*) The figures given in reply to clauses (*a*) and (*b*) above show that the reverse is the case.

(*f*) Yes.

(*g*) and (*h*) It has been the policy of Government to secure a due proportion of Europeans in the Police and this policy has been endorsed by the Indian Police Commission. The Commission recommended the employment of European Police officers on the railways and in large cities where the Police may have to deal with Europeans.

(*i*) Yes.

(*j*) The reasons are—

(1) that the ordinary cost of living is higher for European Officers than for Indian Officers;

(2) that the particular charges usually held by these officers are in large cities, important cantonments or at Railway centres where living is more expensive than elsewhere.

(*k*) When a compensatory local allowance was introduced it was given to European and Indian Police Officers alike. There is no Europeans' compensatory allowance in addition to European allowance.

POLICE INSPECTOR: TRAVELLING ALLOWANCE BILLS.

*Mr. GOVER RORA (Karachi City): (*a*) Will Government be pleased to state whether it is a fact that a Mahomedan Sub-Inspector of Railway Police was prosecuted in 1930 in the Court of Karachi Additional City Magistrate and that the same ended in a discharge?

(*b*) If so, is it a fact that allegations of cheating by preferring false Travelling Allowance Bills by the European Inspector who was responsible for bringing out that case, were brought to the notice of the authorities?

(*c*) If so, what action was taken in the matter against the European Inspector?

(*d*) If no action was taken, what were the reasons therefor?

The Honourable Mr. G. A. THOMAS: (*a*) Yes.

(*b*) Anonymous petitions only were received to this effect.

(*c*) and (*d*) No action was taken, as no evidence in support of the allegations was forthcoming in spite of a careful enquiry and examination of records.

GUJARAT COLLEGE: ASSISTANT PROFESSOR OF PERSIAN.

*Mr. J. S. KADRI (Northern Division): (*a*) Are Government aware that the newly-appointed Assistant Professor of Persian in the Gujarat College, Ahmedabad, is not qualified to teach Persian?

(*b*) How many candidates had applied for the post and how many of them were M.A.'s with Persian?

(*c*) What are the age, qualifications and past record of the new Assistant Professor?

The Honourable MOULVI RAFIUDDIN AHMAD: (*a*) No.

(*b*) In all 36, of whom 20 were M.A.'s with Persian.

(*c*) 29 years.

(1) M.A. (Punjab) I Class First, in Arabic, 1925. Won three medals.

(2) Munshi Fazil (Punjab) with Honours in Persian.

He worked as Cataloguer of Persian and Arabic manuscripts in the Punjab University Library.

ASSISTANT MASTERS: INCREMENTS TO SALARY.

*Rao Bahadur R. R. KALE (Bombay University): Will Government be pleased to state—

(*a*) whether, as stated by them in part (*e*) of their reply to the Council question of Sardar G. N. Mujumdar (printed at page 380 of the Bombay Legislative Council Debates, Vol. XXIX) all assistant masters have got their increments after completion of each year of their officiating service and, if not, the reasons therefor;

(*b*) whether some probationary assistant masters in whose case acting service was not taken into account in fixing their pay on 1st

March 1921, have now been allowed to count it, as stated in their reply to my question in this behalf (printed at pages 792-93, Vol. XXVI of the Bombay Legislative Council Debates) that "officiating service will be counted for increments all along;" and, if not, the reasons therefor;

(*c*) whether there are still any "anomalies" (referred to by Mr. L. M. Deshpande in part (*h*) of his question, printed at pages 901-02 of Vol. XXIII of the Bombay Legislative Council Debates) of some assistant masters getting pay according to their total length of service, and others not; and, if so, what steps Government have taken or intend to take to remove them;

(*d*) whether some part of their officiating service has been excluded from being counted for increments; and if so, what is the authority therefor, specifying the date on which it was published and the date from which effect was given to it?

The Honourable MOULVI RAFIUDDIN AHMAD: (*a*) and (*b*) No. Officiating service rendered prior to 1st January 1922 on a pay less than the minimum of the time-scale of Rs. 70—5—120—efficiency bar—5—140—10—200 has not been counted towards increment, because it was found that this concession was not permissible under the Civil Service Regulations nor under the Fundamental Rules, nor under the Auditor General's ruling referred to by Sardar Muzumdar in his question.

(*c*) Yes. Government, however, do not consider that any action is called for in the matter.

(*d*) Yes, as explained above, officiating service rendered by the teachers on pay less than the minimum of the time-scale of Rs. 70—5—120—efficiency bar—5—140—10—200 has not been counted for increments on the authority of a ruling by the Accountant General that such service cannot be counted, as it was not admissible under the Civil Service Regulations on 1st March 1921: It was also neither admissible under the Fundamental Rules from 1st January 1922 nor under the Auditor General's ruling referred to. Orders of Government in accordance with the Accountant General's ruling were issued on 13th March 1931 and orders refixing the pay of the teachers concerned in accordance with these orders were issued by the Director of Public Instruction before 31st March 1931.

Rao Bahadur R. R. KALE: With reference to (*c*), Government say that there are anomalies, but still they say that they need not take steps to remove them. May I know whether this will not create discontent among those Government servants who are also on the same footing as others?

The Honourable MOULVI RAFIUDDIN AHMAD: It is sufficiently clear that anomalies are bound to occur, because as it has been pointed out by the Accountant General there will be senior officers who will receive less pay than some junior officers owing to the reasons pointed out in the printed reply to (*a*) and (*b*).

Rao Bahadur R. R. KALE: The assistant masters get pay according to their total length of service while others do not. The statement about 1921-22 is quite a different matter. But is this not a case where people who have put in the same total length of service suffer?

The Honourable MOULVI RAFIUDDIN AHMAD: I have spoken regarding the anomalies of which I am aware. I do not know what other anomalies there are to which the honourable member refers.

Rao Bahadur R. R. KALE: The question in (*c*) is whether there are not anomalies by which some assistant teachers get pay according to the total length of service, while others do not. Government admit the anomalies, but they say that they do not consider any action called for in the matter.

The Honourable MOULVI RAFIUDDIN AHMAD: In that case, I have nothing more to add to my answer.

Building Regulations, Suburban District.

*Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): (*a*) Will Government be pleased to state whether they agreed to abolish the dual system of control of building regulations by revenue authorities in the Suburban District by accepting the resolution on the subject by Dewan Bahadur Harilal D. Desai in the Bombay Legislative Council in 1923?

(*b*) Why have they not abolished the system?

(*c*) Have they received representations in this matter from local bodies in the Suburban District? If so, from whom and when?

(*d*) What action do Government propose to take in the matter?

The Honourable Mr. W. F. HUDSON: (*a*) and (*b*) Although Government accepted the principle contained in Dewan Bahadur Harilal Desai's resolution regarding withdrawal of control of revenue authorities over building operations in municipal districts, the Bombay Suburban District was exempted from its application in view of the special conditions obtaining in that district.

(*c*) Representations on the subject were made by the Vile Parle Municipality and the Notified Area Committee, Andheri, on the occasion of the visits of the Honourable Minister, Local Self-Government, in April last.

(*d*) None.

Mr. M. M. KARBHARI: Do Government mean that after accepting the principle contained in the resolution of Dewan Bahadur Harilal Desai, they have carried out the spirit of that resolution by exempting this area?

The Honourable Mr. W. F. HUDSON: There are exceptions to every rule.

Dr. M. D. GILDER: What are the special conditions prevailing in this district which necessitated its exemption?

The Honourable Mr. W. F. HUDSON: The honourable member is aware that special conditions exist in the fact that the areas referred to are the suburbs of one of the largest cities in the world.

Mr. M. M. KARBHARI: Is that the only special condition?

The Honourable Mr. W. F. HUDSON: That is one condition.

Mr. M. M. KARBHARI: Is this dual control going to be permanent?

The Honourable Mr. W. F. HUDSON: Far be it from me to say that anything in this world is permanent.

Subordinate Judge's Court: Removal from Karmala to Madha.

*Mr. J. G. MORE (Sholapur District): Will Government be pleased to state—

(*a*) whether they have received complaints from the people of Karmala Taluka in District Sholapur with regard to the removal of the Subordinate Judge's Court from Karmala to Madha;

(*b*) whether Government are aware of the inconvenience and hardships that the people of Karmala Taluka incur in attending the Subordinate Judge's Court at Madha;

(*c*) whether Government had or have a scheme to establish a Civil Court at Kurduwadi for both Karmala and Madha Talukas?

The Honourable Mr. G. A. THOMAS: (*a*) Yes.

(*b*) All such changes cause inconvenience to some persons. Government are not aware that in these days of improved methods of communication any serious inconvenience or hardship is involved.

(*c*) There was a proposal to establish a court at Kurduwadi, but it was dropped mainly owing to the expense of building a court-house.

Mr. J. G. MORE: May I ask why the proposal to establish a Court at Kurduwadi was dropped?

The Honourable Mr. G. A. THOMAS: For reasons of economy.

Mr. J. G. MORE: Is it not a fact that Government asked the people of Karmala to contribute to the Karmala Court building expenses?

The Honourable Mr. G. A. THOMAS: I must ask for notice. I am not aware of that.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: Would Government be prepared to establish the Court if the building is provided by the people?

The Honourable Mr. G. A. THOMAS: That is hypothetical.

The Honourable the PRESIDENT: It is hypothetical.

GAMBLING : COTTON FUTURES.

*Rao Bahadur D. R. PATIL (East Khandesh District): Will Government be pleased to state—

(*i*) whether they are aware of the article, dealing with new methods of gambling, published in "Dinbandhoo" of Poona in its issue of 3rd July 1931;

(*ii*) if the answer to (*i*) be in the affirmative, what action they intend to take to put an end to the publication of American cotton futures rates in various daily papers?

The Honourable Mr. G. A. THOMAS: (*i*) Yes.

(*ii*) Government see no reason to stop the publication of these rates.

Rao Bahadur D. R. PATIL: May I know the reasons which prompted Government to hold that there was no reason to stop the publication of these rates?

The Honourable Mr. G. A. THOMAS: The habit of gambling is so ingrained in the people of India that the stoppage of the publication of these rates will not remove it.

SHERISTEDARS : CENTRAL DIVISION.

*Mr. SHAIKH ABDUL AZIZ (Central Division): Will Government be pleased to state—

(*a*) the number of sheristedars to District Judges in the Central Division and how many of them are Brahmins, non-Brahmins and Mahomedans;

(*b*) if no Mahomedan has been appointed to this post up to this time, what is the reason therefor;

(*c*) what steps they have taken up to this time to make up this deficiency;

(*d*) whether it is a fact that sheristedars are kept at one place practically during the whole period of their service;

(*e*) whether they are aware that by being practically permanent at one place their subordinates suffer a great deal?

The Honourable Mr. G. A. THOMAS: (*a*) There are seven Sheristedars in District Courts in the Central Division. Of these six are Brahmins and one a non-Brahmin.

(*b*) No qualified Muhammadan clerks who had attained sufficient seniority were available.

(*c*) Qualified Muhammadans are now being recruited and will have a chance of being selected for these posts in future.

(*d*) Sheristedars are not usually transferred. It is however open to Government to order their transfer from one district to another under section 40-A of the Bombay Civil Courts Act.

(*e*) No.

Mr. SHAIKH ABDUL AZIZ: What is the length of service that will be considered sufficient?

The Honourable Mr. G. A. THOMAS: A man with one year's service cannot supersede a man of fifteen or twenty years' standing.

Mr. SHAIKH ABDUL AZIZ: But there are men with eight or nine years' service.

The Honourable Mr. G. A. THOMAS: The principle is the same: I am not specifying the actual number of years.

Mr. SHAIKH ABDUL AZIZ: Is there no rule by which preference should be given to backward classes?

JUDICIAL DEPARTMENT, NASIK DISTRICT: MAHOMEDANS.

*Mr. SHAIKH ABDUL AZIZ (Central Division): Will Government be pleased to state—

(*a*) how many qualified clerks are in the Judicial Department in the Nasik district and how many of them are Brahmins, non-Brahmins and Mahomedans;

(*b*) how many of them have passed their departmental examination and in what year and how many of them have been promoted to higher grade as required by the recent Government Resolution, stating the number of Brahmins, non-Brahmins and Mahomedans separately;

(*c*) if no Mahomedan has been promoted, what is the reason therefor;

(*d*) how many vacancies have been filled in this department during the last four years and how many of them were given to Brahmins, non-Brahmins and Mahomedans;

(*e*) whether those vacancies were notified; if not, why not, and if they were notified how many applications from Mahomedans were received;

(*f*) what the reason is for not appointing Mahomedan qualified candidates during the last four years;

(*g*) what steps they have taken to give effect to the Government Resolution to appoint 50 per cent. of the backward class in this Department?

The Honourable Mr. G. A. THOMAS: (*a*) There are 93 qualified clerks, of whom 52 are Brahmins, 37 non-Brahmins and 4 Muhammadans.

(*b*) The following table shows the number of qualified clerks who have passed the departmental examination:—

Year	Brahmins	Non-Brahmins	Muhammadans
1912	9	3	....
1913	8	2	....
1914	4	4	....
1917	4	2	....
1919	2	....	....
1921	1	2	....
1924	....	....	....
1925	1	1	....
1926	1	1	....
1931	....	....	1
	30	15	1

Of these 2 non-Brahmins and 2 Brahmins have been promoted to the higher grade.

(*c*) The only qualified Muhammadan clerk who has passed the departmental examination is still too junior for promotion.

(*d*) Out of 18 vacancies, 11 have been filled by non-Brahmins and 7 by Brahmins.

(*e*) The vacancies were not notified as there was a sufficient number of candidates of all communities on the waiting list.

(*f*) Five Muhammadan candidates were appointed in temporary vacancies in 1929, but their appointments terminated when the vacancies ceased to exist. Two more Muhammadan candidates have been selected and their turn will come in the order fixed by the Selection Committee.

(*g*) Government are giving effect to this Resolution whenever and wherever possible.

Mr. SHAIKH ABDUL AZIZ: As regards (*d*) and (*e*), when there were 18 vacancies and there were Mahomedan candidates also, why at least one was not given to a Mahomedan?

The Honourable Mr. G. A. THOMAS: Because there were not sufficiently well qualified Mahomedan candidates.

Mr. SHAIKH ABDUL AZIZ: "The vacancies were not notified as there was a sufficient number of candidates of all communities on the waiting list." That is the reply. When there were Mahomedan candidates, why was it that not a single Mahomedan was selected when there were eighteen vacancies?

The Honourable Mr. G. A. THOMAS: I am afraid it is the fault of Mahomedan candidates.

Khan Bahadur M. A. KHUHRO: There is no question of fault on the part of the Mahomedan candidates, because the vacancies were not notified.

The Honourable Mr. G. A. THOMAS: The answer is there that the vacancies were not notified as there was a sufficient number of candidates of all communities on the waiting list.

REVENUE SERVICE, WEST KHANDESH: MUSLIMS.

*Mr. SHAIKH ABDUL AZIZ (Central Division): Will Government be pleased to state—

(*a*) how many posts there are in all in the Upper Division of the Subordinate Revenue Service in the West Khandesh District, carrying a pay of from Rs. 85 to Rs. 150 and how many of them are actually held by Muslims at present;

(*b*) how many clerks from the Lower Division were selected to fill scheduled posts with a view to permit them to appear for the qualifying examination and promote them to the Upper Division, during the last two years; and how many of them were from advanced classes, Muslims and other backward classes;

(*c*) whether there are no suitable Muslim candidates available for being promoted to the Upper Branch, and, if there are, why they have not been promoted;

(*d*) how many clerks from the Lower Division have been promoted to the grade of Rs. 85 to Rs. 115 during the last two years and how many of them were Muslims;

(*e*) whether suitable Muslim candidates for the grade mentioned in (*d*) were available, and, if so, why they were not promoted;

(*f*) whether instructions issued by Government in their resolutions Nos. 3840, Finance Department, dated 23rd July 1925; 5011, Finance Department, dated 26th September 1928, and 10121/24, Finance Department, dated 28th November 1930 are being observed in the West Khandesh District; if so, what action has been taken in pursuance of them?

The Honourable Mr. W. F. HUDSON: (*a*) 13 of which 2 are held substantively by Muslims and 1 is vacant.

(*b*) 7 of whom 4 were from the advanced classes, 2 from the backward, and one was a Muslim.

(*c*) There are no suitable Muslim subordinates available for promotion to the Upper Division.

(*d*) 4, none of whom was a Muslim. Holders of non-scheduled posts in the grades of Rs. 85—5/2—100 and Rs. 115—5/2—150 are not ordinarily qualified for promotion to the Upper Division.

(*e*) No suitable Muslim candidate was available.

(*f*) Yes. Preference is being given to members of the backward classes and Muslims while recruiting candidates and making permanent and temporary appointments.

Cattle Lifting, Karachi District: Preventive Measures.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will Government be pleased to state—

(*a*) whether they are aware that cattle lifting exists in Karachi District in an acute form and to a certain extent in other districts of Sind;

(*b*) whether the measures suggested in the recommendations of the Cattle Theft Committee for the prevention of the crime have been enforced by Government in any district;

(*c*) if so, what measures have been adopted and in which parts of the province; if no steps have been taken, the reasons therefor;

(*d*) whether it is a fact that vigilance committees were proposed to be established as one of the preventive measures;

(*e*) whether it is a fact that vigilance committees as suggested in Government Resolution No. 8387-V of 16th September 1929 have not been established in any part of the province;

(*f*) if so, the reasons therefor?

The Honourable Mr. G. A. THOMAS: (*a*) Cattle lifting is practised throughout Sind. It is not more acute in Karachi District than in other districts.

(*b*) and (*c*) A copy of Government Resolution in the Home Department, No. 8387-V, dated the 16th September 1929, is placed on the Council table.† The extent to which it has been found possible to give effect to the orders in this Resolution is as follows :—

Recommendation No. 1.—The creation of a special inter-district police force has been postponed in view of financial stringency.

Recommendations Nos. 2, 3 *and* 5.—The necessary orders have been issued.

Recommendation No. 6.—*Vide* replies to clauses (*e*) and (*f*) below.

Recommendation No. 7.—Materials for taking action against Patharidars under the Criminal Tribes Act are being collected by the Sind Criminal Investigation Department.

Recommendation No. 8.—A Bill to amend the Criminal Tribes Act, 1924, by including cattle theft in Schedule I was introduced by Government in the Legislative Council at the July 1930 session. In view of the opposition to the Bill in the Council, Government decided not to proceed with it.

Recommendation No. 9.—It has been decided to introduce the scheme of tattooing cattle as an experimental measure in the Tando and Sehwan Sub-divisions, but action has been postponed on financial grounds.

Recommendations Nos. 10 *and* 13.—The Commissioner in Sind has issued the necessary orders.

Recommendation No. 14.—The Judicial Commissioner of Sind has not considered it advisable to issue instructions as proposed in this recommendation.

Recommendations Nos. 15 *and* 16.—The necessary orders have been issued.

Recommendation No. 17.—Transfers of Resident Magistrates are avoided as far as possible.

Recommendation No. 18.—Financial stringency prevents the number of Resident Magistrates being increased. Except in a few large towns it is difficult to find suitable persons for appointment as Special First Class Magistrates.

Recommendation No. 19.—The police force in the districts of Sukkur, Larkana and the Upper Sind Frontier has been reorganised and increased from the 1st April 1931. A similar reorganisation of the police in the other districts in Sind is being considered.

Recommendation No. 21.—The attention of the District Superintendents of Police in Sind has been drawn to this recommendation.

Recommendation No. 23.—Financial stringency has precluded Government from giving effect to this recommendation.

Recommendation No. 28.—Orders have been issued that the police should invariably be consulted before a proposal to establish a new village is sanctioned.

† Kept in the Secretary's office.

Recommendation No. 9 in paragraph 8 of the Government Resolution.— The Commissioner in Sind has consulted local officers in the matter and does not consider that any change is called for.

(*d*) Yes.

(*e*) Yes.

(*f*) The proposal needs very careful consideration. A set of model rules for the constitution and working of these Committees is being framed by the Commissioner.

CONSERVATOR OF FORESTS, N. D.: STANDING ORDERS ISSUED BY

*Mr. SHANKARRAO JAYARAMRAO ZUNZARRAO (Thana and Bombay Suburban Districts): Will Government be pleased to state—

(*a*) whether the Conservator of Forests, Northern Division, has issued any standing orders in connection with the enforcement of clause 3 of the Rules framed under section 41 of the Indian Forest Act;

(*b*) whether any objections were taken to the standing orders;

(*c*) whether any complaints that inconvenience, trouble or loss has been caused to the khatedars and other poor ryots, as a result of these standing orders in carrying from one place to another within the limits of the village itself articles which they could take from the jungle free of any charge, have been received by the Forest or Revenue Department;

(*d*) if the reply to (*c*) be in the affirmative, what steps have been taken by Government to remove the grievances?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) and (*c*) The only reference that was received by the Conservator, N. C., was from the Divisional Forest Officer, North Thana, who on 20th May 1931, reported that the standing order was interpreted to mean that no removals from one survey number to another of head-loads of firewood and tahal by privilege holders could be allowed without a pass. The Divisional Forest Officer, in reply, was referred to the proviso to rule 3 of the rules issued under section 41 of the Indian Forest Act, 1878 (VII of 1878), published in Government Notification, Revenue Department, No. 2546-D, dated 24th July 1922, according to which no pass is required for the removal of the material specified in the proviso under reference. It was also pointed out that the standing order in question relates to the material for which a pass is required and not to the material which is specially exempted by Government from the operation of rule 3. This standing order was issued to all Divisional Forest Officers in the Northern Circle, but it was misinterpreted in some parts of the Thana District only and the misapprehension was immediately removed by issue of the order as stated above.

(*d*) Does not arise, in view of the steps already taken by the Conservator of Forests, N. C., to remove the misapprehension.

MUNICIPAL VACCINATORS: EXPENDITURE IN CONNEXION WITH

*Mr. SHANKARRAO JAYARAMRAO ZUNZARRAO (Thana and Bombay Suburban Districts): Will Government be pleased to state—

(*a*) whether it is one of the duties of a Municipality to make reasonable provision for public vaccination and for the supply of animal lymph;

(*b*) whether the municipal vaccinators and their menial staff are paid for by the local bodies concerned;

(*c*) whether the cost of animal lymph supplied to the municipal vaccinators is recovered from the local bodies concerned;

(*d*) whether the local bodies are required to meet all the contingent expenses on account of vaccination;

(*e*) whether the travelling allowance of vaccinators transferred from one town to another is recovered from the local bodies;

(*f*) whether the vaccinators are municipal or Government servants;

(*g*) who appoints them;

(*h*) who sanctions their privilege or casual leave;

(*i*) whether they are aware of the Government of India's directions that—

(i) vaccinators should not be enrolled as Government servants nor be employed as a provincial establishment; and

(ii) vaccinators of local bodies should be entirely under their administrative control;

(*j*) the action which has been taken by them with a view to enforce the above directions of the Government of India;

(*k*) whether they are aware that the Municipalities feel strongly the unfairness of being compelled to pay for the establishment over which they have not the least control?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: (*a*) Yes.

(*b*) Municipalities do not bear the whole cost on account of the pay for their vaccinators. Government make a grant-in-aid towards their pay. Also no pension contribution is recovered by Government from the local bodies. The cost of menial staff is borne wholly by them.

(*c*) and (*d*) Yes.

(*e*) Travelling Allowance of a vaccinator who is transferred at the request of a local body is borne by the local body making the request, otherwise by Government.

(*f*) Vaccinators are Government servants lent to Municipalities for vaccination work.

(*g*) By the Director of Public Health.

(*h*) Casual leave only is sanctioned by the Assistant Directors; other kinds of leave is sanctioned by the Director of Public Health.

(*i*) (i), (ii) and (*j*) Originally the intention of the Government of India was that in future, vaccinators should not be enrolled as pensionable servants of Government, but should be employed by local bodies and

should be under their control. Eventually the Government of India agreed with the Local Government that the new system should be tried in a few selected districts, viz.—

West Khandesh, Sholapur, Bijapur, Surat and Sukkur.

(*k*) Some local bodies have desired that the transfer of control of the vaccination staff should be made over to them. The whole question of the transfer of control on certain conditions is at present under the consideration of Government.

Liquor License: Race Course, Poona.

*Mr. A. N. SURVE (Bombay City, North): (1) Will the Honourable Minister of Excise kindly state the dates—

(*a*) when he received notices of the resolution regarding the non-renewal of temporary liquor license in the Poona Racecourse, which was discussed during the last session;

(*b*) when the license was given?

(2) Is it a fact that the Honourable Minister made the statement in the course of the debate, viz.—

"Moreover, I may inform the honourable member that the license has already been given" (Volume XXXI, page 1039 of the Official Report of the Bombay Legislative Council Debates)

in spite of his having given the license after the receipt of the notice of the resolution recommending the non-renewal?

The Honourable MOULVI RAFIUDDIN AHMAD: (1) (*a*) 25th June and 9th July 1931.

(*b*) The orders of Government sanctioning the grant of the license were issued on 24th July 1931.

(2) Yes.

Mr. A. N. SURVE (Bombay City, North): Has the Honourable Minister noticed the incongruity between the statement he has made in his speech and the fact disclosed by the dates mentioned in the answer?

The Honourable MOULVI RAFIUDDIN AHMAD: He has noticed nothing of the kind.

Municipalities in Sind.

*Mr. S. S. TOLANI (Western Sind): Will Government be pleased to place on the Council table information on the following points in regard to each municipality in Sind—

(*a*) the total population of all municipal areas according to new census;

(*b*) the Hindu and Muslim population separately of the area;

(*c*) the number of Hindu and Muslim elected members;

(*d*) the number of Hindu and Muslim nominated members?

The Honourable Sardar Sir RUSTOM JEHANGIR VAKIL: A statement giving the required information is placed on the Council table.

Statement showing certain statistical information relating to Municipalities in Sind.

Name of Municipality.	Total population according to Census of 1931.	Hindu population according to Census of 1931.	Muslim population according to Census of 1931.	Elected members.		Nominated members.	
				Hindus.	Muslims.	Hindus.	Muslims.
1	2	3	4	5	6	7	8
Karachi ..	2,47,058	1,11,035	110,689	21	16	1 1 Sikh	1
Tatta ..	9,635	4,381	5,184	10	10	2	1
Keti Bunder ..	1,654	825	829	6	6	1	1
Kotri ..	9,908	3,527	5,933	7	8	1	1
Manjhand ..	2,405	1,484	921	8	4	1	1
Hyderabad ..	90,021	67,644	27,116	28	12	2	2
Nasarpur ..	4,254	1,510	2,744	5	7	1	1
Hala ..	7,308	2,555	4,753	6	10	1	1
Matiari ..	6,074	1,172	4,794	6	10	1	1
Tando Allahyar ..	5,146	3,707	1,429	11	5	..	2
Tando Muhammad Khan ..	6,560	3,594	2,966	9	7	1	1
Sukkur ..	64,982	Not yet available		24	14	3	2
Shikarpur ..	61,977	Do.		21	12	2	3
Garhi Yasin ..	6,925	Do.		10	6	1	1
Rohri ..	13,715	Do.		12	8	2	2
Ghotki ..	4,638	Do.		7	5	1	1
Larkana ..	24,698	15,766	8,932	15	10	2	2
Kambar ..	9,359	3,479	5,880	6	10	1	2
Ratodero ..	7,285	4,702	2,583	9	7	1	1
Sehwan ..	4,107	1,739	2,368	6	6	1	1
Bubak ..	3,002	1,701	1,301	7	5	1	1
Tando Adam ..	12,859	10,115	2,709	15	5	1	2
Shahdadpur ..	7,572	5,689	1,883	8	4	1	1
Mirpurkhas ..	9,122	Not yet available		11	5	..	2
Umerkot ..	3,581	Do.		9	3	1	1
Jacobabad ..	15,818	7,914	7,832	10	10	2	2

Police in Sind.

*Mr. S. S. TOLANI (Western Sind): (*a*) Will Government be pleased to state how many new police stations and police outposts, giving the name of each, have been opened during this year on account of the reorganisation scheme in the districts of Sukkur, Larkana and Upper Sind Frontier?

(*b*) How many new officers and men were recruited in each district, stating the religion of each of them?

(*c*) Do Government propose to increase the police force in the other districts of Sind, and, if so, when?

The Honourable Mr. G. A. THOMAS: (*a*) Five police stations and 20 outposts as shown below :—

Name of District	Name of Police Station	Name of Outpost
Sukkur ..	....	Mamro.
		Sarhad.
		Dad Laghari.
		Reti.
		Khanpur.
		Garhi Tegho.
		Nabi Shah Wagan.
		Drakhan.
Larkana ..	Bakrani ..	Khalid.
	Naundero ..	Lashkar Chandio.
	Sita Road ..	Sijawal.
	Phaka ..	Bhatti.
		Kakar.
		Pat.
		Pat Gul Md.
		Talti.
		Jhalo.
Upper Sind Frontier..	Mouladad ..	Sanjar Bhati.
		Rassaldar.
		Gublo.

(*b*) The following statement gives the required information :—

Name of District	No. of Officers enlisted		No. of men enlisted		
	Hindus	Muslims	Hindus	Muslims	Sikhs
Sukkur	1	1	69	149	..
Larkana	1	..	46	120	8
Upper Sind Frontier ..	..	..	4	36	..

(*c*) Yes, as soon as financial conditions permit.

Agriculturists' Literacy.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state the proportion of literate to illiterate persons amongst the agricultural population of the Presidency ?

The Honourable Diwan Bahadur S. T. KAMBLI: The attention of the honourable member is invited to Chapter VIII—Literacy—of the Census of India, 1921, Volume VIII, Part I. Government have no further information.

EAST INDIA COTTON ASSOCIATION: AGRICULTURISTS.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) whether there are representatives of agriculturists on the executive body of the East India Cotton Association or in the list of surveyors appointed by that body;

(*b*) whether there is any officer of the Agricultural Department on the Board of Directors of the East India Cotton Association?

The Honourable Sir GOVINDRAO PRADHAN: (*a*) At present there are no representatives of agriculturists on the Board of Directors of the East India Cotton Association, Limited. Surveyors are not appointed by the Association, but every member thereof is entitled to appoint two persons as his nominated representatives who are eligible to act as surveyors in respect of disputes regarding quality of cotton.

(*b*) There is no officer of the Agricultural Department on the Board of Directors of the East India Cotton Association, Limited. The new constitution providing for the representation of agriculturists will come into force on the first of April next.

Rao Bahadur B. R. NAIK: In view of the fact that a large quantity of cotton is handled by this body and as the interest of growers is involved in the working of this Association, will Government be pleased to move this body to appoint representatives of agriculturists on its Board?

The Honourable Sir GOVINDRAO PRADHAN: "The new constitution providing for the representation of agriculturists will come into force on the first of April next." I have added that to the reply printed.

Rao Bahadur D. R. PATIL: May I know the number of representatives of agriculturists under the new constitution?

The Honourable Sir GOVINDRAO PRADHAN: Two.

CIVIL COURTS, NASIK: TYPING FUNDS.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state the total amount of the typing funds lying in several Civil Courts in the Nasik District at the end of each year since the introduction of the system of supplying typed copies?

The Honourable Mr. G. A. THOMAS: There is no typing fund in any of the Civil Courts in the Nasik District.

DIRECTOR OF PUBLIC INSTRUCTION'S OFFICE: STAFF.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) the number of gazetted officers in the Director of Public Instruction's office;

(*b*) how many of them are Brahmins, Hindu intermediate or backward communities and Mahomedans;

(*c*) the number of non-gazetted clerks in the office of the Director of Public Instruction and how many of them are Brahmins and Mahomedans and how many are from the backward Hindu communities ?

The Honourable MOULVI RAFIUDDIN AHMAD : (*a*) Six, including the Director of Public Instruction.

(*b*)

Brahmin.	Intermediate Hindu Community.	Muhammadan.
1	1	1

(*c*) The honourable member is referred to the reply given in the last July-August session to a similar question by Mr. J. S. Kadri, printed at pages 549-550 of the Bombay Legislative Council Debates, Volume XXXI, Part VIII.

Government Trees : Sale to Khatedars.

*Rao Saheb R. V. VANDEKAR (Nasik District) : Will Government be pleased to give the names of the district in which and the year of their order by which their right to teak, blackwood and sandalwood trees standing in occupied lands was sold to khatedars ?

The Honourable Mr. W. F. HUDSON : The appended note explains in what cases the right to teak, blackwood and sandalwood trees has been sold to khatedars.

Note referred to in the reply.

In the Bombay Suburban District, there was only one case at Trombay in 1925-26 in which the right to teak trees was sold to the Khatedar.

2. In Kaira and Broach districts there are no such reserved trees in occupied land. In the Panch Mahals no general orders have been passed by Government regarding the sale of their right to reserved trees in occupied lands, but the standing teak trees are sold to occupants if they want them and the right to after-growth is conceded to them. In the Surat District there are no general orders of Government regarding the sale of reserved trees to Khatedars (occupants), but if a khatedar applies for permission to cut such trees standing in his occupied land, he is permitted to do so on payment of Re. 1 per tree. In the Thana District Government have, as an act of grace and favour, waived the right to trees, whether reserved or unreserved, standing on occupied rice, garden or rabi lands. Occupants are therefore at liberty to cut down and dispose of all trees growing thereon in such manner as they may see fit. In Varkas lands the felling of teak, blackwood and sandalwood trees without the permission of the Collector is strictly forbidden. In such lands the right to reserved trees is reserved to Government.

3. In the East Khandesh District, sandalwood trees in occupied lands were handed over to the occupants without royalty in consequence of the orders issued in November 1903. In May 1886, blackwood and sandalwood trees in the Poona District were removed from the list of reserved trees. The right to other royalty trees in these two districts and to all the three kinds of trees in the remaining districts in the Central Division is reserved by Government and such trees are disposed of according to the procedure laid down in Articles 226 and 227 of the Bombay Forest Manual, Volume II.

4. There are no orders by which the Government right to teak, blackwood and sandalwood trees was sold to the Khatedars in any of the districts in the Southern Division. The practice in Kanara is to sell such trees, if not already removed by the Forest Department, to the Khatedars when applied for by them. In Ratnagiri, the right to reserved trees was given to all persons growing such trees outside Government or forest lands, by Mr. Dunlop's proclamation of 1st March 1824 and this concession was further extended to trees growing on Dhara land and on land held on khoti tenure, except those standing on waste or forest lands. In Kolaba, Government have as an act of grace waived their right over such trees in rice, rabi and garden lands and have allowed the occupants to dispose of them. In varkas lands, the trees have been reserved. The right to after-growth has been conceded to occupants in all occupied lands.

6. There are no teak, blackwood or sandalwood trees in Sind.

UNSTARRED QUESTION AND ANSWER.

CATTLE LIFTING, KARACHI DISTRICT: PREVENTIVE MEASURES.

Mr. GHULAM HYDER SHAH (Karachi District): Will Government be pleased to state—

(*a*) whether they are aware that cattle lifting exists in Karachi District in an acute form and to a certain extent in other districts of Sind;

(*b*) whether the measures suggested in the recommendations of the Cattle Theft Committee for the prevention of the crime have been enforced by Government in any district;

(*c*) if so, what measures have been adopted and in which parts of the province; if no steps have been taken, the reasons therefor;

(*d*) whether it is a fact that vigilance committees were proposed to be established as one of the preventive measures;

(*e*) whether it is a fact that vigilance committees as suggested in Government Resolution No. 8387-V of 16th September 1929, have not been established in any part of the province;

(*f*) if so, the reasons therefor?

The Honourable Mr. G. A. THOMAS: The attention of the honourable member is invited to the reply given to a similar question put by Mr. Shaikh Abdul Majid.*

ANNOUNCEMENT OF A 10 PER CENT. CUT IN DEPUTY PRESIDENT'S SALARY.

The Honourable the PRESIDENT: Order, order. A letter has been placed in my hands this moment by the honourable member the Deputy President, which is to this effect:

"Kindly announce on my behalf that I have also followed the noble example set by His Excellency and yourself and I am willing to accept a cut of 10 per cent....."

A voluntary cut, of course,

"....in the meagre emolument I get for holding the post of the Deputy President of this honourable House while during session."

Now we take up the Government Bill.

BILL No. XLV OF 1931 (A BILL TO PROVIDE FOR A SUCCESSION DUTY IN THE PRESIDENCY OF BOMBAY).

The Honourable Sir GOVINDRAO PRADHAN: Sir, I introduce Bill No. XLV of 1931 (a Bill to provide for a succession duty in the Presidency of Bombay).†

The Honourable the PRESIDENT: Bill No. XLV of 1931 (a Bill to provide for a succession duty in the Presidency of Bombay) is introduced.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I beg to move that Bill No. XLV of 1931 (a Bill to provide for a succession duty in the Presidency of Bombay) be read a first time.

First reading.

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* Printed on page 36. † Appendix I.

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In moving this first reading, I have to make a few observations. I quite admit that no Government is justified in calling upon the taxpayers to pay any tax either for piling up its reserves or for incurring avoidable and unnecessary expenditure. I will try to satisfy this House that every honest effort is being made to retrench expenditure and yet there is a huge deficit in the revenues required to meet the current expenditure of Government. Honourable members are aware that owing to the world-wide depression every country is hit in the matter of its finances, and this Presidency has its share, a good deal aggravated by other extraneous circumstances over which Government have had no control. I do not wish to repeat the several arguments and facts which I brought to the notice of this honourable House in several of my budget speeches and replies, but I wish merely to touch the salient points in order to bring home to the members the necessity for this legislation. I have to request them to give the Government their whole-hearted support.

It is no good lamenting over past mistakes and the losses which this Presidency has suffered owing to such mistakes. It is more to the point if we consider how to meet these losses and how to tide over the difficult times through which we are passing.

When I presented the budget for 1930-31 in February 1930, I presented a balanced budget and hoped for a small surplus of one lakh of rupees. Unfortunately, the civil disobedience movement was started in that year and it was also accompanied by the world wide depression to which I have made a reference, with the result that while we budgeted for a revenue of Rs. 15·74 crores the actual revenue realised was only Rs. 13·83 crores. At the time of the presentation of the budget for 1931-32, it was estimated that the fall in the revenue in 1930-31 would be about Rs. 105 lakhs and an increase of expenditure debitable to revenue about 15 lakhs, so that instead of a surplus of 1 lakh, which was anticipated when the budget of 1930-31 was presented, it was estimated that there would be a deficit of 119 lakhs. The actual fall in the revenue, as the final accounts show, comes to Rs. 191 lakhs, the chief items which contributed to this fall being Land Revenue 38 lakhs, Excise 85 lakhs, Forests 26 lakhs, Stamps 15 lakhs, and Irrigation 35 lakhs. There was a reduction of expenditure to the tune of Rs. 35 lakhs under different heads which was counterbalanced by an increase in expenditure under the heads Police (14) and Jails (3) owing to the civil disobedience movement, and under Irrigation (5) and Famine Relief (2) owing to floods in Sind and other parts.

We entered the year 1930-31 with an opening balance of 245 lakhs. Of this balance, 104 lakhs were in the Famine Relief Fund and 75 lakhs were a carry over of loan funds. During the year expenditure from the Famine Fund reduced the total to the statutory minimum of 75 lakhs. Of the 75 lakhs, loan balances 38 lakhs were absorbed in capital expenditure leaving a balance of 37 lakhs at the end of the year. We have also in the balances certain other monies which are reserved, and these are the unexpended balance of the Road fund amounting to 22 lakhs and

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the Presses Depreciation Fund amounting to 2 lakhs. Now, the fall in revenue during the year 1930-31 was greater than we anticipated at the time of preparing the budget for the current year and amounted to 191 lakhs. Taking into account, therefore, the reduction in the total expenditure of some 11 lakhs the deficit on the year's working amounts to 179 lakhs with the result that what I may call the free balances are represented by a minus figure of 60 lakhs. We have been able to finance this overdraft temporarily by the use of the reserves to which I have referred, amounting to 24 lakhs together with the remaining loan money of 37 lakhs. But means have yet to be found to make good this amount of 60 lakhs.

The Honourable the PRESIDENT [*Noticing that the Honourable Member was addressing the House with his back towards the Chair*]: I am sorry to interrupt the Honourable Member, but the President would also like to follow the Honourable Member.

Dr. M. K. DIXIT: If the Honourable Member proceeds a little more slowly, we will follow him better.

The Honourable Sir GOVINDRAO PRADHAN: All right. Coming to the current year, it is too early yet to make a definite statement of what the deficit is likely to be. Such estimates as we have been able to make up to date point to a reduction in revenue below the budget figure of some 93 lakhs. Reference has already been made to this in the Financial Review placed before the House at the last session. Since then it is necessary to record a further considerable fall in the estimates of the revenue expected in the latter half of the year under most of the principal heads of revenue, namely :—

Land Revenue	9 lakhs.
Excise	9 lakhs.
Stamps	13 lakhs.
Registration	2 lakhs.
Irrigation	20 lakhs.

On the other hand, the net reduction of expenditure is 24 lakhs, so that there is an addition of 69 lakhs to the anticipated deficit of 61 lakhs, making a total of 130 lakhs. In regard to the next year, I regret that it is not possible to be optimistic regarding any increase in the ordinary sources of revenue. We have no indication yet of any general forward movement in commodity prices, and so long as they remain at their present low figure, we have no reason to suppose that our main sources of revenue will show any betterment, though it seems likely that the recent improvement being shown in general trade conditions may assist the Stamp revenue. An additional burden which will fall upon the revenues next year is the replacement of the 16 lakhs borrowed in the current year from the Petrol Fund for the maintenance of roads. So the net estimated result of the working of the two years, viz. the last year and the current year, is that we have wiped out 64 lakhs as our free balance and incurred an additional liability of 190 lakhs. As I have said,

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a reduction in expenditure during the current year of 24 lakhs has already been effected. This includes the cut of 10 per cent. in pay for about three months.

The first point on which it is necessary for me to insist is that there shall be in the next year a budget balanced without the help of borrowings.

The total expenditure charged to revenue in the current year's budget was 1,581 lakhs. Out of this Interest and Pension charges and other irreducible expenditure amount to 3,65 lakhs, leaving a balance of something over 12 crores from which to effect retrenchment. It is needless for me to dilate upon the immense difficulty of this task in a budget which, if one takes into consideration formal account changes, is already below the figure of 10 years ago, and which has only been attained by the constant application of the retrenchment axe. Even if the revenues remain as they are in the current year, which is not very probable—the chances are they may go down—the problem which lies before us is to reduce the expenditure next year by a crore and a half of rupees. The honourable House is aware that a cut in the salaries of Government servants is expected to save some 35 lakhs, and there still remains a gap of 110 to 115 lakhs to be made good. Government have long been engaged in the task of bringing about a reduction in expenditure and it is hoped that by the severest pruning they will be able to bring down expenditure by about a crore. It is not possible for Government to-day to make any definite announcement of the total saving which they hope to effect, but they have been exploring to the utmost for avenues of retrenchment and they have no intention of shrinking from the task. They wish to make a public acknowledgment at this first available opportunity of the help they have received already from the labours of the Retrenchment Committee. Their report has only been published to-day and Government as yet have not had an opportunity of considering it as a whole nor had they an opportunity of considering the lump cuts which have been suggested as a temporary measure by the majority of the Committee. Naturally several of the avenues for retrenchment suggested by the Committee will cover the same ground which has already been covered by Government and they have been kept in touch from time to time with their conclusions. It remains an incontrovertible fact that even if it were found practicable to put into force in full these very drastic recommendations, the necessity for fresh sources of revenue remains.

The honourable members have continuously been kept informed about the debt position of this Government. The Blue Book supplied to the members at the time of the budget contains two statements E and F which clearly explain the debt position. I have also more than once explained in my speeches and replies the exact debt position of this Government. In my opinion, and I am sure this will be shared by this honourable House, it is wrong to borrow for current expenditure thereby shifting the burden to future generations when it really ought

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to be borne by the present generation. The rate of interest for unproductive debt is also very high viz., 6¾ per cent. The review of the finances already before you, together with the brief report of the situation which I have put to you, prove that this Presidency is not in a position to borrow further for unproductive expenditure, and the very drastic curtailment of all Government activities which will be necessary in the next year cannot from the nature of things be continued permanently. Some of the cuts, such as those on repairs to buildings and communications must be made good, and it is impossible for us to expect that any reorganisation of the administration can bring us down to a total figure of expenditure less by at least 2 crores than the corresponding figure of 10 years ago. In addition we have to provide for the financing of the deficits of the past year and current year to which I have already referred. This then is the reason for the introduction of the Bill.

I have to give a short history of this Succession Duty Bill. This Bill is ready since 1923 and for one reason or the other it has not been placed before this honourable House. The idea of taxing succession or inheritance is a very old one and, if we look to history, we find that even the Egyptians and the Romans had this form of taxation. It is a tax which is levied in all the civilised countries of Europe, America and Asia. It is a very fair tax as it falls on broad shoulders and it is not touching the poor man. It is easy to collect; it is not inequitable and will bring a good round sum to the coffers of Government. Professor K. T. Shah in his "Sixty Years of Indian Finance" (page 328) observes that—

"there could be no great objection to the Succession Duty if very small properties are exempted and if we set up a reasonably liberal system of refunds for excessive collections. With such safeguards the Succession Duty might, even in India, afford an easy, convenient and handsome source of public revenue."

The Taxation Enquiry Committee in their Volume I (pages 261–278) discuss this form of taxation and observe as follows:

"Duties on inheritance or succession are levied in most of the countries of Europe, in several countries of the New World, in most of the British Colonies and in Asia, Ceylon, Japan and Straits Settlements.

Such duties have got the support of great economists like Bentham and Mill who advocated drastic limitations upon the right of unconditional succession. As a form of taxation which falls pre-eminently upon accumulated wealth, they have found special favour with democratic thinkers."

The Taxation Committee have further discussed the possibility of levying this form of taxation on joint Hindu families, and also for removing the inequalities in the incidence of the existing probate duties and as a necessary measure of law reform. And they have suggested that in order that there should be uniformity in law the legislation should be undertaken by the Central Legislature.

Having said so much about the necessity of taxation and the form that such taxation should take, I will shortly deal with the Bill itself as it stands before the House.

The honourable House must have noticed that it has not taken the shape of an estate duty. Property in the air is not taxed. When it

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descends by succession, inheritance or survivorship, then that is made taxable. The tax is graduated according to consanguinity and near relationship. The nearer the heir the less he pays. Agricultural properties are sought to be taxed the minimum, though some letters have appeared in the press showing that there is no reason why large landowners who pay no income tax should pay a very small succession duty. That is a question which will be dealt with in the select committee. Small properties are not taxed. Properties worth up to Rs. 2,000 are exempt. No doubt the Taxation Committee suggested an exemption up to Rs. 5,000, but, as I have already observed, it is not property that is taxed, it is the share which any particular individual gets which is taxed and then there are several concessions also given. So if a person leaves property worth Rs. 8,000 and it is inherited by five sons in equal shares, they pay no tax because the share of each is less than Rs. 2,000. Now I may pause here and say that the scale is graduated in such a way that supposing there is a property worth Rs. 12,500 instead of Rs. 8,000, these descendants will each inherit Rs. 2,500 but they will not pay the full duty of Rs. 50 at the rate of 2 per cent., but they will pay one-tenth, i.e. Rs. 5 only. There is even one exemption for the first two thousand. That aspect of the Bill has got to be very carefully studied. It has been urged everywhere that the taxation is so crushing, that the Bill is so framed that it will actually throw a great burden upon the poor and that this burden will fall upon every one. Let me therefore emphasise that the tax is so graduated and that the Bill has been so diluted that there is hardly any duty worth being levied on such an estate. If it had been in the form of estate duty, the bulk of the property, as it makes a descent, would have been taxed. That is not the scheme of the present Bill. When an heir or legatee gets property which is more than Rs. 2,000, then that is taxed. Honourable members will further notice that if any property is given for charitable purposes, that is fully exempt from the tax.

As regards any business or company not doing business under the Indian Companies Act, if there are successive deaths within a period of five years the duty is reduced, full duty not being levied. In a joint Hindu family, the share of a coparcener is liable to be reduced by a birth and augmented by a death. So, if there is no disruption in the family, it is not proposed to tax the coparceners if a death occurs which augments their shares, because every birth also diminishes their shares; and so the age limit for such taxation is put down at 18, that is, if a member of the joint Hindu family dies after he reaches 18 years, then his share which is taken by the survivors is sought to be taxed. The idea is that if he had claimed for a partition, he would have got a particular share as his own and that share goes to the other survivors; but if the survivor takes something which is less than Rs. 2,000, then again there is no tax. I emphasize this point particularly because it is not the bulk of the property which is taxed but only the share which an individual takes which is liable to tax. That will give relief to many families of all communities. Similarly, annuities and reversions are proposed to be taxed according

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to the benefit which accrues to the person taking the annuity or the reversioner. An appeal is allowed against the valuation and other decisions of the Collector to the District Judge in the mofussil and to the Chief Judge of the Court of Small Causes in the Island of Bombay. From some of the amendments of which notice has been given, I find that some honourable members desire that there should be an appeal allowed to Their Lordships in the High Court. That question I am prepared to consider in the select committee, and you may allow an appeal to the High Court or whatever you like.

Provision is made against any charging of double duties. If a person has paid duty on probate or letters of administration, he does not pay succession duty, or if he has paid the succession duty, to that extent he gets a refund out of the probate duties.

The present state of the law is that only certain communities pay any death duty; while Hindus, Mahomedans, Buddhists, Jains and Indian Christians are exempted. Only in cases where the Hindu Wills Act applies (viz., as regards wills made in Bombay and wills relating to property situated in Bombay) is a probate necessary.

Under section 19 (*d*) of the Court-fees Act, even if letters of administration are required for properties of a Hindu joint family, the decisions of the High Court are that they are to be given without stamp duty, while if a European or a Parsi applies for a probate or letters of administration, he has got to pay full stamp duty upon the whole property. It is true that it is not obligatory upon any person to take out probate or letters of administration, but if he goes to a Court of law and asks the aid of the Court, that aid in the shape of a decree is not given, unless probate is taken if there is a will, or letters of administration if there is no will.

The other two relevant acts are the Succession Certificate Act, which is now repealed and the provisions of which are incorporated in part X of the Indian Succession Act of 1925, and the Bombay Regulation of 1827 for obtaining an heirship certificate. But in the first case the duties are paid only for such properties as are to be covered by a succession certificate, and in order to remove all these anomalies and to bring all the communities upon an equal level this bill is sought to be introduced.

The Bill which was published in February 1931 contained two clauses dealing with certain sections of the Indian Succession Act. It is now thought better to dispose of this question in a separate Act, and it is intended to introduce a Bill for that in the Budget session. It is a formal measure for equalising all communities and to get over the interpretation of section 19 (*d*) of the Court-fees Act. This will be a separate measure by itself, and so it will be separately brought before this honourable House.

The schedule of duties shows that it is regulated according to the value of the property, the duty rising as the bulk of the property increases. The duty is regulated to the very minimum, so that impetus to saving will not be affected. If there are fraudulent transfers to avoid the duty,

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power is given to the Collector to look into them, if the transfers are within a few months of the man's death, but *bona fide* transfers are not touched. Moveable property situated outside the Presidency either in any part of British India or in a foreign state is sought to be taxed if the owner of the property has had his domicile in the Bombay Presidency. Immoveable property situated within the Presidency but belonging to a person domiciled outside the Presidency is also sought to be taxed.

I have now explained, clearly I hope, the main provisions of the Bill. It will be admitted that an attempt has been made to keep the duty as low as possible and to distribute the incidence as equitably as possible, the more distant relations and strangers paying more than near relations.

It is not intended to take this Bill through all the three readings in this session. It is proposed to send it to a select committee. Admittedly, it is a difficult measure, and it is possible that several corrections in the drafting as well as in the main provisions may be required. A legal difficulty occurred in clause 5, after the Bill was published, about the words "entitled in possession." So, I have tabled an amendment in order to get over that difficulty, because perhaps it may be thought that this is an amendment of principle. There may be amendments in drafting which, not being amendments of principle, could be made in the select committee or in the second reading. If the honourable House is pleased to accept the first reading and to send the Bill to a select committee in its amended form, the second and third readings will be taken in the Budget session, so that it may become operative from 1st April 1932.

With these remarks, I commend this Bill for the acceptance of this honourable House. [*Applause.*]

Question proposed.

The Honourable the PRESIDENT: Before the House proceeds to discuss the first reading of the Bill, I should like to consult the House in the matter of the procedure they would like to follow. There are several principles involved in this Bill, which could be said to be the principles of the Bill. But the main principle is whether a taxation in the form of a succession duty should be levied or not, and involved in that are the other principles which I may call the secondary principles, viz., whether it should be a permanent measure, whether it should apply to the whole of the Presidency; whether it should apply to all the sections of society including joint Hindu families. Now, honourable members have tabled a number of amendments on these points. The House may now choose to discuss the main principle, viz., the first one that I mentioned, whether the House is willing to accept the Bill in its chief principle of allowing a taxation of this kind, or, as is usual, they may take up an amendment, discuss it, and at the same time speak generally on the Bill; or they may adopt a third method, if both sides of the House agree, particularly the honourable mover of the Bill, that all these amendments, which are, as I said secondary but of principle, may be taken up in the select committee. To repeat, the main principle may be

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discussed here, and if the House agrees upon the main principle that a succession duty should be accepted in the first reading, all the other amendments may be taken up in the select committee, if both sides of the House agree.

The Honourable Sir GOVINDRAO PRADHAN: I am quite agreeable to take all the amendments which are not amendments of principle to the select committee. I have myself tabled an amendment regarding the position of a coparcener as regards possession in a joint Hindu family. If you allow even that amendment to be considered in the select committee, I have not the least objection.

Rao Bahadur R. R. KALE: We can proceed with the discussion, as regards the principle of taxation.

The Honourable the PRESIDENT: I accept the suggestion of the two honourable leaders that the main principle whether the House is ready to accept a taxation of this kind should be discussed now. I think the House may proceed with the discussion now on that main principle. The motion for the first reading is, therefore, now before the House.

Khan Bahadur M. A. KHUHRO (Larkana District): Before we take up discussion of the Bill, I wish to make a request. The Retrenchment Committee's report is just placed in our hands. That is an important report which the House has to read and see what proposals they have made to make savings. Many honourable members desire that they should be given time to read the report and discuss it, before the Bill itself is discussed. Therefore, it would be better if the discussion of the Bill itself is postponed till to-morrow.

The Honourable the PRESIDENT: That is asking too much. I know that the report has been placed in my hands just now and I have not even opened it. I would feel handicapped myself, if any honourable member refers to it. It is very reasonable that they should have time to read the report. If the Government had been able to place the report in their hands yesterday, it would have been much better, but to allow a separate discussion on the report itself will be going against the aim and purpose of this session. Honourable members will be justified in referring to the possible avenues of retrenchment in connection with this particular taxation. But the Retrenchment Committee's report itself is not before the House for discussion.

The Honourable Sir GOVINDRAO PRADHAN: Even His Excellency has referred to it and I myself have mentioned in my speech that the report was placed in our hands only to-day. Government have not even considered the report. How is it possible to discuss it?

Dr. J. A. COLLACO: Sir, I wish to point out that this is putting the cart before the horse. We do not know whether extra money is necessary. Unless we go through the recommendations of the Retrenchment Committee, we will not be able to decide it.

The Honourable the PRESIDENT: I cannot allow the discussion of the Retrenchment Committee's Report by itself. I would allow half an hour to honourable members to read the report, if it suits them. [Honourable Members: "No, no".] Honourable members are speaking among themselves without helping me in the matter. If any honourable member has any proposal to make, let him stand and speak.

Mr. P. R. CHIKODI: It is only fair that the House should be allowed to go through the report and make up their minds. The one point made by the Honourable the Finance Member is that the finances of the Presidency are in such a condition as to necessitate additional taxation. In order to arrive at a proper conclusion, the House must have some time to go through the report. It is, therefore, better that the House should adjourn now till to-morrow.

Dr. J. ALBAN D'SOUZA: I admit that we must have a fair idea of the recommendations of the Retrenchment Committee. But we have just now heard from the Honourable the Finance Member that the amount of retrenchment effected by the committee will by no means suffice to rehabilitate the financial position of this Presidency. In that case, I do not see any reason why the discussion of the Bill itself should be delayed.

The Honourable the PRESIDENT: No speech is necessary. The honourable member makes a proposal that the House should adjourn till to-morrow. If half an hour is added to the tea interval, it will give them one hour. Would that do?

Rao Bahadur R. R. KALE: Let us proceed.

The Honourable the PRESIDENT: Let the House proceed with the Bill.

SYED MIRAN MAHOMED SHAH: Let us adjourn for tea now. [*None rose to speak.*]

The Honourable the PRESIDENT: This is creating an awkward situation. If honourable members have decided that not one of them will speak on this Bill, I may put the question. If honourable members on this side of the House, on the other hand, expect any other member from the Government benches to speak after the Honourable the Finance Member, it is unfair. Some non-official member should speak before another member from the Government benches speaks.

Rao Bahadur R. R. KALE: The Honourable the Finance Member said that the Retrenchment Committee's Report as such has not been considered by Government. Still they want to proceed with the discussion of this Bill, even before their seeing whether the recommendations of the Retrenchment Committee would dispense with the necessity for this taxation. If that is so, we should make no speeches.

Rao Bahadur G. K. CHITALE: The pros and cons have been known to the people for several years.

The Honourable Sir GOVINDRAO PRADHAN: If honourable members do not wish to make remarks, they cannot be compelled to do so. I have made the financial position very clear. I have shown them that

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in the working of the last year there was a minus balance of 60 lakhs. As has been pointed out by His Excellency, the retrenchment effected will amount to a crore of rupees. In order to balance our budget, we must have 150 lakhs——

Rao Bahadur R. R. KALE: Is the Honourable Member entitled to make a speech ?

The Honourable Sir GOVINDRAO PRADHAN: Because the honourable member referred to it, I am explaining it.

Mr. R. R. BAKHALE: Sir, you are the custodian of the privileges and rights of this House. I appeal to you in all seriousness to protect us from the predicament in which we are placed. Here is a Retrenchment Committee's Report placed in our hands just now. Here is a Succession Duty Bill also placed in our hands just now. [Honourable members: "No, no".] Here is the Succession Duty Bill, the first reading of which has been moved just now.

The Honourable the PRESIDENT: That is more correct.

Mr. R. R. BAKHALE: This is a taxation measure. We are asked to give our consent to it on the ground that there is a deficit. I grant it for the sake of argument. But in February of last year we with the consent of Government appointed this Retrenchment Committee. That committee sat for several months and has made a report. Is it not our duty and right to read this report carefully and try carefully to find out whether the recommendations made by this committee are of such a character that they will cover the deficit so that there will be no need for this Bill ?

The Honourable the PRESIDENT: What does the honourable member speak on ?

Mr. R. R. BAKHALE: On the Bill.

The Honourable the PRESIDENT: On the first reading ?

Mr. R. R. BAKHALE: No.

The Honourable Sir GOVINDRAO PRADHAN: If honourable members are desirous of speaking on the report——

Rao Bahadur R. R. KALE: We do not want to speak.

The Honourable Sir GOVINDRAO PRADHAN: If they want that the House should be adjourned till to-morrow, I have no objection.

Rao Bahadur R. R. KALE: The Chair has ruled that we should proceed with the discussion.

Mr. R. R. BAKHALE: There may be some members of this House who may accept the principle of the Bill as such apart from the financial policy of the Government of Bombay. But if Government are going to treat us in the manner in which they have been treating, so far as this Bill is concerned, I have no alternative but to oppose it. I was originally prepared to vote for its first reading. But if we are treated in this

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manner, I am helpless. I appeal to you as the custodian of our rights to protect us from this embarrassment.

The Honourable the PRESIDENT: I would willingly do so. I said that in the beginning. What the honourable member stated has appealed to the Government side and not to the non-official side. The majority of members on the non-official side do not wish that the House should be adjourned.

The Honourable Sir GOVINDRAO PRADHAN: But that is your privilege, Sir.

Dr. M. K. DIXIT: Instead of wasting time like this, the question may be put to the vote.

The Honourable the PRESIDENT: The question of adjourning till to-morrow?

An Honourable MEMBER: There is no such question before the House.

The Honourable the PRESIDENT: Does the honourable member Mr. Bakhale move that the consideration of the Bill be adjourned till to-morrow?

Mr. R. R. BAKHALE: I make no motion, Sir.

Dr. P. G. SOLANKI: Sir, I move that the House be adjourned till to-morrow for the consideration of and discussion on this Bill and for the consideration of the Retrenchment Committee's report.

The Honourable the PRESIDENT: I shall put it to the House.

Dr. M. D. GILDER: The motion is for the consideration of the Retrenchment Committee's report. Is that relevant to this Bill?

The Honourable the PRESIDENT: The motion is that the consideration of the Bill be adjourned till to-morrow, on the ground that that would give honourable members time to read the Retrenchment Committee's report.

Question put, and negatived.

The Honourable the PRESIDENT: That motion having been lost, the first reading of the Bill is before the House and any honourable members on this (non-official) side, if they choose to speak, may do so. We shall now adjourn for tea.

An Honourable MEMBER: It is not yet half-past-four.

The Honourable the PRESIDENT: The central table has to be brought in again and readjusted. The House will adjourn till quarter to five for tea.

(*After recess.*)

The Honourable Mr. W. F. HUDSON: Mr. President, when I was studying the agenda of this session, I came to the conclusion that the only duty which would fall upon me would be that of answering questions. I never expected that I should have to speak upon this Bill, seeing that

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I cannot claim to be either a lawyer or a financial expert. I knew that there were many accomplished lawyers and perhaps even more financial experts in this House who would be much more competent than I could ever claim to be, to deal with a Bill of this nature; and, therefore, I practically imposed upon myself a vow of silence. But circumstances alter cases; and since apparently none of the accomplished lawyers or the financial experts whom I see in serried rows opposite to me is prepared to rise and discuss this very important question, I feel that I cannot let the matter go by default. And, therefore, although as I say I have no special knowledge of either of these subjects, yet I do claim the right as a member of this House and a citizen of Bombay to address a few words to the House on what appears to me to be a serious crisis in the history—not only the financial but the political history—of this Presidency.

After what has fallen from my honourable colleague, the Leader of the House, I do not think that I need emphasise the serious nature of the crisis; and I confess I am a little surprised at the apparent levity with which my honourable friends opposite appear to regard it. I use the words "apparent levity" because I am quite sure that in their hearts they realise what a serious stage has been reached, and that when they go home this evening and reflect upon the attitude they have taken up to-day, they will perhaps in their hearts wonder whether it was a wise and statesmanlike attitude. In the eloquent address that we heard from His Excellency this afternoon an appeal was made to this House to assist Government in finding a way out of the very serious *impasse* in which we now find ourselves. And what is the response? The response is that I understand that no member of the opposition is prepared to get up and discuss the merits of this question. Of course, if that meant that every honourable member was going to support with his vote this carefully thought-out measure, then there would be nothing more to say than that it is an excellent action on their part, because it would save us the inevitable expenditure of continuing this session. But I am afraid that it would be unduly optimistic of me if I anticipated that all my honourable friends opposite were going into the "Aye" lobby. From my experience of this House, I am afraid I must anticipate that they are going to adopt a very different course. But I would point out to them that, in doing so, they will have given the Government no assistance whatever in dealing with the serious financial crisis which is now upon us. They will not have told us what is their objection to this Bill. They will not have explained to us whether it is that they object to every taxation Bill as such and are not prepared to assist us in raising any more revenue of any kind, or whether it is that they object to this particular form of taxation, that is to say, a Succession Duty Bill or anything in the nature of a Succession Duty Bill. If some of my honourable friends had just got up and explained to us what are the grounds of their opposition, Government at any rate would have had some little assistance in finding alternatives. At the present moment, we are entirely in the dark as to whether the House is fully determined

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that they will not consent to any extra taxation being imposed or whether having considered this Bill, they think that it is an unfair way of raising revenue. I will put before the honourable House what I think a very just complaint on the part of this side of the House. If, as I understand, the suggestion is that without any remarks in opposition we are to go into the division lobby, I venture to suggest to this House that it is not a very statesmanlike attitude. I think I can say with pardonable pride as a Bombay citizen that for the past 10 or 12 years this House has generally taken a reasonable and statesmanlike attitude of its responsibilities and in many cases has been a good example to other legislatures. Now, what will be said by thinking men of the attitude of the representatives of the people who, when they are faced with the gravest crisis that has come upon us probably in the last 50 years and when a responsible Government comes forward with a carefully considered proposal, refuse even to give the matter a moment's consideration, at any rate in this House? It seems to me that it will be said that this House has abdicated its functions; and that is probably one of the gravest charges that can be brought against any popular assembly. What a contrast to the action of the House of Commons when it was faced, not so many weeks ago, with a similar—though probably a greater—crisis! All parties or practically all parties combined to support the Government in its determination to balance its budget at all costs, not only by means of retrenchment but also by means of increased taxation—and that at a time when the burden of taxation—you may take this from me—was far more crushing than it is at present in India. Well, comparisons are odious; and I have no wish to stress that point unduly. But I would have liked to feel that this House was prepared to imitate the good example of the Mother of Parliaments and maintain its reputation as a wise and sagacious body. As far as Government is concerned, we feel that we have done our duty. It is an unpleasant task proposing taxation. No Government, not even an irremovable Government, likes taxation. But we feel,—it is a point upon which we are indeed unanimous,—we feel that next year at all costs we must balance our budget. We cannot balance it this year. Circumstances have been too strong for us. But if we can get the House to pull with us, I feel sure that we can make a very good attempt towards balancing it next year. Honourable members opposite will say to us, "You can balance your budget by retrenchment." Well, Sir, I have not yet had the opportunity of studying the report of the Retrenchment Committee; but necessarily we have all been in touch, more or less, with the work of that Committee. And I may assure the House, with all possible emphasis and with a due sense of responsibility, that I am quite convinced that any retrenchment which is possible next year will not balance the budget, and when honourable members have studied the proposals of the Retrenchment Committee, I feel perfectly convinced that they will agree with me.

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As to the complaint of an honourable member that it was unfair on our part to bring forward this Bill before honourable members had the report of the Retrenchment Committee in their hands, all I can say is that it was not the fault of the Government that the report was not in their hands. Every effort was made to place it in the hands of honourable members at least a week ago, but circumstances over which Government have no control made that impossible. Nevertheless, I maintain that it would make no difference to the point which I am urging at the moment, and that is that in addition to retrenchment we must have extra taxation.

I do not think it is necessary for me at this stage to repeat the arguments of my honourable friend the Finance Member about the impossibility of our continuing to live on borrowed money. I have frequently heard criticisms in this House—I think very well-placed criticisms—of the undesirability of increasing our loan commitments. Our unproductive debt now carries a very high rate of interest, and even if we thought it was a sound method of finance, the time must come—and I want to impress this upon the House—the time must come when we shall find that we shall not be able to borrow money, and that time I feel convinced is rapidly approaching. At any rate, no one will lend money, neither the Government of India nor the public, to any Government which has not clearly laid down a policy of balancing its budget as quickly as possible. That is an every day truism; unless the investors or the Government of India are convinced that we are prepared at all costs to balance our budget, they will cut off supplies. In private life, as honourable members know, if you do not balance your budget and continue on that downward course, you very soon find yourself in one place, namely, the bankruptcy court, and I am quite sure that although there is no bankruptcy court for Governments, nevertheless the results are precisely the same—we shall not be able to carry on with our administration.

Having laid down these general principles, I just want the House to bear with me for a moment while I consider what the result will be if we are not prepared to increase our revenues. I am the Revenue Member and it is my misfortune to try and collect a very large proportion of the revenues of this Government, and I daresay the House is aware that it becomes more and more difficult to carry out those duties owing to the general fall in commodity prices. Several resolutions have already been tabled, though I am afraid they will not come on this session, suggesting to Government that they should reduce the land revenue this year by 50 per cent. I am sure the House will be glad to hear from me that, as at present advised, Government have no intention of doing anything of the kind; but if they did, there would be nearly another two crores of rupees to be found, but I am afraid the House will refuse to find any other source of revenue, as it apparently intends to do to-day. As I have said, the two crores reduction is not likely to materialise, but honourable members will recollect that last year we had to give very large remissions of land revenue on account of the fall in prices, and

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although I am not at the present moment in a position to make any definite statement, I think it is becoming more and more clear that those remissions will have to be repeated and possibly extended. In his statement, my honourable friend the Finance Member did not take any account of the remissions which I fear it may be my duty in the course of the next month or two to propose to him. What I want to bring out in this connection is that the financial position on the first of April next year will in all probability be even worse than has been outlined to you to-day. That being so, it is obvious that something drastic has got to be done. It is no use whatever for honourable members to get up and say that we must have bigger cuts in salaries, because I am sure that there will be no more cuts in salaries coming at any rate during the next few years. The one we have had to make we have made with great reluctance, and I am afraid that it will hardly add to the contentment of the services. But even if we made more drastic cuts, still we should be very seriously in deficit in our budgets. It is no use talking about raising loans to tide over bad times because we have reached our limit. Now then, the only thing left to us to do (which we shall regret to do very much but which will be forced upon us) will be the drastic cutting down of nation-building services. We cannot possibly reduce those services which deal with Law and Order. They are already at an irreducible minimum, and those of us whose memory goes back eight or nine years will remember that the reduction in the police in Sind caused such serious consequences that Government could not possibly contemplate anything of the same nature generally all over the Presidency. When I was Commissioner in Sind, I never went into three or four districts without being besieged by *panchayats* imploring me to restore the police who had been retrenched under the directions of this House. We cannot reduce our revenue-producing establishments because if we do we shall fail to get our revenue. I am by no means satisfied with our revenue-collecting agency at present and I have not the smallest doubt that, owing to the fact that it is inadequate, a large and considerable proportion of the revenue slips through our fingers and the more we reduce the more will slip through our fingers. Very well, what is left to us? Nothing but the nation-building departments. Could this House contemplate with equanimity the cutting of say half a crore from the Education budget? I could not possibly contemplate it with anything but the gravest regret, and yet what else is left to us? This House has given us money in the past to maintain the rather high standards which we have attained in the Bombay Presidency. Very well then, unless we get more money now, those high standards cannot be maintained. That is all about it.

I do not think that I need say anything more. I am not competent to discuss the merits of this Bill, but I am old enough to remember the time when a Bill of this nature was first introduced into England and I can well remember the outcry there was. It very nearly brought down the Government; everyone said and everyone I think honestly believed that it meant the ruination of property, the ruination of estates, that it

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was a great injustice to successors. I do not suppose any Chancellor of the Exchequer came in for so much abuse as the Chancellor of the Exchequer who introduced the succession duties. But there has been no Chancellor since then who has not thanked God that his predecessor had the courage to do that and no one would ever dream for one second of repealing or in any serious degree modifying the system under which the succession duty is imposed.

Of course, none of us like new ideas, and of course we all realise that there is a particular difficulty in this country owing to the Hindu joint family system. But difficulties are meant to be got over and there is no question whatever that this has been accepted as a sound principle of taxation in a very large number of the civilised countries of the world. India rightly claims to be one of those civilised countries. I do not wish to draw a distinction (as was done last session by one speaker) between India and the other civilised countries of the world, and I see no reason whatever why, if the succession duty has proved a success elsewhere, it should not be an equal success in India. Adjustments I know will have to be made. I do look forward to a thoroughly competent and energetic select committee putting this Bill into shape. I am sure that our draftsmen do not claim to be infallible and I am also quite sure that my honourable friend the Legal Remembrancer will be very glad to receive the assistance of the very able lawyers on the opposite side in putting this Bill into a shape as unobjectionable as possible. If, however, this Bill is thrown out without so much as a discussion, without a word of criticism, without any argument, it will throw Government back on its other resources, which are limited and may be extremely unpleasant. I therefore sincerely hope that we shall not be driven to make use of any of them. I would once again appeal to this House to try and take a statesmanlike view of the situation, to realise what we are seriously up against. Unpleasant as this taxation is, still more unpleasant will be the cutting off of those amenities of life which have made this Presidency, I think I may fairly say, well in advance of most of the rest of India; but I would impress upon the House that unless we can balance our budget next year, we shall have to take a definite step backwards. [*Applause.*]

Dr. J. ALBAN D'SOUZA (Bombay City, South): Sir, I feel that it is my duty to rise in order to urge that the principle of this Bill should be discussed on its merits, if for nothing else only to uphold the prestige, the dignity and the honour of this honourable House. I am very much pained and surprised to see that honourable members on this side of the House are not willing to pronounce even one word either for or against this Bill. I rise, Sir, to support the Bill that is now before this honourable House. It is obvious and clear that in normal times taxation, in whatever form it may be, is odious and annoying. But I beg to submit, Sir, that the times we are living in are far from normal. They are as abnormal as they for the present can be. Taking it for granted, therefore, that there is a serious abnormality existing just now in the matter of the finances of the Presidency, I feel it behoves this honourable House, either

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in justification or condemnation of the Bill, to enquire and determine, firstly, why the times are so abnormal and, secondly, on whom the responsibility of this pressing abnormality rests. Sir, there are to my mind three factors concerned in this enquiry; two of them objectively and one subjectively. The two factors concerned objectively are the Government that seeks to introduce this Bill for the purpose of government of the Presidency, and the citizens of this Presidency from whom it is sought to levy and collect the tax. The factor that is concerned subjectively is this honourable House, who are the judges and on whom falls the sacred and important duty of viewing the subject matter in all its aspects in order to decide whether this Bill should become law or whether it should not become law. Sir, I am sure the House would agree that there is no doubt that the present sad and abnormal circumstances by which the Government of this Presidency seems to be hemmed in, and as a result of which the Government are faced with a deficit, which we have just learnt from the Honourable the Finance Member is Rs. 1,91,00,000, can be definitely put down, in the main, to serious economic depression. The question, therefore, which this honourable House has got to ask itself at this important juncture is: who is responsible for this sad and deplorable condition in the state of affairs in this Presidency?

An Honourable MEMBER: Government.

Dr. J. ALBAN D'SOUZA: Well, Sir, an honourable member said "Government". I hope to prove just now during the course of my arguments that Government are not wholly and in the main responsible for it. Sir, it cannot be denied that India, or if I may confine myself to a limited area, the Presidency, is just now passing through a silent revolution. The case of the Presidency is not that of a shot or a bullet of a normal revolution that puts an end to existence, without undue agony, and is then followed by regeneration and return to normality. But, Sir, the case of the Presidency is that of a silent revolution which is sapping the financial blood of the Presidency by means of processes we have read and heard of so often—*satyagrahas* and non-violent boycott. Sir, in this matter, I anticipate,—even though the anticipation may not be realised because certain sections of the House are not going to comment upon this Bill either this way or that way,—it may be said that the blame for this serious financial embarrassment can be laid at the door of Government, on account of their so-called three capital sins: the Back Bay Reclamation, the Sukkur Barrage and the top-heaviness of the Government of this province. As against this possible statement, which fortunately or unfortunately is not going to be made, I submit that I am not referring to the financial stringency and embarrassment of a few years back which resulted in the clipping of the activities of the Back Bay Reclamation and the Sukkur Barrage schemes, but I am referring to the present financial stringency which has been caused by acts and facts that have occurred more recently. Regarding the statement made in respect to the top-heaviness of the Government administration, I might say that the question about this never arose and would not have arisen if

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the non-violent methods I have referred to had not been resorted to. Sir, on the other hand, Government, who have brought the standard of efficiency and civilisation in this Presidency to a high pitch, are committed to provide for certain amenities, and these amenities must be in consonance with the standard of civilisation that has been attained in this Presidency. This honourable House has got to admit that education, medical relief, sanitation, public health, police measures, and other amenities of this kind have got to be provided by Government in a measure that becomes the standard of efficiency to which this Presidency has been raised. I therefore submit that any measure suggested by Government to reimburse themselves with funds to carry on these obligations has got to be viewed with a broad mind and without the least bit of taint of personal or communal interests.

Sir, dealing now with the Bill to provide for a duty on succession in the Presidency, I submit that there are two features about it which ought to render it straightway acceptable to the entire House. The first is that it seeks to tap sources that are full, and may in certain cases be considered to be windfalls. In addition to tapping sources that are full, as I shall presently indicate, only a very small moiety is taken from what comes to one by way of will, inheritance, succession or survivorship. The second feature that I would refer to is that after the stabilisation of this source of income—and I dare say that if this Bill is passed, Government and the Honourable House cannot expect the income to stabilise for a period of a year and a half or two years—one feels that the hands of Government will be eased for purposes of the collection of revenue in other directions. What I refer to is that, if this income of fifty lakhs to a crore is assured to Government for a period of a year or two, Government will certainly be enabled to take off their hands from other taxation which is pressing heavily upon the citizens of this Presidency. [*Interruption.*] The honourable member interrupting me wishes to say something. I have not heard what he has to say, otherwise I should have replied to him.

The Honourable the PRESIDENT: Order, order. The honourable member may proceed.

Dr. J. ALBAN D'SOUZA: Another feature about this tax is its fairness and the equableness of incidence which it is sought to arrive at. Under existing conditions, with due deference to the Moslem and Hindu honourable members of this House, we know that the Hindus and Muhammadans are exempt from duties of this kind. Therefore, any tax which makes the incidence fair and equable, I think, ought to be accepted. I do not bring this fact out because I feel that some communities have to pay this tax while others do not have to pay it, but the fairness of the incidence is a feature which this Bill seeks to introduce.

The next point that I wish to dwell upon is the extent of the burden of taxation that will have to be borne as a result of this Bill becoming law. Possibly there is an impression that the pressure of this tax would

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be very great indeed. In fact it is so miserably small that I think the anticipated amount of fifty lakhs to a crore will not be realised ; I do not think it would yield even half of it. I make this statement after a certain amount of calculation. To give an instance, in the case of the nearest relation, when a husband dies and leaves to his wife by succession Rs. 10,000, the tax is one-tenth of 3 per cent., that is Rs. 30. Therefore, on an amount of Rs. 10,000 the tax that has to be paid is Rs. 30 only. This could not be considered as a heavy tax. [*Interruption.*] It is a statement which, I believe, is correct. Further, on Rs. 50,000, at 4 per cent., it is Rs. 2,000, and one-tenth of this is Rs. 200, and if we go on to a lakh of rupees, it is Rs. 500. Therefore, on the score of its being a burden and of its pressing heavily upon the citizens, I do not think it can be objected to. Passing on to the case of agricultural lands, the duty payable is one-fourth of the rate which would otherwise have been payable. Whereas in the case of the nearest lineal descendants or ascendants the duty payable is Rs. 300, in the case of agricultural land it is Rs. 75. Similarly, where the duty payable is Rs. 2,000, in the case of agricultural land the duty payable is Rs. 500, and so on. I do not think it can be considered that this taxation falls very heavily upon the parties that are going to be touched by it.

Another point about this taxation is that it seeks to touch the rich and not the poor. There have been occasions when I have raised the point in other matters. There is no doubt that this is a tax which touches the rich. It does not touch the poor. Moneys left by will, inheritance, succession or survivorship up to Rs. 2,000 have been exempted from this tax. Dealing with the minimum limit, I would very much like that it should be raised to Rs. 3,000 or to Rs. 5,000. But this is a matter which can be easily adjusted and accommodated when the Bill, if this Honourable House chooses to do so, is sent to the select committee.

Now, Sir, in the text of the Bill there is no mention made as regards the time or the number of years this Bill is going to be on the statute book.

The Honourable the PRESIDENT : Permanently.

Dr. J. ALBAN D'SOUZA : Even if it is intended to be permanent, I would support it if we could get a guarantee from Government that, if this Bill is put on the statute book permanently, there should be a promise made to us that there will be an easing or alleviation of the burden in the matter of other taxation in the Presidency, particularly that which presses on the citizens of Bombay and the trades they are plying. But this is again a matter which can be settled in the select committee.

Then, with regard to clause 4, I do not understand exactly what the clause means. It is stated in that clause :

"Where a person residing within the Presidency of Bombay becomes entitled under a will or by inheritance or succession or survivorship to any property in the Presidency of Bombay or to any moveable property without the presidency....."

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Suppose that there is a Frenchman in Bombay who inherits some moveable property in Pondicherry, is he also liable under this Bill to pay the duty? I do not know whether this is the intention of the framers of the Bill. I take the view that it can only apply to British India and possibly the Indian States. This again is a matter which may be considered during the select committee stage of the Bill. I appeal to honourable members, for the reasons I have stated, to support the Bill and to help in discussing its pros and cons.

The Honourable MOULVI RAFIUDDIN AHMAD: Mr. President, as a Member of Government, I do not think it would be right for me to allow judgment to go by default, although two of the senior Members of Government have already spoken on this Bill. I may, however, point out with due respect to them that they belong to the irresponsible wing of the Government being irremovable by the vote of the House. I am responsible to the House and removable by its vote. [Honourable Members: "No, no".] I, therefore, think it my duty to take the House into confidence, [*Interruption*] and I have a right to be heard. [Some Honourable Members: "That is true".] I do not care to pursue the enquiry which has been suggested by the previous speaker as to what has brought us to this pass financially. I have no desire even to press you to pass the Bill, if you have decided to reject it. What I am concerned about is how to provide money for education. You have already heard my colleagues regarding cuts in education and I wish you to be serious about them. [An Honourable Member: "We are."]

The Honourable the PRESIDENT: Address the Chair please.

The Honourable MOULVI RAFIUDDIN AHMAD: Sir, I am addressing the Chair. How am I to conduct this department which is seriously threatened with further cuts? Last time a cut of 5 per cent. was imposed upon all the local authorities in connection with the primary education. Serious and frequent complaints are being made to me both orally and in the press with regard to that cut. Moreover, appeals are being made to me in the press, not to make any cuts in grants to aided colleges and secondary schools. Allow me to inform the House that if fresh sources of revenue are not found the grants to these colleges and secondary schools will be seriously cut down. I would like the House to suggest some other sources of revenue if this Bill is rejected. You know already that all nation-building departments are threatened with serious reductions. My honourable colleague the Revenue Member has said that there was no room for any reduction in his department. So also there was none in the Police and Jails Departments, so that cuts will have to be made principally in education. I have already protested on your behalf and I assure you that nobody would have made a stronger protest than I have with regard to any cut in education. [Honourable Members: "Hear, hear".]

[Moulvi Rafiuddin Ahmad]

Now, my honourable friend the member for the University and the champion of the advanced classes had put a question only to-day as to why Government do not allow the assistant teachers to receive their full share of promotion. I dare say he has other questions to ask regarding grants to the colleges and aided schools.

Rao Bahadur R. R. KALE: I was referring to equality of treatment for all.

The Honourable MOULVI RAFIUDDIN AHMAD: I am glad. That makes my position stronger. I am making this appeal to the classes that are backward in education. I ask how are special scholarships for these classes to be continued? [An Honourable Member: "They have stopped it".] Also how about special facilities to the depressed classes? Are they to be stopped? [An Honourable Member: "No, no".] I want to place this matter before the House for consideration. Pray let me know how am I to conduct the Educational Department efficiently, if sufficient money is not found for the purpose? I do not say that this Bill is the only source of revenue. There may be other sources in the minds of the honourable members opposite. If so, I want them to inform Government of the same. It is no use to observe silence. I know your tongues are full of denunciation, but your heads are also empty of suggestions. I am taking the House into confidence. [*Interruption.*] I am quite sure the House sympathises with me. I am quite sure that in the matter of education the House desires that more money should be found. I do not know by what means. Point out to Government how the money for education should be found. If this Bill is thrown out and no other means are suggested it will be a serious matter. I may say that the backward classes will suffer more in education than the advanced classes. The advanced classes have their own colleges and schools. They can conduct their schools and colleges even without the aid of Government. But the backward classes are dependent entirely on Government for higher education. [An Honourable Member: "Including Mahomedans?"] If Government imposed further cuts on the transferred departments, the result will be serious. I would like the House in conclusion to point out any course which will enable Government to tide over the present crisis. Mr. President, I have nothing more to add.

Mr. G. WILES: Sir, Government benches for once in a way find themselves in the rather curious position of being able to address this honourable House without any fear of contradiction. However, in spite of the absence of the usual fear of our pearls of wisdom being proved to be something else, I will try to put a few of them again before this honourable House. In the first instance, those honourable members who came hoping to be able to take part in a debate on the merits of this Bill have discovered that a section of the House has apparently come here determined not to listen to any argument. That section hopes,

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it would seem, to take advantage of other members who apparently find themselves under some sense of grievance at the course of events. Let me try to explain again, as the Honourable the Revenue Member has already done, that this concatenation of circumstances is in no way due to any action of Government. My honourable colleagues on the Retrenchment Committee will not mind my asserting that Government have from time to time in the course of the last two months made it clear that they realised the importance of their report being put before the House and the public at the earliest possible date. That was found impracticable, and as a member of the Retrenchment Committee I take my share of responsibility for the delay. That in no way alters the unfortunate result which we see here to-day.

Another point, Sir. Government do realise that this Bill has perhaps been before the public in its present form only for a very short time. That is one of the reasons why we are most anxious that this House should commit it to a select committee wherein all the points at issue can be thoroughly fought out. It has never been pretended that a Bill of this importance could be drafted in such a shape that it was impossible of correction. In particular, there appear to me, if the Honourable the Finance Member will permit me to say so, to be several corrections possible in the financial aspect of it, which could be made in the select committee. For instance, it seems to me possible that it might meet some of the objections which I have seen recorded elsewhere if the limit of exemption were raised. That would, of course, involve raising also the percentage of the tax. But you will have seen from the public criticism that the incidence of the tax is so light that it has even brought upon us criticism that it is ridiculous. That criticism, I must admit, is not without some foundation. Government have in fact laid themselves open to this criticism in their effort to lighten the incidence of this very novel form of taxation at its first introduction.

As one who has spent—the House will pardon me for making this admission—many sleepless nights and laborious days in trying to find a way out of the *impasse* with which this Presidency is faced, I venture to make the plea that the House will permit this Bill to go to a select committee and be considered on its merits. Are we going to throw it out without any discussion even of the financial position which demands it, even without a reference to the recommendations of the Retrenchment Committee, without any discussion of the merits of the Bill itself in its effect upon the social life of the people? I should imagine that to a stranger coming into this House it would be impossible to realise that the House is really cognisant of the seriousness of the position which faces this Presidency to-day. The Honourable the Finance Member has put before us in considerable detail the exact financial position that will face us next February and March. I am not going to apologise for saying over again a good deal of what has already been said, because I cannot

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help thinking that it has not reached home. The deficit which this Presidency was called upon to face last year in consequence of events which I need not enumerate in detail was 179 lakhs. A great part of that we were able, as the Honourable the Finance Member told you, to finance from sources which he has referred to. Some of those sources are earmarked for other purposes and the money has got to be given back. The sum which still requires to be made good is 60 lakhs. In the current year the deficit which started off at 61 lakhs when the budget left this House has risen, owing to a continued fall in our chief sources of revenue, by some 90 odd lakhs of rupees, so that, the total deficit which we may expect at the end of the year will amount to about 130 lakhs. Now, without retrenchment or further sources of revenue, there is no means of avoiding a repetition of this vast deficit. You have been told that Government hope to see their way to meet approximately a crore of that deficit by retrenchment. Now, how much of that retrenchment will it be possible to repeat? No retrenchment that it is possible to carry out as it were at a moment's notice, within a year, can possibly be such as can be permanently and definitely repeated. It must contain large sums which are cut temporarily from important services which cannot bear to be cut continually. You cannot cut money indefinitely from your repairs to buildings; you cannot cut money indefinitely from your repairs to communications; nor can the canals, particularly in Sind, bear the heavy cut which is put upon them more than one year in succession. I have found during the course of many years of retrenchment that my appetite for cutting departments grows with what it feeds on, and I suspect that my honourable colleagues on the Retrenchment Committee have suffered from the same—delusion, shall I call it? The amount in the retrenchment report which we have been able to recommend can be permanently repeated is comparatively small. If some of the members of the committee could persuade themselves to speak to-day, perhaps they will tell us something about it. May I try to put some words into their mouths? Perhaps it will induce some of them to speak. They may feel—undoubtedly they do feel—that there is considerable scope for permanent reduction of establishment charges. Well, we have talked about it and thought about it a good many months, and we have not come to a definite conclusion in a great many departments. I only mention that as an illustration of the great difficulties which are before Government as well as before the Retrenchment Committee. To-day they—shall I say we?—are therefore moved by force of circumstances to include in our recommendations a number of lump sum cuts which we realise cannot be repeated more than once. In these words, Sir, I think is contained in a nutshell the argument for putting this Bill through without delay. You cannot afford to delay giving remedies to the patient until he is *in extremis*, and if you have no remedy this patient is going to be *in extremis* very shortly.

There is a sort of vague feeling among many of us that this Presidency is too costly in comparison with other parts of India. That is a complaint

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which I have heard repeated with great regularity, certainly during the course of the last nine years. It has been investigated and the results of the investigation have from time to time been put before the honourable House, I fear without being successful in removing some of the apprehensions. Now the reasons—(to a member) I am going to speak quite a long time yet—the reasons for this are many and they are well defined. One of the reasons for the excess in the cost of administration of this Presidency over our neighbours lies in the fact that we have a number of large industrial cities in which the cost of living is greater than in rural areas and naturally influences the cost of living in the areas from which a great part of the population is drawn.

This honourable House, perfectly rightly in my opinion, has always set its face against any attempt to reduce in any way the emoluments of its lower paid servants. Now, if you compare the rates paid to our lower paid servants with the rates paid in most other provinces in India, you will find the reason for the higher cost of general administration.

In spite of all that has been said in the past on this point, again and again we see the old claim being made, namely, that this emergency being temporary, it must be met by temporary measures such as borrowing. Whenever that suggestion has been made I have protested against it because I realise, possibly more forcibly than most of the honourable members, the great danger involved in any such procedure. I have already told you how, willy-nilly, we have in the last two years been compelled to borrow to meet our day to day charges. And yet, in the Review which I prepared before the last session, I tried to make it perfectly clear that the Presidency had reached a stage when it could no longer afford to borrow anything more for its unproductive expenditure. And the time is coming,—I would like to add that full details are given in an appendix to the Review,—coming very shortly, when this Government will be called upon to make yet further contribution to the repayment of debt. That is because every government, every state, must progress or go back, and in the progress which, I need not tell you, has been somewhat faster than we could afford for the last 10 years, we have undertaken commitments which have not yet been met in full. There is still a considerable balance which will have to be met in the year 1935. It is absolutely impracticable, therefore, that this Presidency should mortgage its future revenues to meet expenditure from day to day. Those of us who are in close touch with the markets know that it is not a really practicable proposition to think seriously that Government can go into the market for further loans for unproductive expenditure.

This measure, Sir, not long ago was included by more than one committee in a list of the measures which they thought ought to be taken in the near future in order to set the revenues of this Presidency, which were rapidly falling owing to certain causes, upon their feet. What is it that has occurred so suddenly to render a measure which has been recommended by members of this House so unacceptable to it in spite of the crisis that has come upon us, a crisis unprecedented in its magnitude? This is an experiment, I would repeat, of the utmost

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importance to the financial future of India ; and I believe that all India is watching for the success of this experiment. A measure of this nature for the introduction of death duties is probably the one great change in the system of taxation in India which is bound to come. Its rejection to-day, as I hope I have been able to show, must involve the curtailment of many amenities of which this Presidency is justly proud. It would mean further retrenchment, further unemployment and be one more spoke in the wheel of the vicious circle, from which we are all trying to extricate ourselves.

Rao Bahadur G. K. CHITALE : I move the closure, Sir.

The Honourable the PRESIDENT : I would like to know how many honourable members from both sides wish to speak. [*A few honourable members stood up.*] I will call upon the honourable member Mr. Owen to speak.

Mr. A. C. OWEN (European, Presidency) : Mr. President, on behalf of the constituency which I represent, I strongly support the measure which is before the House. I think it is one of the least objectionable forms of raising revenue which any Government can introduce. It has been introduced in other countries, as we know, and especially in Great Britain, where the death duties are on a much higher scale than that which it is proposed to introduce in this Presidency. I think, therefore, that the principle of this Bill is quite unobjectionable and I am surprised at the attitude of the honourable members opposite. Government is faced with acute financial stringency and loss of revenue, and it is up to every one of us to support Government in its efforts to balance its budget.

The Honourable the Revenue Member has told us that in England, when Government were unable to balance their budget, they placed the position before the House of Commons and all parties combined to support the Government, and we know that now the position has considerably improved there. It is, therefore, up to every responsible party in this House to come to the help of Government. Government have told us that they have explored every avenue of income and have looked into every head of expenditure. We know that it was on the recommendation of this House that a Retrenchment Committee was appointed and that Committee has submitted its report, and we trust that Government will carry out their recommendations so far as is consistent with efficiency. It seems to me that Government have done all they can to reduce expenditure. Now they are trying to increase their income by legitimate means and come before this House and say that it is absolutely necessary to introduce succession duties in order to raise additional revenue. What does the House say ? The House practically says that it refuses to grant this request. How can you carry on the government if you refuse to grant supplies ? The Honourable Minister for Education has told us that it will be impossible for him to carry on the scheme of education unless he receives the full grant. We know that

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he will not receive this grant unless we pass this Bill and furnish Government with funds. I think that we are neglecting our duty in rejecting this Bill. We are all anxious to get responsible government; and yet when a measure of this kind comes up before us, we shelve our responsibility and throw it upon Government. I think I have said all that is to be said in favour of this Bill and resume my seat.

Dr. P. G. SOLANKI: Sir, ever since I have been in this House, I have been always hearing about taxation. It is not a new thing for honourable members to hear about reduced incomes and increased expenditure. This honourable House has in the past supported taxation proposals.

I would like to go into the merits of the present proposal. I look at it from one aspect, namely, whether the taxation which is going to be introduced will be detrimental to the masses in particular, and to the capitalists and rich people and would-be inheritors of large fortunes. As far as I can see, this Bill has been introduced with the object of tapping a source of revenue which has up to now not been touched. Just now I heard the Honourable Minister for Education say that he was helpless in regard to finding ways and means to meet the increasing demand for primary education. If there are any people who are hard hit by the increased taxation, and by all the ways and means thought about and put into practice by this honourable House, the masses remain where they were and where they are, notwithstanding any measures of amelioration which this honourable House might propose in their favour. Education has made no appreciable progress at all amongst the masses. The prohibition policy, which has been so rigidly and rightly pursued during the past few years, has resulted in a dwindling of the income from the Excise Department which used to contribute about 4½ crores of rupees to the revenues of this Government. There is now a reduction of about two crores in that department's revenue or it may even be more. That deficit also has to be made up. The money derived from the Excise Department was being utilized for spreading education and for other nation-building departments, although it was not quite proper on the part of Government to make use of that tainted money for nation-building departments, and although it was Government's duty to have resorted to other ways and means in order to help the nation-building departments. In the past, I have run down the policy of getting money from the policy of making people drink liquor, and to use that ill-gotten money for education among the poorer classes and backward classes,—the very classes from whom such tainted money came. Even now, I do strongly support the prohibition policy, which I do desire should be continued very rigidly hereafter. It is, of course, very easy for us to talk of all these things and always to urge reduction of expenditure. The Retrenchment Committee has been sitting for the past few months, and on that committee there are patriotic members of this House. My honourable friend Mr. Hoosenally Rahimtoola is there and also other members like Khan Bahadur Allahbaksh. All of them are striving for the welfare of the province. Although they tried their level best to tackle the subject and

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to deal with it adequately and fully they could not do so and were thus unable to come to a final conclusion and to suggest ways and means of effecting savings to the extent of 2 crores. With the greatest difficulty they have been able to suggest economies of about 30 to 35 lakhs only, in their interim report last July. It has been stated in the recent report of the committee that they have been able to cut down expenditure to the extent of about 1 crore. But from the statements which I have heard and which the honourable House has heard from the mouth of the Honourable the Finance Member, I understand that the deficit actually is 190 lakhs. So, there still remains a deficit of 90 lakhs which has to be made up. Therefore, what better measure could be devised than the present Bill for ensuring the betterment and the welfare of the masses and the poorer classes who are to be left untouched by this Bill, which only seeks to touch fortunes that go to successors who cannot rightly be said to have worked for or earned those fortunes, left to them by their deceased ancestors or relations? Only recently, in London, in private meetings, when Mr. Gandhi was heckled and asked by the public what he would do if the sole power was vested in him, he said, "I would sit tight upon the capitalists and the rich people. I would not allow my masses or my people, to whom my heart goes and to whom my kindness goes, to be in any way trampled down by the capitalist classes and by the rich people." Mahatmaji even went to the extent of saying that whenever a man got Rs. 100 he would force out or take out Rs. 50 from that hundred and hand it over to the masses. If this is the sentiment of the leader of the whole of India, what should be the sentiment of this House? As we see it to-day, it is not in agreement with Mr. Gandhi's views.

Dr. M. K. DIXIT: Gandhiji never said so.

Dr. P. G. SOLANKI: The newspapers said so; even the nationalist newspapers said so.

Dr. M. K. DIXIT: Gandhiji had in mind a National Government, not the present Government.

Dr. P. G. SOLANKI: I do not yield to interruptions, Sir. I admire the courage of Gandhiji, but I want my honourable friends in this House also to gather similar courage and come forward and speak out their minds, and not to sit with their mouths shut in the manner they are doing now. Why be dumb and mute, and put obstacles in the way of the Government? They know very well that this session was specially called to get this Bill through. That being so, if my honourable friends did not want to take any part in the discussion, they could very well have stayed at their homes and not put Government to the expense of paying their travelling and other expenses. How should we know their minds if they refuse to give expression to their views for or against the Bill——

Dr. M. K. DIXIT: Does the honourable member suggest that only those members who vote with Government should draw the travelling allowances, and not the others?

Dr. P. G. SOLANKI: Proceeding with my remarks, Sir, I am convinced that this Bill is not going to affect or work hard on the people who may inherit property under Rs. 2,000. This limit of Rs. 2,000 appears to me to be quite susceptible of being increased to Rs. 10,000 at least, if not Rs. 15,000. At the same time, I would request the Government and the Honourable the Finance Member in particular, that they might consider the question of increasing the percentage on inheritances of those people who will get over and above Rs. 15,000, on a graduated scale and on a somewhat higher scale than the present percentage.

The nation-building departments have been suffering to such an extent that I know of cases where not only backward class students, but also Mahomedan students, who used to get scholarships, have been deprived of those scholarships on the plea of financial stringency. All the facts that are necessary for a correct appreciation of the present situation have been very ably placed before us by the Honourable the Finance Member and his able Secretary. We cannot refute those facts. Neither have any of us come forward with any constructive proposals indicating ways and means, although it is very necessary for the opposition benches to indicate such ways and means. This duty falls upon the opposition benches with greater force, because the Government benches have tried their level best and brought forward their own scheme before this House. It is now for this House, and up to all the honourable members, whether they are members of the Mahomedan, Non-Brahmin, Backward communities or Labour, to realise that if this Bill is thrown out, Government will have to seek other means to prevent a paralysis of the administration which is bound to follow in future if the necessary money is not forthcoming through this Bill becoming an Act. Government will neither be thwarted nor be rendered helpless. Government wield other powers, by the exercise of which they can get this Bill made into law or else Government will try to introduce other taxation proposals which the people will have to oppose or submit to. If, however, it is conceded that the principle of this Bill is good, then where is the harm in referring it to a select committee, so that we can get rid of the undesirable portions of it? The select committee may consist of a majority of honourable members representing all sides of this House who can go through each clause of the Bill and modify it. With the help of the impartial and able criticisms of the opposite benches on the committee, I believe that we shall be able to bring forward such a measure as will be acceptable to all sides and parties of this House. With these words, I accept the principle of the Bill and resume my seat.

Dr. V. G. VAISHAMPAYAN: I move the closure, Sir.

The Honourable the PRESIDENT: I am trying to see if any other non-official members on these right hand benches are anxious to speak. If there are, I will give them a chance, particularly when the majority of members on the non-official side are silent over the question. I see that the honourable members Reverend Modak and Mr. Syed Munawar wish to speak. Mr. Syed Munawar.

Mr. SYED MUNAWAR: Sir, I am perhaps springing a surprise upon this House when I rise to speak on this so-called contentious Bill, but,

[Mr. Syed Munawar]

Sir, I must submit to this House that as a representative of labour I am convinced that I feel it my duty to give expression to my honest convictions in support of the principle underlying this measure. This Bill seeks to impose a nominal taxation on affluent people who can well afford to pay it. It does not affect the poor and labouring classes or the toiling masses in general. It seeks to impose taxation on those who inherit property by survivorship, or under a will or by inheritance or succession. That is to say, it does not directly tax those people who have acquired or earned any wealth by their own efforts. It seeks to impose a tax on those people who inherit wealth over Rs. 2,000 and this taxation is to go to the relief of the poor, *viz.*, towards the maintenance of nation-building departments. There is a graduated scale, which will not work heavily upon those who can afford to pay the tax. There are concessions provided for widows and others and several clauses exempting certain other persons and bodies from payment of the tax.

Moreover, Sir, Government at the present moment is faced with financial stringency the like of which was never seen before and is inviting the House to come to its aid in right earnest. That being so, the House should at least be in a mood to consider the merits or demerits of this Bill. But I find that there is a regular impasse and that very few honourable members on the non-official side have attempted to speak. This makes it all the more imperative upon me to venture to speak a few words although at first I was not prepared to offer any remarks upon the subject.

I have gone through the Bill very carefully and I find that there are several clauses which serve as safeguards in favour of those who may inherit by succession or survivorship. The charitable and religious trusts will escape the imposition of a levy under this Bill. There are other saving clauses which diminish the rate of tax in respect of agricultural land and deaths occurring within specified periods.

A point was raised that there should be a right of appeal from the decisions of the Collector or District Judge as the case may be in regard to the imposition of this tax or the penalty for avoidance of this tax or failure to pay this tax. That point is certainly worthy of consideration. I trust the Honourable the Finance Member will be disposed to consider it very favourably when the Bill is taken to a select committee. With these words, I support the principle of the Bill.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, unfortunately for me, I find myself placed in an exceedingly delicate and unenviable position as I rise to address the House on this important question. In the past, Sir, whenever I have endeavoured to speak on Government proposals for fresh taxation, I have very seldom seen eye to eye with them. When, however, once in a blue moon, I happen by accident to be in the happy position of agreeing with them, as is the case on the present occasion [*Honourable Members*: "Hear, hear"], my constituency does not unfortunately agree with me; and if I may say so without giving away a secret, I have even got a mandate from it not to support this measure. As I have always admitted and readily

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recognise such a claim on the part of constituencies and particularly those representing special interests as my constituency does, I consider it my duty to respect its desire. But, whilst doing so, I think at the same time, that it is my inherent right as a member of this House, to give expression to such views as I hold for what they are worth; and these I am now going to place before the honourable members present to-day, for their consideration.

Personally, Sir, I feel most strongly that a measure of this character ought to command the support of this honourable House. The moment we admit that a case has been made out by the Government for giving them additional help by raising extra revenue—and I do freely admit that such a case has been made out—then I think that it must be readily conceded that this measure is not only an exceedingly good and reasonable one, but is also such as is likely to be the least oppressive in its scope and extent, inasmuch as the incidence of its burden is designed to fall on shoulders fully capable of bearing it. In that sense, it may be characterised even as a bit of a socialistic legislation. That consideration need not, however, frighten the House, for such is the trend of the world, and the introduction of more legislation on similar lines is inevitable with the growth and progress in the country of the modern ideas of social reconstruction. If we accept the principle that, whenever we are in need of money for the purpose of carrying on the Government or for any other public purpose whatsoever, we should turn our attention first and foremost to those who are most capable of bearing the burden, then I venture to submit that this measure ought to have our whole-hearted support. When we think of the huge fortunes people are enabled to make and retain with the help and power of society at their back, and with the protection and security that the forces of law and order are able to extend to them; when we consider how it is thus made possible for them not only to enjoy and often even criminally waste them during their life time, but also to leave them after their death to their kith and kin, we cannot help acknowledging the weight and the justice of the principle underlying measures like the one under discussion, and being forced to the irresistible conclusion that the Government that give them facilities and protection for amassing, enjoying, bequeathing or inheriting such fortunes, are entitled to have a share out of it at the time of such distribution. It is as the result of such consideration that I feel most strongly that a measure of this character ought to command the unequivocal support of this honourable House, as representing the people of this Presidency. It has been argued that such legislation does not exist in any other part of the country; and that therefore we should wait till some other Provincial Government or at least the Government of India has moved in the matter. This, however, I submit, is hardly a reason why we, in this Presidency, who have always prided ourselves upon being progressive in most matters, should not adopt it, if we are convinced that it is fair and equitable.

So far as the Bill itself is concerned, I wish that the Honourable the Finance Member had made it more comprehensive and stringent, and

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not whittled it down in the manner that he has done, in order to make it acceptable to every section of this honourable House and to the members of the public outside. After all, when we come to consider in detail the different provisions of this Bill, what is it that we find therein ? We find that when people come into an inheritance, either by Will, or by Letters of Administration, or by Survivorship or otherwise, an endeavour has been made to take an infinitesimally small portion out of such inheritance for the purposes of the State. I find it difficult to imagine what possible objection there can be to the tapping of such sources for such purposes, even though the basis of such taxation may appear novel and may happen to be introduced for the first time in the country. It cannot, however, be denied, even by the most inveterate opponent of the measure, that the principle involved in it is both fair and sound ; and that if money is to be found for the State at all costs, it is more equitable to take it out of the exuberance of the rich and the idle than from the poverty of the poor and the indigent. But even here, the Honourable the Finance Member has made very substantial concessions where members of the family are concerned, and particularly so, in the case of lineal ascendants or descendants. But I am afraid that, in giving these concessions, he has gone a bit too far, as can be easily seen from the provision that when a lineal ascendant or descendant comes into possession of property or cash, he is to be charged only a tenth of the tax which would otherwise be payable under the Bill. When one remembers that the highest possible amount payable under the Bill, is only 5 per cent., it will not be difficult to realise to what extent the scope of the Bill has been circumscribed and its effect whittled down by the Honourable the Finance Member in his zeal to make this measure as free from objection as possible. This decision on his part, ought at least to give us an idea of the earnestness and sincerity of his purpose ; and ought to disarm all opposition to the Bill. But I do hope that, if as the result of the experience that may be gathered of the working of the measure, when enacted, it is found necessary in due course to make it more stringent and comprehensive, the earliest possible opportunity will be taken to do so. Whenever such a proposal is brought before the House, it will receive at least my whole-hearted support.

Owing to its very nature and the fact that such a piece of legislation is going to be placed on the Statute book for the first time, I grant that difficulties in the working of its provisions are bound to be experienced. But I feel equally certain that they can and will be successfully negotiated in the Select Committee, if the principle of the Bill is once accepted by this House. But apart from the important consideration, that the burden of this taxation is likely to fall on shoulders capable of bearing it,—a circumstance which has made a very profound impression on my mind in its favour,—there is another aspect of the Bill which has appealed to me very forcibly, and that is, that it seeks to bring within the purview of its provisions, the Hindu joint-families and the Mahomedan community, both of whom, as is well known under the existing practice in that behalf, almost invariably escape

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the payment of probate, administration or succession duties of any kind whatsoever. This unintentional but nevertheless wholesale exemption of both these communities from the payment of these duties has always been regarded as a matter of great injustice to members of the other communities who have continually paid in the past and are paying even to-day more than their fair and legitimate share in this shape to the coffers of the State. If for nothing else, at least for this reason, I do hope that this measure, which for the first time seeks to bring both these communities within the purview of after-death taxation, will command the sympathy and support of all fair-minded citizens. I know that a number of objections—many of which, I am sorry to say, appear to be extremely flimsy—have been urged against this point; and that even the mischievous cry of "*Religion in danger*" has been raised from several quarters. But I am perfectly certain that in the Select Committee a satisfactory solution will be found for all real difficulties. So far as the application of the tax is concerned, if it is to affect me as a Parsi, I do not see why other people should escape its payment, merely because they happen to be Hindus or Mahomedans. If members of these two communities can pay municipal and provincial levies, and can also bear all the impositions of the Central Government, including the income and super taxes, without thereby committing any breach of any of their religious tenets or infringing any of the beliefs, rules and regulations laid down in their sacred books, there is no reason why they should escape the payment of after-death duties. If for nothing else, at least for this very welcome aspect of the question, the Bill ought to command the support of a large section of this honourable House.

I know that several very real defects have been detected in the details of this Bill and that——

Khan Bahadur A. E. PATEL: Are we to understand the honourable member to be supporting the Bill or opposing it? So far as we know, he has distinctly said that he has got a mandate from his constituency to oppose it. He himself is not supporting it, but he is recommending others to support it.

The Honourable the PRESIDENT: He has distinctly said that he is going to make a few remarks for what they are worth.

Mr. J. B. PETIT: There have been instances in the past, Sir, when, not only in this House but also in the Legislative Assembly, honourable members have given expression to their own personal views and at the same time carried out the mandates of their constituencies. I propose to do likewise.

Coming back to the Bill and speaking of some very real defects that appear to exist in its provisions, it seems to me, Sir, that the taxable minimum limit has been kept so low that it is likely to hit people who are not intended to be covered by the measure, and who, I fear, will not be quite capable of bearing this burden. I think the minimum should be substantially increased, if it is the intention of the Honourable the Finance Member, as I believe it is, not to add to the already very heavy

[Mr. J. B. Petit]

load which is being borne by the middle classes. It is a matter for the select committee to determine and recommend whether, having regard to the considerations that I have urged, it is not desirable to raise this limit to a very much higher figure, in order that people who are really opulent and capable of paying this tax, should alone be made to do so, to the exclusion of the middle classes who are already paying more than their fair share.

Incidentally, there is an omission in the Bill, which appears to me to be somewhat important. It does not at all speak of settlements which may have been made in the past, and it is necessary to know how the beneficiaries of such settlements would fare under the provisions of the Bill. There is no mention whatever made of such settlements, but I take it that they will be exempted from the operation of this Bill, first, because they were made long before this measure; and, secondly, because they have already made their contribution to the coffers of the Government by the payment of the requisite stamp duty which such documents have to bear at the time of their execution. For this reason they are even now being exempted from the payment of probate duty, and I think that they are entitled to be similarly exempted from the provisions of this Act. There is another omission of a somewhat serious character, which ought also to be made good, if the measure is to be worked with the minimum amount of dissatisfaction and opprobrium. There should, if possible, be a provision in the Bill for enabling aggrieved parties to appeal to the High Court, at least in cases involving large amounts above a certain figure. Under the draft Bill before us, too much power appears to have been given to the Collectors and the District Judges, and I feel that there ought to be a provision for an appeal to the High Court; for in all cases of this character, the High Court necessarily commands greater respect and confidence than subordinate Courts, or in the City of Bombay, the Collector or the Chief Judge of the Court of Small Causes. These are all, however, matters of detail and can be discussed in the select committee, if one is appointed. There is one more aspect of this measure, to which I wish to draw the careful attention of this honourable House; and it is this. Considered as a whole, the Bill is indeed a very modest measure and really aims at having very little for the moment. This is specially borne out by the fact that this duty will in a majority of cases—or, at least in the case of Europeans, Parsis, Jews, Indian Christians, East Indians and Armenians—will be paid if at all, in substitution of the probate or administration duties and that therefore its burden, if any, will be very nominal; for, it is provided that a legatee has to pay either the one or the other, whichever is larger. It is only when those who are now escaping the payment altogether are concerned, that the rub really begins. But I put it to this honourable House in all seriousness whether it is not fair and equitable that such people should now be roped in and not allowed to go scotfree any longer as has been done all these years.

When we calmly consider the position in which the Government unfortunately find themselves placed to-day, we cannot—whatever our views

[Mr. J. B. Petit]

and whatever party we may happen to belong to for the moment—deny their right to come to the House and ask for help. If we honestly feel that, in obedience to the wish of this House in that behalf, they have done their best to retrench in all possible directions—and I think we all now feel that they have done so and are doing so most seriously—then I am emphatically of opinion that they have made out a strong case for giving them further sources of revenue to carry on the administration with. We must, in fairness, also admit that if there is one source more than another which ought to readily commend itself to this House, it is the one embodied in the Bill,—look at it from whatever point of view you like. For all these reasons, I think this House would be well advised in accepting the principle of the Bill and in referring it to a Select Committee, although, as I have said before, so far as I am personally concerned, I shall unfortunately be unable to vote for it, for the reasons which I have already given.

Mr. J. HUMPHREY (Karachi Chamber of Commerce): Sir, I had not intended speaking on this subject as I was rather anticipating that, in view of the remarks made by the honourable member the Finance Secretary as regards the Retrenchment Report when he was speaking on the subject of this Bill, that some of the non-official members opposite who were on the Retrenchment Committee would have welcomed the opportunity of giving their views on the subject, and knowing as they do the state of the finances of this Presidency, would also have accorded their support to this Bill. But as no one of my colleagues of the Retrenchment Committee has risen I feel that I should say a few words regarding retrenchments, and endeavour to point how essential further revenue is. During the last eight months those of us who were on the Retrenchment Committee have had exceptional opportunities of studying the finances of this Presidency, and I think we must have all come to the conclusion that however much we may be able to reduce the expenditure of this Presidency by retrenchments further sources of revenue are absolutely essential to balance the Budget. A glance down the list of retrenchments which are proposed by the Retrenchment Committee will at once show that there are very few items that can be regarded as permanent retrenchments. This means therefore that retrenchments which may be accepted will only affect the next year's Budget, and will have very little, if any, effect on the subsequent Budgets. So that even if by retrenchments the next year's Budget is balanced the later Budgets must show very considerable deficit if no provision is made for further revenue. My honourable friend Mr. Petit said that he had no definite mandate from his constituency. Unlike my honourable friend I have a definite mandate from my constituency to support the Bill, and I intend to vote in favour of it. It seems to me that the measure is a very simple one, and will not inflict great hardship on any one, and one by which the burden of taxation will be distributed evenly and equitably. I should be sorry to see the Opposition voting against the Bill without putting forward some reasons and without at the same time giving this honourable House some idea as to how the money which is required by

[Mr. J. Humphrey]

this Presidency can be found otherwise. I have always endeavoured to look at such matters from a business point of view, and looking at it from that point of view it seems obvious that if further revenue is not obtained then the only means of balancing the Budget is by borrowing. But with our finances in their present state would it be possible to borrow except at a rate which would be excessively high, and thus add a greater burden on the Presidency, for it must be remembered that by borrowing one is increasing for a very long time to come one's liabilities, and though the Budget may be balanced temporarily by borrowing, it will mean that a heavy item of interest will have to be provided for annually thereafter. We were told this afternoon that it required the help of everyone to put the finances of the Presidency in order and it seems to me that we should follow that advice in agreeing to a reasonable taxation like the one now before this honourable House. I hope all honourable members before they oppose or vote against the Bill will consider very carefully the financial position of this Presidency. If the finances of this Presidency are not based on a sound footing, it will mean that the position will get worse and worse, and the suffering for everyone will increase as the years go on. By accepting this Bill, which I consider will not inflict any great hardship on any one in this Presidency, it will enable this Presidency to recover its financial position to a certain extent. We have been told in the past that this Presidency is a "de luxe" Presidency and I think that if all the retrenchments that have been recommended be accepted, we shall have ceased to be regarded as a "de luxe" Presidency for we shall have reduced our expenditure in most Departments almost below a safe level, so that any further retrenchments that can be effected will prove to be of such a minor nature that they cannot possibly restore the finances of the Presidency. Further, my own feeling is that this Bill should be accepted and by accepting it we are helping ourselves and helping the Presidency for it will ultimately assist in reducing taxation and at the same time there will be better facilities for expenditure where it is really required. For instance, the Honourable Member for Education mentioned that money was required for the urgent needs of Education and he is wondering how the money would be forthcoming if this honourable House does not grant additional revenue. That revenue he was looking for as a result of this Bill being passed and if only from the point of view of finding money to assist the nation-building Departments I strongly urge the honourable members to give their support to this Bill.

Mr. A. GREVILLE BULLOCKE (Bombay Trades Association): Sir, it is difficult to understand the death-like silence of the occupants of the front benches on the opposite side, usually so very loquacious. But presumably they do not approve of the Bill now before the House, but have no arguments worth producing against it. If my deduction is correct (and one can but guess) I quite fail to understand what their objection is! One naturally wonders if these are the tactics they will adopt when they get self-government? The Bill is the most painless one, connected with additional taxation, that I have ever heard of.

[Mr. A. Greville Bullocke]

None of the honourable members present today will ever be asked to sign the necessary cheque for the tax when it falls due, they will not be here! During their lives they will have full enjoyment of their respective estates and the money, for which very possibly they have worked hard for the greater part of their span on this earth. Up to the end of that span they may continue to enjoy it, and no claim under this Bill is made. Their heirs or successors, who will be called upon to pay, have not had the enjoyment of possession, and therefore will feel, in a minor degree only, the pain of parting with a very small portion of it! Surely no more considerate method of collecting a tax can be thought of.

My chief objection, perhaps I may say my sole objection, to the Bill now before the House refers to the conditions set out in clause 4, sub-clause (*c*), which contains the words:

"where the property on which the duty is leviable is agricultural land, the duty shall be leviable at one-fourth the rate which would otherwise have been payable."

What I want to know is why this should be so. Apparently, the wording in the clause I refer to embraces not only the very small landowner, but also the very large landowner, who cultivates all, or some portion, of his land, or who rents it out to some poor ryot from whom the owner squeezes every anna of rent he possibly can. Some, many, of these landowners are reputed to be very wealthy and assume a great air of authority in the districts where their land lies and are looked up to as local rulers. But for the last fifty or sixty years, they have succeeded in persuading deluded governments into believing their land to be practically non-productive. But, under their pressing needs, surely Governments are more awake to-day, and, realising the enormous expenditure of the taxpayers' money, both in the Deccan and in Sind, made purposely to increase the productive properties of this land, must be aware that this fable convinces nobody to-day and that land, if properly and scientifically worked, can be, and is fully productive and profitable. Yet I believe the landowners, by well working this old and exploded theme, have avoided payment of income and other taxes, under some old Act of 1879 up to this year of grace.

If the Bill before the House had confined the concession I complain of to the small landowners possessing only a few acres from which they have to scratch a living for themselves and their families and provide enough profit to enable them to keep the local Bania at a respectful distance, the matter would have had my fullest sympathy. But I cannot reconcile myself to the apparent injustice that, while the estates of members of the various professions, merchants and others, should be liable to higher rates under the proposed succession duty, the wealthy classes I refer to should be able to continue to evade them.

If this Bill passes its first reading and is referred to a select committee, I sincerely trust the point I have raised will not be overlooked.

Mr. W. G. LELY: Sir, I want to address the House, but do not think I can finish my remarks within the three minutes left.

The Honourable the PRESIDENT: The House is now adjourned to 2 o'clock to-morrow, Tuesday, the 1st December 1931.

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Tuesday, the 1st December 1931

The Council re-assembled at the Council Hall, Bombay, on Tuesday, the 1st December 1931, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ALLISON, Mr. F. W.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHURGRI, Mr. J. W.
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
COLLINS, Mr. G. F. S.
COOKE, Mr. G. H.
COOPER, Khan Bahadur D. B.
DHALUMAL LILARAM, Mr.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GHULAM HYDER SHAH, Mr.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
HADDOW, Mr. R. R.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JAM JAN MAHOMED KHAN, Khan Bahadur
JAN MAHOMED KHAN, Khan Bahadur

JAYAKAR, Mr. M. S.
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KANGA, Sir JAMSHEDJI B.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KIRKE-SMITH, Mr. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
LELY, Mr. W. G.
MACKIE, Mr. A. W. W.
MATCHESWALLA, Mr. G. E.
MAXWELL, Mr. R. M.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. C. N.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable MOULVI
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
SAHEBSINHJI JUVANSINHJI, Mr.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHAIKH YAKUB VAZIR MAHOMED, Khan Bahadur
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI

SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUHAMMAD KAMIL SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WADKE, Mr. B. P.
WILES, Mr. G.

NEW MEMBER SWORN.

Mr. H. C. B. MITCHELL made the prescribed oath of allegiance to His Majesty the King-Emperor, and took his seat in the Council.

STARRED QUESTIONS AND ANSWERS.

POLICE OFFICER: REMARKS IN COURTS' JUDGMENTS.

*Rao Bahadur D. R. PATIL for Rao Bahadur S. N. ANGADI (Belgaum District): (1) Will Government be pleased to state whether Rao Saheb Kakeri, in the Police Department, has been recently raised from Inspectorship to the post of Deputy Superintendent of Police? If so, when and why?

(2) Are Government aware that very serious remarks suggesting communal bias have been made against him by the Honourable Mr. Justice Wild in the Satti Bribery case, and also by the Sessions Judge Mr. Ferrers?

(3) Was the promotion conferred upon him (Rao Saheb Kakeri) before the judgments in the Satti Bribery case or subsequent to them?

(4) If subsequent to them, do Government take notice of remarks made by responsible judges against an officer?

The Honourable Mr. G. A. THOMAS: (1) He was appointed temporary Deputy Superintendent of Police in May 1929. He reverted as Inspector of Police in November 1929, and was reappointed temporary Deputy Superintendent of Police in April 1930, and continues to hold that appointment. The appointment was made because he was considered fit to hold it.

(2) Government are aware that they made some remarks about him.

(3) His first appointment was made after the Sessions Judge had referred the case to the High Court, and the second after the High Court Judges had delivered their judgments.

(4) Yes.

Rao Bahadur D. R. PATIL: As regards (2) the question is—

"Are Government aware that very serious remarks suggesting communal bias have been made against him by the Honourable Mr. Justice Wild in the Satti Bribery case, and also by the Sessions Judge, Mr. Ferrers ?"

The reply is:

"Government are aware that they made some remarks about him."

Were the remarks the same as referred to in the question ? Are Government aware that remarks about communal bias have been made by the District Judge ?

The Honourable Mr. G. A. THOMAS: The reply is: "Government are aware that they made some remarks about him." I have seen those remarks, and I do not regard them as serious.

Rao Bahadur D. R. PATIL: Did they refer to communal bias ?

The Honourable Mr. G. A. THOMAS: It was suggested in the judgment that the Deputy Superintendent of Police belonged to the same community as certain of the witnesses. It was left to Government to draw any inference from it. Government did not draw any adverse inference from it.

Rao Bahadur D. R. PATIL: Did the Sessions Judge state that some steps should be taken against the officer ?

The Honourable Mr. G. A. THOMAS: He did not.

CRIMINAL TRIBES SETTLEMENT OFFICER AND RAILWAY UNION.

*Mr. R. R. BAKHALE: (*a*) Will Government be pleased to state whether it is a fact that members of the Criminal Tribes Settlement at Hubli working at the M. S. M. Railway workshops were asked by the officer in charge of the Settlement to resign their membership of the M. S. M. Railway Employees' Union which is a registered Union under the Indian Trade Unions Act and recognised by the railway authorities and that they were prevented from attending the meetings of the Union of which they are members ?

(*b*) If so, under what authority did the Settlement Officer do it ?

(*c*) Have Government approved of his action ?

(*d*) If so, what are the reasons for their approval ?

The Honourable Mr. G. A. THOMAS: (*a*) Yes.

(*b*) Under the authority of the Criminal Tribes Act and the rules made thereunder.

(*c*) Yes.

(*d*) Government are not prepared to permit members of Criminal Tribes Settlements to become members of a Trade Union or to leave their work at its bidding.

TEXTILE WORKERS, SHOLAPUR MILLS: BAJRI ALLOWANCE.

*Mr. R. R. BAKHALE: (*a*) Will Government be pleased to state whether it is a fact that, owing to the fall in prices of agricultural commodities, the textile workers at Sholapur were losing financially under the arrangement under which bajri is given them by the mills?

(*b*) If so, since when were they losing and what was the extent of the average loss per month?

(*c*) If the answer to (*a*) be in the affirmative, did Government draw the attention of the Sholapur millowners to that fact and suggest to them to adopt suitable remedies to make up the workers' loss?

(*d*) If so, what was the millowners' response?

(*e*) If the answer to (*c*) is in the negative, what are the reasons therefor?

(*f*) What is the present position in respect of the arrangement of the Bajri allowance?

(*g*) Has the workers' loss been made up?

(*h*) If so, since when?

The Honourable Mr. G. A. THOMAS: (*a*) Government are not aware of any "bajri allowance" in Sholapur. They are, however, aware of a grain compensation allowance, whereby all workers who have not lost more than four days in a month are allowed to purchase ordinarily 18 seers of jowari and two seers of dal for a sum of Rs. 2, irrespective of the selling prices of these food-grains in the city. Government understand that the purchase of grain on these terms is optional and therefore there is no "loss" to the worker as he need not buy from the mill, when the market price is lower than the fixed rate given by the mill.

(*b*) Does not arise.

(*c*) The reply is in the negative.

(*d*) Does not arise.

(*e*) Government saw no reason to take such action.

(*f*) Government understand that since the beginning of August grain is being given at the cost price of the grain to the mills and not at the previous rate of ten seers to the rupee.

(*g*) and (*h*) See answer to (*a*) above.

TEXTILE WORKERS, SHOLAPUR MILLS: STRIKE.

*Mr. R. R. BAKHALE: (*a*) Will Government be pleased to state what their general policy in respect of industrial disputes including strikes is? Is it one of absolute neutrality and impartiality as between the employers and the workers and does it extend in any way beyond the maintenance of law and order? If so, what is that extent and who determines it—Government or the officials in charge of law and order?

(*b*) If the attitude of Government is one of neutrality as between the parties concerned in the industrial disputes including the strikes, did they maintain it in the last strike of the textile workers at Sholapur ?

(*c*) Has their attention been drawn to the paragraphs on the need of conciliation in industrial disputes appearing on pages 347-48 of the Report of the Royal Commission on Labour in India ?

(*d*) If so, will they state whether they approve of the principle enunciated in those paragraphs ? If not, what are the reasons therefor ?

(*e*) If the answer to (*c*) and (*d*) is in the affirmative, what steps, if any, did they take in giving effect to those paragraphs during the last strike of the textile workers at Sholapur ?

(*f*) Are Government aware that during the continuance of the last textile workers' strike at Sholapur, the citizens of that place held a public meeting and appointed a citizens' Committee to bring about an amicable settlement of the strike and that they wrote to the Sholapur millowners offering their services in the direction of terminating the strike at an early date ?

(*g*) If so, did the Sholapur millowners acknowledge the letters of the citizens' Committee and accept their services ?

The Honourable Mr. G. A. THOMAS: (*a*) The general policy of Government in such matters is to observe neutrality, except in so far as they have to intervene in the interests of the preservation of law and order, unless action is taken under the Trades Disputes Act VII of 1929.

(*b*) and (*c*) Yes.

(*d*) Government have not yet arrived at any definite conclusions on the Report of the Commission.

(*e*) Government after consideration decided that no useful purpose would be served by either direct intervention by the Labour Office or of Government in the strike.

(*f*) and (*g*) Government are aware that a meeting was convened and a committee appointed. It is understood that this committee addressed some of the Mill authorities but it is not known with what result.

Mr. R. R. BAKHALE: With reference to parts (*a*) and (*b*), of the question, may I know whether the setting up of a Magistrate's court in the mill compound is an indication of Government's attitude of neutrality ?

The Honourable Mr. G. A. THOMAS: I was not aware that a magistrate's court was set up in the mill compound. I have no doubt that, if it was, there were very good reasons for it. I must ask for notice before I enquire into the facts.

PIER AT RATNAGIRI.

*Rao Bahadur S. K. BOLE: Will Government be pleased to state what they have decided to do regarding the construction of a pier at Ratnagiri ?

The Honourable Mr. W. F. HUDSON: The question of locating a suitable site for the construction of a pier is still under the consideration of Government.

Rao Bahadur S. K. BOLE: How long will it take to come to a final decision?

The Honourable Mr. W. F. HUDSON: I do not know. I do not think it matters very much, because even if it is decided we shall not have any money to build it. But I may tell the honourable member that the matter has been carefully investigated in the course of this last monsoon. I hope to inform him of the result in February.

Mr. V. A. SURVE (In Marathi): Are Government going to take twelve or fourteen years to come to a decision?

PRIMARY SCHOOL TEACHERS: INCREMENT IN PAY.

*Dr. M. K. DIXIT (Surat District): Will Government be pleased to state—

(1) whether it is a fact that the scale of increment in pay in case of vernacular 3rd year trained teachers is rupee one every year;

(2) whether it is a fact that the abovementioned scale has been sanctioned by Government in the Code containing orders of Government regulating expenditure on education, paragraph 7;

(3) whether it is a fact that the same scale is sanctioned in Government Resolution No. 560, dated the 24th March 1924 (Educational Department);

(4) whether Government are aware that the Committee of management appointed by Government to administer affairs of the Surat municipality have acted contrary to the Government Resolution in question?

The Honourable MOULVI RAFIUDDIN AHMAD: (1) Yes, only in the case of men employed by District Local Boards since June 30th, 1923.

(2) No.

(3) No.

(4) No.

GOVERNMENT OFFICES, POONA: RENTED PREMISES.

*Mr. L. R. GOKHALE (Poona City): Will Government be pleased to lay on the Council table a statement showing the rents which they pay for the Government offices in Poona City, Cantonment and Suburbs and the places rented for the last five financial years ending with March 1931 and the offices for which the places were rented?

The Honourable Dewan Bahadur S. T. KAMBLI: A statement containing the requisite information is furnished.

Statement showing rents, etc. of private buildings rented for housing Government Offices in Poona City, Cantonment and Suburbs for the last five financial years ending 31st March 1931.

Serial No.	Situation of the buildings	Period of the lease	Rent per mensem	Name of office for which rented	Remarks
1	Bungalows Nos.7 to 9, B. J. Road, Poona.	15 years from 1st November 1931.	Rs. 2,500 up to 31st October 1931 and Rs. 1,500 from 1st November 1931.	(1) Commissioner, Central Division. (2) Executive Engineer, Public Health Works Division. (3) Assistant Registrar, Co-operative Societies, C. D. (4) Assistant Engineer, Deccan Electric Subdivision. (5) Divisional Forest Officer, Working Plans. (6) Assistant, Criminal Tribes Settlement, N. C. (7) Inspectress of Girls' Schools, C. D. (8) Senior Assistant Deputy Educational Inspector. (9) Deputy Educational Inspector for Mahomedan Education.	
2	Bungalow No. 1, B. J. Road, Poona.	From 1st November 1924 to 31st October 1929.	Rs. 350 ..	Executive Engineer, Mutha Canals Division and originally for the office of the Superintendent, Government Printing and Stationery.	The bungalow was surrendered from 1st November 1929 to 28th February 1930.
	Do. do. ..	From 1st March 1930 to 29th February 1932.	Rs. 300 up to 31st March 1931 and Rs. 275 afterwards.	Surgeon General with the Government of Bombay.	
3	Bungalow No. 7, Wellesley Road, Poona.	One year and 10 months from 1st June 1926.	Rs. 200 ..	(1) Superintending Engineer, Minor Irrigation Works.	These bungalows have been given up; the office having been abolished.
4	Bungalow No. 44, Sassoon Road, Poona.	From 1st April 1928 to 28th February 1930.	Rs. 225 ..	Do. do.	

B. J. MEDICAL SCHOOL, POONA: INCONVENIENCES IN HOSTEL.

*Mr. L. R. GOKHALE (Poona City): (1) Are Government aware that the students of the Byramjee Jijibhoy Medical School, Poona, residing in the hostel of the school have to suffer great inconveniences on account of want of lights in the water closets, and want of fittings of hinges and bolts to doors and such other similar inconveniences

in the hostel and club mess rooms, and also from want of lights for sufficient time for reading at nights and in the early hours of the morning ?

(2) Are Government aware that such inconveniences were repeatedly brought to the notice of the proper authorities by the students of the B. J. Medical School and that no redress has been afforded to them ?

The Honourable Sardar Sir RUSTOM JEHANGIR VAKIL :

(1) (*a*) Light is not provided in the lavatories but Government do not consider that any serious inconvenience is caused thereby.

(*b*) The defects in fittings, doors, hinges, etc., are primarily due to wanton destruction of the fittings by the students.

(*c*) Lighting is purposely disallowed in the early hours of the morning except for 1½ months before the spring and autumn examinations when lights are put on at 5 a.m.

(2) No. Only two representations were made—one to the officiating Superintendent on 17th July 1931 and the other on the 29th July 1931 on the return of the permanent Superintendent who investigated the complaint at once. So far as funds permitted some matters were remedied.

Mr. L. R. GOKHALE : With reference to part (1) (*a*) of the reply, may I know whether Government have considered what the cost of providing light would be ?

The Honourable Sardar Sir RUSTOM JEHANGIR VAKIL : The answer is very clear that Government do not think that a light is necessary there ; and, therefore, they have not taken the trouble to get an estimate as to how much it is going to cost.

Mr. L. R. GOKHALE : Do Government know that within ten feet of the lavatory there are rooms fitted with electric lights. Is it not a matter of spending only five or ten rupees ?

The Honourable the PRESIDENT : No reply ?

The Honourable Sardar Sir RUSTOM JEHANGIR VAKIL : I do not know what reply he wants. He has not put any question.

Mr. L. R. GOKHALE : Is it not a fact that within ten feet of the lavatory there are rooms lighted by electricity ?

The Honourable Sardar Sir RUSTOM JEHANGIR VAKIL : I am not aware of that.

URDU SCHOOLS, NORTHERN DIVISION : DEPUTY EDUCATIONAL INSPECTOR.

*Mr. J. S. KADRI (Northern Division) : (*a*) Are Government aware that the post of the Deputy Educational Inspector for Urdu Schools, Northern Division, has been kept vacant during the absence of Mr. I. A. Ahmadi on four months' leave and that consequently the Urdu Schools of the Northern Division have remained uninspected for a long time ?

(*b*) Will Government be pleased to state whether no man fit to hold the post was available or whether Government wanted to make a saving ?

The Honourable MOULVI RAFIUDDIN AHMAD : (*a*) Yes ; but the schools under reference did not remain uninspected during the period.

(*b*) The post was kept vacant as a measure of retrenchment.

Mr. J. S. KADRI : With regard to (*a*), who inspected the schools during the deputy's absence ?

The Honourable MOULVI RAFIUDDIN AHMAD : If the honourable member will give me notice, I will find it out.

TELANG HIGH SCHOOL, GODHRA : ADMISSION OF MUSSALMANS.

*Mr. J. S. KADRI (Northern Division) : (*a*) Are Government aware of the great dissatisfaction prevailing among the Mussalmans of Godhra on account of a large number of Muslim students being refused admission to the Telang High School, Godhra, every year ?

(*b*) Do Government propose to take any steps in the matter ?

The Honourable MOULVI RAFIUDDIN AHMAD : (*a*) Yes.

(*b*) The matter is receiving attention.

Mr. J. S. KADRI : I hope it will receive attention soon.

URDU-KNOWING MISTRESSES : DEARTH.

*Mr. J. S. KADRI (Northern Division) : (*a*) With reference to the reply to my question on the above subject (*vide* my question 2, page 9, First List of Questions and Answers of the July-August 1931 Session), will Government be pleased to state what steps are being taken in regard to the serious paucity of qualified and trained Urdu mistresses ?

(*b*) Do Government intend to open special Urdu classes for girls in the existing Government Training Colleges for Women ?

The Honourable MOULVI RAFIUDDIN AHMAD : (*a*) A second year class, which was sanctioned last year, has been opened at the Urdu Training School for Women, Poona, since June last.

(*b*) Not at present.

Mr. J. S. KADRI : The reply is " A second year class, which was sanctioned last year, has been opened at the Urdu Training School for Women, Poona, since June last." How does it explain the extension facilities for educating mistresses ?

The Honourable MOULVI RAFIUDDIN AHMAD : A higher class is opened : Would it not add to the existing facilities ?

Mr. J. S. KADRI : It is only a second year class for the same training.

The Honourable MOULVI RAFIUDDIN AHMAD : No. It is a second year certificate class, that is to say, a higher class.

REVENUE DEPARTMENT, GUJARAT : MUHAMMADANS.

*Mr. J. S. KADRI (Northern Division) : Will Government be pleased to state the total number of Hindus and Muhammadans on the clerical establishment of the Revenue Department in the districts of Ahmedabad, Kaira, Panch Mahals, Broach and Surat ?

The Honourable Mr. W. F. HUDSON :

District.	Hindus (advanced and backward classes).	Muhammadans.
Ahmedabad	114	7
Kaira	124	17
Panch Mahals	84	4
Broach	61	17
Surat	118	7

Mr. J. S. KADRI : May I draw the attention of the Honourable the Revenue Member to the very meagre number of Mahomedans in the various districts ?

INJALI TREES ON GURCHARAN.

*Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts) : (*a*) Is it a fact that Government have been cutting the Injali trees from the gurcharan woodland plots from 1927 onwards especially in the Umbergaon and Dahanu talukas of the Thana District ?

(*b*) What is the extent in area of such plots in which the trees have been cut and the number of Injali trees cut ?

(*c*) What was the price realised in each case ?

(*d*) What was the system of sale followed ? Was necessary publicity given in the matter of sale so as to realise the real price ?

(*e*) Will Government be pleased to state how many cartloads of charcoal from these trees were removed from these plots, and what price the merchants were able to realise therefrom ?

(*f*) Is it true that the prices realised by Government were abnormally low, though the current prices were higher ?

(*g*) Did Government take into consideration the rights and privileges of the woodland plot holders, and were they previously consulted in the matter ?

(*h*) Have the plot holders suffered thereby in the matter of *rab* supply ?

The Honourable Mr. W. F. HUDSON : (*a*) Yes.

(*b*) and (*c*) :—

Name of Taluka.	Year.	Area cleared.	Number of trees cut.	Price.
		Acres		Rs.
(1) Dahanu	1926-27 onwards.	4,649	46,587	28,393
(2) Umbergaon	Do.	970	20,407	7,586
Total ..	....	5,619	66,994	35,979

(*d*) The system of sale was open auction after wide publicity and after the upset price was fixed in consultation with the Forest Department.

(*e*) A statement furnishing the required information is appended.

(*f*) No. On the contrary full prices were realised as a result of keen competition. Bids below upset prices have never been accepted.

(*g*) Yes.

(*h*) No.

STATEMENT.

Year.	Taluka.	Estimated number of cartloads of charcoal removed from trees in woodland plots.	Estimated number of Railway Waggons.	Estimated price merchants were able to realise therefrom at average rate Rs. 350 per waggon at Station.	Remarks
				Rs.	
1927-28 to 1930-31.	Dahanu and Umbergaon.	33,335	1,668	5,83,800	(1) Although there were no sales in Forest Mahals in 1929-30 and 1930-31 removals in some places took place in these years of materials from sales in previous years and from sales in Dahanu and Umbergaon talukas outside forest mahals in 1929-30 and 1930-31. (2) The rate of Rs. 350 per waggon given in column 5 is approximate. (3) It is estimated that on the average five trees (girth ranging from over 2' to 7') are required for the manufacture of one ton of charcoal. Many of the larger trees are hollow.

Mr. M. M. KARBHARI: In the larger interests of the revenues of the Presidency, will Government be pleased to accept my co-operation to find out that the information supplied to Government is incorrect and misleading?

The Honourable Mr. W. F. HUDSON: I should be glad to have the co-operation of any honourable member in that or any other matter.

Mr. M. M. KARBHARI: If so, will they be pleased to call upon the lower subordinate officers to produce all the papers—several applications

supposed to have been made by one Devji Mahomed on 24th April 1927 and the applications which are supposed to have been made by the plot-holders ? And if Government are prepared to do that, I shall certainly co-operate with them.

The Honourable Mr. W. F. HUDSON: If the honourable member writes a letter to me, I will certainly make investigations.

Mr. M. M. KARBHARI: Thank you.

PRIMARY SCHOOLS, POONA DISTRICT LOCAL BOARD: DATUM LINE OF EXPENDITURE.

*Rao Saheb P. D. KULKARNI (Poona District): Will Government be pleased to state—

(1) whether the datum line of the expenditure allowable has been fixed by Government in the case of the District Local Board, Poona, to whom the primary schools in the district were transferred long ago;

(2) what steps, if any, Government propose to take in the matter ?

The Honourable MOULVI RAFIUDDIN AHMAD: (1) Yes, provisionally.

(2) Final figures are being worked out.

Rao Saheb P. D. KULKARNI: In what year were the provisional datum line figures worked out ?

The Honourable MOULVI RAFIUDDIN AHMAD: I think very recently.

Rao Saheb P. D. KULKARNI: I think the provisional figures were worked out and given five years ago. When will the final figures be given ?

The Honourable MOULVI RAFIUDDIN AHMAD: As I said, they are being worked out. As soon as they are worked out, I shall be in a position to answer the honourable member's question.

Rao Saheb P. D. KULKARNI: The probable date ?

The Honourable MOULVI RAFIUDDIN AHMAD: I cannot give the date offhand.

Rao Saheb P. D. KULKARNI: Are Government aware that the local authorities have suffered thereby and been groping in the dark ?

The Honourable MOULVI RAFIUDDIN AHMAD: That cannot be helped.

DISTRICT JUDGE'S COURT, SHOLAPUR: SHIRASTEDAR.

*Mr. J. G. MORE (Sholapur District): Will Government be pleased to state—

(*a*) for how many years Mr. D. V. Deshmukh has been Shirastedar of the District Judge's Court at Sholapur;

(*b*) is it a fact that at Madha during the recent inspection tour of the District Judge Mr. Deshmukh had arranged to get foodstuffs and

entertainment at the expense of the Madha Sub-Judge's Court staff;

(*c*) if so, what action do Government propose to take in the matter ?

The Honourable Mr. G. A. THOMAS: (*a*) For the last seven years.
(*b*) No.
(*c*) Does not arise.

Mr. J. G. MORE: With regard to (*a*), is it not advisable that the post of District Judge's shirastedar should be made transferable ?

The Honourable Mr. G. A. THOMAS: It is transferable at present.

Mr. J. G. MORE: Then why has Mr. D. V. Deshmukh been kept there for the last seven years ?

The Honourable Mr. G. A. THOMAS: Because although the post is transferable, the transfers are only made in the interests of public convenience.

Mr. J. G. MORE: With regard to (*b*), is it not a fact that the Sub-Judge, Madha, made a report containing these allegations ?

The Honourable Mr. G. A. THOMAS: I do not know. I will find out if the honourable member gives notice.

Mr. J. S. KADRI: Is there not a High Court ruling that the head clerk to the District Judge should be transferred every three years ?

The Honourable Mr. G. A. THOMAS: No.

WATANDAR KULKARNIS, KOLABA DISTRICT: REMUNERATION.

*Mr. N. N. PATIL (Kolaba District): (1) Will Government be pleased to state at what places in the Kolaba District Government is still collecting land revenue through the Watandar Kulkarnis ?

(2) What is the number of such Kulkarnis in the district ?

(3) What is the amount of remuneration paid to them individually per month ?

(4) Is that remuneration in accordance with the Wingate scale that has been prescribed for such Watandar Kulkarnis ?

(5) If not, what are the reasons therefor ?

The Honourable Mr. W. F. HUDSON: (1), (2) and (3) There are 16 watandar kulkarnis in the Kolaba District who collect the land revenue of the following villages and get the remuneration mentioned against each :—

Name of village	Total annual remuneration
	Rs.
Nagaon	144
Awas	144
Varsoli	120
Thal	156
Chuel, S. D.	180
Koproli	124

Name of village	Total annual remuneration
	Rs.
Umbarde ..	125
Vadkhale ..	164
Kane ..	122
Vadhav ..	162
Borje ..	125
Washi ..	180
Shirki ..	144
Odhangi ..	144
Pen ..	104
Panwel ..	216

(4) No.

(5) The Wingate scale was intended for Deccan Collectorates and has not been extended to the Konkan.

Mr. N. N. PATIL: May I know what are the special reasons for not extending the Wingate scale to Watandar Kulkarnis of the districts under Konkan Collectorates ?

The Honourable Mr. W. F. HUDSON: I must ask for notice. It has never been extended to the Konkan. I do not know that it has ever been suggested even.

MAMLATDARS, CENTRAL DIVISION: MUSLIMS.

*Mr. SHAIKH ABDUL AZIZ (Central Division): Will Government be pleased to state—

(*a*) how many Muslim direct recruits for Mamlats were taken since 1924 in the Central Division ;

(*b*) how many of them up to this time have been appointed as Mamlatdars ?

The Honourable Mr. W. F. HUDSON: (*a*) 5.
(*b*) 1.

VILLAGE ESTABLISHMENT.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will Government be pleased to state—

(*a*) the number of posts of tapedars and supervising tapedars in each district in Sind ;

(*b*) the number of Hindus and Mahomedans respectively who held those posts on 1st January 1928 and 31st October 1930 ;

(*c*) the number of permanent vacancies of tapedars and supervising tapedars that occurred during the last three years, viz., 1st January 1928 to 31st October 1930 ;

(*d*) the number of Hindus and Mahomedans respectively who held the above vacancies;

(*e*) whether any steps were taken to give effect to the orders contained in Government Resolution No. L. 531, dated the 23rd June 1926, regarding the appointments and promotions of tapedars?

The Honourable Mr. W. F. HUDSON: (*a*) and (*b*) Statement A which is placed on the Table contains the information for the years 1928, 1929 and 1930.

(*c*) and (*d*) Statements B and C which are placed on the Table show the number of vacancies which occurred in the years 1928, 1929 and 1930 and the number of Muslims appointed to them.

(*e*) Yes; but the orders referred to relate only to the recruitment of tapedars and not to their promotion.

STATEMENT A.

Statement showing the village establishment as it stood in 1928, 1929 *and* 1930.

District	1928			1929			1929		
	Total strength	Supervising Tapedars		Total strength	Tapedars		Total strength	Supervising Tapedars	
		Hindus	Muslims		Hindus	Muslims		Hindus	Muslims
Karachi ..	21	11	10	110	56	54	21	11	10
Hyderabad ..	29	16	13	114	56	58	29	16	13
Sukkur ..	31	17	14	122	65	56	31	16	15
Larkana ..	47	29	18	182	100	81	47	25	22
Nawabshah ..	30	19	11	116	76	40	30	20	10
Thar Parkar ..	48	37	11	149	97	52	48	38	10
Upper Sind Frontier.	23	13	10	75	37	38	23	14	9

District	1929			1930			1930		
	Total strength	Tapedars		Total strength	Supervising Tapedars		Total strength	Tapedars	
		Hindus	Muslims		Hindus	Muslims		Hindus	Muslims
Karachi ..	110	55	55	21	10	11	110	53	57
Hyderabad ..	114	53	61	29	15	14	113	58	55
Sukkur ..	122	65	56	31	16	15	122	63	58
Larkana ..	182	102	79	47	25	22	182	105	77
Nawabshah ..	116	72	44	30	19	11	116	72	44
Thar Parkar ..	149	97	52	49	37	11	149	98	51
Upper Sind Frontier.	75	37	38	23	13	10	75	38	37

Remarks.—In places where the total strength is more than the number of appointments held by Hindus and Muhammadans vacancies remained unfilled.

STATEMENT B.

Statement showing the number of vacancies which occurred among tapedars during 1928, 1929 *and* 1930 *and the number given to Muslims.*

District	1928		1929		1930		Remarks
	Total number of vacancies	Number given to Muslims	Total number of vacancies	Number given to Muslims	Total number of vacancies	Number given to Muslims	
Karachi ..	2	2	2	1	6	3	
Hyderabad ..	6	4	5	2	8	3	
Sukkur ..	6	3	7	6	7	3	
Larkana* ..	15	6	6	5	13	4	*The desired proportion has not been worked up to in this district. Until the correct proportion is reached, orders have been issued to fill the appointments in the ratio of two Mahomedans to one Hindu.
Nawabshah ..	2	2	..	..	2	1	
Thar Parkar ..	5	3	4	2	1	..	
Upper Sind Frontier.	3	2	2	..	6	3	

STATEMENT C.

Statement showing the number of vacancies which occurred among supervising tapedars during 1928, 1929 *and* 1930 *and the number given to Muslims.*

District	1928		1929		1930		Remarks
	Total number of vacancies	Number given to Muslims	Total number of vacancies	Number given to Muslims	Total number of vacancies	Number given to Muslims	
Karachi ..	2	1	..	..	2	1	
Hyderabad ..	2	2	2	..	2	1	
Sukkur ..	1	1	2	2	3	1	
Larkana ..	3	2	7	4	1	..	
Nawabshah ..	1	..	..	..	1	1	
Thar Parkar ..	1	..	2	..	3	1	
Upper Sind Frontier.	1	..	2	2	4	2	

MULLA SCHOOLS : ALLOTMENT FOR ASSISTANT TEACHERS.

*Mr. SHAIKH ABDUL MAJID (Karachi District) : Will Government be pleased to state—

(*a*) the amounts of allotments fixed annually by them for the assistant teachers for Mulla schools in each division in Sind ;

(*b*) the amounts of savings made during the last five years from this allotment in each division ;

(*c*) whether there is more demand for the appointments of the assistant teachers for Mulla schools ;

(*d*) the number of assistant teachers needed for the Mulla schools during the time when the savings referred to in clause (*b*) were effected ;

(*e*) the number of schools in each division for the last five years in which the number of students was so much as warranted the appointment of assistant teachers but no assistant was appointed therein ;

(*f*) the number and names of the Mulla schools which applied for getting assistant teachers during the years 1927-28, 1928-29 and 1929-30 ;

(*g*) the number of the above schools which were given assistant teachers ;

(*h*) the number of the above schools which were not given assistant teachers ;

(*i*) the dates of the applications from the above schools and the dates of Government's decision in each case mentioned in (*g*) and (*h*) ;

(*j*) the reasons for making savings from the sanctioned annual allotments ?

The Honourable MOULVI RAFIUDDIN AHMAD :

(*a*)

Name of Division.	Allotment.
	Rs.
Hyderabad	11,908
Sukkur	9,000
Larkana	8,000
Total ..	28,908

(*b*) *Savings*—

Name of Division	1925-26	1926-27	1927-28	1928-29	1929-30
	Rs.	Rs.	Rs.	Rs.	Rs.
Hyderabad	908	444	989	788	1,327
Sukkur	152	66	6	41	214
Larkana	148	69	180	221	79

(*c*) Yes, in some districts.

(*d*) *Number of additional assistant teachers who were needed for the Mulla schools*—

Division	1925-26	1926-27	1927-28	1928-29	1929-30
Hyderabad	..	..	..	..	..
Sukkur	11	16	21	30	31
Larkana	31	27	21	35	34

The savings in Sukkur and Larkana Divisions were not sufficient to meet the cost involved.

(*e*) *Number of schools which needed assistants, but where no assistant was given—*

Division	1925-26	1926-27	1927-28	1928-29	1929-30
Hyderabad	..	..	..	..	..
Sukkur	11	16	21	30	31
Larkana	31	27	21	35	34

(*f*), (*g*) and (*h*) The numbers are as given below. The names referred to in clause (*f*) are given in the statement referred to in answer to clause (*i*):—

	1927-28	1928-29	1929-30
(*f*) Number of Mulla Schools which applied for assistant teachers.	26	25	25
(*g*) Number of Mulla Schools which were given assistant teachers.	20	12	15
(*h*) Number of Mulla Schools which were not given assistant teachers.	16	13	10

(*i*) The attached statement gives the required information as also the names required in clause (*f*).

(*j*) In the Hyderabad Division, savings were due to several posts lying vacant, and to the difficulty of finding men to serve in Lar area and Thar Parkar District.

In the Sukkur and Larkana Divisions, small savings were due to casual vacancies.

STATEMENT.

Name of Mulla Schools which applied for getting assistant teachers	Whether given assistant or not	Date of application	Date of decision in each case
	1927-28		
Hyderabad Division			
1. Navabad Abdullah ..	Yes	25th August 1927 ..	1st September 1927.
2. Zangi Gado ..	Yes	10th October 1927 ..	1st February 1928.
3. Sukhio Kanro ..	Yes	12th April 1927 ..	1st May 1927.
4. Jumo Khoso ..	Yes	8th September 1927.	15th October 1927.
5. Dad Jarwar ..	Yes	15th November 1927.	6th December 1927.
6. Hala New ..	Yes	14th April 1927 ..	1st May 1927.
7. Anjaman Islam Sadar Bazar, Hyderabad.	Yes	25th February 1927 .	4th May 1927.
8. Nasarpur ..	Yes	11th April 1927 ..	1st May 1927.
9. Ghulam Shah Bagrani.	Yes	22nd September 1927.	9th October 1927.

Name of Mulla Schools which applied for getting assistant teachers	Whether given assistant or not	Date of application	Date of decision in each case
	1927-28—*contd.*		
Hyderabad Division—contd.			
10. Matushah ..	Yes	5th February 1928 ..	20th February 1928.
11. Dito Daidano ..	Yes	28th February 1928.	15th March 1928.
12. Diplo ..	Yes	22nd October 1927 ..	1st November 1927.
13. Dur Malukshah ..	No	20th March 1928 ..	27th March 1928.
14. Golimar ..	No	10th April 1927 ..	14th April 1927.
15. Usman Abreja ..	No	12th April 1927 ..	19th April 1927.
16. Tikhur ..	No	16th April 1927 ..	20th April 1927.
17. Jinhan Soomro ..	No	25th April 1927 ..	28th April 1927.
18. Gamori Pali ..	No	8th April 1927 ..	16th April 1927.
Sukkur Division			
19. Miani Haji Mir Bahar ..	Yes	4th April 1927 ..	6th May 1927.
20. Bhadurkhan Kalori ..	No	25th February 1927.	3rd April 1927.
Larkana Division			
21. Kalandarbux Lohar ..	Yes	2nd April 1927 ..	5th June 1927.
22. Miani Tori ..	Yes	7th August 1927 ..	1st November 1927.
23. Vali Md. Burro ..	Yes	31st July 1927 ..	15th August 1927.
24. Kambar ..	Yes	5th May 1927 ..	6th June 1927.
25. Pat ..	Yes	20th April 1927 ..	1st May 1927.
26. Biro Gadahi ..	Yes	5th June 1927 ..	1st July 1927.
27. Sobho Khan Mangsi ..	Yes	15th April 1927 ..	18th June 1927.
28. Paryo Suhryani ..	No	6th June 1927 ..	21st September 1927.
29. Menokhan Khoso ..	No	4th April 1927 ..	17th May 1927.
30. Karampur ..	No	22nd September 1927	22nd December 1927.
31. Lashkri Chandio ..	No	10th July 1927 ..	14th December 1927.
32. Vasayo Jeho ..	No	10th August 1927 ..	20th August 1927.
33. Ghulam Hussain ..	No	11th May 1927 ..	10th February 1928.
34. Gulbang ..	No	16th August 1927 ..	1st January 1928.
35. Raza Md. Dero ..	No	19th July 1927 ..	19th November 1927.
36. Kain Gorar ..	No	15th August 1927 ..	11th September 1927.
	1928-29		
Hyderabad Division			
1. Navabad Abdullah ..	Yes	10th May 1928 ..	5th July 1928.
2. Ibrahim Hydri Ghulam Nabi.	Yes	20th June 1928 ..	1st July 1928.
3. Ibrahim Hydri Md. Shah.	Yes	15th July 1928 ..	1st August 1928.
4. Ramswami Garri Khata.	Yes	21st April 1928 ..	8th May 1928.
5. Hala New ..	Yes	1st November 1928..	16th November 1928.
6. Raza Md. Bhati ..	Yes	18th May 1928 ..	26th May 1928.
7. Jinhan Soomro ..	Yes	27th April 1928 ..	16th August 1928.
8. Doulat Dighari ..	Yes	20th November 1928.	1st December 1928.
9. Rawatsar ..	Yes	20th April 1928 ..	1st May 1928.
10. Mirokhan Mari ..	Yes	12th June 1928 ..	1st July 1928.
11. Bahera ..	No	17th April 1928 ..	25th April 1928.
12. Ghazi Birohi ..	No	9th May 1928 ..	14th May 1928.
13. Asu Hindu ..	No	1st July 1928 ..	10th July 1928.
14. Bareji ..	No	1st April 1928 ..	5th April 1928.
15. Sadar Bazar ..	No	8th April 1928 ..	14th April 1928.
Sukkur Division			
16. Dado Naich ..	Yes	2nd October 1928 ..	8th October 1928.

Name of Mulla Schools which applied for getting assistant teachers	Whether given assistant or not	Date of application	Date of decision in each case
	1928-29.—*contd.*		
Larkana Division			
17. Areja ..	Yes	5th May 1928 ..	1st June 1928.
18. Chana Machi ..	No	2nd May 1928 ..	20th August 1928.
19. Adam Panhar ..	No	5th July 1928 ..	27th July 1928.
20. Sono Godahi ..	No	6th September 1928.	2nd October 1928.
21. Nabibux Gabole ..	No	22nd November 1928.	30th November 1928.
22. Ismail Khoso ..	No	10th July 1928 ..	2nd August 1928.
23. Gul Bang ..	No	1st April 1928 ..	10th May 1928.
24. Dib Chandio ..	No	5th May 1928 ..	25th May 1928.
25. Vasayo Jeho ..	No	1st January 1929 ..	9th January 1929.
	1929-30		
Hyderabad Division			
1. Bhagdadi ..	Yes	5th December 1929..	1st January 1930.
2. Shahbeg Line Girls ..	Yes	7th April 1929 ..	1st May 1929.
3. New Kumbherwara ..	Yes	13th February 1930 .	15th February 1930.
4. Jumo Khoso ..	Yes	4th February 1930 ..	1st March 1930.
5. Usman Areja ..	Yes	20th April 1929 ..	1st May 1929.
6. Matiari ..	Yes	14th December 1929.	1st January 1930.
7. Tando Ghulam Ali ..	Yes	10th April 1929 ..	1st May 1929.
8. Chaleh ..	Yes	15th April 1929 ..	1st May 1929.
9. Dhani Parto Rajpur ..	Yes	20th April 1929 ..	1st May 1929.
10. Mubarak Jarwar ..	No	2nd March 1930 ..	22nd March 1930.
11. Mian Maluk ..	No	25th July 1929 ..	11th August 1929.
12. Ghulam Kadir Narejo .	No	18th October 1929 ..	21st October 1929.
Sukkur Division			
13. Kando Indhar ..	Yes	8th February 1930 ..	18th March 1930.
14. Madressah Mahbub Islam.	Yes	2nd January 1930 ..	14th January 1930.
15. Bazi ..	Yes	3rd February 1929 ..	14th January 1930.
16. Perozshah Parsi ..	Yes	10th October 1927 ..	18th December 1927.
17. Khanpur ..	No	13th March 1930 ..	20th March 1930.
18. Dari ..	No	8th May 1929 ..	15th May 1929.
Larkana Division			
19. Nasirabad ..	Yes	1st March 1929 ..	1st April 1929.
20. Yar Md. Kalhoro ..	Yes	1st April 1929 ..	1st May 1929.
21. Mubarak Kalhoro ..	No	23rd December 1929.	5th January 1930.
22. Kamalkhan ..	No	5th June 1929 ..	27th June 1929.
23. Kashmore ..	No	12th May 1929 ..	17th May 1929.
24. Dini Madressah ..	No	27th June 1929 ..	10th July 1929.
25. Pechuha ..	No	20th November 1929.	1st December 1929.

Note.—The Deputy Educational Inspector for Muhammadan Education states that the applications of other schools are not traceable and that presumably they have been returned to the Mullas in original as no funds were available.

FLOOD RELIEF.

*Mr. A. N. SURVE (Bombay City, North): (*a*) Will Government kindly state the circumstances which entitle the subjects, who have suffered damages in consequence of floods to receive relief—

(*i*) under the Famine Relief provisions, and

(*ii*) under any other provisions under which Government can or does give relief ?

(*b*) What is the nature of the relief granted under sub-heads (*i*) and (*ii*) mentioned above ?

The Honourable Mr. W. F. HUDSON : (*a*) The Famine Relief Fund is utilised to give gratuitous relief to persons who have been rendered destitute owing to widespread destruction of, or damage to, their property, cattle and crops. Loans and advances are also made through the Provincial Loan Account in suitable cases.

(*b*) Gratuitous relief is granted for food, clothing, cattle, seeds, reconstruction of houses and opening cheap grain shops. Loans and Advances are made under the Agriculturists' Loans Act and Land Improvement Loans Act for the purchase of seed, cattle and reconstruction or repairs of houses destroyed or damaged by the floods.

ADEN ADMINISTRATION : PROPOSED TRANSFER.

*Mr. A. N. SURVE (Bombay City, North) : Will Government be pleased to state—

(*a*) whether a public meeting of the inhabitants of Aden was held to protest against its transfer from this Government to the Government of India ;

(*b*) whether Government have received any representation of protests from Aden inhabitants and, if so, whether they will place a copy of the same on the Council table ;

(*c*) whether Government have received a representation from the Indian Merchants' Chamber of Bombay against the transfer of Aden and from any other bodies and, if so, whether they will place a copy of the same on the Council table ;

(*d*) whether Government have been informed of the opinion of leading citizens of the City of Bombay that they are against the transfer as being retrograde from every point of view ;

(*e*) whether it is a fact that there have been protests made by the citizens of Aden against members of the Executive Committee of Aden voting for its transfer at the instance of its Chairman ;

(*f*) whether it is a fact that there is not even a single elective constituency to elect Port Trustees for Aden and that the Chairman of the Port Trust issued two notes to the members supporting the transfer, and if so, whether Government will be pleased to place copies of those notes on the Council table ;

(*g*) whether it is a fact that the Trustees of the Port Trust at Aden comprise Europeans, Indians and Arabs, and, if so, how each community have voted on the questions of the transfer ;

(*h*) whether some Trustees have put in notes of protests and, if so, whether Government will be pleased to place copies of them on the Council table ;

(*i*) what the opinion of the Aden Chamber of Commerce regarding the transfer of Aden is;

(*j*) whether it is a fact that the educational, medical and general administration of Aden is below the level of that existing in this Presidency, and, if so, why and since when;

(*k*) whether it is a fact that Aden Civil and Criminal Courts are under the supervision of the Bombay High Court;

(*l*) whether it is a fact that a large number of armed police is kept at Aden for political defence purpose and, if so, its cost?

The Honourable Sir GOVINDRAO PRADHAN: (*a*) A public meeting was called in the month of August 1931. The actual attendance consisted mostly of Indians.

(*b*) One memorial dated 1st September 1931 of protest was received from the inhabitants of Aden, mainly Indian, who form only about 15 per cent. of the total population of Aden, addressed to the Private Secretary to His Excellency the Viceroy.

(*c*) Yes. Copies of the representations from the Indian Merchants' Chamber of Bombay and from other bodies are placed on the Council table.

(*d*) A representation has been received from the Imperial Indian Citizenship Association, Bombay, saying that the Association is opposed to the transfer. The Indian Merchants' Chamber, Bombay, the British Indian Colonial Merchants' Association and the Grain Merchants' Association, Bombay, are three other bodies in Bombay from whom representations have been received.

(*e*) A petition dated 27th August 1931 signed by 190 inhabitants, including 9 Arabs (none of whom are prominent members of the community), was received by the Resident and Commander-in-Chief protesting against the Resolution of the Executive Committee in favour of the transfer. This resolution was passed by the Executive Committee in response to the invitation of Government to various public bodies to offer their remarks on the proposed transfer. The proposer of the resolution was Mr. Salim M. Menahem Messa, the head of the Jewish community. The statement that the voting was influenced by the Chairman is not correct.

(*f*) None of the Trustees of the Port are elected; they are appointed by Government under section 7 of the Aden Port Trust Act of 1888. In the two notes which the Chairman circulated to the Trustees, he expressed his views in favour of the transfer.

(*g*) The Board of the Trustees of the Port of Aden comprises Europeans, Indians and an Arab. The European and Arab members voted in favour of the transfer; the two Indian members voted against it.

(*h*) Yes; a copy of the note of dissent recorded by Mr. Ahmedbhoy I. A. Laljee on behalf of himself and Mr. Framroz H. C. Dinshaw is placed on the Council table.

(*i*) The opinion of the Aden Chamber of Commerce is that the Civil Administration should be wholly undertaken by the Government of Bombay.

(*j*) Educational administration in Aden is below the level existing in the Presidency, mainly due to the facts that it is difficult to secure suitable Indian Officers for the higher posts there, and that for financial reasons the Government of Bombay are unable to meet the growing demands for further facilities. The Civil Hospital has recently been improved at the cost of the Government of India after a personal visit of inspection by the then Viceroy, Lord Irwin, who was not satisfied with its condition at the time of his visit. The hospital accommodation now provided at Aden is up to the standard prevailing in the Presidency. The general administration is suited to the conditions prevailing at Aden which differ from those of the Presidency.

(*k*) Yes, under the Aden Civil and Criminal Justice Act of 1864, as amended by Acts VI and XXIX of 1927.

(*l*) A temporary force of 100 armed police recruited in India is at present stationed at Aden pending the raising of a permanent force of 200 and is maintained at an annual cost of Rs. 1,03,294, which is wholly borne by His Majesty's Government. The cost of the permanent force, which is estimated at Rs. 1,49,000 will be shared between the Governments of India and Bombay, His Majesty's Government contributing a sum of £ 8,000 annually. The armed police exist for the internal security of Aden and not for "political defence purpose."

The Indian Merchants' Chamber.

Bombay, 22nd August 1931.

From

J. K. Mehta, Esquire, M.A., Secretary, Indian Merchants' Chamber;

To

The Secretary to the Government of Bombay, Political Department.

Sir,

I am directed to acknowledge receipt of your letter dated 12th August 1931, No. 5997-C, as also a copy of the memorandum on the administration of Aden sent on the 8th instant. A copy of the Press-Note giving a summary of the memorandum was received on the 18th July, and not a copy of the memorandum. I am directed to send hereby the views of the Committee of this Chamber regarding the question of the transfer of Aden to the Government of India.

My Committee were surprised at the reply given by the Honourable the General Member to an interpellation put recently in the Bombay Legislative Council to the effect that the administration of Aden would be transferred as soon as possible to the Government of India. A few years back there was a good deal of agitation against the proposal, as it was then made, of transferring Aden to the Colonial Office. Fortunately, this proposal was ultimately turned down, and though the military control was transferred to the War Office, the Civil Administration has continued with the Government of Bombay. There does not appear now to be any valid reason why this administration should be transferred

to the Government of India. The memorandum prepared by the Government of Bombay attempts to make out that there will be probable loss of about Rs. 2 lakhs accruing to the Government of Bombay, if Aden continues under their jurisdiction. It is clear that Aden up to now has not been a cause of any monetary loss. It is observed, however, that certain items which are at present charged to the Government of India will be charged to the Government of Bombay, if the latter continue to administer that Port. My Committee trust that it is not suggested that any district, which threatens to be a source of financial loss, should for that reason alone be separated from the Presidency proper and transferred to the jurisdiction of either the Central Government or any other Provincial Government. If the items of expenditure which are at present legitimately debited to the Government of India, are to be transferred to the accounts of the Government of Bombay, as a result of their continued responsibility for Aden, it can be claimed that the income, which is at present being derived from the Salt pans by the Government of India, should go to the Government of Bombay, and this will serve to set off any loss that might occur.

My Committee are not aware if the Government of Bombay have in view any other factors which will justify the proposed transfer besides the financial factor. All the factors, so far as my Committee can judge, are rather in favour of continuing the administration of Aden under the Government of Bombay, and not transferring it to the Government of India. The population of Aden consists, to an appreciable extent, of people who have gone from Bombay and they are all interested in continuing under the jurisdiction of the Government of Bombay, and would not like the idea of Aden being transferred to such a distant Government as the Government of India. It is very likely that Bombay, in common with other Provinces, will be soon in enjoyment of complete Provincial autonomy, and when that time comes the people of Aden expect that they will derive much benefit regarding their education, medical service and the Police, if Aden is continued to develop on her lines under the Government of Bombay as a part of the Bombay Presidency with whom she has got cultural, trade and industrial relations on a very large extent.

Under these circumstances, my Committee beg to urge with all the emphasis at their command that the Government of Bombay will be pleased not to be a party to the transfer of Aden to the Government of India but to keep it under their jurisdiction.

I beg to remain,

Sir,

Your most obedient servant,

(Signed) J. K. MEHTA,
Secretary.

The Chamber of Commerce.

Aden, 25th August 1931.

The First Assistant Resident, Aden.

Sir,

With reference to your letter No. C-383, dated 24th July 1931, I have the honour to inform you that at the General Meeting of this Chamber held at Camp, Aden, yesterday the following resolution was passed unanimously :—

"The Memorandum on the subject of the Civil Administration "of Aden, forwarded to this Chamber under letter of the First "Assistant Resident dated 24th July 1931-C-383, has been carefully "considered, and this Chamber is unanimously of opinion that the "Civil Administration of Aden should be wholly undertaken by the "Government of Bombay, for the following reasons :—

"The administration of this Settlement has been carried out by "the Government of Bombay for the last 92 years, and during that "regime, the commercial position has grown to its present state in "the knowledge that the affairs of the Settlement have been under "the control of the Bombay Government. In this knowledge many "influential Bombay business Houses have established branches and "acquired property in Aden, and the Settlement has in consequence, "grown commercially to a position of considerable importance.

"From time to time, representations have been made by this "Chamber to Government with a view to obtaining representation "on the Bombay Council, and also to be given the right to elect "representatives to the Settlement Committee and Port Trust. It "is hoped under the contemplated legislation in India that the Bom-"bay Government will become autonomous, and that in consequence, "Aden will be allowed representation on the Bombay Council and "Assembly, also that the Settlement of Aden will be controlled by an "elected body."

I have the honour to be,

Sir,

Your most obedient servant,

(Signed) A. E. ADAMS,

Honorary Secretary,
Aden Chamber of Commerce.

The Buyers and Shippers Chamber.

Karachi, 2nd September 1931.

No. GC. 11/125.

To

The Secretary to the Government of Bombay,
Political Department,
Bombay.

Subject.—Administration of Aden.

Sir,

The Indian Merchants' Chamber, Bombay, have forwarded to this Chamber a copy of their representation No. 1677, dated 22nd August 1931 to your address on the subject cited above.

In this connection I am directed to say that in the opinion of my Committee the Indan Merchants' Chamber have made out a good case, and my Committee support their representation verbatim.

My Committee much regret that their views should not have been invited on an important question like this, and specially so, in view of the Port being nearer to Aden than Bombay, and being equally, if not more, interested in its administration.

It is requested that the Government of Bombay will be pleased to include this Chamber in the list of Chambers whose views are invited whenever commercial opinion is consulted.

I have the honour to be,
Sir,
Your most obedient servant,
(Signed) HARIDAS LALJI,
Honorary Secretary.

The Grain Merchants' Association.

262, Masjid Bunder Road,
Mandvi Post No. 3.
Bombay, 26th October 1931.

The Secretary to the Government of Bombay,
Political Department,
Bombay.

Sir,

I am directed by my Managing Committee to address you on the subject of the proposed transfer of the Civil Administration of Aden to the Government of India.

As the Government are aware the connection of Aden with this Presidency is of 90 years standing. It is mostly the commercial communities from this Presidency that have made Aden the important commercial centre and they have made their homes there and possess landed and other properties and debts worth lacs of rupees. The residents of Aden in a public meeting held there and the Chamber of Commerce have manifested their desire that Aden should remain with this Presidency as it is at present. The Indian Merchants' Chamber, Bombay, and other important public associations have also sent representations to the same effect to the Government. But in spite of all this Bombay Government have not changed their mind and showed their willingness to the proposed transfer.

My Association strongly support the public opinion of keeping Aden with the Bombay Presidency and urge the Government of Bombay to respect the views of the general and the mercantile public in this respect and request the Government of India to drop the proposal of transfer.

I have the honour to be,
Sir,
Your most obedient servant,
(Signed) UTTAMRAM,
Secretary

Indian Posts and Telegraphs Department.

O.....TG.....Bombay.....9.....194.

General Department, Poona.

Council of Imperial Indian Citizenship Association passed following Resolution in meeting nineteenth September which I submit for your favourable consideration. Quote. "Council has learnt with surprise that Government of Bombay have pressed Government of India to take over at once Civil Administration of Aden against expressed public opinion in the Presidency. Stop. Council unable to understand when responsible opinion in Presidency supported this proposal as stated by Honourable General Member Bombay Government in Legislative Council last month. Stop. On the contrary public opinion of Aden and also Chamber of Commerce as well as Indian Merchants Chamber Bombay and other Associations representing commercial interests have made representations to Government emphatically opposing the transfer. Stop. In view of these facts and view of general public opinion in Presidency Council of Association do prepare and send strong representation to the Government of Bombay and India against the proposed transfer as being detrimental to the best interests of people of Aden who have been united to the Presidency over hundred years by cultural and commercial ties and considerable portion of whom are citizens of this Presidency." Unquote. Representation will follow.

K. NATARAJAN,
Honorary Secretary.

Indian Posts and Telegraphs Department.

O....TG....Bombay....21.....179.

Bombay Local Poona.

The British Indian Colonial Merchants Association surprised at the proposal to transfer the civil administration of Aden from the Government of Bombay to the Government of India. Stop. The proposal for transfer whenever it was mooted in the past was strenuously opposed by all parties concerned including the Indian and Arab residents of Aden. Stop. The Association notes with regret that the assurance given to it on behalf of Government that such a step would not be taken before ascertaining the views of merchants and other interests concerned has not been kept up. Stop. It is matter for deep regret that Government after being fully aware of the very strong opposition to such a transfer should have thought it fit to flout the same and pursue the proposal. Stop. The Association urges that Government will now once for all abandon the idea of separating Aden from Bombay as the same is against the interests of the Presidency as also of the residents and merchants of Aden.

PURSHOTAMDAS THAKURDAS,
President.

Cowasjee Dinshaw and Bros.

Aden, Bombay, Zanzibar, Hodeidah, Djibouti, Benadir and Somali Coasts.

Aden, 29th August 1931.

From

FRAMROZE H. C. DINSHAW, Steamer Point, Aden.

To

The Secretary, General Department, Government of Bombay, Bombay.

Sir,

I had the honour to sending you a telegram on the 26th instant, as follows :—

"Public meeting of five hundred representative residents Indians, "Arabs place on record strong protest against proposed transfer of "Aden Administration from Bombay to Central Government. "Consider such transfer detrimental to their interest and welfare. "Request take immediate steps. Prevent transfer and appease public "mind. Framroze Dinshaw"

The memorandum on the Civil Administration of Aden was sent by the local authorities to the Chamber of Commerce here for their opinion and when the public came to know about this they applied that before discussing in the Chamber they should hold the meeting of Arabs and Indians to consider the pros and cons about the transfer of Aden to the Central Government.

Most of the Aden traders come from the Bombay Presidency and they have long connections with Aden trade, their head offices strongly object to the transfer of Aden to the Government of India.

The administration of Aden justice is under the supervision of the Bombay High Court and for any legal technicality when the cases are referred to the Bombay High Court the head offices in Bombay find it very convenient to attend to their solicitors and counsels when the cases come up for hearing in the High Court of Bombay.

The registration of documents for properties in Aden are permissible to be registered in Bombay, which is a very great convenience.

It is an easy matter for the head offices in Bombay to approach the Bombay Legislative councillors in case they have any grievances regarding the Aden administration.

The trade of Aden with India is chiefly from Bombay and Karachi.

(1) On considering the memorandum they are of opinion that the Armed Police Force is for the defence of Aden and that the expenditure on that account should be wholly borne by the Colonial or the Central Government.

(2) The Railway at Aden was first introduced as a War measure, to facilitate the transfer of troops and stores to the Military Frontier at Sheikh Othman and was since worked at a heavy loss and the public is of opinion that the heavy deficit on this account might have been included in the Central Government's Budget and they consider that the loss on that account should be borne by the Military. Moreover, it is no longer an item of recurring expense, as the railway is out of commission.

(3) The contribution from India towards the Military expense of Aden was £.250,000 for the first three years since 1927 and after that the expense would be curtailed to £.150,000 which will show considerable reduction on the debit side in the Central Government's Budget.

(4) The public of Aden are apprehensive that the transfer of Aden to the Central Government means a first step towards handing it over to the Colonial Government which would be detrimental to the interest of the Oriental races.

(5) According to the report of the Simon Commission the Bombay Province is to get an autonomy and the public of Aden are of opinion that in that case Aden should not be severed from Bombay, as they are looking forward to representation on the local bodies, as well as Provincial and Central Legislature.

I am sure you will agree with us that the above five points raised by us will meet with your approval and kind consideration, as we do not like to be in the same position as one of the non-regulation Provinces like the North Western Frontier or Baluchistan.

A memorial from the public of Aden ventilating their views on the above points is being drafted and addressed to the Private Secretary to His Excellency the Viceroy, Simla, which will be forwarded in due course.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed) FRAMROZ H. C. DINSHAW.

NOTE.

Provincial Autonomy being a foregone conclusion it is definitely to the advantage of all shades of inhabitants of Aden that Aden be kept under the autonomous Bombay Presidency because it will take time for the Central Government to assume a thoroughly popular form. Aden under the Central Government cannot and should not in any case expect a treatment better than that which is meted out to the non-Regulation Provinces of the type of North Western Frontier Provinces and Baluchistan. The fact that the people in these Provinces have few rights and privileges is too well known to need repetition.

The Arabs, Jews and the Somalis may be in preponderance, but the fact cannot be denied that the Indians were the pioneers who made Aden what it is to-day. Aden hinterland has by their efforts become the chief or the only market for Indian piecegoods and Indian grains, and as it was India with whose money the deficit balances in the past were met the Indians are entitled to demand that this trade with the hinterland may not suffer. But it shall suffer if Aden were to be transferred to the Government of India because with curtailment of freedom as in the non-Regulation Provinces, Aden will not be a very tempting place for Indian merchants to remain in.

Shipping trade and the great salt industry of Aden are in the hands of the Bombay people to a large extent, and their interests are interwoven with Bombay.

There are many parts of Bombay Presidency that are not self-supporting, but that is not a plea for snatching those portions away from the Bombay Government.

If the land revenue of the salt pans were to go to the Bombay Government, just as the revenue of the salt pans of Matunga, Ghatkopar, Bhandup and other places goes to it, then the little deficit that is being made so much of will disappear.

Therefore, I am of opinion that it is beneficial for all communities that the Bombay connection be retained.

(Signed) AHMEDBHOY I. A. LALJEE.

Aden, 29th August 1931.

CIVIL HOSPITAL, KARACHI: MILK AND BUTTER SUPPLY.

*Mr. S. S. TOLANI (Western Sind): (1) Will Government be pleased to state—

(*a*) how many tenders were received for milk and butter supply at the Civil Hospital, Karachi, for the current year;

(*b*) the names of the tenderers;

(*c*) the prices quoted by each of them;

(*d*) the name of the tenderer whose tender was accepted;

(*e*) the reasons for accepting the highest or higher tender rather than the lowest;

(*f*) the amount of milk and butter used during the months of April and May;

(*g*) the amount paid or billed for the same;

(*h*) the amount that would have been saved during the year had the lowest tender been accepted?

(2) Is it a fact that the system followed in the previous years was to make the contractor milk his cows in the hospital under the supervision of hospital authorities?

(3) Is it a fact that this system is not observed with the present contractor?

(4) Is it a fact that the contractor boils his milk before he delivers it to the hospital?

(5) If so, has any arrangement been made to inspect the contractor's vessels?

(6) Is it a fact that the milk is reboiled at the time of serving and thus gets reduced in food value?

(7) Is it a fact that the contractor has secured the contract through the recommendation of the President of the Karachi European Association?

(8) Is it a fact that Government has made a cut of 21 per cent. in the budget for diet?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: The attention of the honourable member is invited to the reply† given to a similar question put by the honourable member for Karachi City (Mr. Haji Mir Mahomed Baloch).

† Printed in the Debates of 30th November 1931.

CHITNISES AND HEAD CLERKS : CLASSIFICATION.

*Rao Saheb R. V. VANDEKAR (Nasik District): (*a*) Will Government be pleased to state the total number of head clerks and the chitnises to the Collectors in the Presidency ?

(*b*) How many of them are Brahmins, non-Brahmins excluding Lingayats and Jains, Mahomedans, Parsis, Christians, Jews and Buddhists, respectively ?

(*c*) How many of them have been appointed during the last 10 years, and how many of those appointed during that period belong to each of the different communities mentioned in (*b*) above ?

(*d*) Is it a fact that the percentage of advanced Hindus and backward communities among head clerks and chitnises to the total number is extremely small, and if so, what are the reasons therefor ?

The Honourable Mr. W. F. HUDSON: (*a*) 49.

(*b*) 16 Brahmins and 16 non-Brahmins exclusive of the communities mentioned in the question.

(*c*) The total number of persons appointed to the 49 posts from time to time during the last 10 years is 226, viz.,

Brahmins	101
Non-Brahmins	72
Lingayats	6
Jains	2
Mahomedans	18
Parsis	2
Christians	23
Jews	2
Buddhists	Nil.

(*d*) No.

COUNCIL RESOLUTIONS : GOVERNMENT ACTION.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) which of the resolutions passed by the Council at the February-March session 1931 have been given effect to ;

(*b*) to which of them effect is proposed to be given and when ;

(*c*) to which of them it is not intended to give effect and the reasons therefor ?

The Honourable Sir GOVINDRAO PRADHAN: (*a*), (*b*) and (*c*) The only resolution passed by the Legislative Council at the February-March session 1931, was the one moved by the Honourable Dewan Bahadur S. T. Kambli, regarding the necessity of maintaining the quality and reputation of the cotton grown in the Narbada-Mahi area and of preventing the importation of inferior variety of cotton grown in the adjoining areas. Effect to the resolution has been given by publishing a final notification declaring the Narbada-Mahi area a protected Zone under the Cotton Transport Act.

HONORARY PRESIDENCY MAGISTRATES' COURTS: FINES.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state the amount recovered by way of fines during each of the last three official years by the Honorary Presidency Magistrates' Courts in Bombay?

The Honourable Mr. G. A. THOMAS: The amounts were Rs. 1,55,441, Rs. 1,84,150 and Rs. 1,60,444.

PRIMARY SCHOOLS, NASIK DISTRICT.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) the number of villages in the Nasik District with a population of 500 and over which had no schools before the transfer of control of primary schools to the local authorities;

(*b*) what is the number of new schools opened in such villages since the transfer?

The Honourable MOULVI RAFIUDDIN AHMAD: (*a*) 119.
(*b*) 18.

SECRETARIAT: APPOINTMENT OF SUPERINTENDENTS AND SENIOR ASSISTANTS.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) the number of Superintendents and senior assistants in the various Departments of the Secretariat separately and the years of service they have put in;

(*b*) whether promotions in each Department are given separately;

(*c*) whether they intend to form one cadre for the whole Secretariat?

The Honourable Sir GOVINDRAO PRADHAN: (*a*) The statement containing the information required is attached.

(*b*) Yes.

(*c*) No.

Statement showing the number of Superintendents and First Assistants in the several Departments of the Secretariat and the years of service they have put in.

Name of Department	Number of Superintendents	Years of service put in by each of the Superintendents shown in column 2	Number of First Assistants	Years of service put in by each of the First Assistants shown in column 4
1	2	3	4	5
Finance Department ..	8	24, 23, 21, 16, 16, 12, 11 and 9.	10	11, 11, 8, 7, 31, 10, 22, 12, 29 and 10.
General and Educational Departments.	7	20, 18, 17, 17, 15, 14 and 17.	8	14, 14, 30, 13, 13, 13, 13 and 11.
Home Department ..	8	32, 24, 20, 22, 22, 21, 20 and 17.	9	19, 22, 18, 18, 17, 15, 18, 7 and 7.
Legal Department ..	5	31, 24, 22, 20 and 18.	2	10 and 6.
Political Department ..	6*	30, 24, 20, 20, 19 and 17.	9*	22, 16, 28, 14, 13, 12, 25, 18 and 10.
Public Works Department	8	27, 27, 26, 19, 20, 21, 17 and 26.	8	17, 13, 12, 11, 11, 16, 30 and 25.
Revenue Department ..	8	33, 28, 25, 23, 23, 20, 18 and 18.	8	34, 20, 17, 14, 13, 13, 13 and 12.

*Includes one appointment in the Passport Branch.

LAND REVENUE COLLECTION, NASIK DISTRICT.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) the total amount of suspended land revenue during the land revenue year 1930-31, in the different talukas of the Nasik District;

(*b*) the total amount of land revenue remitted during that year on account of whole or partial failure of crops in the different talukas of the district;

(*c*) the total amount of land revenue recovered for the land revenue year as decided by Government, that one year's revenue only will be collected and all the suspended arrears throughout the Presidency proper shall be re-suspended;

(*d*) what is the total amount of re-suspension granted in each taluka of the district up to the year 1930-31;

(*e*) the total amount of remissions granted during the last three years in the different talukas of the district where there was failure of crops through want of rain or damage to crops by grasshoppers or locusts?

The Honourable Mr. W. F. HUDSON: (*a*) Nil.

(*b*) A sum of Rs. 1,160 was remitted in Chandor Taluka.

(*c*) The total amount of land revenue recovered excluding re-suspended arrears was Rs. 21,07,991-5-5.

(*d*)

	Rs.	a.	p.
(1) Chandor	9,918	4	0
(2) Malegaon	8,878	6	0
(3) Yeola	1,485	0	0
	20,281	10	0

Year	Taluka	Amount	Reasons
(*e*) 1928-29		Nil.	
1929-30	(1) Chandor ..	Rs. a. p. 1,302 10 8	Locusts.
	(2) Peint ..	626 8 9	
	(3) Nasik ..	272 3 0	
	(4) Malegaon	363 6 6	
	(5) Dindori ..	22 14 9	
		2,587 11 8	
1930-31	(1) Chandor ..	1,160 0 0	Failure of crops.
	(2) Nasik ..	61 9 0	Locusts.
		1,221 9 0	

PIER AT RATNAGIRI.

*Mr. B. P. WADKE (Bombay City, South): (*a*) Will Government be pleased to state whether there was a committee appointed to consider the question of constructing piers on certain ports of the west coast of the Presidency?

(*b*) If so, what were their recommendations and how far have they been carried out?

(*c*) Was the port of Ratnagiri one of them, and if so, which is the site selected for the pier?

(*d*) Has the work been taken in hand, and if so, what progress has been made with regard to it?

The Honourable Mr. W. F. HUDSON: (*a*), (*b*) and (*c*) Government did not appoint any Committee to consider this question generally. They appointed one in 1927 only to consider the question of landing facilities in Ratnagiri. A copy of the Press Note issued in connection with the report of the Committee is placed on the Council Table.

(*d*) The question of locating a suitable site for the construction of a pier is still under the consideration of Government.

With the compliments of the Director of Information, Bombay. P-171/18th August 1928.

In June of last year the Government of Bombay appointed a Committee consisting of the following gentlemen, to investigate the feasibility of improving the landing facilities at Ratnagiri :—

Captain H. Morland, Deputy Director, R.I.M. (Chairman),

Mr. B. E. Vacha, Superintending Engineer, S. C.,

Mr. T. J. Walke, Superintendent of Lights, Bombay, and

Mr. B. R. Nanal, M.L.C.

The Committee were requested to consider and report on the following points :—

(1) whether from the engineering and nautical points of view the construction of a sufficiently sheltered pier is feasible; and

(2) if so, what the approximate cost of the project would be;

(3) if not, whether an alternative scheme for providing a boat jetty at which steamer passengers would be landed dry-shod is feasible.

After a preliminary investigation the Committee submitted an *ad interim* report in August 1927, and after locally testing the preliminary conclusions with the aid of the Executive Engineer in charge of Boring Works, Nasik, they have submitted their final report on the possibility of constructing a pier at Ratnagiri. The Committee consider that it is impossible to build a pier or make a landing place at Ratnagiri that would be serviceable or could be used all the year round, that the landing at Mirya (Kalbadevi Bay) is the only one that can be used in the South West monsoon, and that, as the passenger traffic is very small during that time, no special provision is necessary. On the other hand, the indentation called Killa Bay is considered unsuitable for a landing place during either monsoon, because of the fact that there is a lack of manœuvring space for steamers and also of its exposure, during the South West monsoon, to swell which comes round the point as a backwash. The exposure to the North West wind which prevails for most of the period of the North East monsoon renders the site unsafe. Lastly, there is also the difficulty and expense of constructing road communication with the principal part of the town and the distance therefrom. So the best site for either a steamer pier or boat pier is considered to be about 500 feet south west of the Tower, under the headline, to which there is absolutely no alternative. The Committee recommend that a pier or jetty should be built at this site at which steamers can go alongside at High Water springs or neaps, and at other times passengers will be able to embark from the pier into boats, and thus have a short boat passage, reaching the steamer dry-shod and *vice versa* when disembarking. The leading citizens of Ratnagiri who were consulted by the Committee agreed to this proposal, which was also concurred in by experienced Masters of coasting steamers, who agreed with the Chairman as to the feasibility of taking their vessels alongside when the tide serves.

The plans and estimates submitted by the Committee show that the depth of water at chainage 1,300 along the proposed line of the pier will be about 16 feet at mean tide or 12 feet at ordinary low tide. The usual passenger steamers plying to Ratnagiri draw about 10 feet of water and allowing 2 feet margin between the sea-bed and the bottom of the steamer, it is believed that steamers can touch this point at all stages of the tide except the lowest, when the depth would be only about 10 feet. As the lowest tides occur only for a very few days in the month and then only for a few hours on those days, it is not necessary to provide against this contingency. The proposed pier will be 1,300 feet long and 24 feet wide with a T. head at the outer end 300 feet × 30 feet alongside of which steamers can moor. Twenty-four feet width is considered sufficient to accommodate two lines of vehicular traffic crossing each other and also a number of pedestrians on the sides. At the T. head as loading and unloading is to be done and traffic has to turn round, a greater width is considered necessary and therefore 30 feet is provided. If the 300 feet T. head is found insufficient it can be extended later on.

There will be an approach road to the pier or jetty and the distance to the town by road will not be great. It is also anticipated that the pier or boat jetty can be utilised for the landing of cargo by country craft which would be more satisfactory than as at present proceeding over the Bar at Rajuda Creek, or it would, at any rate relieve that place of any congestion.

The estimated cost of the project amounts to nine lakhs of rupees roughly, including the cost of the approach road. If competitive tenders are invited and firms of repute requested to quote for their own detailed designs on the general lines of this design the Committee think that it is likely that the work could be constructed at a lower cost, especially as the rate of iron work, of which there is plenty in the proposed design, is going down.

The designs and estimates now submitted by the Committee are reported to be a great improvement on the several schemes prepared during the last half a century, which could not materialize for various reasons. The Committee have given due consideration to the needs and requirements of the people of the locality with due regard to the physical disabilities that have to be faced in constructing a suitable landing place in an exposed place like Ratnagiri. They hope the proposed pier will, to a great extent, meet the public demand. The Committee further observe that they have kept in view the difficulties in financing this harbour work project. The passenger as well as goods traffic is small. The paying capacity of the passengers as well as of the traders is limited. The scheme is so designed as to give the maximum benefit at a minimum cost.

Government have now under consideration the question of financing the scheme but in the meanwhile they take this opportunity of expressing their cordial appreciation of the services of the Chairman and Members of the Ratnagiri Pier Investigation Committee who have produced a valuable report.

Mr. B. P. WADKE: With regard to (*d*), the Honourable the Revenue Member has already replied to Rao Bahadur Bole's question that the work will be taken in hand this year.....

The Honourable Mr. W. F. HUDSON: I did not say anything of the kind. What I said was that the matter was under examination and that I shall be very glad to inform the honourable member Rao Bahadur Bole of the results of that examination as soon as they are ready. Undertaking the work is a very different matter.

HOSPITALS: LAY SECRETARY.

*Mr. B. P. WADKE (Bombay City, South): (1) Will Government kindly state when the Lay Secretary to J. J. and allied hospitals (Bombay) was appointed?

(2) What are his qualifications?

(3) What are his duties?

(4) Is the appointment permanent or temporary?

(5) Is it one of his duties to effect economies?

(6) What are the economies he has effected so far, together with the amounts thereof?

(7) What is his salary and what are his allowances, if any?

(8) Are his decisions binding in matters requiring medical knowledge, e.g., ordering a cheaper brand of medicines or disallowing extras to patients like oranges or eggs, etc., when the medical officer considers them necessary for the patient?

(9) Who places orders for drugs, serums, etc.?

(10) Is it a fact that cheap serums (anti-tetanus) are indented by him for use in the hospitals?

(11) Are such cheap serums of proved efficacy and approved of by the medical officers of the said hospitals?

(12) If not, have the medical officers stated their opinions on the use of such serums and cheap medicines ?

(13) If so, will Government place a copy of the opinions of the medical officers on the Council table ?

(14) Who performed the work now performed by the Lay Secretary before he was appointed ?

(15) Was that person paid a substantive salary or an allowance for it ?

(16) What was the amount of that salary or allowance ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL : (1) The Lay Secretary was appointed on 8th October 1930.

(2) He is R.A.S.C. (Retired).

(3) The accompanying copy of the rules regulating the duties of the Lay Secretary indicates what his duties are.

(4) The appointment is temporary for two years.

(5) Yes.

(6) It is not possible to give a definite answer as the figures for a complete financial year are not yet available.

(7) His salary is Rs. 1,000 per mensem with house rent according to the rules of the House Allowance Scheme printed in the Bombay Civil Services Rules.

(8) The Lay Secretary has no authority in medical matters.

(9) The Superintendents of the Hospitals concerned.

(10) All purchases are of course made as cheaply as may be, consistently with good quality.

(11), (12) and (13) Do not arise.

(14) The Superintendents of the Hospitals concerned.

(15) and (16) The Superintendents of the J. J. Hospital and the B. J. Hospital for Children were given allowances of Rs. 150 per mensem and Rs. 50 per mensem respectively.

Copy of the rules regulating the duties of the Lay Secretary, J. J. Group of Hospitals, Bombay.

(1) The Secretary will work under the immediate control of the Surgeon General.

(2) All members of the Hospital Staff must treat requisitions or requests for information received from the Secretary in connection with the discharge of his duties as proceeding from the Surgeon General and comply with them accordingly.

(3) The Secretary will be in immediate charge of the hospital office, the Stores Department, and all the staff concerned, and will have the duties and responsibilities of an officer exercising such immediate charge. He will be generally responsible for the internal economy of the Hospitals. More specifically—

(4) He will see that the full amount of security is duly taken from the contractors and from the members of the office staff who are liable to give securities. He will also make proper arrangement for the safe custody of all securities deposited.

(5) He will examine all service books and see that they are kept in safe custody and are maintained up-to-date. He will deal with all cases of pension and gratuities and submit them with his remarks to the Surgeon General.

(6) He will pass all requisitions from the different wards and departments of the hospitals for all stores of which a stock is maintained, unless such requisitions are excessive in which case he will refer them to the Superintendents concerned for scrutiny and if not satisfied will refer to the Surgeon General for orders.

(7) He will on receipt of requisitions for replacements or repairs of articles of furniture and equipment of the hospital satisfy himself by enquiry that such replacements or repairs have not been necessitated by an act of negligence on anybody's part. If he is not so satisfied, he will make a special report to that effect to the Surgeon General.

(8) He will report to the Superintendent concerned and to the Surgeon General when the cost of diets exceeds the sanctioned scale.

(9) He will call for contracts, scrutinise tenders and examine the articles and stores supplied, both with regard to quality and quantity. He is however not empowered to accept contracts.

(10) He will see that the contractors keep to the terms and specifications of their respective contracts.

(11) He will examine the cash books and account books daily and will initial them in token of his having done so. He will verify the cash balance daily and will sign the cash book.

(12) He will see that all monies including paying patients' fees and confinement fees due to the hospitals are collected and credited to Government. He will grant and sign receipts for all payments.

(13) He will visit periodically the hospitals, kitchens, the stores and laundry house and keep himself in touch with all matters so far as they lie within the sphere of his duties.

(14) He will supervise the Trust funds and other Hospital funds and their accounts and see that the orders of the Surgeon General or the administrator of the funds concerned are carried out.

(15) He will closely scrutinise all expenditure and whenever the budget grants are likely to be exceeded he will bring the matter at once to the notice of the Surgeon General.

(16) He will bring to the notice of the Surgeon General all irregularities and all cases of wastage, loss, and misuse, also any abnormal and excessive expenditure which comes to his knowledge.

(17) He will visit portions of the Hospitals daily to satisfy himself as to the internal management of the wards and various departments. He will be in close touch with senior Resident Medical Officer in all matters that concern the strictly professional part of the Hospital—complaints, offences, etc., of the menial staff.

(18) He will consult the Superintendent concerned in all matters concerning Hospital management so far as they come within the sphere of his duties.

Mr. B. P. WADKE : With regard to (7), may I know the reason why the temporary man is paid the house rent allowance ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL : That is according to rules.

Mr. B. P. WADKE : But can temporary men take advantage of the allowance allowed under the rule ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL : I have replied, Sir.

Mr. B. P. WADKE : Has he got a telephone in his bungalow ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL : I am not aware.

UNSTARRED QUESTIONS AND ANSWERS

EXCISE DEPARTMENT : INSPECTORS AND SUPERINTENDENTS.

Khan Bahadur D. B. COOPER (Satara District): (*a*) Will Government be pleased to state how many persons with University degrees are in service in the Excise Department as Inspectors of Excise ?

(*b*) Will Government place on the Council Table a list of such Inspectors showing their names, University qualifications, length of service and present salary ?

(*c*) How many posts of Superintendents of Excise have been filled by direct recruitment during the last ten years ?

(*d*) Will Government place on the Council Table a list of such directly recruited Superintendents showing their names, year of recruitment, University qualifications and present pay ?

(*e*) Under what rules or orders of Government are such direct recruitments made ?

(*f*) Will Government be pleased to place a copy of these rules or orders on the Council Table ?

The Honourable MOULVI RAFIUDDIN AHMAD : (*a*) Eleven.

(*b*) A statement furnishing the necessary information is placed on the Council Table.

(*c*) Three.

(*d*) The following statement gives the required information :—

No.	Name of Officer	Year of recruitment	University qualifications	Present pay	Remarks
				Rs.	
1.	Mr. Abdul Aziz Hakim.	1924	Passed the Intermediate Science Examination.	....	Services were dispensed with because he failed to pass the departmental examinations.
2.	Mr. Raghunath Narayan Samarth.	1927	B.A. (Bom. and Oxon.)	420 130 Travelling allowance. 19 Tentage allowance.	
3	Mr. Jafar Ali Khan G. Agha.	1928	Passed the Intermediate Arts Examination.	340 130 Travelling allowance. 19 Tentage allowance.	

(*e*) and (*f*) Copies of Government Resolution and Press Note No. 9693/24, dated 10th January 1928, are placed on the Council table.

Statement showing the names of Excise Inspectors with their University qualifications, length of service and present pay.

No.	Name	University qualifications	Length of service	Present salary
			Y. m. d.	Rs.
1	Mr. S. B. Wagle	B.A.	23 11 0	300
2	„ N. B. Desai	B.A.	23 11 0	300
3	„ K. N. Wadia	M.A., B.Sc.	18 5 0	300
4	Sheik Abdul Kadar Raja Saheb ..	B.A.	20 3 0	240
5	Mr. P. A. Reporter	M.A.	16 1 15	240
6	„ K. K. Desai	B.A.	15 5 17	210
7	„ M. S. Navalkar	M.A.	15 7 29	210
8	„ K. S. L. Iyangar	B.Sc.	15 5 8	200
9	„ B. C. Thakore	B.A.	15 4 16	200
10	„ C. G. Vyas	B.Ag.	15 10 0	160
11	„ R. A. Desai	B.A.	17 2 19	160

Appointments.

—of a probationer in the Bombay Excise Department.

GOVERNMENT OF BOMBAY.

REVENUE DEPARTMENT.

Resolution No. 9693/24.

Bombay Castle, 10th January 1928.

Letter from the Commissioner of Excise No. 30-41/27 dated 12th September 1927 :—

"I have the honour to refer to paragraph 4 of Government Resolution No. 5048, Revenue Department, dated the 26th September 1923, directing that after the separation of the Salt and Excise Departments, 50 per cent. of the gazetted appointments in the Excise Department should be filled up by direct recruitment. The idea apparently was that if for instance there were four vacancies in the grade of Superintendents, two of these were to be filled up by direct recruits.

"2. After the separation the following three permanent vacancies occurred :—

(1) *Vice* Mr. C. H. Fletcher, transferred permanently to the Salt Department from the 25th April 1924;

(2) *Vice* Mr. J. D. Ghandy, retired from the 16th May 1925;

(3) *Vice* Mr. C. Clifford, retired from the 31st May 1927.

The first vacancy was filled up by the appointment of Mr. J. Dyas, who was previously acting in that vacancy owing to Mr. Fletcher's temporary deputation to the Salt Department. The second vacancy was filled up by the selection of Mr. C. H. W. Lake, an Inspector of the Salt Department, who had previously officiated for a long period on the gazetted cadre of the amalgamated departments. On the principle referred to above this vacancy should have been filled up by direct recruitment. Direct recruitment was not, however, possible because a probationer was not available, Mr. Hakim, the first probationer appointed by Government, not having completed his year of probation then. Then again on account of the failure of Mr. Hakim to make good during the period of his probation, the third vacancy had also to be filled up otherwise than by direct recruitment, Mr. G. Gidney, Excise Inspector, who was officiating as Superintenent for a considerable period, having been confirmed.

"3. In the near future there will normally be three permanent vacancies of Superintendents in consequence of the retirements (1) on proportionate pension of

Mr. L. H. Barford some time in January next and (2), under the age rule, of Messrs. S. J. Taleyarkhan and R. Honner with effect from the 15th and the 28th August 1928, respectively. Mr. R. N. Samarth who was appointed by Government in April last to be Probationary Superintendent of Excise cannot be appointed to the vacancy which will be caused by the retirement of Mr. Barford, because he will not then have completed one year of his probationary period. This vacancy will therefore have to be filled up by the substantive promotion of one of the non-gazetted officers who is officiating on the gazetted cadre. Mr. Samarth will ordinarily be eligible to one of the other two vacancies in August next year, provided he passes the prescribed departmental examinations.

"4. This is the situation as it stands at present. I will now explain the practical difficulties in the way of direct recruitment under the present system.

"5. A probationer has to be appointed fully a year ahead in anticipation of a vacancy. It is not, however, always possible to forecast vacancies. Some officers suddenly decide to retire before the full period of their service. In that case if it be the turn of a direct recruit to fill a vacancy, the appointment will have to be kept unfilled for a year, whilst a probationer is being trained. If this is considered undesirable, then it must be given by promotion to existing subordinates, in which case the rule of alternate turn cannot be followed.

Again a probationer may be selected in time, but he may fail in his examination or found during the probation period to be unfit. In that case too another year might be wasted.

"6. In my opinion the only solution is to select a certain number of probationers in anticipation and after they have passed their examination and been partially trained, though given the rank of gazetted officers, they should be employed as Inspectors till vacancies occur. A year or two's work as Inspector might be an excellent training and be beneficial on the whole to the service.

"7. As stated above three permanent vacancies will occur within the next 12 months. As against this only 1 probationer, Mr. Samarth, is being trained. His year of probation expires on the 19th April 1928 and in case he passes his examination by then, he may get one of the vacancies. It seems, however, absolutely necessary to appoint another probationer immediately. In fact for reasons stated above and against emergencies I am in favour of appointing two probationers, the second one being warned that he should have to serve as Inspector on Rs. 250 till a vacancy occurs in the grade of Superintendents which has to be filled up by direct recruitment. It is desirable always to have one probationer in reserve. Even so Government will have to decide whether pending the training of these probationers, permanent vacancies, if any, are to be kept unfilled, they being filled as a temporary measure only by acting promotion from the subordinate staff.

"8. Lastly I would point out that there is no provision in the current year's budget to meet the expenditure on account of additional probationers, but if Government decide to appoint one or more probationers, it will be possible to meet the expenditure by reappropriation."

RESOLUTION.—In modification of the orders contained in paragraph 4 of Government Resolution No. 5048 dated 26th September 1923, the Government of Bombay are pleased to direct that henceforth only one out of every three vacancies in the cadre of Superintendents of Excise shall be filled up by direct appointment, the remaining two being filled up by promotion from the subordinate ranks. In these circumstances Government consider that there is no need for the immediate recruitment of two probationers as proposed by the Commissioner. The appointment of one probationer is accordingly sanctioned.

2. When the period of his probation has been completed and he is otherwise qualified, the probationer should be confirmed in the post of Superintendent of Excise as soon as there is a vacancy to which he can be appointed. Till such time he should be employed as an Inspector. If however an appointment becomes available before the completion of the probationary period, it should be *temporarily* filled by the grant of acting promotions to the subordinate staff.

3. The probationer should be granted a salary of Rs. 200 per mensem from the date of his employment until he is appointed to the post of Superintendent.

4. The requisite notification should be published in the *Bombay Government Gazette* and in the "Times of India," the "Bombay Chronicle," the "Indian Daily Mail," the "Daily Gazette," the "Sind Observer," the "Jam-e-Jamshed" and the "Akhbar-e-Islam." Copies of the notification should also be furnished to the Director of Public

Instruction, the Principals of Arts Colleges in the Presidency and the Principals of the College of Engineering and the Agricultural College, Poona.

By order of the Government of Bombay
(Transferred Departments),

A. E. SERVAI,
Acting Under Secretary to Government.

To

The Commissioner in Sind,
The Commissioners of Divisions,
The Commissioner of Excise,
All Collectors, including the Deputy Commissioner, Upper Sind Frontier,
The Superintendent of Salt and Excise, Sind,
The Director of Public Instruction,
The Director of Agriculture,
The Director of Information,
The Accountant General,
The Principals of the Elphinstone, Deccan, Gujarat and Karnatak Colleges,
The Principal, Agricultural College, Poona,
The Principal, College of Engineering, Poona,
The Principals of the Wilson, St. Xavier's, Rajaram, Fergusson, New Poona, Baroda, Samaldas, Dayaram Jethmal (Sind), Willingdon, Bahauddin, M. T. B., H. P. T. and Sind National Colleges (by letter).

REVENUE DEPARTMENT.

Bombay Castle, 10th January 1928.

No. 9693/24.—It is hereby notified that the Government of Bombay (Transferred Departments) propose to select a candidate for appointment as a probationer in the Bombay Excise Department. Applications must reach the Secretary to Government, Revenue Department, on or before the 15th February 1928. Intending candidates, who must be above 21 and below 25 years of age on that date, should apply for particulars to the Secretary to Government, Revenue Department, Secretariat, Bombay.

By order of the Government of Bombay
(Transferred Departments),

J. W. SMYTH,
Secretary to Government.

PRESS NOTE.

The Government of Bombay (Transferred Departments) propose to select a candidate for appointment as a probationer in the Bombay Excise Department. The selection will be made from persons of high educational qualifications who are not already in Government service. Applications from intending candidates are accordingly invited and must reach the Secretary to Government, Revenue Department, on or before the 15th February 1928. No application received after that date will be considered.

Note.—Any attempt on the part of a candidate to enlist support for his application from persons of influence will disqualify him for appointment. The intending candidates are also warned that they should not attempt to see any Member or Minister of Government, or Secretary or Under Secretary to Government unless they are called for a personal interview.

2. A candidate must state his caste and produce evidence—

(*i*) that he is either a subject of His Majesty or a subject of a State in India in respect of whom the Governor General in Council has made a declaration under section 96-A of the Government of India Act, and has resided for not less than three years before the date of application within the limits of the Bombay Presidency, or of a State in political relations with the Government of Bombay;

(*ii*) that he will be above 21 and below 25 years of age on the date above mentioned and that the proofs of age and nationality required will be according to the rules specified in note (1);

(*iii*) as to his University degrees or other educational distinctions;

(*iv*) as to his proficiency and conduct by production of certificates from the heads of such educational institutions as he may have attended, provided that a candidate who has attended a University college must produce a certificate from the Principal of such College.

Note (*1*).—(*a*) In order to obtain a certificate, a candidate is required, if resident in British India, to prove the date and place of his birth before the Magistrate of the district in which his family resides, or, if resident in an Indian State, before the Political Officer of the State in which his family resides.

(*b*) The Magistrate or Political Officer will carefully examine the value of the evidence given, and forward a summary of it, with certified copies of all documents tendered and his comments and opinion, to the officer who forwarded the application to him for enquiry.

(*c*) The documentary evidence which a candidate may be expected to produce comprises—

(*a*) the horoscope;

(*b*) family books;

(*c*) tradesmen's account books showing entries relating to the birth;

(*d*) the record of admission in the registers of the school in which the candidate was educated, and the record of the candidate's age at various periodical school examinations;

(*e*) if the candidate is matriculated in the University of Bombay, a certified copy of his application to the Registrar.

Oral testimony of persons acquainted with the candidate's family, or otherwise able to give relevant evidence, will also be taken; and the candidate is required to comply, to the best of his power, with any requisition which the Magistrate or Political Officer, as the case may be, may make in order to clear up any doubt as to the purport of the documentary proof.

(*d*) Any declaration of age made after the application of these rules on the occasion of seeking admission to any University examination, educational institution, or Government office, or otherwise recorded in a formal and deliberate manner, will be taken as conclusive evidence in disproof of the subsequent assertion by the same person that he is of a different age from that so declared or recorded.

(*e*) Where the date and the place of birth have been formally registered in a register kept by any public officer in British India, an extract from the register, duly certified by the proper official, shall be accepted as sufficient proof of the date and place of birth.

(*f*) In addition to the particulars required by rule (*a*) a candidate not born in His Majesty's dominions must also prove that he is the son or grandson of a person born in those dominions.

3. (1) The certificate of age and nationality required by paragraph 2 (*ii*) shall be granted by a Secretary to Government, or by the Collector of the District or the highest Political Officer accredited to the State in which the candidate resides, on satisfactory proof being submitted of the facts to be certified. The nature of the evidence produced by the candidate must be stated in the certificate.

(2) The certificate shall be in one of the following forms, namely:—

(*a*) Where the candidate is a subject of His Majesty or a State in India and whose father and mother were born within His Majesty's dominions and allegiance or within such State:—

"I hereby certify that A.B., who is a candidate for appointment as a probationer in the Bombay Excise Department, has submitted the proofs of his birth detailed below,* and has satisfactorily shown that he was actually born on or about the date stated, *viz.* the day of 19 , at , a place within [His Majesty's dominions / the State of in India]. Neither his father nor his mother was born outside [His Majesty's dominions and allegiance / such State].

*(Here enter details.)

"I do also certify that the abovementioned candidate has resided for not less than three years before the date of application within the limits of the Bombay Presidency or of States in political relations with the Government of Bombay."

(*b*) Where the candidate is a subject of His Majesty or a State in India, but either he or his father or mother was not born within His Majesty's dominions and allegiance or within such State:—

"I hereby certify that A.B., who is a candidate for appointment as a probationer in the Bombay Excise Department, has submitted the proofs of his birth detailed below,† and has satisfactorily shown that he was actually born on or about the date stated *viz.* the day of 19 , and further having ascertained that [he / his father / his mother] was born at , a place without His Majesty's dominions and without the territories of the State of in India.

"I hereby certify that his father was at the time of the candidate's birth [a British subject / a subject of the State of in India] and that such father [still is a British subject / continued to be till his death / a subject of such State in India].

†(Here enter details.)

"I do also certify that the abovementioned candidate has resided for not less than three years before the date of application within the limits of the Bombay Presidency or of States in political relations with the Government of Bombay."

Note (2).—Applications for certificates of age and nationality referred to in clauses (*i*) and (*ii*) of paragraph 2 above should be submitted to the Secretary to Government, Revenue Department, or the Collector of the District or the highest Political Officer accredited to the Indian State, as the case may be, in accordance with the rules for the issue of certificates of age and nationality mentioned in note (1).

4. The selected candidate will be required to satisfy Government, after a special medical examination to be conducted by the Medical Board of the Presidency that he is in all respects physically fitted for the performance of the duties required of a Superintendent of Excise.

5. The probationer will be on probation for a period of one year. He will be required to go through a course of equitation and to obtain a certificate of proficiency, and to pass within one year the departmental examination in law prescribed for gazetted officers of the Excise Department, including an examination in the vernacular of the district to which he is posted, if it is not his mother tongue. After the completion of the probationary period and provided that he has passed the above examinations the probationer will ordinarily be appointed to one of three vacancies occurring in the cadre of Superintendents of Excise. During the probationary period he will receive a salary of Rs. 200 per mensem. Pending the occurrence of a vacancy he may be required to serve as Inspector of Excise on a fixed salary of Rs. 200 per mensem.

GOVERNMENT OF BOMBAY.

REVENUE DEPARTMENT.

No. 9693/24.

Bombay Castle, 10th January 1928.

Forwarded to—

The Commissioner in Sind,
The Commissioners of Divisions,
The Commissioner of Excise,
All Collectors, including the Deputy Commissioner, Upper Sind Frontier,
The Director of Public Instruction,
The Director of Agriculture,
The Director of Information,
The Private Secretary to His Excellency the Governor,
The Accountant General,
The Oriental Translator to Government,
All Departments of the Secretariat (except the Separate and Legal Departments),
The Principals of the Elphinstone, Deccan, Gujarat and Karnatak Colleges,
The Principal, Agricultural College, Poona,
The Principal, College of Engineering, Poona,
The Principals of the Wilson, St. Xavier's, Rajaram, Baroda, Fergusson, New Poona, Samaldas, Dayaram Jethmal (Sind), Willingdon and Bahauddin, M. T. B. Arts, H. P. T., and Sind National Colleges (by letter),
The Editors' Tables,
The Editors of Newspapers,
The Secretary to the Legislative Council (for the Reading Room for Members of the Legislative Council).

By order of the Government of Bombay
(Transferred Departments),

A. E. SERVAI,

Acting Under Secretary to Government.

EXAMINATIONS HELD IN HOT SEASON.

Khan Bahadur A. E. PATEL (Northern Division): (1) Are Government aware that there have occurred many instances in which School-boys and College students have fainted at the time of their preliminary and ordinary annual examinations, on account of the unbearable heat in March and April when the examinations are, of late, usually held?

(2) Have any reports been received from the heads of Schools and Colleges, in which such instances have occurred?

(3) If so, will Government be pleased to state the facts and figures of such reports in a tabular form?

(4) Do Government intend to arrange for the holding of examinations in a comparatively cool season ?

The Honourable MOULVI RAFIUDDIN AHMAD : (1) and (2) Yes, a few.

(3) The required information is given in the accompanying statement.

(4) The matter is primarily for the consideration of the University. It may, however, be added that the University has recently decided to hold, with effect from the year 1933, the Matriculation examination three weeks earlier than at present.

STATEMENT.

Serial No.	Name of reporting authority.	Number of cases of fainting reported to have occurred at examinations for 1930-31.	Name of Examination.	Causes.	Remarks.
1	The Principal, M. T. B. Arts College, *Surat.*	2	Matriculation ..	Not known.	
2	The Principal, H. P. T. Arts College, *Nasik.*	2	Do. ..	Apparently due to heat.	
3	The Principal, D. J. Sind College, *Karachi.*	*	Final ..	Other than heat ..	*The Principal reports that every year at the time of the final examination there are cases (one or two) of fainting.
4	The Principal, Fergusson College, *Poona.*	6	Chiefly Matriculation.	Not known.	
5	The Principal, Willingdon College, *Sangli.*	†	Matriculation ..	Other than heat ..	†The Principal reports that a case or two of this description does occur every year and that these cases cannot all be ascribed to summer heat.
6	The Educational Inspector, Central Division, Poona.	‡	Annual ..		‡The Head Master, Garud High School, Dhulia, reports that there were a few cases of actual fainting in his school at the last annual examination. The Lady Superintendent, Training College for Women, Poona, reports that one or two girls fainted almost every year at the time of the examination on account of heat.
7	The Educational Inspector, Northern Division, Ahmedabad.	6§	Do. ..	Heat ..	§3 from the B. S. Daial High School, Broach, 2 from the Sorabji J. J. High School, Surat, and 1 from the High School for Indian Girls, Ahmedabad.
		2‖	Vernacular Final	Do.	‖At the Godhra Centre.

SUCCESSION DUTY BILL

Question again proposed :

"That Bill No. XLV of 1931 (Succession Duty Bill) be read a first time."

Mr. W. G. LELY (Bombay Chamber of Commerce): Sir, I rise to speak in support of this Bill. I think that perhaps that explanation is superfluous as, judging from the unanimity with which the speakers yesterday supported the Bill, it seems that there are no honourable members in this House who do not agree with it. Possibly that is not the correct explanation, and there may be another reason. I understand that there is important precedent for observing Monday as a day of silence. Perhaps that accounts for the silence observed yesterday by honourable members opposite. It may be that to-day that silence will be broken.

I think, Sir, that there were a good many speakers yesterday who were considerably surprised when they found themselves on their feet speaking on this Bill. I was one of them. I rose at 6-57 p.m. and I am not sure that you, Sir, did not misunderstand the purport of my remarks. I rather think that you may have understood me to say that I could not finish my remarks on the Bill within the space of three minutes. What I intended to convey to you, Sir, was that I did not know how I could manage to keep going for that length of time. However, Sir, I have since had a little time for preparation, and so I again find myself on my feet this afternoon.

But what I have said shows the sort of pass to which responsible members of this Council may be reduced by the tactics of honourable members opposite—I expect, Sir, you will not allow me to call them "questionable tactics", still less will you let me call them shady tactics—therefore I will not call them either shady or questionable—I will not even say unworthy,—I will merely call them unsuccessful. Anyhow, I hope that the flood of eloquence which was stemmed yesterday on the other side of the House will be let loose to-day, and that we shall hear the arguments which any honourable members may have to bring forward against the present Bill. I am afraid that continued silence can only mean that honourable members fear that their opposition, if the barrenness of their arguments is brought to the light of day, would convert people who are wavering to support of the Bill, instead of to opposition. Anyhow I feel quite confident that, if they address the House to-day, that will be the result.

I should like, Sir, if I may, to congratulate my honourable friend Mr. Petit, who I am sorry to see is not here to receive the bouquet which I wish to give him, on the independent and courageous attitude which he took yesterday in defiance of the mandate, as he called it, of his constituency. He spoke according to his own convictions. I think if more members of this honourable House would adopt the same line and would try to forget that they are sheep,—or, I should rather say, would try to remember that they are not sheep,— and if they would only speak and vote according to their own convictions, that this honourable House would gain both in dignity and in utility.

[Mr. W. G. Lely]

I will leave it to those who are better qualified than I am to speak for the Bill in detail. I see that Government have reinforced their benches with expert assistance, and the experts may be expected to give the House all the information they want on the technical issues. But I think I may say that this Bill is not a hurried or an ill-considered measure. I suppose it was first produced a year ago. It has been considered and reconsidered, and I think I am right in saying that it has twice been submitted to the Government of India for approval, and that the present Bill appears in the form sanctioned by that Government. We know that there have been good legal brains at work on the Bill both in this Presidency and also during its examination by the Legal Advisers of the Government of India. I think, therefore, it is safe to assume that it is a good Bill. By that I mean that it is a properly drafted Bill, and that it may be expected to do what it sets out to do. However, there will be plenty of opportunity for honourable members in select committee, if they agree to commit this Bill to a select committee, to check, to criticise and, if necessary, to amend it. All that the House has to do now is merely to accept the Government proposal that this measure should be examined. It is purely the principle of the Bill which is at stake at the present moment. In so far as the Bombay Chamber of Commerce, which, I, with my honourable friend Mr. Haddow, represent in this House, is concerned, we consider that that principle is a sound one. Without going into details, I will give the main reasons why we approve of the Bill. The first one is that we consider it inequitable to differentiate between different communities in this matter. There is already in existence probate duty which is for practical purposes compulsory in the case of certain communities. We consider it desirable that, either in the form of this Bill or in some other form, any tax levied on property passing on death should be made of universal application.

The second point is one on which I think that you, Sir, will agree with me. This honourable House on more than one occasion has been at great pains in urging upon Government the necessity for broadening the basis of taxation. When it is in need of funds, there is much to be said for the argument that Government should not follow the easy course of increasing existing taxation, but that they should seek to exploit every fresh source by which they can get revenue. I do not think that it is consistent with that attitude to suggest, when Government do produce a measure of this kind, that it should be resisted without receiving proper and adequate consideration. It is well known that the resources of the Local Government in the matter of taxation are severely restricted. Here is a channel by which this Local Government can raise revenue, and it is one of the very few which they have. If this House will not permit Government to pursue this proposal, there seems to be very real danger that a succession duty in one form or another will come in subsequently, and will be introduced by the Government of India. In that case, we shall have the pleasure of paying the duty, but we shall not have the privilege of spending the money which we have to pay.

[Mr. W. G. Lely]

One other reason why we support this Bill is that we consider it a more equitable and a more reasonable form of taxation than direct taxation of the living. And that is I think what my honourable friend Mr. Bullocke meant when he said yesterday that there is no reason why we should not regard with equanimity the misfortunes which the Bill may impose on our remaindermen. I recently saw it stated that inheritance of great wealth is even more demoralising to the recipient than a long enjoyment of the dole. I should not like to say that that is a universal truth, but I am bound to admit that I have known cases which lend colour to it.

The culminating argument, I think, in favour of this measure is the state of the provincial finances. We cannot disregard that. This House herad some very weighty words from His Excellency the Governor yesterday, and if one may judge from the frivolous attitude which the honourable members on the other side of the House are showing towards this Bill, those words might almost not have been spoken.

The Honourable the PRESIDENT: It is not parliamentary to use the expression "frivolous attitude."

Mr. W. G. LELY: I willingly withdraw the epithet, but I cannot replace it, as I do not know what their attitude is. However, the point which I wish to make is that we must face facts; Government have to face the facts and this House ought to face the facts with them. There is a Scottish saying that "facts are chiels that winna ding," if you, Sir, will permit me this lapse into the vernacular. I find it rather difficult to translate those words into any less sophisticated language, but in its application to this particular case we might perhaps very freely render them as meaning that you cannot provide the funds for carrying on the duties of the State by performing *Satyagraha*. The fact is that Government must have money, and I say it is the duty of a responsible Council like this to assist in seeing that Government raise it by fair and equitable means, and not simply, when a reasonable proposal of this kind for expanding revenue is put before them, to say that they wash their hands of it and they will have nothing to do with it.

Sir JAMSHEDJI B. KANGA: Mr. President, in speaking in support of this Bill I say that to oppose it without assigning any reason is against all the accepted rules and principles of this honourable House and of legislative assemblies. [Honourable Members: "Hear, hear."] Sir, when I entered this Council I thought that there would be a great deal said by my lawyer friends on the other side in reference to this Bill. But, on further consideration, I have come to the conclusion that there is very little that has to be said against the principle of this Bill, and I believe my honourable friends have realised it that the principle of this Bill cannot be opposed in normal times, much less can it be opposed in abnormal times. Sir, I am prepared to justify my observation that this Bill is one which could not be opposed in normal times. I say that for this reason.

People amass wealth under the protection that they get from the State, and when during their life time that wealth passes to other persons or changes hands, duties have to be paid and are paid. If people buy

[Sir Jamshedji B. Kanga]

immoveable properties, if they buy shares, if they make settlements and trust deeds, if they give leases or take leases, they pay stamp duties and they pay all sorts of duties. In all jurisprudence the world over, inheritance is a mode of acquiring wealth and when a person acquires wealth in this manner by reason of the death of another person, is it not fair, is it not just, that the State should be granted some part of it by way of duty? Succession duty was introduced in England in 1853, even before the Indian Succession Act was passed; eighty years have passed since then. Is there any reason why this Bill, which is based on justice, equity and fairplay, should not be accepted in principle? I say, Sir, that possibly there is much room for improving the Bill in the select committee. It is a difficult Bill by reason of the fact that there are various systems of law in this country—I mean mainly the Hindu and Mahomedan law. Therefore, in the select committee the Bill would be scrutinised in all its clauses, but is there any reason for opposing the principle of this Bill, which would be an equitable Bill at all times?

An Honourable MEMBER: Nobody has opposed it.

Sir JAMSHEDJI B. KANGA: Sir, we have heard various speeches—we heard them yesterday—about the necessity of the Bill. The Honourable the Finance Member has pointed out that revenue from other sources is declining. He has also given cogent reasons for saying that borrowing is out of the question. Borrowing at a high rate of interest for unproductive expenditure would add to the difficulties and would lead to further disaster. The money for the high rate of interest that has to be paid to the lender would have to be raised by taxation. Then, Sir, the only argument that could possibly be advanced, which has not been advanced as I anticipated, is that more money could be raised by the method of retrenchment. But, Sir, it must be remembered that retrenchment also has its limitations, and a point must be reached—and I say with confidence that the point has been reached—beyond which you cannot take a further lead under the method of retrenchment. One has to consider how the efficiency of the services has to be maintained, how the Government has to be properly carried on. The Report of the Retrenchment Committee is now in the hands of all honourable members, and, Sir, it can be seen that much has been done in that direction. The only alternative, therefore, which has been left is to accept the principle of this Bill. After all, Sir, what is the duty that is demanded by this Bill? It is an extremely small duty, and the Honourable the Finance Member was perfectly justified in saying that the Bill was diluted. Sir, a man who by inheritance, or will, or by succession gets R. 10,000 pays 2 per cent. on Rs. 8,000 to the State, which comes to Rs. 160, and if the person happens to be a son, or a daughter, or a wife, or husband, or a son-in-law, or a daughter-in-law, or mother, or father, ascendant or descendant, he pays 10 per cent. of that duty, so that on the wealth of Rs. 10,000 which he gets he pays Rs. 16. That, Sir, is a very small duty, and there seems to be—I speak, Sir, with some confidence—very little reason for opposing this Bill. The

[Sir Jamshedji B. Kanga]

more money he inherits, the higher is the percentage of the tax which he has to pay. The scale is a graduated one, and, Sir, even in the graduated scale the members of the family—by members of the family I mean descendants, ascendants, and the wife or the husband, whoever they may be—have to pay a tenth of the duty; in the case of brothers and sisters the duty is only half. Agricultural and other estates are well protected; charity is absolutely exempted. All the proper safeguards have been taken. My honourable lawyer friends must have observed in the course of their career several estates left to descendants, large sums of money, which have disappeared in the course of a few years, and nothing paid to the State, not even the small percentage that is asked for in this Bill. In the case of Hindus, Sir, it very often happens that when a Hindu dies childless leaving a widow, the widow takes only a sort of life estate, which is called the widow's estate, and a reversioner—he may be twelfth or fifteenth degree removed—comes into possession of a very large portion; he has to pay not a single pie to the State. I say that several cases of this nature have arisen; and is it fair, is it equitable, when a man during his life time, when property passes hands pays taxes, that after his death the people who come into possession of his money should not pay a single farthing by way of tax? Sir, excepting the charging section which says that the duty is leviable, the rest of the Act is merely a machinery for recovering the duty. The duty is not to be paid until the man gets possession of the property or becomes entitled to possession. Only in case the man gets Rs. 10,000, which I have been using by way of illustration, will he be liable to pay the duty. There are some sections which are put into the Bill which are intended to avoid evasion of the duty, which I may shortly call sections prohibiting "death bed transfers." In order to avoid the duty, one may at the time of his death make over the property to his relatives by means of a transfer deed. The rest of the Act is merely, as I said, a machinery for recovering the duty.

It is stated in some quarters that there should be a reference to High Court or an appeal to the High Court. That point can be easily adjusted in the select committee. Under the Stamp Act, under the Indian Income Tax Act and in other statutes, a reference to the High Court on points of law is allowed. All these points are easy of adjustment in the select committee.

The first important legislation was in 1865 when the East Indians, the Parsis, Jews and other communities, excluding the Hindus and Mahomedans, were made to take out probate and letters of administration. If they went to a court of law over the estate of a deceased person the court would not recognise their rights and the first thing required of them would be probate or letters of administration to the estate of the deceased person. Since the Act of 1865, all the biggest estates in these communities have paid probate duties and duties for letters of administration in the High Court. In the case of the Hindu and Mahomedan communities, probate or letters of administration are not necessary. If there is a fight for succession, a suit is filed and a

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receiver is appointed and the receiver manages the whole estate and the State does not get a farthing. This was realised in 1870 when an Act was passed whereby the executors of Hindus who made wills having immoveable properties in the presidency towns were compelled to take out probate or letters of administration, whenever there was a litigation about the estate of the deceased, and several sections of the Succession Act which applied to the Parsis and other communities were made applicable to them. The Hindus and Mahomedans recognised that it was absolutely necessary that there should be an administrator to deal with large estates. Before 1881 the High Courts ruled that a Hindu executor or a Mahomedan executor was merely a manager and so the estate was not vested in him. After the Act of 1881 the property becomes vested in the administrator or executor of a Hindu or a Mahomedan. Nobody has contended that there is anything in the Hindu or Mahomedan law books against the imposition of this duty. I may point out that in the supreme court and in the High Court of Bombay, probate duty and duty on letters of administration have been paid in a large number of cases. In 1863 Sir Michael Westropp pointed this out, when the question arose whether the Hindus were empowered to make wills. When he examined the records of the court, he found that Hindus had made applications for probate and letters of administration in a large number of cases. If any honourable member wants further information on this point, there is the Administrator General here who will enlighten them on the question. Applications for probate and letters of administration from Hindus and Mahomedans have been numerous; so, it cannot be said that there is anything either in the Hindu law books or Mahomedan law books against the imposition of this duty. These communities have paid in the past without any demur for probate and letters of administration, whenever they have chosen to apply for probate or letters of administration.

Among the Hindus in this Presidency the Mitakshara law is followed and inheritance is distinctly spoken of therein as acquistion of property. Inheritance is just a method of acquiring property. If that is so, what is the objection to pay a percentage when property is acquired in that method ?

The only other point refers to the joint Hindu family. I can assure honourable members that the Honourable the Finance Member has taken the precaution to put in a section whereby an increment to the joint family by reason of the death of a newly born member is not to be taxed if the death occurs within 18 years from the date of his birth. In the case of Mahomedans, if a Mahomedan leaves property of the value of Rs. 10,000 and 5 sons, each son gets Rs. 2,000 and there will be no tax because the law is that each one on death gets Rs. 2,000. In the case of the other communities, the whole estate would be liable for probate duty or duty on letters of administration. All these safeguards have been provided and their personal law has not been encroached upon. Only one duty has to be paid and not as in England a separate estate duty, separate legacy duty and so on. Specific provision is made to the effect that if

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a person pays probate duty he need not pay succession duty, and if he pays succession duty, he need not pay probate duty. In my opinion all these concessions have gone too far and the Bill has been framed in such a manner as not to make it burdensome on any class of people.

It may be contended that a similar Bill has not been passed in other presidencies. The revenue derived from this source of taxation is for the presidency and it is for the presidency to take up this subject for increasing its own revenue; and I think it certain, Sir, that once this Bill is put on the statute book of this presidency, the other presidencies will see the fairness and the equity of the Bill and they will all come into one line. There is no reason to suppose why a measure of this sort, which as I say is equitable, should not be passed in this presidency because the sister presidencies have up to now not taken it up.

If any objection is taken by my honourable friends on the other side as regards the machinery of the Bill, as regards the powers of the Collector or the Commissioner or other things, always safeguards can be placed, always powers of appeal can be given to judicial officers or to the High Court.

Therefore, I say that nothing possibly can be said against the principle of this Bill. The question was asked yesterday whether this was going to be a permanent Bill or a temporary Bill. Well, the Bill states nothing. But I say that as a piece of social legislation this Bill can fairly be placed permanently on the statute book. There is no reason to make this a temporary one. When every exchange of property, as I said, is made to pay, why should not this form of exchange of property by reason of death be made to pay? After all, the man who receives a legacy does not earn it himself; when he gets into a fortune he pays the money. Therefore, I say, looked at from any point of view, this is a fair and equitable Bill and there is no reason to oppose it.

Sir, I have to anticipate some objections. I saw the other day some arguments to the effect that the Hindus have to provide for the maintenance of widows and sisters, and, therefore, the Hindus should not be made to pay the succession duty. But it must be remembered that amongst Hindus when there are sons the daughter gets no share and the widow gets nothing—the daughter has only to be maintained until she is married; the widow gets nothing, she has only to be maintained. In other systems of law, the Mahomedan for example, the widow, the daughter and every one gets a share. So also in other systems. So, there is no point in saying that Hindus have to maintain the daughters and widows, when the sons take all the property giving no share to daughters and widows.

My submission is that this small percentage of duty should be accepted, and I appeal to my honourable friends on the other side of the House to accept the principle of the Bill and to fight for the details in the select committee. I do not say that the drafting of the Bill, as it is at present, is perfect. I say that there is a great deal for improvement. But

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nothing can be said against the principle of this Bill. There is no reason why the principle of the Bill should not be accepted. [*Cheers.*]

Mr. B. S. KAMAT: Sir, if I venture to rise after the last honourable member, it is not with the intention of in any way replying to him, but it is because I take it that the very fact that he has been put forward to speak at this stage shows that our friends on the opposite side have come almost to the end of their tether, and it would now be unsportsmanlike on our side to put the debating powers of our official friends to test any further. Yesterday was a day of silence, because Monday is getting to be a day of silence in some quarters. To-day not being a Monday, we are not going to observe the same attitude.

The Honourable the PRESIDENT: I hope that silence will not be a precedent in this House. [*Laughter.*]

Mr. B. S. KAMAT: Now, Sir, coming to this question, I have not the slightest hesitation in offering my sincere congratulations to the Honourable the Finance Member for the great courage with which he has brought forward this Bill at the present juncture for the acceptance of the House, courage which is specially to be admired as he happens to be a Hindu. I do not also deny a certain share in those felicitations to his very capable and industrious Secretary, who, I am absolutely certain, must have collaborated with him in the production of this Bill. If the honourable member the Finance Secretary had at any time any fears that his great fame in connection with his work in the Finance Department would be dimmed but for this culminating piece of legislation, I can assure him that he need not have entertained those fears. We know what an industrious worker in the Finance Department he is. But this production coming from both of them at the present time, as I said, is one which, I must say, is extremely objectionable, at any rate to this side of the House. And it is but fair that we should state our objections in general to this measure although it has been brought forward after careful consideration by both these honourable members. Sir, as far as I can read the feelings of this part of the House, there are several objections to this Bill. But before I enter into the long list of those objections, it is necessary that I should, first of all, refer to another topic, namely, the manner in which His Excellency the Governor voluntarily came forward yesterday to impose upon himself a cut in his salary and also to effect certain other retrenchments in the Government House expenditure. We appreciate that voluntary effort at economy on the part of His Excellency. The lead in this matter, as we all know, was given by His Majesty the King and the Royal Family. It was followed by His Excellency the Viceroy, who, I understand, has imposed upon himself a cut of 20 per cent. His Executive Councillors also have imposed on themselves a cut of 15 per cent. Following upon these cuts, it was only in the fitness of things that the Bombay Government, including the head of that Government, should have followed suit to meet public opinion and the wishes of this House.

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Having said that much about this graceful act of self-denial, I think I shall have to refer to one more topic before I discuss the main question of the Succession Duty Bill. That is the reference which was made yesterday by several speakers to the delay which has occurred in respect of the submission of the report of the Retrenchment Committee to the honourable members of this House. The honourable member the Finance Secretary, while referring to this question, hinted that this was not entirely his fault. If that means that it was the fault of the non-official members of the Retrenchment Committee, surely I repudiate that the delay occurred due to any fault on the part of the non-official members. I do not wish to go into an adjustment of the different degrees in allocating the blame for the delay between the officials and the non-officials. But I wish to say briefly that it was due to two reasons: firstly, a good deal of time was lost when the Committee could not meet in order to suit the convenience of official members, and secondly because when the non-official members wanted to go into certain departments for which they wanted some extension of time, a prompt reply was not received from Government to the request. Those were the reasons for the failure to place the report in the hands of honourable members in good time. I need not go into other matters with reference to the Retrenchment Committee at this stage, because those are hardly matters with which I need deal at this moment.

Now, Sir, with reference to the Bill under discussion, while I offer my congratulations to the Honourable the Finance Member, I think it fair also to extend to him a certain amount of sympathy. I recognise, especially as a member of the Retrenchment Committee, that Government are in an extremely difficult position with reference to their finances. That fact cannot be denied, and hence I offer my sympathy. But I cannot subscribe to the other statement, which is very often heard either on the floor of this House or outside, voicing the official view, that the present position of the finances of Government is by no means the result of their own fault. I do not forget in this connection that the Honourable the Finance Member yesterday has thrown out a hint to members that we should not refer to past mistakes. I for one on the present occasion am not prepared to enter into a long discussion as to the past mistakes and the blame that could be attached to Government for bringing their finances finally to the present pass. But I cannot, however, at the same time resist the temptation of saying that undoubtedly there were mistakes and there is a certain amount of blame which could be laid at the door of Government, either the present Government or their predecessors. I say this standing as I do in the very close vicinity of the Back Bay and the Development chawls in Bombay. Government, we have no doubt, were not entirely faultless. Now, Sir, with these remarks I am going to deal only with the financial aspect of this Bill and with some general objections to it, leaving the legal aspect of the question to my honourable lawyer friends, if they choose to participate in the debate.

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[*An Honourable Member*: "Do not leave anything to us."] I say only if they choose to participate. Taking then the main question, first of all, I am not quite convinced, from the taxation point of view, that Government have really made any serious effort to convince this side of the House that all possible avenues of retrenchment have been exhausted. True, the Honourable the Finance Member yesterday gave us a long list of deficits, deficits of 1930-31, deficits of 1931-32, and probably even the deficits of the coming year. These deficits we find in the hands of the Government scaling up the ladder step by step. While in April last we of the Retrenchment Committee were told that the deficit was 61 lakhs, and we went to work on that basis, when we approached the month of September we were told, more or less semi-officially, that the deficit had jumped up from 61 lakhs to something like a crore of rupees. As we approached the termination of our task in November we were told that the deficit would amount to 1,30 lakhs, and I was surprised here to learn yesterday—and I dare say it was no less a surprise to my honourable colleagues—that the Honourable the Finance Member expected the deficit eventually to go up to 1,91 lakhs. The most elastic method of counting deficits, surely! On the other hand, on the expenditure side, Government last year protested that they could not effect drastic retrenchment without detriment to efficiency and a great deal of injustice to various departments. Now, we are told that in view of the present position the retrenchments which the Honourable Member with the help of his department would be able to effect would be in the neighbourhood of a crore of rupees! Here again, I fancy that just as the deficits are very elastic, the retrenchments which Government, if they will it, can effect can be equally elastic. That puts me on my guard, and that is perhaps the reason why I say that we are not quite convinced that all possible avenues of retrenchment have been exhausted; or, at any rate, this House has not been furnished with full information to that effect. The Honourable the Finance Member yesterday was good enough to place in our hands, or, rather to read, a long exposition of the present situation. Sir, without meaning the slightest disrespect to his exposition of the subject, I contend that it hardly carried conviction at least to this side of the House. The whole crux of the question was, if I may say so, to place before the House an estimate, howsoever rough it may be, of what the permanent retrenchment which Government would be able to effect would be and what the permanent gap may be. He avoided that task. If Government are discussing the question, firstly, whether taxation is or is not necessary, and secondly, that such taxation is necessary on a permanent footing, then I maintain, Sir, there is all the more need to show that the normal income is not able to overtake the expenditure; and if Government are in the process of effecting retrenchments, as they profess to do, well, then it is essential that they should take this part of the House into confidence and first announce what particular retrenchment proposals of a permanent nature are acceptable to them before they ask for permanent taxation.

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Now, Sir, I may quote what has been done elsewhere, I mean by the Honourable the Finance Member of the Government of India, in this respect. Sir George Schuster, if I may make comparisons, while bringing in taxation proposals before the Legislative Assembly, has followed an entirely different method of making out his case. He has shown, in the first place, how many of the retrenchment proposals submitted by the various retrenchment committees would be acceptable, roughly, to Government. In the present case, the Bombay Government are not prepared, it seems, to state to this honourable House what retrenchments are or are not acceptable to them out of the total retrenchments suggested by the Retrenchment Committee. It appears to me they are not prepared to give us a list of the total *permanent* retrenchments that they would accept. I am referring to permanent retrenchments for the simple reason that if at all Government claim from the legislature more taxation and new sources of revenue, then, surely, they must work out figures to show how they have reached the limit of retrenchment and prove that they cannot go beyond it. It is no use merely repeating to this House a mere truism that there are limits to retrenchments. That, after all, is a truism. It is, however, a dogmatic method of stating a simple truth. Those on this side who have a financial bent of mind will naturally go further and ask, what is the irreducible limit which Government want to put on themselves and how do they arrive at it? In the Retrenchment Committee's report, for instance, there is one statement which has been agreed to by both sides—official as well as non-official. There is a broad conclusion stated therein that there is considerable room for retrenchment in the cost of establishments, and a recommendation is made that a 10 per cent. cut in the cost of establishments should be aimed at. Now, I am only quoting an illustration here to show how in our view retrenchment of a permanent character is still possible. If the above fact is admitted by both sides, that is to say, by officials as well as non-officials in the committee, what is the amount of savings which will result? It is only necessary for me to mention the total amount of establishments to arrive at the total saving. The cost of non-gazatted establishment, according to the figures given to this House on a former occasion, comes, I think, to something like 3 crores of rupees. The cost on account of gazetted officers comes to about a crore of rupees. Both put together amount to about Rs. 4 crores. If you leave the gazetted part of the services and take only the non-gazetted part, that itself comes to 3 crores. Now Government members themselves admit that there is room for 10 per cent. reduction in establishments. Sir, I am not a good arithmetician and I cannot say what the 10 per cent. of 3 crores comes to, but somebody on these benches here whispers that it will be 30 lakhs. I accept that figure. Does this not show that Government can, if they mean it, secure a permanent saving of 30 lakhs? This is only one illustration to show that there is still room for retrenchment. Then, we know definitely that in the case of the Government House we can count on retrenchment to the extent of Rs. 1½ lakhs. Similarly if you total up several other permanent retrenchments which

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are not disputed, the total may mount up to 50 or 60 lakhs of rupees. I am not taking actual figures; I am only trying to show by hypothetical figures that if the Government had come forward and said that the total permanent retrenchments which it was possible for them to accept would be so much, then we would have been in a better position to understand what exactly would be the deficit, the gap which it would be necessary to meet by fresh taxation. What we are really concerned with to-day in discussing a taxation Bill is to find out what would be the normal income in coming years and what would be the normal expenditure, *minus* the retrenchments which Government agree to. And if Government themselves agree to a permanent retrenchment of, say, Rs. 60 lakhs and if we, on the oher hand, can show that your permanent income, barring these two exceptional and abnormal years, would probably rise again to its normal figure, then you get a permanent saving of 60 lakhs, which, if you total up and set aside for five years, would come to 3 crores. You can set this aside for paying any liabilities that you may have to incur or choose to incur. I am only trying to show that this is the method by which Government should have come before this House and convinced us that there was no other course left to them but taxation.

I referred a moment ago to the method followed by the Finance Member of the Government of India. I need not take this House into details; but the contrast is perfectly visible if you read the Assembly debates. Sir George Schuster has not only taken the House into his confidence with regard to the amount of total retrenchments that would be acceptable to the Government of India, arising out of the Retrenchment Committees' reports, but he has placed all his cards on the table and has given a list of even military retrenchments which the Government of India are prepared to accept, also other economies in Posts and Telegraph Department, and so on. Having given these figures for two years, he has said that the deficit in the next year would be so much and for the subsequent year so much, and has from this argued that fresh taxation to such and such amount only would be necessary and that too for 18 months. In the case of this House, are we not entitled to know from the Honourable the Finance Member, with reference to the taxation proposals which are before us, what the total yield expected from the death duties is? If Sir George Schuster could take the Assembly into his confidence, is it not fair that the Honourable the Finance Member here should also take this House into his confidence and say what the yield from the so-called succession duties is estimated to be? Instead of that, a blank cheque is being placed in our hands and we are asked to sign that cheque, and yet some of the honourable members of the official side say that this is an equitable measure which we should blindly sign and hand over into the hands of Government! That is the contrast between the taxation proposals of the Government of India and those of the Government of Bombay.

Another factor is that the deficit of the Government of India is much larger than what we have here. And yet the new taxation proposals which that Government is proposing for the acceptance of the Assembly

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is to be in force, as I have said, definitely for 18 months. It is only an emergency taxation proposal. In the case of the Government of Bombay, what do they do? We are asked to give into the hands of Government a new engine of revenue, to be permanently handled by the officials, to be permanently handled particularly by the Revenue Department, in any manner they choose. Should we sign that blank cheque and pass the instrument? That is one of the grave reasons why we object to this Bill.

There are other reasons as well; they are more or less of a constitutional character. We know we are on the eve of a new constitution. Indeed, if I am not wrong, the announcement from the Premier may come in to-morrow's papers—announcement as to what the new constitution is going to be, at any rate with reference to provinces. Now, my honourable friends may ask what that has to do with this Bill. My reply is that it has a great deal to do with it. Apart from the fact that we hope to have full provincial autonomy and, therefore, full control over the finances of this Presidency including our own methods of taxation, there are other factors also to be taken into consideration. I may point out to the honourable member the Finance Secretary that these factors have a great bearing on this question. The question, therefore, is whether on the eve of a new constitution it would be right for the members of this House blindly to subscribe to anything that is placed before them. One of the factors I had in mind is the question of financial relations which will be determined in the new constitution. We are expecting that these financial relations are likely to be changed, I hope to the benefit of the Bombay Presidency—for instance certain sources of revenue like the income-tax, and such other proposals submitted by Sir William Layton. These changes, I hope, are likely to improve our equilibrium. These changes are imminent and until we know where we are with reference to any new sources of finance, it would be absolutely unwise for the non-officials, at any rate, to give into the hands of Government this new source of taxation.

Again, there is one more reason why the Bill is objectionable. It is highly inopportune because of the extreme depression of trade and of prices, which, I do hope the Honourable the Finance Member, although he may not now be moving freely and constantly among the masses, knows very well at least by hearsay. Prices have gone down abnormally and thereby the poor classes have been hit hard. If it is necessary to prove it by evidence, the very fact that the Honourable the Revenue Member yesterday told us that remissions of revenue would have to be given in the next few months is enough. That fact itself shows that the Government, with all the machinery at their command, are unable to recover even the normal taxes. If that is a fact admitted by the Honourable the Revenue Member, I ask how, during the next 18 months, you can collect the death duties imposed by this new Bill, in the name of fairness to which the honourable member the Advocate General just now referred.

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Sir, there are other objections as well, one of which has been indirectly hinted at by the honourable member the Advocate General, namely, the machinery that has been provided in this Bill for collection of duties. He referred to this subject as if there is no danger to the tax-payer if this Bill is passed. I certainly think that either he does not know the conditions in the mofussil or that probably he minimises the danger in his enthusiasm for supporting this Bill. He referred to the analogy of the English duties for legacy, or estate duty or succession duty. We have not in this country, if I may tell him, the Board of Inland Commissioners which they have in England, a body far more responsible than probably the Collectors' staff into whose hands, into whose dreadful hands, from the point of view of the taxpayer, the collection of death duties will be placed; and what makes matters still worse is that not only the immoveable property will be valued by the *kulkarnis* or the *talatis* or the Collector's other assistants, but even the chattels and the moveables also will come in for valuation at their hands. I will ask my non-official friends to imagine what the state of things would be if that is the machinery to deal with such valuation to which reference has been made. If a man dies in a village or even in a taluka town, if he has to submit a return—he often does not submit a return out of ignorance (this happens even in England, or it happened at least during the period from 1853 to 1890, as I can show from records)—I ask, what will happen? The kulkarni or talati will enter the house and count the ornaments, the chattels, the pots and the pans and everything else that belongs to the poor man, and then he will make an inventory for submission to the Collector, who will accept the return prepared by the kulkarni or the talati. That is the kind of a measure which the Advocate General is commending for our acceptance. I need not describe the dangers much further.

The honourable member the Advocate General went on to fortify his arguments and in that process referred to one or two other facts. He referred to the fact that these duties are so common in other countries that they therefore should be an acceptable measure of revenue for this country. Sir, I should have greater faith in the knowledge of taxation matters if it comes from economists rather than from bureaucrats of the Finance Department. Taxation is an exceedingly technical subject, it is not a matter on which everybody can pronounce judgment. In the case of death duties the Taxation Committee, which went into this question very, very thoroughly, has come to the conclusion that a succession duty, as such, is not a practicable proposition in India. They have differentiated between a succession duty and the probate duty. In the summary of their Report they say that a succession duty is impracticable in India but a duty on the lines of the English Estate Duty, which initially took the form of transfer or mutation duty on death, is more practicable. In view of that opinion of the Taxation Committee, I would certainly like to know, without the slightest disrespect to the honourable member the Advocate General or to the opinions which he has just now expressed, why a succession duty is preferable for a country

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like ours. Again, there are other directions in which the Government of Bombay are determined, it seems to me, to disregard the views and the recommendations of the Taxation Committee. The Taxation Committee, while discussing this subject, has pointed out, while discussing another cognate subject perhaps, that the limit of examption here should not be Rs. 2,000 but perhaps Rs. 5,000. I do not know why, if Government are really following the recommendations and the suggestions of the Taxation Committee, they are lowering the limit of exemption from Rs. 5,000 to Rs. 2,000.

The Honourable Sir GOVINDRAO PRADHAN: I have given my reasons in my speech.

Mr. B. S. KAMAT: Yes, the slogan of more income?

The Honourable Sir GOVINDRAO PRADHAN: Not a bit of it. It is not an estate duty that we are levying. It is a succession duty upon the share. I have given my reasons for it.

Mr. B. S. KAMAT: Then, Sir, there is a third direction in which the Bombay Government are disregarding or disrespecting the views of the Taxation Committee and that is with reference to the legislature where a subject of this character should be discussed and which legislature should enact this measure. The succession duty or death duty is not in their opinion a subject for provincial legislation. It has now been definitely laid down, not only by the Taxation Committee but, I believe, even in the report of the Simon Commission, over which the country has spent something like 20 lakhs of rupees, where Mr. Layton also I think has pointed it out, that this should be a central legislation. Yet, in view of these two weighty and pronounced opinions, that this subject should not be handled so lightly by a provincial legislature, I ask why Government is rushing this Bill through the local legislature.

Sir JAMSHEDJI B. KANGA: I draw the honourable member's attention to page 126 of the Council Manual, Scheduled Taxes Rules, paragraph 5, Schedule I, item 2, "A tax on succession or on acquisition by survivorship in a joint family."

Mr. B. S. KAMAT: The question is not whether this House is or is not competent to pass such legislation, but whether it is desirable or undesirable from the taxation point of view that a Provincial Government should have this tax collected.

Coming to the issue whether, as a question of taxation policy, this kind of legislation should necessarily be central legislation, I would point out that in England there is no such thing as central legislation and provincial legislation, and there that question does not arise, but in this country it does arise and therefore the Local Government has to take extremely good care in handling a subject which is really a central subject.

Sir, there are other reasons also against the Bill into which I need not enter, since they have been very briefly adumbrated by the honourable member the Advocate General himself. I am not a lawyer to refer to the legal aspect of this measure and so I shall leave the questions of

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the Hindu Law and of the Hindu sentiment to be dealt with by my honourable friends, but as a Hindu, unfortunately liable to this death duty, I might say that whatever technical difficulties may have been solved by the legal talents in the Legal Department of Government, so far as Hindu sentiment at any rate is concerned—that is not a matter for technical opinion—the whole country will, I am sure, resent any interference with the customary habits or traditions of the people which this measure will introduce in the countryside.

The honourable member the Advocate General went on to refer to certain concessions. He pointed out that charitable trusts and other trusts would be exempt. He also indicated that the graduated scale provided in the Bill would weigh so lightly on certain classes that after all it would be a fleabite, and he also pointed out other concessions and safeguards which were also pointed out yesterday by the Honourable the Finance Member. Sir, talking about these concessions, I am reminded of an English saying, namely, "If you have to pluck a goose, pluck it with as little squealing as possible." If that is the motto which the honourable member the Advocate General has in his mind, surely I object to plucking the goose at all, even with the least amount of squealing; we do not want to pluck the goose with or without squealing; in other words I do not care for the concessions, we object to the Bill *in toto*.

Coming to one other speech made yesterday by my honourable friend the Revenue Member, he referred in very, very passing terms no doubt, without stressing the point, to the level of taxation in England which he said is very high and thereby he indirectly suggested that the present taxation should be acceptable in India, as the level of taxation in this country is comparatively lower. I think this is a well-worn subject and I need not go into it at length. Our English friends say, "Oh, we English people have to pay five shillings in the pound in England; why should not India suffer a little more in taxation?" Is it five shillings?

The Honourable Mr. W. F. HUDSON: Yes, five shillings in the pound.

Mr. B. S. KAMAT: They ask, if an Englishman pays five shillings in the pound in England, why not have a little rise in taxation in India?

Sir JAMSHEDJI B. KANGA: That refers to income tax, not to death duties.

Mr. B. S. KAMAT: This comparative level of taxes is an old, old argument not worth while replying to, but, as I say, as it is repeated not only on the floor of this House but outside it, I venture very briefly to refer to it. Sir, people would talk of the pitch of the incidence of taxation in England without showing the *per capita* income of the population and thus they compare the most incomparable things imaginable. It has been authoritatively computed that the *per capita* average income of an Indian is only Rs. 107 per annum, as against a sate *per capita* income of an Englishman in England of £100 per annum, which at the present rate of exchange comes to something like Rs. 1,350—more than

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Rs. 100, as against Rs. 9 which is the Indian's income per month. How much you can squeeze out of that Rs. 9 of bare subsistence is a matter which my English friends on the opposite benches might well decide. The two things are so incomparable that it is not worth while going deeper into this subject. However, just to elucidate the same point a little further and to show what the disparity between the two countries is, I will quote a few figures showing the income-tax payers for a year soon after the war. The following are the figures :—

"There are no less than 8,000 people in England whose income ranges between £10,000 to £50,000 and there are about 14,000 people whose annual income is £5,000 to £10,000."

Now £5,000 is something like Rs. 65,000. The people who are getting that income in England are about 14,000. In this Presidency which has nearly half the population of England or a little less, I should like to ask my honourable friends on the other side if they can produce 7,000 people in the Presidency whose annual incomes are between Rs. 65,000 and Rs. 1,30,000. I see only three or four of my honourable friends opposite whose annual income is something like Rs. 65,000. The rest required to make up 7,000 must be searched for all over the Presidency.

These are some of the points on which we have every right to submit our objections to this Bill. Lastly, I would only ask the Honourable the Finance Member to reconsider, if at all he has a deficit, whether he cannot think of other methods of searching for avenues of taxation. We shall be asked, how are Government to tide over ? That is no doubt a pertinent question. Now, Sir, the answer to that is not to select death duties. If at all you want taxation and if you prove the need for taxation, there are other sources of taxation which I venture to think might be acceptable to the people. You have not produced any other proposals except your death duties. You had framed this Bill long before the Retrenchment Committee made out their report; if instead the Honourable the Finance Member had come before this House asking us whether we were prepared to cut down social services, namely, the nation-building departments, or whether we could suggest any other sources of taxation, surely we could have racked our brains in order to find out less objectionable avenues even for fresh taxation. But, Sir, nothing of this kind has been done. Sir, for all these reasons I maintain the Bill should be thrown out.

Mr. J. S. KADRI (Northern Division): Sir, I think it my duty to ventilate the views of Mahomedans whom I represent in this honourable House. The case of this side has been well expounded by my honourable friend Mr. Kamat and, I think, I need say only a few words in regard to this Bill, on behalf of the Mahomedans. Mahomedans would not object to the principle of this Bill in general. [*Interruption.*] But they do not see the necessity for introducing it at this hour. The time for the introduction of the Bill is most inopportune, and the reason is [*Interruption.*]

The Honourable the PRESIDENT: The honourable member may express his individual opinion.

Mr. J. S. KADRI: The time, I say, is most inopportune and the reason is that the burden of taxation is already heavy, and the masses are groaning under the crushing taxation. The world-wide depression has very seriously affected the Bombay Presidency, I think, more seriously than the other Presidencies of India. The economic resources of the people are crippled to such an extent that it is not proper to impose this piece of legislation on the country at present.

As regards means of meeting the deficit and the ways of balancing the budget, fresh taxation is not the only efficacious remedy which can cure the evil. The deficit has been increasing month by month and year by year, and the Retrenchment Committee which was entrusted with the duty of suggesting retrenchment in the administration in order to balance the budget has, no doubt, done yeoman's service in pointing out ways and means to cover the deficit by recommending cuts of the total amount of Rs. 121 lakhs, which is more than what was wanted, and I think the Committee is still of opinion that more retrenchment is possible and the various Departments have yet to be tackled in this connection. From my own point of view, it seems highly desirable that the various Departments should be handled individually by experts and their finances should be minutely examined with a view to find out more savings. The top-heavy Departments still admit of a reduction very materially. Taking the Education Department, into which I have the privilege to have an insight, I say that there is room for retrenchment even in that Department, but not in the directions which have been pointed out by the Retrenchment Committee. There are ways and ways of effecting retrenchment without affecting the vital interests and material parts of the administration, and I have in my replies to the *questionnaire*, issued by the Retrenchment Committee, pointed out various ways in which the Educational Department can be brought in for a little pruning, without in any way damaging the efficiency of the Department or affecting the primary, secondary and collegiate branches thereof. I criticised the *interim* report of the Committee last time, by remarking that their suggestion for doing away with scholarships and stipends was most inadvisable. At the same time, I said that a cut in the grants for secondary education was not proper and expedient. I wish to point out that there are other directions in which cuts can be made without affecting the healthy activities of the Department at all. For example, the Bombay Division, which was created in 1921 out of necessity to meet extra work does not justify its existence now, because the circumstances which brought about its establishment have mostly changed, and I think this Division can now be safely merged in the existing Revenue divisions (Northern, Central and Southern), which can absorb the various districts comprising this Division, the educational work whereof can very well go on with necessary readjustment, without any impairment of efficiency. As for Personal Assistants to Educational Inspectors, I hold very strongly that when the Revenue Department has been able to dispense with Personal Assistants to Collectors, the Personal Assistants to Educational Inspectors also must go.

Dr. M. K. DIXIT: Is the honourable member entitled to discuss the Retrenchment Committee's report now ?

Mr. J. S. KADRI: I want to prove that there is room for retrenchment in various Departments, and I am only citing some concrete instances of superfluous posts which can be retrenched to effect savings, in order to obviate the necessity of forcing this Bill on the public at the present juncture. What I want to drive at is that the deficit in the budget can still be made up by further retrenchment and economy, as a result of a further minute examination of the various departments of the administration and their staff. The basis on which I have taken my stand is that so long as all measures of economy and retrenchment in Government expenditure are not exhausted, there can be no excuse for further taxation in the shape of succession duties. Government should therefore consider further ways of retrenching expenditure and effecting economy in the bloated departments, and I am sure this House will co-operate with the Government whole-heartedly, in their efforts to effect permanent retrenchment and economies in the various departments. As the report of the Retrenchment Committee shows, the members have not been able to deal with many important subjects and to go into details of the various departments. They should therefore be given a further opportunity to complete their task and point out ways of fresh retrenchment and reduction. With these words I oppose the Bill.

Dr. V. G. VAISHAMPAYAN: Sir, I move the closure.

The Honourable the PRESIDENT: I accept the closure.

The Honourable Sir GOVINDRAO PRADHAN: Sir, at any rate I am thankful to the honourable member Mr. Kamat and the honourable member Mr. Kadri for ventilating some of their views, from which we could have some inkling as to the reasons why they seem to be against the present measure, which has been advisedly brought by Government. The honourable member Mr. Kamat began by saying that the deficits of the Bombay Government have got a curious way of swelling up and going up. On the contrary, I would submit that the Bombay Government was more optimistic. When I presented the budget for 1931-32 we estimated that the deficit would be Rs. 105 lakhs; but the completed accounts of 1930-31 show that the actual deficit is Rs. 191 lakhs. So, the actual deficit went up. We were optimistic in putting it down that the fall in the revenues would be Rs. 105 lakhs. We have got the completed accounts in our hands, and from these completed accounts we see that the actual deficit is Rs. 191 lakhs, and it has been counter-balanced by a reduction in the expenditure, and the actual state of the finances is that not only have we wiped out Rs. 64 lakhs free balance, but we have got minus 60 lakhs as the balance, and in order to finance this we have utilised Rs. 37 lakhs out of borrowed money which was carried over and Rs. 22 lakhs of the Petrol Fund and Rs. 2,00,000 of the Presses Depreciation Fund. What are we stating ? We are stating nothing but facts. What is the good of saying that the deficit of the Bombay Government seems to have a curious way of rising ?

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Then my honourable friend Mr. Kamat said that they were told that the deficit in 1931-32 would be Rs. 61 lakhs. Certainly, that was what I expected at the time I presented the budget. But we have the six-monthly accounts, and these six-monthly accounts show the trend of the revenue and how we are getting on. We have got accounts month after month, and from the six-monthly accounts which we have got in our hands, we are able to see that the revenue is not according to our expectations, and the deficit is going to be increased. My honourable friend Mr. Kamat said that he was not quite convinced that the condition of the finances was so very bad. I gave this House nothing but absolute facts about the state of the finances. The total working of the two years 1930-31 and 1931-32 has wiped out clean the free balance of Rs. 64 lakhs, and we are now on the wrong side by Rs. 1,90,00,000. Is that a state of things which we can contemplate with equanimity? I further stated that events show that even the revenue for the next year will be a dwindling factor. I have got in my hands the figures from 1922-23 and the year 1931-32, and I find that two or three main heads of revenue, viz., Land Revenue and Excise are falling year after year. There has been a very large drop in the Excise revenue; leave aside this particular year, but there is a permanent drop of nearly Rs. 60 lakhs. Similarly, year after year, Land Revenue is dwindling and the revenue from irrigation is also diminishing. The Honourable the Revenue Member told this honourable House yesterday that large remissions were given last year, and remissions will have to be given next year too. How are these remissions to be made up? Whence is the money to come? It is to meet these expenses that Government have brought forward this measure, which is not pressing upon the poor, which is not touching the poor. It has been argued that there are persons whose income is about Rs. 50 to Rs. 70 a year. If so, they cannot leave a single farthing for their children. Is it expected that they will leave large properties from which succession duty will have to be paid? As I pointed out yesterday, if I take it that there will be 3 or 4 heirs of a person who leaves property worth Rs. 10,000, it is only his children and heirs that are going to be taxed. How can you say that they ought not to pay a single farthing to the State? The duty is one-five-hundredth part of the property. What is the tax on the ascendants and the descendants?

An Honourable MEMBER: We know that.

The Honourable Sir GOVINDRAO PRADHAN: But I have got to emphasize it. Unfortunately, I have got to emphasize it and repeat it. Two per cent. means one-fiftieth and one-tenth of that means one-five-hundredth. Though that is in the Bill and it is known to honourable members, I have got to emphasize it and repeat it. The honourable member the Advocate General was perfectly right when he said that the Bill has been so diluted, the tax has been so diluted, in several cases it is made so low that it is not worth the gathering. Therefore, Sir, I submit that it is not right to put forward the complaint

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that the poor men are going to be taxed, that there is depression and that this is the most inopportune time for this taxation and this is not the right way of taxation May I ask my honourable friend Mr. Kamat whether I did not bring forward the Court-fees and Stamp Bills at the Budget session ? Were they not forms of taxation which need not be paid by one unless one chose to go to court or enter into a transaction ? But those Bills were summarily rejected At the same time, I do not know what other forms of taxation he has suggested He said that they were ready to suggest new sources of taxation to Government But this is a source of taxation suggested by the Kay Committee, by the Taxation Enquiry Committee, this is a source of taxation which has been suggested by several jurists and by several other persons.

Then the honourable member Mr Kamat had another grievance against me, at which I was rather surprised ; I was in fact taken aback at it. He says, " Look at Sir George Schuster's statement of retrenchments and look at this Finance Member's statement in the same direction " He said that Sir George Schuster had effected retrenchment of five crores in X Department and ten crores in Y Department and he compared them with the Retrenchment Committee's proposals But may I ask him if the Report of the Retrenchment Committee was in my hands at the time when this Bill was prepared or my speech was prepared ? This report was printed yesterday and I got it at 12 o'clock. [*Interruption*] Whose fault it was I am not going to state The fact remains that I got the report only yesterday. [*Interruption*] I will reply to it The session was fixed and one month's notice was given. First a date in October was fixed for the submission of the report, then the last day for the submission of the report was fixed for 23rd November. The honourable member Mr Kamat will corroborate me They did not choose to submit the report on 23rd November If the report comes on the 30th November and if I am not able to tell the House what the Retrenchment Committee's recommendations are and how we have dealt with them, I am not to blame, if I am not able to state specifically such as that the Retrenchment Committee recommended a cut of 10 lakhs in the Public Works Department and I accepted a cut of 2 lakhs. In the Revenue Department, they recommended a cut of 20 lakhs and I accepted 5 lakhs His Excellency said in his speech and I also stated in my speech that Government by a united effort have been able to retrench to the tune of a crore I even went to the length of saying that we are not shirking our responsibility of retrenchment His Excellency pointed out in his speech and I also pointed out in my speech that the Government are trying their level best for pruning and paring What we have done during the last two years I have stated in my speech [*Interruption*] The report of the Retrenchment Committee was not in my hands and so it is not possible to say out of this figure how much will be permanent retrenchment [*An Honourable Member* " Then the taxation proposal is premature "] So, I submit that I am not in a position to state, as Sir George Schuster has stated, the retrenchment according to the Retrenchment Committee's recommendations.

[Sir Govindrao Pradhan]

Then, the honourable member asked me to give an idea as to the approximate income from this taxation This is an absolutely new taxation. One honourable member from the opposite benches even replied to it. I have given so many concessions that it is difficult to say what the approximate income will be. We cannot expect more than 10 or 15 lakhs from this source Even that expectation may not be realised [*An Honourable Member*. "Is it worth while to have a Bill for 10 or 15 lakhs?"] In these hard times anything that comes is welcome. But you are not prepared to shoulder even the burden of this meagre taxation. That is what surprises me

Then, the honourable member stated that we ought to follow the recommendation of the Taxation Enquiry Committee. I have more than once stated that this Bill is not in the shape of an estate duty It is not the bulk of the property which is taxed, but it is the individual share which a person inherits In the case of probate duty or duty on letters of administration, in the case of the Parsi and European communities, the duty is charged on the whole property This Bill is not framed on that line, though I think it fair to do so. If you are prepared to accept, I will raise the exemption limit to Rs 5,000 or even to Rs 10,000 I am making a fair offer If you are prepared to accept a taxation as other communities have done, I am prepared to raise the maximum limit of exemption to Rs 5,000 or even to Rs 10,000 The duty that is levied on the agricultual class is one-fourth of the ordinary duty If they are willing to raise it to half, I will raise the maximum to Rs 10,000 We proceed on the assumption that ordinarily there will be 3 or 4 shares If the maximum is raised to Rs 5,000, and the duty is raised from one-fourth to half, then the man whose property is worth Rs 20,000 will escape the duty. Do you call a man having property worth Rs 20,000 a poor man? [*An Honourable Member* "What are his debts?"] The honourable member knows that under the Indian Succession Act, the property which is subject to taxation is the net property *minus* the debts, funeral charges and so on. [*An Honourable Member* "In the Bill there is no such provision"] It is the ordinary ABC of the law It is so laid down in the Indian Succession Act If my property is worth Rs 20,000 and I have a debt of Rs 10,000, the property is taken to be worth Rs 10,000 Even the funeral charges have to be deducted So, I submit that is the reason why the limit of exemption is reduced to Rs 2,000

Then, the second question asked by the honourable member is, why we have taken the responsibility for this taxation, when the Taxation Enquiry Committee recommend that it should be a central subject We wrote to the Government of India about it They said that we should do it ourselves The other Governments have prepared their draft Bills, though they have not placed them before the Council The Government of India said that this was a provincial revenue and that they would recommend the Provincial Governments to raise it. Is it right that we should also sit with folded hands disregarding the Sir Joseph Kay Committee's Report and the Taxation Enquiry Committee's Report when there is so much financial stringency? Is it right policy?

[Sir Govindrao Pradhan]

Then, the honourable member stated that there is a permanent retrenchment to the tune of 60 lakhs and in five years it will come to 3 crores It is all right as a mathematical calculation But what is the underlying assumption ? The underlying assumption is that the income would remain the same Our experience has shown that the income is steadily going down and permanently it has gone down by a crore if not more The income is not only not rising but steadily falling. It is falling in Land Revenue, Excise and Forests [*Interruption*] Unless we get fresh sources of revenue, we cannot make up for the steady fall in Land Revenue and Excise The revenue from Excise has dropped from 4,24 lakhs to 3,03 lakhs I have repeatedly pointed out that it is not possible to meet these deficits by borrowing for unproductive purposes and particularly borrowing at a high rate of interest. As a matter of fact, two years back we expected that the rate of interest would go down, but on the contrary it has gone up. Honourable members have been complaining year after year about the borrowing policy of this Government They say that the Government have mortgaged the revenues of this Presidency by so many borrowings and that it is absurd to go on borrowing. If you do not want to borrow for productive purposes, much less can you borrow for unproductive purposes Then, it is absolutely necessary to balance the budget; and we want 1½ crores for that. We have already made a retrenchment to the tune of one crore and it is not possible to effect any further retrenchment. So, a fresh source of income must be found out . This Bill is equitable and fair and it falls upon broad shoulders If you think the machinery set up is wrong and if you think that a reference to the High Court or an appeal to it is necessary, we shall make the necessary amendments. As I said in my speech, this is a difficult measure. There are mistakes in drafting We never claim infallibility : There are sitting opposite legal luminaries, men with experience, but they are sitting mum When we seek their co-operation, they refuse it. Point out the mistakes and we shall correct them I am prepared to overhaul the measure in the select committee I am glad to find that the honourable member Dr. Dixit has tabled so many amendments which shows that he has studied the Bill in its minutest detail Such persons would be the best to guide our deliberations in the select committee. But in the open House they do not say anything. If you are against the Bill, vote against it, but offer constructive criticism and try to correct us So, I submit that the House will be well advised in sending the Bill to the select committee, remodel it and put it into proper shape With these remarks I leave the Bill in the hands of the House.

Question, "That the Bill be read a first time," put

The House divided : Ayes, 35. Noes, 69

Division No 1

Ayes

Allison, Mr. F W	Bullocke, Mr A Greville
Bell, Mr R. D.	Clayton, Mr. H. B
Bowers, Mr P L.	Collins, Mr G F S

Ayes– contd.

Cooke, Mr. G. H.
D'Souza, Dr J Alban
Garrett, Mr J H
Haddow, Mr R R
Hudson, the Honourable Mr. W. F.
Humphrey, Mr. John
Jam Jan Mahomed Khan, Khan Bahadur
Jayakar, Mr M. S
Jones, Major W. Ellis
Kambli, the Honourable Dewan Bahadur S T.
Kanga, Sir Jamshedji B
Kirke-Smith, Mr A.
Lane, Mr C. M
Lely, Mr. W. G
Mackie, Mr A W W.
Maxwell, Mr R M.
Mitchell, Mr H C B
Modak, Rev R S
Owen, Mr A. C
Perry, Mr E W
Pradhan, the Honourable Sir Govindrao
Prater, Mr S H
Rafiuddin Ahmad, the Honourable Moulvi
Shaikh Yakub Vazir Mahomed, Khan Bahadur
Solanki, Dr P G
Thomas, the Honourable Mr G A
Turner, Mr C W. A
Vakil, the Honourabe Sirdar Sir Rustom Jehangir
Wiles, Mr G

Tellers for the Ayes Mr A C Owen and Mr S H Prater

Noes

Abdul Latif Haji Hajrat Khan, Khan Bahadur
Achrekar, Mr A B
Allahbaksh, Khan Bahadur
Asavale, Rao Bahadur R S
Bakhale, Mr. R. R.
Baloch, Mr Haji Mir Mahomed
Bangi, Mr A K J
Bhurgri, Mr J. W
Bijarani, Khan Bahadur 'Sher Muhammad Khan
Bole, Rao Bahadur S K.
Chikodi, Mr. P R
Chitale, Rao Bahadur G K
Collaco, Dr. J A
Cooper, Khan Bahadur D B
Dhalumal Lilaram, Mr.
Desai, Rao Saheb B G
Desai, Mr H R
Desai, Mr S B
Dixit, Dr. M. K.
Gangoli, Mr. G S
Ghulam Hyder Shah, Mr.
Ghulam Nabi Shah, Khan Bahadur
Gilder, Dr M D
Gokhale, Mr L. R
Gover Rora, Mr
Jan Mahomed Khan, Khan Bahadur
Jittekar, Mr Haji Ibrahim
Jog, Mr V N
Kadri, Mr J. S
Kalbhor, Mr G. M
Kale, Rao Bahadur R R
Kamat, Mr B S
Karbhari, Mr M M.
Khuhro, Khan Bahadur M A
Kulkarni, Rao Saheb P D
Matcheswalla, Mr G E
Mehebbaksh, Mr S
Mehta, Mr M H
More, Mr. J. G.
Naik, Rao Bahadur B R
Namdeorao Budhajirao, Mr
Navle, Mr. N E
Parulekar, Rao Bahadur L V.
Patel Khan Bahadur A E
Patel, Mr C N
Patil, Rao Bahadur D R
Patil, Mr. N N
Patil, Mr V N
Patil, Rao Saheb V S
Pradhan, Rao Bahadur G V
Rahimtoola, Mr Hoosenally M
Resaldar, Mr. A K
Sahebsinhji Juvasinhji, Mr
Shaikh Abdul Aziz, Mr
Shaikh Abdul Majid, Mr
Shankarrao Jayaramrao Zunzarrao, Mr
Shinde, Mr. R B
Sindha, Mr Madhavsang Jorbhai
Surve, Mr A N
Surve, Mr. V. A
Syed Miran Mahomed Shah
Syed Muhammad Kamil Shah
Talpur, Mir Bandeh Ali Khan
Thakor of Kerwada, Sardar Bhasaheb Raisinhji
Tolani, Mr S S
Vaishampayan, Dr V G
Vakil, Mr Pestanshah N
Vandekar, Rao Saheb R V
Wadke, Mr B P

Tellers for the Noes Mr. R. R Bakhale and Mr J G More

The Honourable the PRESIDENT Order, order There is a supplementary grant to be taken up. That is the remaining item on the agenda. If the House agrees, I will adjourn the House for tea.

(After recess.)

SUPPLEMENTARY GRANT.

The Honourable Mr W. F HUDSON: Sir, in the regretted absence of my honourable colleague, Sir Ghulam Hussain, it falls to me to make a demand for a supplementary token grant of Rs. 10 under "55-Construction of Irrigation Works—Reserved, Lloyd Barrage and Canals Construction."

A very long and clear note* has been placed in the hands of honourable members, I think, yesterday, and I will do them the compliment of supposing that they have all read it, and as speech-making appears somewhat at a discount in this session, I do not propose to transgress with any lengthy oration on this point.

I think the case is quite clearly put We found, as the result of experience of the last few years, that certain areas which are to be commanded by the new canals are in serious danger from hill floods; and it is now proposed to provide the absolutely necessary protection against those floods If such protection is not afforded, we estimate an ever-increasing loss of revenue Honourable members will find the precise figures at the top of page 4 of the note. The expenditure on the scheme will be Rs 39·11 lakhs of which in the present financial year we shall spend Rs. 6 11 lakhs This scheme of about Rs. 40 lakhs will not involve any excess over the total expenditure sanctioned by this House and it will not require any special provision this year, since the sum of Rs 6 11 lakhs can be found from the current year's voted grant under this head That being so, I feel sure that the House will sanction this demand. I move.

Question proposed.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu): Mr. President, I rise to oppose the supplementary grant This scheme was submitted to the Government of India along with the Lloyd Barrage Scheme in 1920. The Government of India thought that the Flood Protective Bund Scheme required further consideration and withheld it when they sent the Barrage Scheme to the Secretary of State for sanction The scheme as put before us is estimated to cost Rs. 84·83 lakhs. From our experience of such estimates, we may expect that this cost will mount up to over a crore of rupees This is altogether a new scheme. I suppose the Government think that the members of this House will pass it without any opposition Government say in their long note, which has been placed in our hands, that owing to financial stringency, the whole scheme will not be taken in hand and that they will complete only the important portion of it What is the use of working such schemes piecemeal? The amount that we spend now will be wasted if the scheme is not completed. It is, therefore, the duty of responsible councillors to think twice before agreeing to this demand. The full estimate with complete maps and plans showing the length,

*Appendix 2

breadth, width and height and the rates should be given It should also be stated whether the work would be done by contract or departmentally In the case of the Sukkur Barrage the estimate was 16 crores, then 18 crores and ultimately increased to 20 crores, but I think it may still be increased further Similarly, now they may ask for 40 lakhs then they will ask for 45 lakhs and after two years they might demand 20 lakhs more And we shall be asked to sanction that They will say that, if we do not sanction that, then the work already done and the existing canals will be damaged on a large scale. Because the entire work will cost 84 lakhs, i e., above 50 lakhs, they will have to go to the Government of India for sanction, and to avoid such a reference, they ask for an estimate lower than that limit. But if the full scheme goes beyond a crore or to a crore, then the sanction of the Secretary of State will have to be obtained To get over all this difficulty, they have resorted to this ruse of making a lower estimate, an estimate not exceeding 50 lakhs The Sukkur Barrage Scheme was estimated to cost 12 crores originally. The President of the Enquiry Committee consisting of Expert Engineers set up by the Secretary of State has said in their report in so many words that not one of the Bombay Government Engineers is able to carry out a project like that of the Sukkur Barrage My honourable friends will no doubt agree with me that when in 1923 the Sukkur Barrage Scheme was placed before this Council, those who prepared the estimates pushed us into a danger zone They promised considerable savings but ended in increasing the estimates No amount of opposition on our part was of any avail and the views of the honourable members were simply brushed aside unceremoniously That shows whether our wishes are respected at all or not in such matters If enquiries are made in letters or newspapers, no notice is taken of them This partially accounts for our silence yesterday Because Government do not listen to us, we think it best to keep our own counsel as we do not wish to give advice or to make suggestions which are considered unnecessary or which are evidently unwelcome to the recipients Why should we thrust our unwanted views on the unwilling minds of the Government benches ? When Sir Cowasji Jehangir was the General Member, I asked for the appointment of a committee to go into the foundations of the Sukkur Barrage which are five or six feet less than the sanctioned plans He wanted me to give proof of my allegation, and although I agreed to do so, he did not consent to the appointment of a committee. The Honourable Sir Ghulam Hussain also said that he would not allow evidence to be given of this fact alleged by me I sent a telegram stating that cement arches were being plastered white simply because the pillars and parapet walls were of white stone and that arches were of black cement It is now being plastered with white cement for the sake of beauty at a lakh of rupees expenditure Why should you now ask us to pass the Succession Duty Bill ? Why should this amount be placed in your hands, only to be wasted away as the money is being scattered to the winds on the Sukkur Barrage Scheme ? The original estimates are prepared by the lower officers, such as Executive Engineers, then

[Mr Haji Mir Mahomed Baloch]

they go up to the Superintending Engineer, who sends them with his initials to the Chief Engineer, who in his turn sends the whole thing to the Government in the Public Works Department. The Secretary of the Public Works Department usually never says "No", but places it for final approval before the Honourable Minister in charge of that Department or the Honourable Member in charge of the Irrigation Department. That way the whole thing gets through without much scrutiny or any scrutiny worth the name. What is the idea in having so many dittoing machines? It all looks like a *tamasha*, nothing more or less Lakhs and lakhs are being spent on buildings, estimates are doubled and trebled I have a report now showing that 1¼ lakhs are being spent on buildings in Sukkur on both sides and contractors have been given 30 per cent more because everything is to be got ready before His Excellency the Viceroy pays his visit

The Honourable the PRESIDENT That is outside the subject under discussion

Mr HAJI MIR MAHOMED BALOCH Very well, Sir, I will come back to the subject immediately under discussion What I urge is that, before we can be asked to give our sanction to any such scheme as has been placed before us, we should be furnished with full plans and full estimates, together with maps and relevant plans, so that we may have a proper idea of the total cost that would be involved in the scheme to which our sanction is invited I further say that just because Government want to avoid a reference to the Government of India or to the Secretary of State for India, they should not keep the estimate under 50 lakhs knowing full well that the estimate is bound to exceed that limit I submit that Government should not split a complete scheme into two or three parts only to get round the limit of 50 lakhs and that, even if the scheme were to cost more than a crore, they must acquaint us with all the facts of the case

The present grant, Sir, has been asked as a supplementary grant. I submit that that cannot rightly be called a supplementary grant, because the work provided for is not a new service not contemplated in the sanctioned budget for the current year The *bund* is to be constructed over a length of 156 miles The Honourable Member in charge of the Public Works Department will say that the estimate is for machine work and so on, that hand labour will cost Rs 8 to Rs 9 for levelling or ramming etc, etc What is the estimate for this? It is much in excess of what it should be. Contractors are ready, there is considerable unemployment among the labouring classes Labour is, therefore, cheap and, as my honourable friend Khan Bahadur Allahbaksh will tell you, this work ought not to cost more than Rs. 5 to Rs 6, especially in these days when plenty of cheap labour is ready at hand.

The Government accounts are audited by men who have no connection with the officers We do not want the certificate to be signed by the engineers who prepared this scheme. Let the scheme be scrutinised by the Government of India engineers. Let it not be split up into

[Mr. Haji Mir Mahomed Baloch]

two or three parts, as that splitting up is likely to mislead the public. If the scheme is really a good one, then even if it should exceed 50 lakhs, it should be put up in that form and submitted to the Government of India for sanction before coming to this Council with it If there is not the Government of India's sanction, then it should be thrown out altogether.

Rao Bahadur G K CHITALE (Ahmednagar District) Sir, it is a matter for regret that the present grant should be put before this House by way of a token grant I do not mean to say that it may not be legal, but I do mean to protest that to ask this Council consisting of laymen by way of a token grant to sanction this large scheme, which is sprung upon us rather suddenly and which gives us only a couple of days for consideration, is a procedure which cannot be acceptable to this House. The subject is highly technical and I must say that in my speech I may commit mistakes, but for those mistakes I do not wish to plead guilty because only two days are given to us to consider this vast scheme

I find that in Volume XIII, Sukkur Barrage Canals Project, 1919-20, there is a scheme prepared called Manchar Drainage and Flood Protective Project. I find amongst other things that that project was estimated to cost Rs. 2,25,19,000, *vide* summary given at page 55 in part XVII. I will first draw the attention of the House to the remarks made in the Review by the Accountant General on page 313 of the Appropriation Accounts for the year 1929-30 and the Report of the Accountant General thereon. It is to the following effect :—

"The Lloyd Barrage and Canals Construction Project was sanctioned by the Secretary of State in 1923-24 at an estimated cost of Rs 1,835 47 lakhs A second revised recapitulation statement, which amounts, in effect, to a revision of the estimate of the project, puts the estimated cost of the project at Rs 2,003 52 lakhs This was submitted to Government in February 1928 and has been under their consideration since then. As a result of certain comments by Government, the figures under various heads have since been modified to some extent within the estimated cost of Rs 2,003 52 lakhs and the final modified figures have been reported to Government by the Chief Engineer in August 1930 Their approval is still awaited At present, the only authoritative sanction against which audit can be and is being carried on is the first revised recapitulation statement approved in 1925."

Then again at page 317, paragraph 10 —

"Future direct liabilities on account of works expenditure according to the latest authorised estimates (i e the first Revised Recapitulation Statement) are set out in the following statement —

1 ...
2 .... .
3 .. .
4 .. .
5 Manchar Drainage and Regulators Amount of estimate is Rs. 62,21,145. Expenditure to the end of 1929-30 is Rs 8,00,885 Balance available at the end of 1929-30 is Rs. 54,20,260 "

I fail to see, Sir, why the first estimate of Rs 225 lakhs sanctioned by the Secretary of State has been given the go-by There was a revised estimate which the Accountant General puts at Rs 62,21,145 I have not been able to get hold of that estimate nor have I been able to find any papers on which the present scheme is based except for this note, which appears to me rather too sketchy to be of any practical use to us.

[Rao Bahadur G K. Chitale]

Not only that, but I find that in the original estimate—here also I may be wrong—provision was made for a bank of about 90 miles. It appears from the note that that mileage is now extended to 120. It is stated in the note

" .. a project was also prepared to protect a very large area of land commanded by the Right Bank Canals system which, in the absence of the protective bund scheme would be flooded by hill torrents from the Khirtar range of hills from the west and the north of the area and from the overflow of the Manchar Lake The scheme consisted of —

(*a*) the Manchar Drain and Regulator Scheme, and

(*b*) the Flood Protective Bund Scheme "

As I read it the words used there are "flood protective scheme and Manchar drainage scheme". I believe, therefore, that the estimates stand at the figure which I have quoted, namely, Rs 2,25,00,000, and they have not been sanctioned, because the Accountant General would not otherwise have been found to put it at Rs. 62,00,000. It is possible—I speak subject to correction—that that may be the figure at which it has been sanctioned, or it might be, as the recapitulation statement shows, that the Government of India have sanctioned the project up to Rs. 62,00,000. No doubt it is stated. and this project shows that the loss of revenue to the kharif and rabi crop was about Rs 1,25,000, speaking from memory. It is now shown, and it is just possible that when the whole Canal system takes shape, naturally there might be other irrigation possible. In the note it is stated .

" Further, if the Flood Protective Bund scheme is not carried out, no appreciable development can occur in an area measuring over 1,000 square miles commanded by the Right Bank canals."

Now, Sir, I cannot help saying that we are too hopeful in all our financial projects, so far and so long as they are financed from loan funds Nowhere so far, even on the smaller schemes in the Deccan Irrigation Canal systems and the lakes, have we yet been able to realise our dream of a fair return The general taxpayer is asked to foot the bill of several lakhs; and, as the Honourable the Finance Member has stated, our irrigation revenue has been going down and shows a minus figure of Rs 35,00,000, as he put it yesterday. It is just possible that, when the canal system commanded by the Lloyd Barrage takes shape and, as stated by the Honourable the Revenue Member, when all the land is wholly occupied by people, that is, when it is really worked up to the estimate, then perhaps that loss may not occur. But that is a long step yet The Barrage will be completed soon A large acreage of land will be available, and who knows that the whole of the acreage which would be commanded by that large scheme will be taken up by the people and will be taken up so swiftly as to give us a return as early as possible ? Here I am reminded of the report of the two experts who were sent out by the Government of India to look into the question of the separation of Sind from the Presidency, and the effect of their report on my mind is that this scheme is not likely to bring in any revenue, but is likely to be a very great burden on the finances of the Presidency. No doubt, they have also uttered a word of warning, that if Sind wants to be separated,

[Rao Bahadur G K. Chitale]

all the rules and cannons of separation insist upon this condition that the moment they get themselves separated from the Presidency, Sind alone will have to bear this financial burden, and for several years Sind will be a deficit province, and it will require about Rs 125 lakhs every year to cover the deficit; and if I remember rightly again, they estimate that after about 20 or 30 years perhaps this white elephant may give about Rs. 25 lakhs a year, almost a drop in the ocean, while we have spent Rs. 20 crores and over and for 20 years we will be paying interest at about a crore a year, and the sum will go on increasing From my point of view, this is not the proper way of taking this Council into confidence and asking us to sanction, as if it were by a stroke of the pen, a grant of about Rs 80 lakhs. It is stated in the note that the floods in the past have not caused very great losses. If so, why not expect that the losses will not be so heavy in the future?

The Honourable Mr. W. F. HUDSON: Because there was nothing to lose in the past

Rao Bahadur G K. CHITALE: There was nothing to lose, and therefore we spent about a crore of rupees, on which we lose Rs. 6,25,000 every year by way of interest, and heaven knows what the return is going to be, because the country affected by it is not at present so heavily settled The point is that the Honourable the Revenue Member assumes that, as soon as this project takes shape, the country would be heavily settled What guarantee is there for hoping that this will happen? If there is no guarantee that the country will be heavily settled, where is the necessity of spending such a large amount from our slender resources? Then, it is stated in the note that the country will be heavily settled in a few years when settled irrigation is provided. That is a hope which, to my mind, will not materialise for a good many years. The note says further:

"But similar floods coming in the future might be not only distressing, as they were in the past, but really disastrous owing to the damage and loss which they could cause in the absence of the Flood Protective Bund."

I do not know whether the scheme is within the amount sanctioned, viz, Rs. 62 lakhs If it is, I will not and I cannot take any objection, but it appears to me that this supplementary scheme is costing more and it is a more ambitious scheme, to which I object. Proceeding further, the note says:

"A project for the Flood Protective Bund scheme has therefore been prepared and it amounts to Rs 84 83 lakhs including direct and indirect charges"

May I know, if that project has been prepared, whether it has been sanctioned by the Government of India and, for the matter of that, by the Secretary of State? It appears from this note that it is only prepared, the note nowhere says that it has been sanctioned, and I know, as a member of the Public Accounts Committee, that there are ways of getting round the rule of sanction by the Government of India and the Secretary of State. The rule lays down that all estimates over Rs 50 lakhs must get the sanction of the Secretary of State. They get over this rule by splitting up the project into two or three parts and saying

[Rao Bahadur G. K. Chitale]

"so much for this, so much for that, and so much for the rest", thus bringing the estimate within Rs. 50 lakhs, and then they say that that estimate is put before this Council, its sanction is obtained, and therefore the Government are authorised to spend the money by asking for a token grant.

The note goes on to say :

"Of this amount, Rs 70 42 lakhs is the cost of I—Works only The project comprises chiefly the following items

(i) the construction of a continuous Flood Protective Bund, 156 miles long, commencing from the Manchar Lake and running along the western irrigation boundary of the Right Bank Canals Area. The right banks of the Johi and the Khirtar branches will form a common bank with this bund in its length from miles 10 to 39. and 122 to 156 respectively,

(ii) the widening of the main Nara valley drain ;

(iii) the diversion of the Gaj Nai"

Now, this diversion of the Gaj Nai is item No. 8 on page 55 of Volume XIII of the Lloyd Barrage estimates, and the cost of it has been put down at Rs. 2,00,000 in the original estimate As I said, therefore, I am perfectly right in seeking for further detailed information, so far as is available, on the several points which have been referred to in this note. Then the note goes on to say :

"The hill torrents affecting the command of the North-Western canal will strike this Bund at various points in its length, from mile 156 to 101 and will then pass into a low natural depression north of Mirzokhan (mile 69 of the Flood Protective Bund)"

Then the note says :

"..... the probable loss in cultivation and revenue will, on a conservative basis, be as shown below :—"

In 1932-33 the loss is expected to be Rs 2,25,000, rising up in 1941-42 to Rs. 6,97,500. But the note further says :

"In addition to this loss much damage would be caused to the canals already constructed and this would be to the extent of some Rs 70 lakhs"

Therefore, they say that the scheme is very necessary, and if it is not done now, there will be that much loss to the exchequer. The note goes on and tells us :

"Government are convinced of the necessity of the construction of the Flood Protection Bund scheme in the interests of the Lloyd Barrage and Canals Construction works..."

My honourable friends from Sind will speak on this part ; they know the local conditions better, but in order to get over any objections that might be raised, the note says.

".... as the scheme is directly concerned with the cultivation of the area commanded by the Right Bank Canals."

It is argued that it comes into a scheme for which general sanction has already been obtained, and therefore this amount which they now ask for is perfectly within the limit. But I do not agree with that opinion. I should think that more information should be given, and unless that is done, this House will be well advised in not sanctioning this token grant and giving them a blank cheque up to Rs. 40,00,000. The note further says :

"The extra expenditure of Rs 39 11 lakhs will not, it is anticipated, lead to any excess over the figure of Rs. 20·03 crores sanctioned for the Lloyd Barrage and Canals Construction scheme"

[Rao Bahadur G. K. Chitale]

As I have already said, the original estimate of Rs 18 crores has now gone up to Rs. 20 crores, and there is only this expectation which is expressed in the note, for which there is no guarantee. Under the circumstances, I should think this House would be well advised in throwing out this demand for a token grant, unless and until the whole project by way of detailed estimates is put before the House This could be done at the time of the Budget session in February next, and till that is done the House should not pass such a large amount rather in a hurry and repent at leisure.

Mr G. WILES Sir, the Finance Department are responsible for this supplementary demand coming before the House. I would therefore ask permission to explain why we considered it desirable to bring it before the House My honourable friend Rao Bahadur Chitale has an engaging habit of making speeches of considerable length, setting up imaginary difficulties, taking the House into confidence, explaining that his remarks may be full of mistakes, and stating that if they are not full of mistakes, then the House should throw out the demand. I am afraid that I cannot agree that his remarks are not full of mistakes

Perhaps it will simplify matters if I give as briefly as possible the inner history of this demand and the reason why it comes up in the form of a token demand. As this note explains, at the time of the passing of the original Barrage Scheme, two other projects closely connected with it were submitted to the Secretary of State One of them was included in the Barrage Scheme and one of them was not. The Manchar Drainage Scheme was included in the scheme sanctioned. As regards the other scheme, the Government of India thought that the information at their disposal was insufficient for sanctioning it and said that it could wait. Last year or two years ago, this second scheme was developed by the engineers and the full scheme was put up which is referred to on the second page of this note. A complete project for the flood protective bund scheme was prepared. My honourable friend takes exception to the fact that no mention of sanction is made there. Of course, it has not been sanctioned. If it had been sanctioned, it would have been placed before you. But it has not been sanctioned and it may never be. That scheme was submitted to the Finance Department, but for reasons on the lines advanced by the honourable member, a recommendation to reject it was made by the Finance Department, who thought in the particular circumstances of to-day Government should not increase their borrowings for these works in Sind to the extent of the demand, but should be prepared to take a certain risk. This scheme is not part of the Manchar Drainage Scheme. I am not sure whether the honourable member is not confusing the Manchar Lake Drainage Scheme, which is referred to in the Accountant General's report, with this further scheme. It is not part of the Manchar Drainage Scheme, though one intimately connected with it. The Manchar Drainage Scheme is in operation. This s heme is not. It is a supplementary scheme which will divert the drainage water into the Manchar lake. But it is distinctly a separate scheme.

[Mr. G Wiles]

Thereafter a second scheme came up before the Finance Department on a much reduced scale That is the scheme for which demand is made now The Finance Department has satisfied itself that it is in essence a part of the Barrage Scheme It has been proved to my satisfaction that, without these protective bunds, not only the area which may come under development in the future but actually the works which are there already will come into danger It is therefore absolutely essential to agree to these works being carried on

A further reason for carrying on the work immediately is that, while the Canal works are in progress, it is much cheaper for the same staff to deal with this work. If we had refused to sanction it and asked them to bring this up later on, the whole staff, the dragline excavators and labour would have to be brought at great cost to this part That is the reason why this demand has been made now As the watch dogs, sometimes much abused watch dogs, of the privileges of this Council, the Finance Department has brought this demand in the form in which it is placed before you It is true that it is an economical and essential scheme, but it is a big addition to the Barrage Scheme, which was not contemplated in detail in the original estimates Therefore, we thought it fair in your own interests that the Public Works Department should bring this scheme before you now.

This is not really "a new scheme," as the member for Karachi says. It is really a part of the Barrage scheme which is essential for the protection of the works In the Barrage Scheme there is already a lump sum sanctioned by the Secretary of State for "protective works" and this is being debited to that sub-head. The question therefore of sanction by the Secretary of State or the Government of India does not arise at all

Mr. A. N. SURVE (Bombay City, North): Sir, the note which is placed in our hands is lacking in information on several points Some of them have already been mentioned by previous speakers. I am now trying to refer to the way in which supplementary grants are presented to this House. To begin with, this is a token grant for an entirely new project as it is described in this note If we, without proper scrutiny, sanction this small amount of Rs. 10 which we are likely to sanction, then for several succeeding years this item will be brought before us annually and we will be compelled to vote it, because we shall have committed ourselves to this new undertaking In the first place we are practically in despair over the financial condition of our Presidency and still we are sanctioning grants which are to recur for several years to come ; and that too in the form of a token grant and not at the time of budget or after supplying full information to us

The second fact is that this money is to come out of the money we have already sanctioned last February. Is this then not an example of bad budgetting ? The amount is not a small one. This large sum of 6 lakhs which was not required during the year was asked for and sanction was got in respect of that sum in the last budget session. It is a serious

[Mr A N. Surve]

question because it is an example of bad budgeting. When we say that our budgets are not properly framed, the opposite benches will not admit the justice of what we say Here is a striking example which proves the charge we lay at the Government, that they make large demands of money which are not really required.

The next point which I would like to touch upon is on page 3. At the top of page 3, of the note in our hands we are given an imposing array of figures running into three columns and each figure running to seven digits. This array of figures does neither impress nor convince us. In it we are given the probable loss of cultivation in acres and also the probable loss of revenue in rupees. I ask Government: "Have you any guarantee to say that these figures which are hypothetically placed before us are likely to come true or are they ever likely to be realised?" The Barrage project itself is going to bring under cultivation several lakhs of acres and on the top of that new land to be brought under cultivation, you have placed before us this table of figures to induce us to sanction this grant. Where are you going to get the cultivators from? Where is the money to bring all this land under cultivation? I therefore say that this array of figures is placed before us in order to induce us to give our meek submission or consent to the demand placed before us.

Again, look to the date on which this note is prepared. This note was prepared as late as 28th November 1931 and we are asked to sit in judgment upon it on 1st December The note as a matter of fact came into our hands only yesterday It is how Government rush through such items, without giving us time to scrutinise the demands that are placed before us. If you place these demands in such a way, I must say that we give our not intelligent assent but only assent which is in its nature *ex parte* or without applying our mind to the matter upon which our assent is sought.

The only other point to which I wish to draw your attention is this. In this note on page 1 there are two items of work, viz.—(*a*) and (*b*). The Government of India admitted the necessity of (*a*) but they did not admit the necessity of (*b*). They kept it pending for further consideration. The Government of India so far as we know have not yet given their definite sanction to (*b*). Here we are told that the Bombay Government acting on the advice of their engineers consider that these two projects (*a*) and (*b*) as one and inter-dependent. I only place before honourable members opposite whether the engineers of the Government of India are less competent than the engineers of the Bombay Government. Please look to the fact that the Barrage is to be inaugurated after 3 or 4 weeks What strikes a man of ordinary commonsense is this: There is a likelihood of several engineers being thrown out of work. Shall I be wrong if I venture to suggest that this project is an after-thought in order to engage those engineers?

The Honourable Mr. W. F. HUDSON: I entirely repudiate that insinuation. The honourable member has no right to make it.

Mr A. N. SURVE: I am glad that that suggestion is repudiated,

The Honourable Mr. W. F. HUDSON : I am sorry that the honourable member ever made it.

Mr. A. N. SURVE : Yes, Sir. I am glad because the repudiation confirms me in my view. The fact remains, as was very aptly said by one of the honourable members, that the Bombay Presidency is in the grip of engineers. That fact cannot be gainsaid In the Bombay Presidency we have brought into existence several buildings on which we have spent lakhs and lakhs of rupees and which are to-day lying locked up and without being used If this statement is challenged, I request the honourable members sitting on the opposite benches to come to the compound of the J. J. Hospital——

Mr. G. WILES : Is the honourable member keeping to the point ?

The Honourable the PRESIDENT : The objection raised is correct. The honourable member should confine himself to the subject matter before the House.

Mr. A. N. SURVE : Yes, Sir , hard facts are always very unpalatable and I must not tread on tender toes ; therefore I shall not refer any further to that matter. But the fact remains that unless we get a specific statement from Government that the Government of India have given sanction to the project to which our consent is asked to-day, I for one will not give my consent to the demand under discussion.

Khan Bahadur M. A. KHUHRO (Larkana District) Sir, the complaint of the honourable members from this side of the House is certainly genuine when they say that Government do not treat us fairly when such schemes are brought before the honourable House All the materials and all the particulars which are relevant to these schemes are not placed in the hands of the honourable members of this House. The complaint is all the more genuine in the present case as the scheme is brought before the House in a haphazard manner. The sum of Rs. 39 lakhs, for the expenditure of which permission is sought, is not a small sum, and in the present financial stringency the House realises the extent of that expenditure Ever since the beginning of the Barrage works up to this day there was no talk of this scheme at all This honourable House was not aware of the necessity of this scheme all these days, and just at the end, when the Barrage works are nearing completion, this new scheme is being brought for sanction of the House.

The other complaint that was made by my honourable friend on my right (Mr. Haji Mir Mahomed Baloch) was that the scheme is being split up into smaller units and demands are made at different stages, and therefore the impression is gaining ground that that is done to avoid the sanction of the Government of India, because if the expenditure exceeds 50 lakhs of rupees Government of India's sanction is essential. Sir, in the present case we have doubts whether what has been stated in this note is really the fact. I understood the honourable member the Finance Secretary to say in the course of his speech that the construction of this bund has nothing in common with the Manchar Drainage Scheme, whereas the note indicates that both the schemes are inter-dependent.

Mr. G. WILES. Sir, I said they were very intimately connected. I said they were distinct schemes, that one scheme was not included in the other scheme, a very distinct matter I did not say they were not intimately connected of course, they are

Khan Bahadur M. A. KHUHRO: The note very clearly says that the one scheme cannot do without the other scheme. On the very first page of the note honourable members will find that it is stated "As a result of further investigation, it has been found that the Manchar Drainage scheme and the Flood Protective Bund scheme are interdependent, as one scheme is useless without the other" Not only that, but the provision of 39·11 lakhs includes a sum of 13 lakhs for the Manchar Drainage scheme—item (*d*) "*the widening of the Main Drain* from the point where it cuts the Western Nara Bank" I beg your pardon It is (*c*) "The strengthening and maintenance of the right bank of the Western Nara from this point up to mile 72 of the Western Nara (head of Manchar)"

Now, Sir, about three years ago Government put up a bund to stop the waters that rush from the hills which are called hill torrents but those bunds were washed away as the torrents were very forceful. Those bunds cost three or four lakhs and all that amount was wasted. Now, all this expenditure for which sanction is now asked by Government is being justified mainly on the consideration that some hill tracts in the Khirtar range, which are in Baluchistan outside Sind, and some parts of the Johi taluka will be brought under cultivation. The hill tracts are outside Bombay presidency, and I do not think this vast expenditure is justified on the ground that a part of Johi taluka will get a water supply. Moreover, the hill tracts of the Khirtar range are now cultivated by rain water, they are called *barani* lands, and Government only charge a nominal assessment, because those tracts do not yield any large amount of produce

There is also another complaint, and that is from the people of Johi taluka. They say that because of the diversion of the Gaj Nai much of the lands which were getting water from the hill torrents are being deprived of water Two years ago these lands used to be cultivated with wheat and juari, but last year and in the current year, they have been rendered uncultivable Government must now pay compensation to those people whose lands are being rendered useless by the putting up of these bunds If this question has not yet been settled, Government will sooner or later have to decide it. Adequate compensation should be given to those who are going to suffer in the event of these bunds being put up on the border of Johi taluka

Regarding the Barrage scheme, I need not go into the details because that is very different from the present case. But one remark that was made by the honourable member Rao Bahadur Chitale was really justified—I refer to what he said about the Sind Financial Enquiry Committee's report. They have—I would say rightly—disillusioned the Government of Bombay as to the financial expectations of the scheme. They say that the Barrage scheme is going to be a millstone round the neck of the

[Khan Bahadur M A. Khuhro]

presidency, that it is not going to pay for the next thirty years, and that it ought to have been called a protective and not a productive scheme That in a nutshell is the result of their investigation, the investigation of two gentlemen, one of whom is the Consulting Engineer to the Government of India and who has got considerable experience

I submit, Sir, that in their present financial position—to make use of an expression contained in the note and used by the honourable member the Finance Secretary—Government ought to have taken the risk and avoided the expenditure Government could have waited for some time to see whether there was really a strong case to justify the incurring of this expenditure. The Barrage is going to supply water from next April; this bund cannot be put up immediately, all this 39 lakhs cannot possibly be spent within the course of the next two or three months The results of the working of the Barrage are likely to manifest themselves in 1932, and Government will be able to see whether there is any justification for the incurring of this expenditure. Just as the Government of Bombay have decided to delay the scheme of drainage which was considered to be very important—and nothing very important has been done so far in that direction—they should wait and see whether this scheme too is really necessary. I do not think any useful purpose will be served by rushing it through at present. With these few remarks, I resume my seat.

Mr. C. M. LANE : Sir, I will answer the few technical points which have been raised in this debate. I do not think many of them can be said to be technical points. The honourable member Mr Baloch made a typical speech. He does not accept the figure of 84 lakhs, he thinks it is bound to go up to a crore of rupees I do not think anything need be said on that We are not now discussing 84 lakhs, but we are discussing 39 11 lakhs—the actual demand. He further said that we are providing bunds irregularly under the head "protective and drainage works". Well, the description of "protective and drainage works" under head IV includes bunds. If you refer to the Irrigation Act you will see that a bund is actually a canal. So, we are not making any provision under wrong heads at all. it is a legitimate provision He argued that technical details should invariably be put before the House before their vote is asked for. He is known to have considerable engineering knowledge, but not many honourable members of this House will have similar knowledge, and I do not think that the labour involved in producing the numerous copies of plans and estimates would be justified.

As regards the question of the sanction of the Secretary of State, that question has been fully examined. It has been accepted by the Financial Adviser of the Project and by the Finance Department of the Bombay Government that this is an integral part of the Barrage project, and it has been treated as such in this demand, not requiring further reference to the Government of India or the Secretary of State.

[Mr C M. Lane]

Somewhat extraneous to this subject is the complaint that we are spending something in the neighbourhood of a lakh of rupees for beautifying the Barrage by plastering the arches. We are doing nothing of the sort The arches are of reinforced concrete and on removal of the centres and falsework the facework is being rendered in the ordinary way. Nothing further is being done to beautify the arches.

The honourable member Rao Bahadur Chitale said that the original estimate for these schemes as submitted to the Government of India in 1920 was Rs. 2,25,00,000. But this was the preliminary Project Report and the actual sanctioned estimate for the Manchar Drainage Scheme to which he specifically referred is Rs. 35 lakhs.

The honourable member Rao Bahadur Chitale further complained that the explanatory note to this demand is too short. I think that note is rather longer and fuller than is usually provided. I fear a longer explanatory note would not be read and assimilated.

The honourable member Mr. Surve complained about bad budgeting which has resulted in a saving of Rs. 6 lakhs being available for expenditure on this scheme. I do not agree, Sir. I think it is evidence of the extraordinary economy and the close supervision of works expenditure on the part of the Chief Engineer (Mr Harrison) that we were able to find this money The honourable member further queried the figures on page 4 of the note and said that he must be assured that they were reliable Well, these figures are based on what information we could get from the records of damage by floods in these areas.

The honourable member Mr. Surve further said that the scheme was kept pending by the Government of India on the ground that it required further consideration. But actually it was not so. The Government of India demanded that the scheme should be given further consideration. It has been given very full further consideration during the last 6 years and we have now arrived at the decision which this demand represents. The original figures given by Mr Musto in 1920 have been greatly reduced, and we have now Rs. 35 lakhs for the Manchar Drainage Scheme, and, if we go through the whole programme, we may possibly have to embark eventually on the expenditure of Rs. 84 8 lakhs referred to in the Note. That is a total of 120 lakhs, a figure very far short of the Rs 225 lakhs originally given to the Government of India

The honourable member Khan Bahadur Khuhro said that the present proposal is an afterthought and has been sprung on him and the honourable House : Let me tell him that this scheme was contemplated from the first . He further stated that he had information that we tried to put a bund across the Gaj Nai and we wasted some lakhs on it as it was immediately destroyed. I can assure him that his information is absolutely and entirely wrong. I also understood the honourable member as saying that this work is situated in Baluchistan. I can assure him that he is again wrong.

[Mr C. M Lane]

I do not think there are any other points which require explanation. This work is essential and we have a provision for Protective and Dramage works of Rs. 59 lakhs. We hope to meet the expenditure largely from that provision. If we cannot meet it entirely from that provision, we will meet the balance from savings effected in provisions for main canals, branches and distributaries

Khan Bahadur ALLAHBAKSH (Sukkur District): Sir, I would like to give a short history of this scheme In the year 1927 Government appointed a committee to visit the Barrage It consisted of the honourable members Sir Shah Nawaz Bhutto, Dewan Bahadur Kambh, Mr. Lalji Naranji and myself and a few others At that time I raised this question of constructing bunds. I thought that it was absolutely necessary to construct these bunds in order to prevent damage by hill torrents. Government at that time had no money, and we are thankful to God that there has been saving out of the provision for the Barrage. Therefore Government have come forward with this scheme and asked this House to sanction a supplementary grant

I cannot understand why Government are not constructing the whole line of the bund It has been explained in the note and the honourable member the Finance Secretary said in his speech that we are taking a risk. I do not know why they should take a risk at all. They must construct the whole line of the bund. It is no use exposing the canals and crops to the floods.

I feel, Sir, that it is necessary that we should construct this bund. One question about this scheme is whether it is an integral part of the Barrage scheme. The Government of India did not accept the statement that it was an integral part of the scheme when the original project was submitted to them for sanction. It is true that a certain portion of the Baluchistan area comes under the protection of these bunds That area also requires protection. But, as the honourable member Mr. Lane pointed out, the items for which the present grant is asked are to be so constructed as to protect Sind and not Baluchistan territory. But once this House accepts the principle that this scheme is an integral part of the Barrage scheme, then the Government of India cannot be asked to pay a proportionate share exclusively for that area in Baluchistan which the bund protects. If however that principle is not accepted, but we accept the principle that the bund is for the protection of the area that would otherwise be exposed to hill torrents they will have to pay not on an acreage basis of the entire scheme but on an acreage basis of the area protected and the entire cost of that portion of the bund which will be constructed to protect Baluchistan territory. If we accept the principle that this bund is an integral part of the original Barrage scheme, then it would be necessary that we get on an acreage basis for the entire scheme, the amount from the Government of India towards the construction of the bund within the Baluchistan territory. This point requires some elucidation on the part of the honourable the Revenue Member.

[Khan Bahadur Allahbaksh]

I hope he will make a statement as to what agreement has been arrived at between the Bombay Government and the Governmet of India in this matter.

Now, looking to the merits of the case, as I said, it is absolutely necessary that we should construct a bund. My honourable friend Khan Bahadur Khuhro pointed out that the cost of the bund will be out of proportion to the loss of revenue That is true so far as the question of revenue is concerned But we should also take into consideration the loss suffered by zamindars and agriculturists. Moreover, I remember two years ago hill torrents caused damage and destroyed about half a mile of the Khirthar Branch, and if there had been crops in this area, they would have been destroyed.

I have nothing else to say, except that it is not the fault of the zamindars that this scheme has been divided into two parts so that the amount does not exceed Rs. 40 lakhs and the sanction of the Government of India is not necessary The blame lies on the Government. It is no use penalising the zamindars by not sanctioning the amount. With these remarks, I support the demand.

Rao Bahadur S. K. BOLE. I move the closure, Sir.

Rao Bahadur R R. KALE (Bombay University): I have got a legal point, Sir I do not want to be a party and must enter a protest because I do not think I am satisfied on this legal point, namely, whether the sanction of the Secretary of State for this scheme is necessary The facts that have been stated are that the general project of the Lloyd Barrage was submitted to the Government of India in 1920 and along with it these two projects (*a*) and (*b*) were submitted. While submitting the Lloyd Barrage Scheme to the Secretary of State—I am stating the facts as they are given—the Government of India submitted only scheme (*a*) and withheld scheme (*b*) on the ground that it required further consideration. While admitting that both schemes would be necessary to safeguard the Right Bank Canals area against the floods, they provided for only scheme (*a*) in the estimates This scheme (*b*) may be necessary, I do not deny that What I say is that the engineers now say that the two schemes (*a*) and (*b*) are interdependent. I grant it. They have found it now, it was not clear in the beginning, but as the result of further investigations it has been found that the two schemes are interdependent Therefore they proceed to argue that because it is interdependent, therefore it is a part and parcel of the scheme already submitted That is all very well as it is. But my point is that as a lawyer I do think that this matter is a matter which ought to be submitted for the opinion of the Law Officers of Government. I want to know whether it was submitted for such opinion It is no use having merely the opinion of the engineering experts because they themselves, after considerable amount of time and thought, have come to the conclusion that the two parts (*a*) and (*b*) are interdependent. Very well, if that is so, is it not necessary that this part (*b*), which was at the time considered to be separate but which is now found to be interdependent,

[Rao Bahadur R R. Kale]

should now be submitted to the Secretary of State for sanction because the Secretary of State sanctioned the project without this (*b*) scheme and because this is a scheme which costs according to them more than 50 lakhs and so requires the Secretary of State's sanction? Of course, the sanction was given to the construction of the Lloyd Barrage at a cost of 20 crores, but my point is that this (*b*) scheme was then considered to be a separate scheme and it is only now sought to be made a part of the original scheme, and therefore I do not agree with the argument that this (*b*) scheme must be considered to have been included in the original sanction just because now the two parts (*a*) and (*b*) are considered to be interdependent. To say now that the two parts are interdependent is a line of argument which does not appeal to me at least and I am not satisfied that it is a point free from doubt Therefore, the whole thing will be illegal for want of the sanction of the Secretary of State. I do submit, therefore, that unless and until we are satisfied, at least I am satisfied, about the legality of this action, I would not be a party to vote in favour of this demand.

The Honourable Mr. W. F. HUDSON: Sir, I feel I have conferred rather a boon on this House by bringing this supplementary demand as it has enabled those floodgates of eloquence, so reluctantly closed yesterday, to be opened today with the result that those honourable members who enjoy the sound of their own voices will have the satisfaction of knowing that they did not come to this session in vain. But, Sir, I do not think that the reception that has been given to this token grant will encourage Government in future cases of doubt to bring matters before this House, in fact I suspect that our watchdogs will be somewhat less watchful and will not encourage us to bring doubtful matters before this House. Nevertheless, I should like to explain here and now that there is no attempt on Government's part whatsoever to work a ramp as against the Government of India. Of course, I cannot help being amused at the anxiety of this House to maintain on this occasion the authority of the Secretary of State and of the Government of India, when I know that many of my honourable friends opposite are looking forward to the day, now probably a very few months ahead, when provincial autonomy will be established and when I know perfectly well that every one of them is strongly in favour of that form of Government——

Rao Bahadur R R. KALE: Work the constitution as it is.

The Honourable Mr. W. F. HUDSON: I cannot help being amused at this meticulous anxiety to preserve the authority of the Secretary of State and I have no doubt that it will be very gratifying to him to know that he has such stalwart champions in this House——

Rao Bahadur R R. KALE: I mean to say——

The Honourable Mr. W. F. HUDSON. I am not going to give way, Sir. What I am trying to persuade the House to take it from me is that there was no intention on the part of this Government to evade the rules, nor do we consider that we have evaded the rules. It

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is perfectly true that there has been prepared a scheme for 84 lakhs, and I understand that my honourable friend Khan Bahadur Allahbakh would like us to go ahead with that scheme straightway. I do not know whether the House desires us to do that. The honourable member wants a whole line of bunds to be created and I have no doubt that he is correct, that is to say, that he is not prepared to take any risks Had we got plenty of money, we should certainly have taken the scheme of 84 lakhs to the Government of India for sanction, but in view of the financial circumstances we thought that we should have the House with us in this matter and we decided to take some risk. Everybody does that in life, everybody takes some risk, and it is only a question just how much you will take, and our expert advisers have told us that on the whole they are prepared to take the risk of a scheme which involves the expenditure of 39 lakhs. For that purpose we do not in my opinion require the sanction of the Government of India. But I would remind the House that carefully watching the Barrage Administration day by day is an officer of the Government of India, an expert audit officer, who is in no way subordinate to us and whose business it is to pull us up if anything goes wrong I understand that that officer has already agreed to this project being part of the Barrage scheme, and I think, therefore, that there is no reason whatever why this House should fear that it is exceeding its powers. My honourable friend Rao Bahadur Kale said that this is a legal question It does not appear to me to be a legal question at all; it is an audit question pure and simple, and if, as I say, the audit officer of the Government of India does not think that any mistake is being made, surely we may very well accept his opinion. One reason why I personally object to putting the scheme before the Government of India at this moment is that it means inevitable delay. I have not the smallest doubt whatever that the Government of India and the Secretary of State would sanction this scheme, in fact they must, on the report of our expert advisers, a report which is founded on the result of our experience of the last few years These floods come down Very few of the honourable members here have seen them, but I can assure them that these floods do come down, and when they do come down, they do cause irreparable havoc not only to those lands which my honourable friends say are not going to be cultivated but, what is perhaps even more important, to our canals This is just the point I want to put to the House. We have spent a lot of money on these canals. Are we prepared to run a very grave risk of their being spoiled and of our having to spend vast sums on repairs? We are expecting a considerably increased area to come under cultivation. I admit, of course, that we cannot say definitely that there will be so many thousand acres, but that is true of all projects, all estimates are approximate, but there is no doubt whatever and you may take this from me that there is no doubt whatever that there is going to be a very considerable and rapid increase of cultivation. Are we going to leave the zamindars to the mercy of these floods? I understand that my honourable friend Khan Bahadur Khuhro is quite prepared, from the security of his lands, to leave them to

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that risk. I do not know whether the separation of Dadu from the Larkana district has made him somewhat careless of the well being of the Johi zamindars.....

An Honourable MEMBER. He stays at Shahdadkot.

The Honourable Mr. W. F. HUDSON: I do not think myself he will be very popular in that area if the people there hear what he has said today. The honourable member Khan Bahadur Khuhro may be prepared to take that risk, but Government are not prepared to take that risk. We do not think it is fair to sell lands to zamindars and then at the same time leave them to what we consider a very serious risk of having their lands ruined. That is the policy which, the House should know, we have always followed. When, unfortunately, two years ago we found that our bund system was not as good or as watertight as we hoped it was, we decided with the consent of this Council to make it as watertight as we could. The same thing applies to this area which is being dealt with by these bunds, and I do hope that the House will overlook any little irregularity if it can be called an irregularity I can assure honourable members that it has not been our intention to be disrespectful to the House. This scheme took a long time to prepare and as a matter of fact it is very fortunate that this session has come on or else I should have had to put up this demand much later—probably my honourable colleague Sir Ghulam Hussain would have had to put up this demand in the next session; he would doubtless have put it up much better than I have been able to do today. At the same time I do assure this House that there was no intention of disregarding their views in the matter, but this is a serious matter for some people, it is a matter of life and death, and even if any honourable member honestly believes that there is going to be no extension of cultivation in this area in the course of the next year or two—although I am quite sure he is wrong in that—nevertheless I would ask the House to remember that they have a very valuable property in these canals and it is up to us to do everything possible to prevent serious damage to them.

Sir, I move.

Question put, and agreed to.

ADJOURNMENT MOTION.

Rao Bahadur R. R KALE Sir, before we rise, I wish to bring to your notice that I have handed over to you a motion which no doubt will have to be disposed of tomorrow because it is a motion for adjournment and it relates to some matters which appear in the report of the Retrenchment Committee. The report was placed in our hands, as you, Sir, are aware, only yesterday and so I could not go through it and make up my mind I was not therefore able to hand over my motion to you this morning, but I did so later and therefore in the ordinary course of things it will come before you tomorrow morning. I do hope, therefore, that the Council will not be prorogued today but that we shall sit tomorrow,

[Rao Bahadur R. R. Kale]

and if the necessary permission is granted, it will be placed before the House tomorrow and then it will go through its usual routine.

The Honourable the PRESIDENT: The honourable member has admitted that, according to the Standing Orders and the Rules, the motion that he has placed in my hands ought to have been placed in my hands before I entered this hall this morning He placed it in my hands during the tea interval just before the Council sat again So, the procedure has not been complied with. That is one thing.

The second point is that I may inform the honourable member that I brought the question to the notice of the Honourable the Leader of the House, so that if Government were anxious or if they wanted to get the opinion, of the representatives of the country in this House, on the report of the Retrenchment Committee, placed in their hands yesterday, they (the Government) might take advantage of this session and request His Excellency to allow the Council to go on tomorrow. But I was informed in reply that that was not possible. Again, before the reply could be had from the Honourable the Leader of the House, I had the commission of His Excellency in my hands directing me to prorogue the Council It is therefore beyond my powers, when I have the commission of His Excellency in my hands to prorogue the Council today, to do anything else.

Rao Bahadur R. R. KALE: Sir, this is a matter that was not known either to us or to the other side until yesterday and even His Excellency the Governor, I take it, has not been informed of our desire. If it is so, and if His Excellency was not in possession of this desire of ours to have a discussion, it is evident that His Excellency thought that the business of this Council would in the ordinary course of things come to an end this evening and naturally he must have sent the message to which you, Sir, have referred, directing you to prorogue the Council. My point is that His Excellency might be informed of the change in the circumstances, and the difficulty might be met by appealing to His Excellency and getting His Excellency to reconsider the matter of the prorogation of the session today.

The Honourable Sir GOVINDRAO PRADHAN: His Excellency did not allot any day for private work.

Rao Bahadur R. R. KALE. That is another question. We are not claiming any day for private business at all. My motion is not to consider the report of the Retrenchment Committee, but it is a motion for the adjournment of the House to consider a particular point, namely, the note which is appended to the report by three members of the Retrenchment Committee, giving an opinion that the Educational Department, which was excluded from the cuts, should not be excluded but should be included in the cuts. That is the particular portion in the report which I want to take exception to, as I am afraid that Government do not yet know the opinion of this side of the House on the matter.

The Honourable the PRESIDENT. Order, order. I am concerned only with the motion which has been placed in my hands The honourable member must understand that until the Honourable the Leader of the House and Members representing Government here come to his help, I as President cannot help him at all, in the face of the prorogation order that I have in my hands. The legal question, whether an adjournment motion is part of private business, or it should be moved on any day when Government business is going on, is another point. When it is reached, it would be my business to decide it. If the Honourable the Leader of the House is not amenable to the request of the honourable member for Satara, I cannot help him

Rao Bahadur R. R. KALE: I am not the member for Satara, but I am the member for the University.

The Honourable the PRESIDENT: Sorry.

Rao Bahadur R. R. KALE: As I am the member for the University and because the question relates to education, I wanted an opportunity to discuss it.

The Honourable the PRESIDENT The honourable member's request cannot be brought within the four corners of the Standing Orders. I must now proceed with the next step.

PROROGATION OF THE COUNCIL.

The Honourable the PRESIDENT. I have now to intimate to the House that I have received a Commission from His Excellency directing me to announce that he is pleased to order that the present session of the Legislative Council should be prorogued. Accordingly, by virtue of this Commission of His Excellency, I declare the Council prorogued until the date of which due notice shall be given This Council is now prorogued.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

APPENDIX 1.

BILL No. XLV OF 1931.

A Bill to provide for a succession duty in the Presidency of Bombay.

(As published in the "Bombay Government Gazette" of the 7th November 1931.)

WHEREAS it is expedient to provide for a succession duty in the Presidency of Bombay, And Whereas the previous sanction of the Governor General required by sub-section (*3*) of section 80A of the Government of India Act and the previous sanction of the Governor required by section 80C of the said Act have been obtained for the passing of this Act; It is hereby enacted as follows :— 5 & 6 Geo V, c 61.

1 *Short title.*—This Act may be called the Bombay Succession Duty Act, 1931.

2. *Extent.*—This Act extends to the whole of the Presidency of Bombay.

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

(*a*) "Collector" includes any person appointed by the Governor in Council to exercise the powers and to perform the duties of a Collector under this Act;

(*b*) "Commissioner" includes any person appointed by the Governor in Council to exercise the powers and to perform the duties of a Commissioner under this Act;

(*c*) "District Judge"—

(*i*) in any place other than the City of Bombay includes a Joint Judge and an Assistant Judge exercising the full appellate powers of a District Judge, and

(*ii*) in the City of Bombay means the Chief Judge of the Court of Small Causes, Bombay,

(*d*) "prescribed" means prescribed by rules made under this Act, and

(*e*) "property" means immoveable property within the Presidency of Bombay, moveable property within or without the Presidency of Bombay, any interest in or income arising from such property as aforesaid (including a Hindu widow's interest under the Hindu Law), and an annuity.

4 *Succession duty.*—(*1*) Where a person residing within the Presidency of Bombay becomes entitled under a will or by inheritance or succession or survivorship to any property in the Presidency of Bombay or to any moveable property without the Presidency of Bombay exceeding

[Appendix 1—*contd.*]

two thousand rupees in value, a duty called succession duty shall be leviable from such person on such property at the rate specified in Schedule I:

Provided that

(*a*) where the person from whom the duty is leviable is a wife or husband of the deceased or a lineal ancestor or descendant of the deceased, or a wife or husband of such ancestor or descendant, the duty shall be leviable at one-tenth of such rate;

(*b*) where the person from whom the duty is leviable is a brother or sister of the deceased or a descendant of such brother or sister or a wife or husband of such brother or sister or a descendant of such brother or sister the duty shall be leviable at one-half of such rate,

(*c*) where the property on which the duty is leviable is agricultural land, the duty shall be leviable at one-fourth of the rate which would otherwise have been payable;

Cf. The Finance Act, 1914 (4 & 5 Geo. V, c. 10, s. 15).

(*d*) where succession duty has been paid on land or a business (not being a business carried on by a company registered under the Indian Companies Act, 1913) or on any interest in or income from such land or business, and subsequently within five years of the first death succession duty again becomes payable on such land or business or interest or income, the amount of succession duty payable on the second death shall be reduced as follows — VII of 1913

where the second death occurs within one year of the first death, by fifty per cent,

where the second death occurs after the expiry of one year but within two years of the first death, by forty per cent.,

where the second death occurs after the expiry of two years but within three years of the first death, by thirty per cent,

where the second death occurs after the expiry of three years but within four years of the first death, by twenty per cent.,

and

where the second death occurs after the expiry of four years but within five years of the first death, by ten per cent., and

(*e*) succession duty shall not be leviable on any property given upon trust or other legal obligation wholly for a religious or charitable purpose, and, in the case of property so given in part only for such a purpose, shall be leviable only on the part of the property not so given;

Explanation.—In this clause, "charitable purpose", includes relief of the poor, education, medical relief, and the advancement of any object of general public utility.

(*f*) if by reason of the birth of a son within a joint Hindu family the interests of any members thereof in the joint family property have been diminished after the passing of this Act, the said members shall not become liable for the payment of succession duty in

[Appendix I—*contd.*]

consequence of any increase that may accrue to their interests in the said property by reason of the death of the same son within eighteen years of his birth and before the said members have separated from the family.

(2) If any property in the Presidency of Bombay has been transferred by sale or gift after the commencement of this Act and within six months of the death of the transferor, and the Collector is of opinion that such transfer was not a *bona fide* transfer for good and sufficient monetary consideration but was made in order to avoid the payment of succession duty, the said duty shall be leviable as if such transfer had not taken place and shall be payable by the transferee of such property at the rate specified in schedule I, if the value exceeds two thousand rupees.

5. *Duty to be paid on the person becoming entitled in possession, but in the case of outstanding interests on the determination thereof.*—The succession duty payable on property devolving under a will or by inheritance or succession or survivorship shall be paid at the time when the person entitled thereto by such devolution becomes entitled in possession provided that, if there be any prior charge or interest upon or in the property not created by such person himself by reason whereof he is not at once entitled to the full enjoyment or value thereof, the succession duty in respect of the increased value accruing upon the determination of such prior charge or interest, if not previously paid or compounded or commuted, shall be paid at the time of the aforesaid determination. Cl. 16 & 17 Vict., c. 51, s. 20

6. *Payment of succession duty by joint tenants.*—Where after the commencement of this Act any persons become jointly entitled as joint tenants or coparceners to any property chargeable with succession duty, they shall pay the duty in proportion to their respective interests therein. Cl. 15 & 17 Vict., c. 51, s. 3

7. *Non-residence.*—(*1*) Subject to the provisions of section 4, where any person residing without the Presidency of Bombay becomes entitled under a will or by inheritance or succession or survivorship to property within the Presidency of Bombay, such property shall be liable to succession duty.

(*2*) Where any person ordinarily residing or carrying on business or personally working for gain in any place within the Presidency of Bombay becomes so entitled to any moveable property situated without the Presidency of Bombay which if situated in the Presidency of Bombay would be chargeable with succession duty, and if the Collector is satisfied that the said property was acquired in the Presidency of Bombay and was removed to a place outside the said Presidency for the purpose of evading the payment of the duty, succession duty shall be leviable from such person as if the property were situated within the Presidency of Bombay.

8. *Disposition of property made for evading duty.*—(*1*) Where any disposition of property purports to be a transfer of the property *inter vivos* but does not in fact transfer the beneficial ownership of the property owing to the operation of an engagement or arrangement or secret trust, Cl. 16 & 17 Vict., c. 51, s. 8.

[Appendix 1—*contd*]

capable of being enforced in a court of law, by which the property shall in fact devolve upon a certain person only upon the occurrence of a death or at some period ascertainable only by reference to a death, then such person shall be deemed to become entitled to the property as if under a will or by inheritance or succession or survivorship, as the case may be, and not by a transfer *inter vivos*

(*2*) In any case falling under sub-section (*1*) of this section or under sub-section (*2*) of section 4 it shall be lawful for the Collector to pass such order as he may think just with reference to the time at which and the extent to which the property in question shall be deemed to have devolved.

(*3*) Any person affected by an order passed under sub-section (*2*) may appeal against such order to the District Judge at any time within thirty days from the date thereof:

Provided that the District Judge may take into consideration an appeal presented after the said period of thirty days if he is satisfied that the appellant had sufficient cause for not presenting it within the said period and that any subsequent delay has not been unreasonable

Cf 16 & 17 Vict, c 51, s 14

9 *One duty only on transmitted property*—Where the interest of any person in any property passes by reason of his death to any other person or persons before he becomes entitled thereto in possession, then one duty only shall be leviable in respect of such interest, and shall be due from the person who first becomes entitled thereto in possession but such duty shall be leviable at the highest rate at which it would have been payable by any one of the persons mentioned in this section if every one of them had been liable to pay it

Illustration—*A* is entitled to a reversion on the death of *B*, and *C* is entitled to a reversion in the same property on the death of *A*. If *A* dies before *B*, no duty is payable on *A's* death If *B* is himself a reversioner not yet entitled in possession at the time of *A's* death, duty will be paid by *B* or *C* (according to which first becomes entitled in possession) on the death of *B's* predecessor.

Ibid s 15

10 *Duty if property alienated*—If any property becomes vested in any person after the commencement of this Act by any title other than one derived from a will or by inheritance or succession or survivorship before another person entitled thereto under a will or by inheritance or succession or survivorship becomes entitled in possession, then the succession duty payable in respect thereof shall be paid at the same rate and at the same time as it would have been payable if such other person had become entitled thereto in possession

Illustration.—If *A* is entitled to a reversion on the death of *B* and sells that reversion in the life-time of *B*, the purchaser is liable to pay the succession duty on the death of *B* which otherwise *A* would have had to pay.

[Appendix 1—*contd*].

11. *Exemption of interest surrendered or extinguished.*—No person shall be charged with succession duty under this Act in respect of any interest surrendered by him or extinguished. Cl. 16 & 17 Vict., c. 51, s. 18.

12. *Return of duty paid by mistake.*—If a person by whom succession duty is payable has obtained a part only of the property liable to the payment of duty at the time when the duty becomes payable, he shall be required to pay duty only on the value of the property from time to time obtained by him; and whenever duty has been paid and it is afterwards proved to the satisfaction of the Collector that the duty or a part thereof was paid by mistake, or that the person paying the duty has been unable to obtain the property in question or has been evicted therefrom or deprived thereof by superior title, or that for other good cause the duty or a part thereof ought to be refunded, then the Collector shall refund the said duty or part thereof to the person entitled to receive it. *Ibid* s. 37.

13. *Allowance in respect of relinquished property.*—When the taking of any property chargeable with succession duty involves the relinquishment or deprivation of any other property, the Collector shall compute the assessable value of such other property and shall make such allowance in respect thereof as may be just. *Ibid* s. 38.

14. *Power of Collector to compound succession duty.*—When the Collector is of opinion that the value of any property chargeable with succession duty cannot be ascertained with reasonable accuracy, or that for other good reason it is desirable that the duty payable thereon should be compounded, it shall be lawful for him to compound the duty upon such terms as he may think fit and to give a discharge to the person liable upon payment of the duty according to such composition; and it shall further be lawful for him in any special case to enlarge the time for payment of the duty. *Ibid* s. 39.

15. *Duty to be a first charge on property.*—Succession duty shall be a first charge on the property chargeable therewith and a debt due to Government from the person entitled to such property, and shall have priority over all charges and interests created by him upon or in such property; but it shall not charge or affect any other property. *Ibid* s. 42.

16. *Trustees, etc., personally accountable for succession duty.*—(*1*) Besides the person becoming entitled to any property chargeable with succession duty under this Act, the following persons shall be personally accountable to Government for the duty payable in respect of such property, but to the extent only of the property actually received or disposed of by them after the commencement of this Act; that is to say, every executor, administrator, trustee, guardian, committee, or member of a Hindu joint family in whom such property or the management of such property is vested, and every person in whom such property has already vested by alienation or other derivative title at the time of the property becoming an interest in possession. *Ibid* s. 44.

(*2*) All such persons shall be authorised to compound or pay in advance or commute any duty and to retain out of the property the

[Appendix 1—*contd*]

amount of the duty so compounded or paid in advance or commuted or to raise such amount and the expenses incidental thereto at interest on the security of the property, with power to give effectual discharges therefor to the transferee (if any), and such security shall have priority over any charge or incumbrance created by the person entitled to such property

(*3*) In the event of non-payment of the duty every person hereby made accountable shall be a debtor to Government in the amount unpaid in proportion to his accountability.

17. *Person becoming liable to succession duty to report*—(*1*) Every person who claims or receives or takes possession of property liable to succession duty or is accountable for such duty shall report the fact within three months of such property becoming so liable to the Collector of the district in which the said property or any part thereof is situated, or, if such property is moveable property situated in any place outside the Presidency of Bombay, then to the Collector of the district in which he ordinarily resides or carries on business or personally works for gain.

(*2*) The report shall be in the form contained in Schedule II and shall be verified in the manner prescribed in that form

Cf s 23 of XI of 1922.

18. *Determination of a sum payable as succession duty*—(*1*) If the Collector is satisfied that a report made under section 17 is correct and complete, he shall determine the sum payable as succession duty and the person liable therefor on the basis of the report.

(*2*) If the Collector has reason to believe that a report made under section 17 is incorrect or incomplete, he shall serve on the person who made the report a notice requiring him, on a date to be therein specified, either to attend at his office or to furnish evidence in support of his report.

(*3*) On the day specified in the notice issued under sub-section (*2*) or as soon afterwards as may be, the Collector shall hear the evidence and by an order in writing determine the sum payable as succession duty and the person by whom it shall be paid

(*4*) If any person fails to comply with all the terms of a notice issued under sub-section (*2*), the Collector shall determine to the best of his judgment the sum payable and the person by whom it shall be paid

(*5*) Notwithstanding anything herein contained, if the Collector is of opinion that difficult questions of law are involved in the determination of any particular case, he may refer the case for determination to the District Judge instead of determining it himself and thereupon the provisions of section 23 shall apply.

Cf s 27 *ibid*

19 *Re-determination of sum payable on cause shown*—If within one month from the service of a notice of demand issued as hereinafter provided, a person satisfies the Collector that he did not receive a notice issued under sub-section (2) of section 18 or that he was prevented by sufficient cause from complying with the terms of the notice, the Collector shall re-determine the question in accordance with the provisions of section 18.

[Appendix 1—*contd.*]

20. *Penalty for omission to report, etc.*—If the Collector is satisfied that a person liable to pay succession duty has omitted to report or has wilfully undervalued the property on which succession duty is payable, he may order that such person shall pay by way of penalty a sum not exceeding the amount of succession duty payable by him: Cf. s. 28 of XI of 1922.

Provided that no such order shall be made unless such person has been heard or has been given a reasonable opportunity of being heard.

21. *Notice of demand.*—(*1*) When the Collector has determined the sum payable by a person as succession duty under section 18 or section 19, or when an order has been passed under section 20 for the payment by a person of a penalty, the Collector shall serve on such person a notice of demand in the form prescribed in Schedule III, specifying the sum payable. Cf. s. 29 *ibid.*

(*2*) Notwithstanding anything contained in sub-section (1), if there is a dispute as to the succession and the parties to the dispute satisfy the Collector that they have submitted or intend forthwith to submit the dispute to the decision of a civil court the Collector shall have power to permit the payment of the sum determined by him (together with interest thereon at six per cent. from the date of the said determination) to await the decision of the civil court.

22. *Appeal.*—(*1*) Any person objecting to the sum determined under section 18 or denying his liability to pay succession duty or objecting to a refusal of the Collector to re-determine the sum payable under section 19 or to any order made against him under section 20 may apply in that behalf to the District Judge of the district in which the property liable to succession duty or any part thereof is situated, or, if such property is moveable property situated outside the Presidency of Bombay then to the District Judge of the district in which such person ordinarily resides or carries on business or personally works for gain: Cf. s. 30 *ibid.*

Provided that no application shall lie in respect of a determination made under sub-section (4) of section 18 or under that sub-section read with section 19.

(*2*) The application shall ordinarily be presented within a period of thirty days from the date of receipt of the notice of demand relating to the determination or penalty objected to or from the date of the refusal to re-determine the sum payable under section 19, as the case may be; but the District Judge may admit an application after the expiration of the said period if he is satisfied that the applicant had sufficient cause for not presenting it within that period and that any subsequent delay has not been unreasonable.

23. *Hearing of application.*—(*1*) The District Judge shall fix a day and place for the hearing of the application and issue notice to the Collector to that effect and may from time to time adjourn the hearing. Cf. s. 31 *ibid.*

(*2*) Before disposing of any application the District Judge may make such further inquiry as he thinks fit or may cause further inquiry to be made by the Collector.

[Appendix 1—*contd*]

(*3*) In disposing of an application the District Judge, in the case of a determination of a sum payable as succession duty, may—

(*a*) confirm or annul the determination or reduce the sum determined as payable, or

(*b*) set aside the determination and direct the Collector to make a fresh determination after such inquiry as the Collector thinks fit or the District Judge may direct,

or, in the case of an order under section 20, may confirm, cancel or vary such order, or, in the case of a determination of the person liable to pay succession duty, may confirm or vary such order of determination.

(*4*) If the District Judge confirms the determination of the Collector, he shall direct that interest on the sum determined by the Collector be paid by the applicant at the rate of six per cent from the date given for payment in the notice of demand.

24. *Decision of Collector or District Judge final*.—(*1*) Except as provided in sections 22 and 23 the decision of the Collector shall be final and conclusive as regards the determination of the sum payable as succession duty or of the person by whom it shall be paid.

(*2*) Any decision given by the District Judge under section 23 shall be final and conclusive.

(*3*) The sum so finally determined as payable by any person shall be the sum payable as succession duty by such person.

Cf. s 34 of XI of 1922

25 *Procedure where sum payable escapes determination*.—If there has been no determination of the sum payable as succession duty in respect of any property or part thereof by any person liable to pay such duty owing to inadvertence or mistake or to the failure of such person to make a report under section 17, the Collector, at any time within two years from the date on which such person became *prima facie* liable to pay duty, may serve on him a notice requiring him to make a report of the nature described in section 17 within such period (not being less than thirty days) as may be prescribed in the notice, and shall then proceed to determine or re-determine the sum payable and the person by whom it shall be paid; and the provisions of this Act shall, as far as may be, apply accordingly

Cf. s 40 *ibid*

26 *Minors, lunatics and idiots*.—If the person liable to pay succession duty is a minor or a lunatic or an idiot, the duty shall be levied upon and recoverable from his guardian in like manner as it would be leviable upon and recoverable from such minor or lunatic or idiot if he were of full age or sound mind; and all the provisions of this Act shall apply accordingly.

27 *Saving of double payments*.—(*1*) No person shall be liable to pay succession duty on any property in respect of which he has paid in the Presidency of Bombay a fee at the rate shown in column 3 of Article 11 of Schedule I to the Court-fees Act, 1870, as amended by the Court-fees (Bombay Amendment) Act, 1931, for a probate of a will or letters of administration; nor shall he be liable to pay such fee in respect of

VII of 1870 Bom. I of 1931.

[Appendix 1—*contd*.]

any property on which he has paid succession duty, except in so far as such fee is payable in the High Court.

(2) If any person has paid succession duty on account of any property and is afterwards required to pay court-fee in the High Court of Bombay for the probate of a will or letters of administration in respect of the same property, the Collector, on application made by him in this behalf, shall refund to him the succession duty paid by him or an amount equal to the amount of court-fee paid by him, whichever is the less.

28. *Succession duty when payable*.—Any sum specified as payable in a notice of demand under section 21 or an order under section 23 shall be paid within the time and at the place and to the person mentioned in the notice or order, or, if no time is mentioned, then on or before the first day of the second month following the date of the service of such notice or order; and any person served with such notice or order who fails so to pay shall be deemed to be in default provided that, when an application has been made to the District Judge under section 22, the Collector shall treat the applicant as not being in default so long as the application is undecided Cl. s. 45 of XI of 1922

29. *Mode of recovery*.—(1) When any person is in default the Collector may in his discretion direct that in addition to the sum in default, interest at a rate not exceeding twenty-four per cent. from the date of the default shall be recovered from him by way of penalty. Cl. s. 46 *ibid.*

(2) The Collector may recover from any person any sum payable under section 28 or sub-section (1) either as an arrear of land revenue or through a civil court

30. *Powers of Collector and District Judge*.—(1) For the purposes of this Act the Collector and the District Judge shall have and may exercise the following powers, that is to say:—

V of 1908. (i) such powers as are vested in a court under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters, namely,—

(a) enforcing the attendance of any person and examining him on oath or affirmation;

(b) compelling the production of documents;

(c) issuing commissions for the examination of witnesses,

(ii) to require any person to furnish a return giving details of the property to which he has become entitled after the commencement of this Act, with such other information relating to such property as the Collector or the District Judge may require;

(iii) to inspect any books of accounts or other documents in the possession of any person and to take copies thereof or extracts therefrom; and

(iv) to require any person whom he has reason to believe to be a trustee or guardian to furnish a return of the names of the persons for or of whom he is trustee or guardian and of their addresses.

[Appendix I—*contd.*]

(2) The District Judge shall also have power to direct by whom the whole or any part of the costs of any inquiry into an application under section 22 shall be paid. Such costs shall be recoverable as if they had been awarded in a suit under the Code of Civil Procedure, 1908. V of 1908

Cf s 61 of XI of 1922

31 *Appearance by authorised representative*—Any person entitled or required to attend before the Collector or District Judge in connection with any proceedings under this Act may attend in person or by a duly qualified legal practitioner or by a person holding a power of attorney in this behalf.

Cf 16 & 17 Vict, c 51, s 52

32. *Protection to bona fide purchasers*—Every receipt purporting to be in discharge of the whole duty payable for the time being in respect of any property or part thereof shall exonerate from any liability to pay duty on that property or part thereof a *bona fide* purchaser for valuable consideration and without notice, notwithstanding any suppression or misstatement in the account upon the footing whereof the duty may have been assessed, or any insufficiency of such assessment, and no *bona fide* purchaser of property for valuable consideration under a title not appearing to transfer property chargeable with succession duty shall be subject to any duty with which such property may in fact be chargeable under the provisions of this Act by reason of extrinsic circumstances if at the time of his purchase he did not have notice of the said circumstances

Cf s. 62 of XI of 1922

33 *Receipts to be given*—A receipt shall be given for any money paid or recovered under this Act

Cf s 63 of XI of 1922

34 *Service of notices*—A notice or requisition under this Act may be served on the person therein named either by post or as if it were a summons issued by a court under the Code of Civil Procedure, 1908. V of 1908

Cf 16 & 17 Vict, c 51, s 53

35. *Court in suits for administration of property to provide for payment of succession duty*—When any suit is pending in any court for the administration of property chargeable with duty under this Act, the court shall provide for the payment of succession duty to the Collector out of any property which may be in the possession or under the control of the court

Cf s 67 of XI of 1922

36. *Bar of suits in civil courts*—No suit shall be brought in any civil court to set aside or modify any determination or re-determination of a sum made payable under this Act or any order imposing a penalty, and no prosecution or suit or other proceeding shall lie against any Government officer for anything in good faith done or intended to be done under this Act.

Cf s. 59 of XI of 1922

37. *Power to make rules*—(1) The Governor in Council may make rules consistent with this Act for the purpose of carrying into effect the provisions of this Act; and such rules may be made for the whole of the Presidency of Bombay or for such part thereof as may be specified

[Appendix I—*contd.*]

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may—

(*a*) prescribe the nature of interests in property in respect of which succession duty is to be paid,

(*b*) prescribe the method of valuing property and interests therein for succession duty;

(*c*) regulate the composition, commutation, and refund of succession duty;

(*d*) provide for the delegation of all or any of the Collector's powers and duties under this Act, and

(*e*) provide for any other matter relating to the assessment, collection, and recovery of succession duty for which no provision is made in this Act and for which in the opinion of the Governor in Council provision is necessary

(*3*) Such rules shall be published in the *Bombay Government Gazette*

(*4*) Such rules shall be laid on the table of the Bombay Legislative Council for one month before the next session thereof and shall be liable to be rescinded or modified by a vote of the said Council If any rule is modified the Governor in Council may either accept the modification and reissue the rules accordingly or rescind the rule.

SCHEDULE I.

[*See section* 4 (1).]

Rates of Succession Duty.

When the aggregate amount or value of the property, income or interest in respect of which succession duty is payable exceeds two thousand rupees, on the part of the amount or value in excess of two thousand rupees, up to ten thousand rupees	.. Two per centum.
When such amount or value exceeds ten thousand rupees, on the part of the amount or value in excess of ten thousand rupees, up to fifty thousand rupees	. Three per centum.
When such amount or value exceeds fifty thousand rupees on the part of the amount or value in excess of fifty thousand rupees, up to one lakh of rupees	.. Four per centum.
When such amount or value exceeds one lakh of rupees, on the part of the amount or value in excess of one lakh of rupees	.. Five per centum.

[Appendix 1—*contd*]

SCHEDULE II.

[*See section* 17]

FORM OF REPORT TO BE MADE TO THE COLLECTOR

To .

The Collector of . . . . . , .

I. . . . . A B . . . . residing at . . . . . in . . . . . .hereby make this report as required by section 17 of the Bombay Succession Duty Act, 193 , that I $\frac{\text{*claim to be entitled to}}{\text{have received}}$ / $\frac{}{\text{have taken possession of}}$ the $\frac{\text{*moveable}}{\text{immoveable}}$ property described below.

2. The property is situated at . . within the . . . . . and $\frac{\text{*is in the possession of}}{\text{has come into my possession}}$ . . residing at. . . . . from the . . . . . day of 193

3. The total amount or value of the abovementioned property is approximately Rs . . . . . $\frac{\text{moveable Rs.}}{\text{immoveable Rs.}}$

†4. Out of the property mentioned above, I have paid court-fee of Rs . . for $\frac{\text{a probate of the will of . . .}}{\text{letters of administration}}$ in respect of the following —

(Here describe the property in question)

†5 I hereto attach a certificate from the Court of . in proof of the payment of the abovementioned court-fee

(Sd.) A B

I hereby solemnly affirm that what is stated in paragraphs of the above report is true to the best of my information and that the statement in paragraphs. . . thereof is true to the best of my knowledge and belief

Solemnly affirmed at . . this . . . . day of. . . . . .

(Sd.) A. B.

‡(Description of the property)

---

*Portions which are unnecessary should be struck off.

†Omit paragraphs 4 and 5 where unnecessary.

‡Moveable and immoveable property should be separately described in full so as to admit of identification of the same (1) in the case of moveable property by stating its amount or value, and (2) in the case of immoveable property by reference to its survey numbers, area, boundaries and assessment where possible.

[Appendix 1—*contd.*]

SCHEDULE III.

[*See section* 21 (1).]

FORM OF NOTICE OF DEMAND.

To

A. B. residing at .....

Take notice that I ..... hereby demand from ..... the sum of Rs ..... due from ..... as succession duty determined as payable under section 18/19* and *Rs ..... by way of penalty under section 20, in respect of (Here describe the property in respect of which the succession duty or penalty is demanded).

2 If you have any objection to urge against the sum determined is payable by you under section 18 or if you deny your liability to pay the succession duty or have any objection to urge against the refusal of the Collector to re-determine the sum payable under section 19 or to any order made against you under section 20, you may apply to the District Judge of ..... within 30 days from the date of receipt of this notice

3 If however no such application is made within the period aforesaid or the sum demanded is not paid within ..... at the office of ..... you will be liable to pay in addition to the above sum of Rs ..... interest on the same at the rate of ..... per cent from the date of default by way of penalty and the whole amount will be liable to be recovered from you either as an arrear of land revenue or through the civil court.

Date.

(Sd.) .....

Collector.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to provide for a succession duty on certain classes of property devolving by inheritance or succession or survivorship or under a will The property chargeable includes all immoveable property within the Presidency, all moveable property within or without the Presidency, any interest or income arising from such property, and annuities The Bill affects all classes, including the Hindu joint family, but provides for certain exemptions or concessions to close relatives or in the case of agricultural land or trust property, and the first two thousand rupees of the value of the property are exempted from the duty. When court-fee for probate or letters of administration has been paid, the property will be *pro tanto* exempt from duty. *Similarly*

* Portions which are unnecessary should be struck off.

[Appendix 1—*concld.*]

court-fee will not be payable if succession duty has been paid Details as regards the method of collection and the determination of the sum to be paid (together with the procedure for appeals) are provided for in the Bill or are left to be supplemented by rules which will be subject to the approval of the Legislative Council

(Signed) G B PRADHAN.

APPENDIX 2.

Statement of demand for a supplementary grant.

RESERVED No 1. The Honourable Mr W F HUDSON

Construction of works in connection with the Flood Protective Bund Scheme in Sind

When the Lloyd Barrage and Canals Project was submitted to the Government of India in 1920, a project was also prepared to protect a very large area of land commanded by the Right Bank Canals system, which in the absence of the Protective Bund Scheme would be flooded by hill torrents from the Khirtar Range of hills from the west and the north of the area and from the overflow of the Manchar Lake The scheme consisted of —

(*a*) the Manchar Drain and Regulator Scheme, and

(*b*) the Flood Protective Bund Scheme.

While submitting the Lloyd Barrage and Canals Project to the Secretary of State, the Government of India, while admitting that both schemes (*a*) and (*b*) above would be necessary to safeguard the Right Bank Canals area against floods before the development of cultivation that was expected could be secured provided for only scheme (*a*) in the estimates for the Lloyd Barrage and Canals Project as they considered it to be immediately necessary. The Government of India stated at the same time that scheme (*b*) required further consideration and that they anticipated that it would be effected later on as a separate project

As a result of further investigations, it has been found that the Manchar Drainage Scheme and the Flood Protective Bund Scheme are interdependent, as one scheme is useless without the other Further, if the Flood Protective Bund Scheme is not carried out, no appreciable development can occur in an area measuring over 1,000 square miles commanded by the Right Bank Canals The Right Bank area is exposed to risks from floods which are disastrous in the absence of the Flood Protective Bund. The floods in the past have not caused very great losses because the country affected by them is not at present so heavily settled as it is hoped that it will be in a few years when settled irrigation is provided. But similar floods coming in the future might be not only distressing,

[Appendix 2—*contd*]

as they were in the past, but really disastrous owing to the damage and loss which they could cause in the absence of the Flood Protective Bund.

A project for the Flood Protective Bund Scheme has therefore been prepared and it amounts to Rs 84 83 lakhs including direct and indirect charges Of this amount, Rs. 70·42 lakhs is the cost of I-Works only. The project comprises chiefly the following items·

(*i*) the construction of a continuous Flood Protective Bund, 156 miles long, commencing from the Manchar Lake and running along the western irrigation boundary of the Right Bank Canals area. The right banks of the Johi and the Khirtar branches will form a common bank with this bund in its length from miles 10 to 39, and 122 to 156 respectively

(*ii*) the widening of the main Nara valley drain.

(*iii*) the diversion of the Gaj Nai

The hill torrents affecting the command of the North-Western Canal will strike this Bund at various points in its length, from mile 156 to 101 and will then pass into a low natural depression north of Mirzokhan (mile 69 of the Flood Protective Bund). The hill torrents affecting the command of the Rice Canal and the Dadu Canal systems will strike the Flood Protective Bund at different points in its length from mile 69 to 0 and they will be diverted to the Manchar Lake outside the bund

In view, however, of the present financial stringency, the full scheme has become impracticable to finance and accordingly the essential items detailed below have been selected for immediate completion as they are absolutely necessary in the interests of the main project, viz., the Lloyd Barrage and Canals Project. These are·—

Description of works	Approximate cost for I-Works (In lakhs of Rs)
(*a*) The completion of the Flood Protective Bund from the Manchar Containing Bank to the point where it leaves the Johi Branch (mile 40 of the bund) . .	12·00
(*b*) A continuation of the bund from the latter point up to the Western Nara Bank along the right bank of the Johi branch	0·50
(*c*) The strengthening and maintenance of the right bank of the Western Nara from this point up to mile 72 of the Western Nara (head of Mahashar Wah)	
(*d*) The widening of the main drain from the point where it cuts the Western Nara Bank (mile 45 5 of the drain down to the Manchar) ..	13 00

[Appendix 2—*contd.*]

Description of works	Approximate cost for I-Works. (In lakhs of Rs.)
(*e*) The strengthening of the Nawab Gaibi Khan's Bund which is to be used for the complete Flood Protective Bund Scheme eventually (i.e mile 89 6 to mile 96 6)	
(*f*) The construction of the Flood Protective Bund from mile 96 9 to 155 8	8·11
(*g*) The construction of the sluice at mile 100·8 where the Behram Hathion Valley Drain will pass through the Flood Protective Bund .	
(*h*) The diversion of the Gaj Nai	5·50
Total ..	39 11 lakhs.

If the works (*a*) to (*h*) mentioned above are not carried out, the probable loss in cultivation and revenue will, on a conservative basis, be as shown below —

Year.	Probable loss of cultivation in Acres	Probable loss of revenue in Rs.
1932-33 ..	50,000	2,25,000
1933-34 .	66,000	2,97,000
1934-35	91,000	4,09,500
1935-36	107,000	4,81,500
1936-37	118,000	5,31,000
1937-38	129,000	5,80,000
1938-39 ..	137,000	6,16,500
1939-40 .. .	145,000	6,52,500
1940-41 . .	150,000	6,75,000
1941-42 . .	155,000	6,97,500

In addition to this loss, much damage would be caused to the canals already constructed and this would be to the extent of some Rs 70 lakhs. The Johi Branch *ex* the Dadu Canal cannot work without the Flood Protective Bund Scheme and as about 40 per cent of the discharge of the Dadu Canal will be utilised by the Johi Branch, it means that the construction of the whole of the Dadu Canal system might well have been omitted in the absence of this scheme.

The construction of the remaining length of the Flood Protective Bund, i e., from miles 40 to 89 6 as also the construction of the main drain from miles 45½ to its head will be postponed for the present The losses that will be caused by the floods in this area will not be unimportant but it is necessary to take the risk for this minor area in view of the prevailing financial stringency.

Government are convinced of the necessity of the construction of the Flood Protective Bund Scheme in the interests of the Lloyd Barrage

[Appendix 2—*concld*]

and Canals Construction works, as the scheme is directly concerned with the cultivation of the area commanded by the Right Bank Canals The Flood Protective Bund Scheme has therefore been combined with the Lloyd Barrage and Canals Scheme and has been treated as a part of the latter scheme. As such, the Flood Protective Bund Scheme is a legitimate charge on the Lloyd Barrage and Canals Project under the head "Protective and Drainage Works". The extra expenditure of Rs 39·11 lakhs will not, it is anticipated, lead to any excess over the figure of Rs. 20·03 crores sanctioned for the Lloyd Barrage and Canals Construction Scheme

The amount required for expenditure in the current financial year is Rs 6·11 lakhs and it will be met from the current year's voted grant for I-Works for the Lloyd Barrage and Canals Construction Project. As, however, the work has not been specifically provided for in the sanctioned project, the sanction of the Legislative Council is requested to the demand for a grant of a token sum of Rs 10

Demand voted and now increased.

55-Construction of Irrigation Works—Reserved—Lloyd Barrage and Canals Construction.

Rs. 2,65,31,010 + Rs. 10.

FINANCE DEPARTMENT.

Bombay Castle, 28th November 1931.

MO Hb 144—2

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AGENDA.

Agenda for the First Session of the Bombay Legislative Council commencing at the Council Hall, Bombay, on Wednesday, the 17th February 1932.

I. OATH OR AFFIRMATION OF ALLEGIANCE TO THE CROWN

II NOMINATION OF FOUR CHAIRMEN BY THE PRESIDENT

III. QUESTIONS AND ANSWERS.

IV INTRODUCTION OF BUDGET FOR THE YEAR 1932-33

V. GENERAL DISCUSSION OF THE BUDGET.

VI DEMANDS FOR GRANTS AND MOTIONS TO REDUCE OR OMIT BUDGET GRANTS.

VII. DEMANDS FOR SUPPLEMENTARY GRANTS.

VIII. GOVERNMENT BILLS—

(1) Bill No IX of 1931 (A Bill further to amend the Indian Stamp Act, 1899, in its application to the Presidency of Bombay)—*First Reading.*

(2) Bill No. I of 1932 (A Bill to provide for the levy of a duty on consumption of electrical energy in the Presidency of Bombay and to amend the Court-fees Act, 1870, and the Indian Stamp Act, 1899, in their application to the said Presidency)—*First Reading.*

Notice of amendments has been received from Mr. G. S. Gangoli, M.L.C.

(3) Bill No II of 1932 (A Bill to extend certain provisions relating to intestate and testamentary succession of the Indian Succession Act, 1925, in its application to the Presidency of Bombay, to certain communities)—*First Reading.*

Notices of amendments have been received from—

(*i*) Mr. G. S Gangoli, M L C
(*ii*) Rao Bahadur B. R. Naik, M L C.

IX. GOVERNMENT MOTION—

By the Honourable Mr. W. F. Hudson, C.I.E., I.C.S.

"That this House proceed to elect a representative to serve on each of the Local Advisory Committees for the various railways for one year from 2nd March 1932, the appointments of the members at present sitting on the respective Committees expiring on 1st March 1932

Bombay, Baroda and Central India Railway—From 2nd March 1932 to 14th February 1933 on the present Advisory Committee and from 15th February 1933 to 1st March 1933 on the new Advisory Committee

Great Indian Peninsula Railway—From 2nd March 1932 to 31st May 1932 on the present Advisory Committee and from 1st June 1932 to 1st March 1933 on the new Advisory Committee

Madras and Southern Mahratta Railway—From 2nd March 1932 to 31st March 1932 on the present Advisory Committee and from 1st April 1932 to 1st March 1933 on the new Advisory Committee

North Western Railway—From 2nd March 1932 to 1st March 1933 "

X. STATUTORY MOTION—

Under Standing Order VIII-A of the Standing Orders of the Bombay Legislative Council, notice has been received of the following amendment to the amendment to rule 30 of the Bombay Co-operative Societies Rules, 1927, published in Government Notification in the Revenue Department, No. 3818/24, dated the 8th January 1932, which is laid on the Council table :—

From Mr. V. N. Jog, M.L.C.

" This Council resolves that the rule made by Government that the figure '$\frac{6}{8}$' shall be substituted for the figure '$\frac{1}{2}$' in the second line of rule 30 of the Bombay Co-operative Societies Rules, 1927, published in Government Notification in the Revenue Department, No. 5979/24, dated the 11th August 1927, shall be rescinded and the original rule 30 be retained."

XI NON-OFFICIAL BILLS—

(1) Bill No XII of 1931 (A Bill further to amend the Bombay Municipal Boroughs Act, 1925)—*First Reading*—Rao Bahadur D. R. Patil, M L C.

(2) Bill No XXIV of 1931 [A Bill further to amend (section 39 (*1*) of) the City of Bombay Municipal Act, 1888]—*First Reading*—Rao Bahadur S K Bole, M L C

(3) Bill No. XXV of 1931 [A Bill further to amend (Schedule B of) the City of Bombay Municipal Act, 1888]—*First Reading*—Rao Bahadur S K. Bole, M L C

(4) Bill No. XXVII of 1931 (A Bill further to amend the Bombay Municipal Boroughs Act, 1925)—*First Reading*—Mr L R Gokhale, M.L C

(5) Bill No. XXVIII of 1931 (A Bill further to amend the Bombay City Municipalities Act, 1925)—*First Reading*—Mr. J. G. More, M.L.C.

(6) Bill No XXXVII of 1931 (A Bill further to amend the Bombay Hereditary Offices Act, 1874)—*First Reading*—Mr. H R. Desai, M.L C.

(7) Bill No XXXVIII of 1931 (A Bill to regulate the keeping of accounts of certain transactions)—*First Reading*—Mr. Syed Munawar, M L.C.

(8) Bill No XXXIX of 1931 (A Bill further to amend the Provincial Small Causes Courts Act, 1887, in its application to the Presidency of Bombay)—*First Reading*—Mr L. R. Gokhale, M L C.

(9) Bill No. XL of 1931 (A Bill further to amend the Bombay Land Revenue Code, 1879)—*First Reading*—Rao Bahadur D. R Patil, M L C.

(10) Bill No XLI of 1931 (A Bill further to amend the Sind Incumbered Estates Act, 1896)—*First Reading*—Khan Bahadur M A Khuhro, M L C.

(11) Bill No. XLII of 1931 (A Bill further to amend the Bombay Public Conveyances Act, 1920)—*First Reading*—Mr. A K Resaldar, M L.C

(12) Bill No. XLIII of 1931 (A Bill further to amend the Bombay Primary Education Act, 1923)—*First Reading*—Mr R R. Bakhale, M L C

(13) Bill No. XLIV of 1931 (A Bill to amend the City of Bombay Primary Education Act, 1920)—*First Reading*—Mr R R. Bakhale, M L C.

(14) A Bill further to amend the Deccan Agriculturists' Relief Act, 1879—Motion for leave to introduce the Bill—Mr. L R Gokhale, M L.C.

(15) A Bill further to amend (section 16 of) the City of Bombay Municipal Act, 1888—Motion for leave to introduce the Bill—Rao Bahadur S. K. Bole, M L.C.

(16) A Bill further to amend the Bombay University Act, 1928—Motion for leave to introduce the Bill—Rao Bahadur R. R. Kale, M.L C.

(17) A Bill further to amend the Deccan Agriculturists' Relief Act, 1879—Motion for leave to introduce the Bill—Rao Bahadur R. R. Kale, M L C.

(18) A Bill further to amend the Bombay Village Police Act, 1876—Motion for leave to introduce the Bill—Mr. A. N. Surve, M.L.C.

(19) A Bill further to amend the Bombay Prevention of Gambling Act, 1887—Motion for leave to introduce the Bill—Mr. L. R. Gokhale, M.L.C.

(20) A Bill further to amend the Bombay City Municipalities Act, being Bombay Act No. XVIII of 1925—Motion for leave to introduce the Bill—Rao Bahadur D. R. Patil, M.L.C.

(21) A Bill further to amend the Deccan Agriculturists' Relief Act, 1879—Motion for leave to introduce the Bill—Rao Saheb P. D. Kulkarni, M.L.C.

(22) A Bill further to amend the City of Bombay Municipal Act, 1888—Motion for leave to introduce the Bill—Mr. A. N. Surve, M.L.C.

XII. MOTION UNDER STANDING ORDER XII, 6 TO PRESENT AN ADDRESS TO HIS EXCELLENCY THE GOVERNOR—

By Rao Bahadur R. R. Kale, M.L.C.

"That the following humble address be presented to His Excellency the Governor of Bombay :—

May it please Your Excellency,

We, the Members of the Bombay Legislative Council, respectfully pray that in view of the present political situation, Your Excellency will be pleased to convene a Conference of leaders of various parties in the Province in order to find the means of establishing a peaceful and calm atmosphere and secure the co-operation of all parties in facilitating the work of the several Committees set up to help the framing of the New Constitution."

XIII. DISCUSSION* OF MATTERS OF GENERAL PUBLIC INTEREST—

Resolution by Rao Bahadur D. R. Patil, M L C. (adjourned at the meeting held on 5th October 1931).

1 "This Council recommends to His Excellency the Governor in Council that he be pleased to convey to the Secretary of State for India and His Majesty's Government in England through His Excellency the Governor General in Council that it is the emphatic opinion of the Bombay Legislative Council that in the contemplated revision of the Government of India Act by the British Parliament after the deliberations of the Round Table Conference are over, due provision be made for adequate representation of the rural areas on the Local Legislature of the Province of Bombay and that the rural franchise be so lowered and the number of seats for the constituencies be so increased as to carry out the aforesaid objects."

Resolution by Rao Bahadur G K. Chitale, M.L.C.

1 "This Council recommends to the Governor in Council that the civil administration of Aden should not be transferred to the Government of India"

Resolutions by Mr A. N Surve, M L C

1 "This Council recommends to Government to take steps to institute a Government Hospital Lottery or to license a private lottery for the purpose of supplementing the funds required for re-opening the beds in the hospitals which are closed for financial reasons."

2. "This Council recommends to Government that they should not accept any surrender of remuneration by Government servants whose salary allowances, perquisites or wages fall below the limit prescribed for exemption in the Government Resolution on the subject of retrenchment, as they did in the case of certain patels mentioned in the Director of

* Resolutions are arranged according to the order of priority as determined by ballot.

Information's Press Note No. 26, dated the 19th January 1932, who surrendered half of their remuneration."

3. "This Council recommends to Government that they should make provision for the continuance of the work done under the Deputy Director of Agriculture, Konkan, Ratnagiri, in the Budget for the year 1932-33 "

4. "This Council recommends to Government that they should not use as jails or prisons those places which are infested with reptiles or vermin."

5. "This Council recommends to Government that they should take steps to stop the exportation of gold through the ports of this Presidency."

6. "This Council recommends to Government that they should make provision in the budget for the year 1932-33 for the continuance of the temporary post of additional Judge in the High Court of Bombay."

7. "This Council recommends to Government that they should take immediate steps to establish in the city of Bombay a special court for the trial of cases under the Indian Motor Vehicles Act "

Resolution by Mr. Shaikh Abdul Majid, M.L C.

1 "This Council recommends to Government that they be pleased to so amend the Primary Education Rules as to maintain all the rights and privileges in Government service of those Government officers of the Education Department whose services were lent to Local Authorities on the transfer of control and who are acting as Administrative Officers of various School Boards, unless the services of such officers are permanently taken over by the Local Authorities concerned on conditions settled between the said officers and their employers."

Resolutions by Rao Bahadur R R Kale, M.L.C.

1. (As No 1 of Rao Bahadur G. K. Chitale.)

2. "This Council recommends to Government to give immediate effect to the recommendations made by the Committee appointed by them to consider the state of the secondary and primary education in this Presidency "

Resolution by Mr. V A. Surve, M.L.C

1. "This Council recommends to Government that a committee of five Council members with a non-official majority be appointed to enquire into and report about the extent of the damage caused by the recent floods in the Ratnagiri District."

Resolution by Khan Bahadur Ghulam Nabi Shah, M L C.

1. (As No. 1 of Mr. Shaikh Abdul Majid.)

Resolutions by Mr G. M. Kalbhor, M L C

1. "This Council recommends to Government that they should not on any account dispense with the services of any Non-Brahmin Government servant before his superannuation and that they should ask the heads of departments to withdraw the notices which may have been already given to Non-Brahmin Government servants"

2. "This Council recommends to Government that they should provide sufficient funds for making grants to the district local bodies in the Presidency to enable them to undertake immediately the schemes embodied in the Compulsory Primary Education Act for compulsory primary education in their respective districts."

3 "This Council recommends to Government that they should immediately stop recruitment of candidates from the forward communities to services until the ratio of 50 per cent of Non-Brahmin servants is reached in all the departments."

4. "This Council recommends to Government to publish authorised reports of cattle slaughtered every year throughout the Presidency along with the yearly report of the Agricultural Department."

5. "This Council recommends to Government that they should frame a Bill that will at once effectively check the progress of disease-carrying herds into and through the Presidency and compel the herdsmen to get their cattle inoculated with preventive serum"

Resolutions by Rao Bahadur S K. Bole, M.L C

1. "This Council recommends to the Government of Bombay to convey to the Government of India and His Majesty's Government, for such action as they may deem fit, the considered opinion of this Council that, pending the final completion of All-India Federation, full responsible Government should be immediately introduced into the Provinces with necessary changes in the Central Government of British India."

2 "This Council recommends to Government to introduce legislation for the abolition of the *khoti* system in the Ratnagiri and Kolaba districts"

3. "This Council recommends to Government to do away with the cumbersome procedure and the dual system according to which a firm of solicitors and two counsel are required to be engaged by a litigant in the Bombay High Court and to adopt a simpler and cheaper system as is adopted by a litigant in the Madras High Court."

4 "This Council recommends to Government to appoint a committee consisting of officials and non-officials to inquire into the condition of the cottage industries in the Presidency and to suggest measures for their development"

5 "This Council recommends to the Governor in Council (*a*) to instruct the Labour Office to prepare a programme under which such of the recommendations of the Royal Commission on Labour as lie within

the competence of the Bombay Government and the statutory and other bodies within the Bombay Presidency to give effect to, will be carried out within a period of three years; and (*b*) to announce the said programme before the next session of the Council"

Resolution by Rao Saheb V. S. Patil, M.L.C.

1 "This Council recommends to Government that the increased land assessment wherever existing be dropped or, in the alternative, the present land assessment be reduced by half, so long as the present state of world depression continues and till normal conditions reappear."

Resolutions by Rao Bahadur B. R. Naik, M.L.C.

1. "This Council recommends to Government that they should be pleased to grant to the agriculturists at least 20 per cent remissions of land revenue payable in the year 1931-32"

2 (As No. 1 of Rao Bahadur G. K. Chitale)

Resolution by Khan Bahadur D. B. Cooper, M.L.C.

1. (As No. 1 of Rao Bahadur G. K. Chitale)

Resolution by Mr. C. N. Patel, M.L.C.

1. "This Council recommends to Government to appoint either as subordinate judges or in other posts having equally good pay and prospects such servants in the Judicial Department who being B.A., LL.B.'s joined the Judicial Department under the old rules and were given to understand that they would be made subordinate judges in due course."

Resolution by Mr. S. S. Tolani M.L.C.

1. "This Council recommends to Government that the posts of the Joint Chief Engineer in Sind and two of the five Superintending Engineers of the Sind Public Works Department should be abolished and that the headquarters of one of the Superintending Engineers should be at Sukkur."

Resolution by Mr. M. M. Karbhari, M.L.C.

1. (As No. 1 of Rao Bahadur G. K. Chitale)

Resolution by Rao Bahadur D. R. Patil, M.L.C.

1. "This Council recommends to Government to appoint a Committee consisting of official and non-official members of this Council to inquire into the present working of the crop anna valuation system and suggest ways and means of improving the said system."

Resolution by Mr. Haji Mir Mahomed Baloch, M.L.C.

1. (As No. 1 of Mr. Shaikh Abdul Majid)

Resolution by Mr. B. P. Wadke M.L.C.

1. "This Council recommends to Government that they be pleased to introduce at the next session of the Council a Bill to reduce by 25 per cent. the rents charged at present for residential buildings in Bombay and Karachi."

Resolution by Mr. N. E. Navle, M.L.C.

1. "This Council recommends to Government to grant to the agriculturists, where necessary, remissions of land revenue, tagai loans and similar other reliefs on a liberal scale."

Resolution by Mr Ghulam Hyder Shah, M.L.C

1 (As No. 1 of Mr Shaikh Abdul Majid)

Resolutions by Mr J S Kadri, M.L.C

1. "This Council recommends to Government to appoint a committee consisting of officials and non-officials, to enquire into and report on the present condition of Mussalman religious and charitable wakfs in the Northern Division of the Bombay Presidency, to ascertain the drawbacks and difficulties experienced in the practical working and application of the Mussalman Wakf Act in the districts, and to suggest measures for the efficient administration, supervision and control of the wakfs"

2. "This Council recommends to Government that an advisory board, consisting of the four elected members of the Bombay Legislative Council representing Muhammadan Urban and Rural constituencies of the Northern Division, and of 3 additional members co-opted by the said elected members of the Council, be formed to recommend to the heads of various Government departments suitable Mahomedan candidates for appointment in service."

3. "This Council recommends to Government that the duration of training for the First Year's Certificate Examination in the Urdu Training Schools at Ahmedabad and Poona should be of two years."

4. "This Council recommends to Government that the post of the Director of Public Health be abolished and that the duties attached to that post be entrusted to the Surgeon General with the Government of Bombay"

5. "This Council recommends to the Governor in Council that the civil administration of Aden should not be transferred to the Government of India."

6 "This Council recommends to Government that two more elected Muslim members of this Council may be added to the Provincial Franchise Committee of the Bombay Presidency to safeguard the interests of the Mussalmans of the Presidency."

Resolutions by Rao Bahadur R. S. Asavale, M L.C.

1. "This Council recommends to Government to appoint at an early date a committee of official and non-official members of this Council to report at an early date regarding the measures which may be necessary to protect agricultural land and agricultural produce from sale on account of debts which have become onerous and oppressive owing to the fall in the value of such land and such produce"

2. (As No 1 of Rao Bahadur G K. Chitale)

Resolutions by Mr G S Gangoli, M.L C.

1. "This Council recommends to Government—

(*a*) that a remission in land revenue of not less than 50 per cent be granted to the agriculturists of this Presidency;

(*b*) that recovery of suspended land revenue, tagavi loans and of other dues recoverable as arrears of land revenue be postponed for one year;

(*c*) that penalties and other fees be not levied in addition to land revenue for the recovery of the same;

(*d*) that a liberal policy be pursued in the recovery of land revenue dues."

2. "This Council recommends to Government that the recommendations of the Retrenchment Committee of 1931 be brought into effect immediately"

3. "This Council recommends to Government that a committee of not less than 7 members including officials, with a non-official President, be appointed further to explore the avenues of probable retrenchment in the various departments of Government"

Resolution by Syed Miran Mahomed Shah, M.L C.

1 (As No 1 of Mr. Shaikh Abdul Majid)

Resolution by Mr J. B Petit, M L C.

1. (As No 1 of Rao Bahadur G K. Chitale)

Resolutions by Rao Saheb P D. Kulkarni, M.L C.

1 "This Council recommends to Government that in arriving at the Anewari of crops in each taluka the opinion of the village panchayat wherever it exists and at other places of the local panchayat of each village specially elected by the taluka boards should be called for and be taken into consideration."

2. "This Council recommends to Government that the dates fixed for the payments of instalments of land revenue payable in respect of lands assessed for purposes of agriculture only be changed to 1st March for the first instalment and 1st April for the second instalmentin the

case of villages placed under class I and to 1st April and 1st May respectively in the case of II and III class villages"

3 "This Council recommends to Government that the post of Superintending Engineer, Irrigation Development and Research Circle, be abolished, the duties attached to that post being entrusted to the Superintending Engineer, Deccan Irrigation Circle"

XIV. PAPERS* PRESENTED TO THE COUNCIL—

(*i*) The following Election Rules etc are placed on the Council Table in accordance with section 221 of the Bombay Municipal Boroughs Act, 1925:—

(1) Revised Election Rules of the Surat Municipality;

(2) Rule No 37 of the Election Rules of the Surat Municipality.

(*ii*) Government Notification in the Home Department, No. 6130/2-II, dated the 30th October 1931, regarding certain amendments to the Dharwar Borstal School Rules, 1930 (Placed on the Council Table in accordance with section 19 (*3*) of the Bombay Borstal Schools Act, 1929.)

(*iii*) Government Notification in the Home Department, No 8013/2, dated the 1st December 1931, regarding the entertainment of additional police at Parola, district East Khandesh. (Placed on the Council Table in accordance with proviso to sub-section (*2*) of section 25 of Bombay District Police Act, 1890)

(*iv*) Government Notification in the General Department, No. 7679, dated the 11th December 1931, containing Rules for the audit of accounts of the local authorities whose accounts are declared to be subject to audit under the Bombay Local Fund Audit Act, 1930. (Placed on the Council Table in accordance with section 15 (*3*) of Bombay Act No. XXV of 1930.)

(*v*) Government Notification in the Revenue Department, No. 3818-24, dated the 8th January 1932, regarding the amendment of Co-operative Societies Rules (Placed on the Council Table in accordance with section 71 (*5*) of the Bombay Co-operative Societies Act, 1925)

(*vi*) A copy of the agenda and proceedings of the meeting of the Finance Committee held on 1st December 1931.

Bombay, 17th February 1932.

G. S. RAJADHYAKSHA,

Secretary to the Legislative Council
of the Governor of Bombay.

* Kept in Secretary's office.

Wednesday, the 17th February 1932

The Council met at the Council Hall, Bombay, on Wednesday, the 17th February 1932, at 2 p m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt , Bar-at-Law, presiding

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S N.
ASAVALE, Rao Bahadur R S
BAKHALE, Mr. R. R
BANGI, Mr A. K. J.
BELL, Mr R. D.
BOLE, Rao Bahadur S K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr A. GREVILLE
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr J. A.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D 'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr M. D.
GOKHALE, Mr L R.
GOVER RORA, Mr.
HADDOW, Mr R R.
HUDSON, the Honourable Mr. W F.
JITEKAR, Mr HAJI IBRAHIM
JOG, Mr V N.
JONES, Major W ELLIS
KADRI, Mr. J. S
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R
KAMAT, Mr. B S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M
KIRKE-SMITH, Mr. A.

KULKARNI, Rao Saheb P D.
LANE, Mr. C M.
MACKIE, Mr. A. W W.
MATCHESWALLA, Mr. G E
McELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S
MEHTA, Mr M H.
MITCHELL, Mr. H. C B
MODAK, Rev R. S
MONTEATH, Mr J.
MORE, Mr J. G.
NAIK, Rao Bahadur B R
NAVLE, Mr N. E
OWEN, Mr. A C.
PATEL, Khan Bahadur A E
PATIL, Mr N. N
PATIL, Mr V N
PATIL, Rao Saheb V S
PERRY, Mr E. W.
PETIT, Mr J B
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G V.
PRATER, Mr S H
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M
RESALDAR, Mr A K
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr
SHINDE, Mr R B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P G
SPENCER, Mr A. B
SURVE, Mr. A. N.
SURVE, Mr V A
SYED MUNAWAR, Mr
THOMAS, the Honourable Mr G. A.
TOLANI, Mr S. S
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr V. G
VAKIL, Mr PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WADKE, Mr. B. P.
WILES, Mr. G
WINTERBOTHAM, Mr. G. L.

NEW MEMBERS SWORN.

The following members made the prescribed oath or affirmation of allegiance to His Majesty the King-Emperor, and took their seats in the Council :

1. Mr. G L Winterbotham,
2. Mr G Davis, I C S..
3. Mr. C. G Freke, I.C S,
4. Mr J Monteath, I C S,
5. Mr. G. W McElhinny, I C S,
6. Mr. A. B Spencer,
7. Mr. A. Kirke-Smith,
8. Mr. F. O J. Roose,
9. Mr. J. P Brander, I C.S

NOMINATION OF CHAIRMEN OF COUNCIL.

The Honourable the PRESIDENT : I have now to announce the panel of Chairmen for the session. I appoint the honourable members—

1. Sir Shah Nawaz Bhutto,
2. Mr. L. R Gokhale
3. Mr. G L Winterbotham, and
4. Sardar Davar Temuras Kawasji Modi.

GOVERNOR GENERAL'S ASSENT TO ACTS.

The Honourable the PRESIDENT : The following Acts have received the assent of His Excellency the Governor General since the close of the last session .

1. An Act further to amend the Bombay Local Boards Act, 1923
2. An Act further to amend the Bombay District Municipal Act, 1901, the Bombay Local Boards Act, 1923, and the Bombay Municipal Boroughs Act, 1925
3. An Act further to amend the City of Bombay Improvement Trust Transfer Act, 1925
4. An Act further to amend the Bombay Village Sanitation Act, 1889.

DEATH OF WADERO WAHIDBAKSH ILLAHIBAKSH BHUTTO.

The Honourable the PRESIDENT : I have now to refer to a very sad event, and that is the untimely death of one of our young members of this Council—I mean Wadero Wahidbaksh Illahibaksh Bhutto. The House will signify its sympathy by rising in its place

[All the honourable members rose in their places accordingly]

The Honourable the PRESIDENT : Now I propose the programme for the day to be that, as His Excellency arrives here at 25 minutes after 2 and addresses the House at half-past 2, we will proceed with the question list And, after His Excellency's address, the Honourable the

Finance Member will present the budget After his speech, if this question list is not finished just now, we might go on with the rest of it and adjourn the House for the day

STARRED QUESTIONS AND ANSWERS.

ABDUR TAKIO BUND BREACH : RELIEF MEASURES.

*Khan Bahadur ALLAHBAKSH (Sukkur District) (1) Will Government be pleased to state the total amount spent on relief to the people who suffered from the breach of Abdur Takio Bund in the Sukkur District, showing separately (*i*) the amount spent on (*a*) people of the towns, (*b*) people of the mofussil and (*ii*) the total amount spent on (*a*) railway fares, (*b*) cloth to sufferers, (*c*) boats, (*d*) distribution of free seed, (*e*) construction of houses in villages ?

(2) What amount of tagavi was advanced in the affected area ?

(3) What amount was spent on the supply of seed at reduced cost, and what was the reduction in the cost ?

(4) Of the total amount spent on relief of the flood stricken

(*a*) how much was collected from private donations, (*b*) what was the balance of the last year with the Chairman, Relief Committee, (*c*) what was received from the trustees, (*d*) what amount was contributed by Government showing separately (*i*) from the Famine Relief Fund, (*ii*) from the Reserve Fund and (*iii*) balance, if any, with Government ?

(5) What amount was requisitioned by the Collector of Sukkur for relief and what amount was given to him ? If an amount less than requisitioned was given, was it because the demand was in excess or because the Government could not do so owing to financial stringency ?

(6) How much money was needed to give full relief ?

(7) What is the minimum balance prescribed for the famine insurance fund, and what amount is available with Government now ?

(8) What is the rule when Government has the minimum balance in hand and the famine relief work becomes imperative, is the relief to be denied when only the minimum balance is available ?

(9) How much money was spent in Gujarat for giving relief during the calamities caused by the rains in 1927 ?

(10) What was the estimated damage done or loss caused in Gujarat at that time ?

(11) What was the amount of balance in the famine relief fund when relief was given to Gujarat ?

The Honourable Mr. W. F. HUDSON : (1) Rs. 1,38,101-8-9.

(*i*) (*a*) and (*b*) Separate figures are not available.

(*ii*) (*a*) Nil.
(*b*) Rs. 6,227-0-0.
(*c*) Rs. 8,803-8-0.
(*d*) Rs. 7,479-13-0.
(*e*) Rs. 76,111-0-0.

(2) Rs. 1,68,765.

(3) As free seed was distributed in necessitous cases, no seed was supplied at reduced rates.

(4) (*a*) Rs. 16,695-2-4.

(*b*) Rs. 47,500.

(*c*) It is not clear what Trustees the Honourable Member refers to.

(*d*) (*i*) An amount of Rs. 1 lakh was made available to the District Relief Committee, Sukkur, out of the grant of Rs. 2 lakhs sanctioned by Government for gratuitous relief from the Famine Relief Fund. In addition, the Commissioner placed at the disposal of the Committee a sum of Rs 43,842 from the Commissioner's Flood Relief Fund This latter amount included a sum of Rs. 21,406-6-5 received from the Sukkur Famine Relief Fund.

(*ii*) and (*iii*) No further contribution was made by Government beyond that stated in sub-clause (*i*)

(5) and (6) The Collector's preliminary estimate of requirements was roughly Rs. 1,55,500. He had with him an amount of Rs. 46,500 which was comprised of a sum of Rs. 43,210 in the Sukkur Famine Fund and contributions received by him from the public direct. He, therefore, applied to the Commissioner for a sum of Rs. 1,09,000 The latter allotted an amount of Rs. 1 lakh from the grant of Rs 2 lakhs sanctioned by Government and the balance from the Commissioner's Flood Relief Fund. The Collector did not, however, find it necessary to spend the entire amount at his disposal from the Sukkur Famine Fund but only a sum of Rs 21,406. This was because a sum of Rs 7,695 was received by him from the Sind Flood Relief Fund of 1929 and from public contributions in his district.

(7) The minimum balance for the Famine Relief Fund prescribed for this Presidency is Rs. 75 lakhs. The opening balance on 1st April 1931 was Rs. 75,33,199.

(8) When the accumulated balance amounts to Rs 75,00,000 no further annual assignment is to be made. The minimum balance can be utilised for relief of famine.

(9) and (10) The Honourable Member is referred to the report on the floods in Gujarat and Sind in the year 1927 for the necessary information, a copy of which is in the Council Library.

(11) The balance in the Famine Relief Fund on 31st March 1927 was Rs 2,42,26,577.

TEXTILE WORKERS, SHOLAPUR MILLS. DOUBLE KHADA.

*Mr. R. R. BAKHALE: (*a*) Will Government be pleased to state whether they are aware that the system of "double khada", i.e. the system of deducting two days' wages for one day's absence or sending the worker back home on the second day for his first day's absence, exists in Sholapur Mills?

(*b*) If so, since when has it been in existence?

(*c*) Have Government drawn the attention of the Sholapur millowners to the system and suggested to them its discontinuance?

(*d*) If so, what was the response?

(*e*) If the answer to (*c*) is in the negative, what are reasons therefor ?

(*f*) Will Government state whether the system is prevailing still ?

(*g*) If not prevailing, since when was it stopped ?

The Honourable Sir GHULAM HUSSAIN : (*a*) Government are aware that the system of " double-khada " whereby two days' wages are deducted for each day's absence was in existence in the year 1926 in three mills in Sholapur City for which information is available. Two of these mills stated that in the case of operatives in important occupations, such as Jobbers, Tenters, Oilmen, etc., the " double-khada " rule operated only for the first day's absence. Government have no information regarding the existence of the system in Sholapur Mills of sending the worker back home on the second day for his first day's absence.

(*b*), (*f*) and (*g*) Government have no information.

(*c*) and (*e*) No. But Government have expressed themselves in favour of the abolition of the system. In this connection the Honourable Member is referred to page 150 of the Government of Bombay memorandum to the Royal Commission on Indian Labour.

(*d*) Does not arise.

TEXTILE WORKERS, SHOLAPUR MILLS : UNCLAIMED WAGES.

*Mr. R. R. BAKHALE : (*a*) Will Government be pleased to state whether they are aware that there prevailed in the Sholapur Mills a practice of refusing to pay the unclaimed wages of the workers after a certain period ?

(*b*) If so, what was the length of such period in each mill ?

(*c*) Have the Sholapur millowners now made any change in that practice ?

(*d*) If so, what is it and since when was it made ?

The Honourable Sir GHULAM HUSSAIN : (*a*) and (*b*) Government understand that there was a rule to the effect that wages unclaimed for six months would not be paid, but the rule was not always enforced.

(*c*) Yes.

(*d*) It is understood that the owners propose to pay unclaimed wages at any time on proof of identity. It is not known when the rule was brought into operation.

INSCRIPTIONS : PUBLICATION.

*Mr. A. J. BANGI (Southern Division) : (*a*) Will Government be pleased to state the number of inscriptions in the Presidency including Sind connected with the history of Hindus and inscribed in the languages of Hindus and the number of those connected with the history of Mahomedans and inscribed in Persian and Arabic ?

(*b*) What steps, if any, do Government intend to take to publish those of the latter which have not hitherto been published ?

The Honourable Sir GHULAM HUSSAIN : (*a*) and (*b*) The matter is not within the cognizance of the local Government.

EXCISE SUPERINTENDENTS : MAHOMEDANS.

*Mr. A. J. BANGI (Southern Division) : (*a*) Will Government be pleased to state whether any Mahomedan Excise Inspector has been promoted to the post of Superintendent of Excise, since the establishment of the Excise Department in 1878 ?

(*b*) Was there no subordinate who could have been given the post, all these years ?

(*c*) Do Government intend making such an appointment in the near future ?

The Honourable Sir RAFIUDDIN AHMAD : (*a*) The reply is in the negative except for an acting appointment for six months in 1914.

(*b*) Presumably not

(*c*) When a vacancy occurs the claims of officers under reference will be duly considered.

AGRICULTURAL DEPARTMENT : DEMONSTRATIONS.

*Khan Bahadur D. B COOPER (Satara District) With reference to recommendation No. 14 on paragraph 136 of the Report of the Royal Commission on Agriculture in India, at page 166, reading as follows :—

> "The two systems of carrying out demonstrations (with improved implements) on the cultivators' own fields, that under which a plot is hired and the cultivation is carried on throughout by the departmental staff and that under which the land is cultivated by the cultivator himself under departmental supervision, should be adopted in all provinces, and the results compared",

will Government be pleased to state—

(*a*) how far this recommendation is being put into effect by the Agricultural Department of the Bombay Presidency ;

(*b*) at how many centres this work is being carried out ;

(*c*) how many improved implements are being used by the Department for this work ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) The recommendation of the Royal Commission on Agriculture refers to improved methods of farming or to other agricultural improvements like improved varieties of crops. It does not refer to the demonstration of implements except in so far as they may be incidental to management. The method of demonstrating improved implements is to show them at work in the presence of a large audience such as gathers at shows and organized demonstrations. In Sind implement demonstrations with improved implements are carried on by the District propaganda staff.

(*b*) The Honourable Member is referred to the Annual Report of the Department of Agriculture for the year 1929-30 for the necessary information.

(*c*) Exact information so far as the Presidency proper is concerned is not readily available. As regards Sind about one hundred improved agricultural implements, including iron ploughs, drills, clod crushers, ridgers, levellers and Cambridge rollers are being used for this work.

AGRICULTURAL IMPLEMENTS : SPARE PARTS.

*Khan Bahadur D B. COOPER (Satara District) : (*a*) Will Government be pleased to state what action has been taken by the Department of Agriculture regarding the recommendation made by Mr. Jenkins in paragraph 10 of his Note on page 58 of the proceedings and approved by the Bombay Provincial Board of Agriculture at their meeting held in Poona on the 25th and 26th August 1925, regarding the necessity for an enquiry to find out to what extent the extension of improved agricultural implements is being restricted by the lack of, or an inferior service of, spare parts etc. ?

(*b*) If any such enquiry has been made, was the result of the enquiry published by the Department of Agriculture ?

The Honourable Dewan Bahadur S T. KAMBLI : (*a*) and (*b*) No special complaints have reached the Director of Agriculture in recent years about the lack of spare parts of agricultural implements except in the case of expensive machinery like tractors. The local agricultural officers are being asked to make an enquiry as suggested by Mr Jenkins.

AGRICULTURAL ENGINEER . ROTATION AND ECONOMICAL TILLAGE.

*Khan Bahadur D. B. COOPER (Satara District) : (*a*) Will Government be pleased to state what action has been taken on the following recommendation of the Royal Commission on Agriculture in India, page 107, paragraph 104 of their report : " Thus the botanist will often be in a position to make useful suggestions when a system of rotation is being studied and the Agricultural Engineer when it is a question of devising the most efficient and economical way of carrying out a new method of tillage " ?

(*b*) To what extent have the services of the Agricultural Engineer of this province been utilised in giving expert advice on improved tillage and improved economical tillage implements ?

(*c*) Are Government satisfied that the fullest use has been made of the services of the Agricultural Engineer in the matter of advice on improved tillage implements ?

(*d*) If the reply to (*c*) is in the negative, what were the reasons therefor ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) The Agricultural Department is taking suitable action wherever necessary, particularly in the case of sugarcane. In Sind, the previous work has been overhauled and expanded and special attention is being devoted to research on rotations and methods of tillage suited to post-Barrage conditions. It is proposed to prepare leaflets in Sindhi based on the results achieved and to issue them before the advent of the Barrage canal water.

(*b*) The Agricultural Engineer is called upon to advise on improved methods of tillage with tractor ploughs and other tractor implements. His help is also sought in connection with the tractor ploughing experiments conducted by the Department of Agriculture in the Khandesh and Sholapur districts with two different makes of tractors.

He conducts experiments with other implements such as reapers, groundnut raiser, cotton stalk puller, harrows, hoes etc. and advises agriculturists in their use.

(*c*) Yes.

(*d*) Does not arise.

AGRICUTLURAL IMPLEMENTS · CAPACITY OF BULLOCKS.

*Khan Bahadur D. B. COOPER (Satara District): (*a*) Will Government be pleased to state what action has been taken on the following recommendation of the Royal Commission on Agriculture in India, page 110, paragraph 107 of their report:—

"A fundamental problem which has still to be taken up is the relation of the capacity of the cultivator's bullocks to the implements they are required to draw"?

(*b*) If no action has been taken, what are the difficulties standing in the way of the work being taken up by the engineering section of the Department?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) and (*b*) The matter has been well kept in view by the Agricultural Engineer when designing new implements All approved new implements devised by him conform to the test of being within the capacity of one or more pairs of bullocks.

FOREIGN LIQUOR SHOP, ANAND: LAND ACQUISITION.

*Rao Saheb B. G DESAI (Kaira District): (1) Is it a fact that it was not possible for the foreign liquor shop contractor to secure a suitable shop at Anand Town on annual rent on a lease of sufficient duration?

(2) Did the foreign liquor shop contractor at Anand request the Government in April 1930 to secure a portion measuring 45 feet by 45 feet of the land of survey No. 2903 at Anand for building his shop thereon?

(3) In whom does that plot of land vest and how is the same being used at present?

(4) Did Government try to help the said foreign liquor contractor in acquiring that plot of land as required by him?

(5) If so, what were the results thereof?

(6) Will Government be pleased to lay a copy of the correspondence on the subject on the Council table?

The Honourable Sir RAFIUDDIN AHMAD: (1) No.

(2) Yes.

(3) It is an air-space for the public assigned to the Municipality.

(4) No.

(5) Does not arise.

(6) No.

AGRICULTURAL SCHOOLS AND BIAS CLASSES

*Rao Saheb B. G. DESAI (Kaira District): (1) Will Government be pleased to state at what places Agricultural Schools were opened in the past in this Presidency ?

(2) Which of the various Agricultural Schools in the Presidency have been closed ?

(3) Will Government be pleased to state the reasons for closing these schools ?

(4) How many Agricultural Schools were opened in the Northern Division and how many of them have been closed ?

(5) What are the special reasons for closing the Agricultural School at Godhra ?

(6) Is it a fact that primary school teachers were sent to the Godhra Agricultural School for training ?

(7) If so, how many teachers were trained in all in the Agricultural School at Godhra ?

(8) How many agricultural bias classes were opened in the Presidency ?

(9) Are the agricultural bias classes under the control of the Agricultural Department or of the Educational Department ?

(10) Does the Agricultural Department defray the expenditure on account of the maintenance and working of these agricultural bias classes ?

(11) If so, what is the total annual expenditure incurred on this account and to what sub-head under the main head "agriculture" the same is debited ?

(12) How many inspectors are maintained by the Agricultural Department for the supervision and inspection of these bias classes and schools ?

(13) How many posts of inspectors for the inspection of the agricultural schools and bias classes were maintained in the years 1929 and 1930 and how many of them are maintained and filled up at present ?

(14) How many schools or bias classes each of these inspectors have to inspect now and what are their duties in particular ?

(15) Are bias classes examined by those special inspectors or by the District Agricultural Inspectors ?

The Honourable Dewan Bahadur S. T. KAMBLI: (1) to (5) Seven vernacular agricultural schools were opened at the following places:—

Northern Division.

Godhra, Panch Mahals District
Surat, Surat District.
Jambul, Thana District.

Central Division.

Dhulia, West Khandesh District.
Loni, Poona District.

Southern Division

Devihosur, Dharwar District.

Sind.

Mirpurkhas, Thar Parkar District.

The Mirpurkhas school was closed in 1922 The schools at Godhra, Surat and Jambul were closed from the current year and the Loni School will be closed from the next session.

(6) Yes.

(7) Twenty.

(8) Seventy-nine.

(9) In view of the transfer of control of Primary Education to local authorities, the agricultural bias classes (except in the case of the Ahmedabad and Kaira districts) are under the control of the local authorities concerned The agricultural bias classes in the Kaira and Ahmedabad districts continue to be under the control of the Educational Department.

(10) No.

(11) Does not arise

(12) One.

(13) One.

(14) As regards the 79 agricultural bias classes the Inspector of Vernacular Agricultural Schools helps the Educational Authorities in an advisory capacity, while in the case of the remaining three vernacular agricultural schools he has the following duties :—

(1) to inspect the schools and suggest and initiate alterations in curricula and methods;

(2) to arrange for and to supervise the training of teachers for these schools;

(3) to report to the Deputy Directors of Agriculture on the working of the schools in their charge, and to work with them for their improvement; and

(4) to advise the Director of Agriculture on questions regarding vernacular agricultural education.

(15) The School Boards arrange for the examination of agricultural bias classes through their supervisors in collaboration with the Inspector of Vernacular Agricultural Schools The Agricultural Department assists them by lending the services of District Agricultural Overseers to conduct the examinations.

Rao Saheb B. G. DESAI: It appears from the reply to part (5) of the question that one agricultural school is allowed to remain in the Central Division, and one in the Southern Division, while all the three schools in the Northern Division are abolished. May I know from the Honourable Minister the reasons for this?

The Honourable Dewan Bahadur S T. KAMBLI: The Royal Commission on Agriculture in India recommended that agricultural bias classes should be encouraged in primary schools and that these agricultural schools should be abolished; also, Government have adopted the policy of retrenchment. These are the reasons why these agricultural schools have been abolished

Mr. M. H. MEHTA: Is it not necessary that the examiners of these agricultural bias classes should have a knowledge of agriculture?

The Honourable the PRESIDENT: That is asking for an opinion. What is the question ?

Mr M. H. MEHTA: The question is this Is it not necessary that most of the examiners of these classes should have a knowledge of agriculture ?

The Honourable Dewan Bahadur S. T. KAMBLI: This is also asking for an opinion.

Rao Saheb B. G. DESAI It appears from the replies that are given by the Honourable Minister that there are 79 agricultural bias classes, that all of them are under the control of the Educational Department and financed by that department, and also examined by the educational authorities, except the two schools Therefore, it appears that the post of Inspector of Agricultural Schools is superfluous

The Honourable Dewan Bahadur S T. KAMBLI. It is not superfluous It is absolutely necessary

VILLAGE PANCHAYATS: ELECTION BY BALLOT

*Rao Saheb B G. DESAI (Kaira District): (1) Have Government received any complaints concerning the present system of election by show of hands from any village panchayats in the Northern Division stating that it has been found to be rather cumbrous, inconvenient and inefficacious in various cases and has conduced more or less to defeat the object and spirit of genuine election and failed to secure real popular and free election in various cases, and requesting Government to replace it by the system of election by ballot as early as possible ?

(2) Do Government intend to introduce the system of election by ballot for the election of members on the village panchayats as early as possible ?

(3) Was any special committee appointed by Government to make suggestions and recommendations for the amendment of the Village Panchayat Act ?

(4) If so, has the committee submitted its final report, and if so, on what date ?

(5) (*i*) Do Government intend to introduce any bill for the amendment of the Village Panchayat Act during the lifetime of the present Council ;

(*ii*) if not, what are the reasons for postponing the measure for such a long time ?

(6) (*i*) What recommendations have been made by the said committee with regard to the system of election to be adopted in the election of members to the Village Panchayat ;

(*ii*) have the said recommendations been made unanimously by the committee ?

(7) Is there any special objection to putting the recommendation of the said committee with regard to the holding of elections for the village panchayats immediately, pending the introduction of the bill to amend the Village Panchayat Act as a whole at some convenient time hereafter ?

The Honourable Sardar Sir RUSTOM J. VAKIL: (1), (2) and (3) Yes.

(4) Yes, in 1926.

(5) (i) Not in the present Session, but they will do so at the earliest opportunity.

(ii) The matter requires very careful consideration.

(6) The recommendation of the Committee is that provision should be made in the election rules to allow either of the two methods of election (viz., by show of hand and by ballot) to be allowed at the Collector's discretion. This recommendation is unanimous.

(7) The suggestion is being considered.

Rao Saheb B G. DESAI: From the replies of the Honourable Minister it appears that the report of the Committee to suggest amendments in the Village Panchayats Act was submitted in the year 1926. In reply to the question, what are the reasons for postponing the measure for such a long time, the reply is that the matter requires very careful consideration. Five years have already elapsed. May I know how many more years will elapse before that careful consideration is reached by Government?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: As the honourable member may be aware, the Village Panchayats Act is proposed to be amended, and I said in the last Council session at Poona that the new Bill would be introduced next year So, I do not think there is any cause for anxiety on the part of the honourable member as regards any further delay

SCHOOL MISTRESSES: MISSION TRAINING COLLEGES.

*Dr. M. K. DIXIT (Surat District): Will Government be pleased to state—

(*a*) whether it is a fact that the Director of Public Instruction, Poona, has issued orders to local self-governing bodies, e.g., district and taluka local boards, municipalities, etc., not to employ any Indian Christian school mistress who has been educated at the Mission Girls' Training Colleges of Borsad and Godhra without obtaining the permission of the Principals of the two Mission colleges;

(*b*) whether these circulars were issued by the Director of Public Instruction, Poona, at the instance of the missionaries or by the Director of Public Instruction himself;

(*c*) what is the ultimate object sought to be achieved by these circulars?

The Honourable Sir RAFIUDDIN AHMAD. (*a*) No.

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

PUBLIC WORKS DEPARTMENT, SIND: MUSLIMS.

*Khan Bahadur GHULAM NABI SHAH (Thar Parkar District): (i) Will Government be pleased to state the number of Muslims and Non-Muslims, holding the following posts in the Public Works Department in Sind:

(1) Executive Engineers; (2) Assistant Engineers—(*a*) Permanent, (*b*) Temporary, (3) Sub-divisional Officers—(*a*) Permanent, (*b*) Temporary; (4) Overseers—(*a*) Permanent, (*b*) Temporary; (5) Canal Assistants; (6) Abdars, (7) Darogas; (8) Head clerks of (*a*) Chief Engineer in Sind, (*b*) Superintending Engineers, (*c*) Executive Engineers; (9) Accountants (Divisional); (10) other clerical establishment?

(*ii*) Is it a fact that on the amalgamation of the Barrage Canals and the Sind Canals, only permanent hands will be retained in service?

(*iii*) If so, have Government taken any steps to give effect to their policy of giving 50 per cent. of appointments to Muslims?

The Honourable Sir GHULAM HUSSAIN: (*i*) The required information is given in the attached statement.

(*ii*) No.

(*iii*) Does not arise.

Statement showing the number of Muslims and Non-Muslims holding certain posts in Sind Public Works Department

Serial No.	Name of post	Muslims	Non-Muslims	Total	Remarks
1	Executive Engineers (Permanent and Temporary)	1	30	31	
2	Assistant Engineers—				
	(*a*) Permanent	5	60	65	
	(*b*) Temporary	6	45	51	
3	Sub-divisional Officers—				
	(*a*) Permanent	5	72	77	*Sub-divisional charges are held by Assistant Executive Engineers, Assistant Engineers, Supervisors and Overseers Such of the Assistant Engineers and Overseers as are holding Sub-divisional charges are therefore included here as well as in items 2 and 4.
	(*b*) Temporary	5	56	61	
4	Overseers—				
	(*a*) Permanent	4	89	93	
	(*b*) Temporary	44	233	277	
5	Canal Assistants (Temporary)	4	6	10	
6	Abdars (Temporary)	16	51	67	
7	Darogas (Temporary)	86	135	221	
8	Head Clerks (Permanent and Temporary)—				
	(*a*) Chief Engineer in Sind	..	1	1	
	(*b*) Superintending Engineers	..	7	7	
	(*c*) Executive Engineers	3	28	31	
9	Accountants (Divisional) (Permanent and Temporary)	..	40	40	
10	Other clerical establishment (Permanent and temporary)	144	478	622	

Khan Bahadur ALLAHBAKSH: What is the policy of Government? To promote temporary assistant engineers to permanent places, after the amalgamation of the Barrage canals with the Sind canals?

The Honourable Sir GHULAM HUSSAIN: There will be the permanent men, but some temporary engineers also will be made permanent.

Khan Bahadur ALLAHBAKSH: Will all the temporary engineers be made permanent?

The Honourable Sir GHULAM HUSSAIN: Some of them.

Mr. S. S. TOLANI: What will be the percentage?

The Honourable Sir GHULAM HUSSAIN: I cannot say what percentage. It all depends on their qualifications and the reports on their work received from their superior officers.

Mr. S. S. TOLANI: Is it a fact that only eleven persons have been recommended to be brought on the permanent cadre?

The Honourable Sir GHULAM HUSSAIN: I would ask for notice of the question, to enable me to give the exact figures.

FLOODS, RATNAGIRI DISTRICT: RELIEF.

*Mr. L. R. GOKHALE (Poona City): (1) Will Government be pleased to state the exact amount of the Famine Relief Fund which is with the Government of Bombay at present?

(2) Do Government contemplate utilising any part of it towards the relief of those who have suffered by the recent floods in the Ratnagiri District?

The Honourable Mr. W. F. HUDSON: (1) The opening balance on 1st April 1931 was Rs. 75,33,199.

(2) Yes. Government have sanctioned a grant of Rs. 6,000 for gratuitous relief in the Ratnagiri District from the Fund.

Mr. L. R. GOKHALE: Has any amount been actually spent out of this amount of Rs. 6,000?

The Honourable Mr. W. F. HUDSON: I shall want notice of that; but I believe it has all been spent. If not, it will probably be spent in the course of the next month or so.

WATER-SUPPLY, KARMALA.

*Mr. J. G. MORE (Sholapur District): Will Government be pleased to state—

(*a*) whether they are aware of the scarcity of water at Karmala, a taluka place in the district of Sholapur;

(*b*) whether they have any scheme under contemplation for water supply there;

(*c*) whether they have received any proposal for a scheme from the Municipality of Karmala in the matter?

The Honourable Sardar Sir RUSTOM J. VAKIL: (*a*) Yes.

(*b*) and (*c*) A scheme was drawn up in 1917. Owing to fall in prices in 1923, the estimates of the scheme were reviewed and the net cost was reduced to Rs. 1,80,000 approximately. In 1927 the Collector reported that the Municipality was willing to finance the scheme but desired that the estimates should be reviewed again. Accordingly the estimates were again revised in 1927. The revised net and gross cost of the scheme was respectively Rs 1,97,000 and Rs. 2,53,000. The Collector then intimated that it was impossible for the Municipality to contemplate a scheme costing nearly 2 lakhs of rupees and enquired if the cost of the scheme could be further reduced to Rs. 1 lakh The scheme has been recently again revised. The net cost (exclusive of centage charges) now amounts to Rs 1,60,000 The final proposals of the Municipality are awaited.

LIQUOR SHOPS : SHOLAPUR DISTRICT.

*Mr. J. G. MORE (Sholapur District): Will Government be pleased to state—

(*a*) whether they have under consideration a proposal to increase the number of licensed liquor shops in the district of Sholapur,

(*b*) if so, whether it is in consonance with the policy laid down by Government ?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) No.

(*b*) Does not arise.

JAMALPUR TOWN PLANNING SCHEME, AHMEDABAD

*Mr. A. K. RESALDAR (Ahmedabad and Surat Cities): Will Government be pleased to state—

(*a*) whether it is a fact that the arbitrator in the Jamalpur Town Planning Scheme, Ahmedabad No 1, was not in favour of promulgating the scheme;

(*b*) whether he had expressed his view in the following words in his reasons of award, dated 5th July 1923:

> "The absence of even a single building on the existing roads cannot be explained otherwise than the fact that this area is not held much in favour of the Ahmedabad public. Had I been consulted before the local authority declared its intention to prepare this town planning scheme, I should certainly have advised them to leave this scheme, etc.";

(*c*) whether it is a fact that the Ahmedabad Municipality, i e. the Local Authority, had stated in its address to His Excellency the Governor of Bombay in December 1929 that the Jamalpur Town Planning Scheme had not proved attractive to the residential population;

(*d*) whether it is a fact that after a period of six years since the 1st September 1925, on which date the final sanction to the scheme was given, about two dwelling houses only have been constructed in the area covered by the scheme;

(*e*) whether it is a fact that the municipality in its Administration Report of the year 1930-31 has stated in section 9, paragraph 6, that

the Jamalpur Town Planning Scheme has however proved a failure as anticipated ;

(*f*) if replies to (*a*) to (*e*) be in the affirmative, whether they contemplate taking any action in the matter so as to relieve the difficulties and anxieties of the owners of the plots who have to pay high contributions for which they do not get any return ?

The Honourable Sardar Sir RUSTOM J VAKIL : (*a*) No such opinion was received from the Arbitrator when the declaration of intention of the Ahmedabad Municipality under section 9 (2) and the draft scheme under section 14 (2) were published in the *Bombay Government Gazette* and the press. But the Arbitrator appears to have expressed an opinion before the final scheme was sanctioned

(*b*) Yes, in his award dated the 22nd September 1923, and not 5th July 1923 as stated by the Honourable Member.

(*c*) and (*e*) Yes.

(*d*) No. Since 1st September 1925, seventeen houses have been constructed.

(*f*) No.

Mr. A K RESALDAR : The replies to almost all parts of the question are in the affirmative. That being so, will the Honourable Minister be pleased to tell us why Government do not like to remove the difficulties and grievances of the owners of the plots in the town planning scheme ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL. It is very clear from the reply that the first time Government came to know of the opinion of the arbitrator was after the scheme was complete, and it was a matter entirely between the municipality and the owners of the plots to settle the differences if any existed Moreover, it is not at all clear as to what kind of relief the honourable member contemplates. The municipality has already given a concession by agreeing to take the price by instalments, and to charge the very low rate of 4½ per cent. interest. I have already said in reply to part (*f*) that it is not possible for Government now to think of any further relief

URDU TRAINING SCHOOL, AHMEDABAD.

*Mr A K. RESALDAR (Ahmedabad and Surat Cities): Will Government be pleased to give the following information in connection with the 1st year examination of the Urdu Training School, Ahmedabad, held in April 1931 .—

(*i*) the number of students who appeared for the examination ;

(*ii*) the number of students who passed in all subjects ;

(*iii*) the number of students who passed with grace marks ;

(*iv*) the number of students who were allowed to pass as a special case by the Director of Public Instruction ;

(*v*) the number of students who failed in the practical teaching test alone ; and

(*vi*) the names of the examiners in practical teaching and whether all of them knew Urdu ?

The Honourable Sir RAFIUDDIN AHMAD (*i*) to (*v*) The following statement contains the required information :—

(*i*)	(*ii*)	(*iii*)	(*iv*)	(*v*)
21	5	5	2	7

(*vi*) Messrs. K. G. Gidwani and I A. Ahmadi Yes.

URDU TRAINING SCHOOL AND URDU PRACTISING SCHOOL

*Mr. A. K. RESALDAR (Ahmedabad and Surat Cities) : Will Government be pleased to state whether they are aware that the post of the First Assistant of the Urdu Training School and the post of the Head Master of the Urdu Practising School at Ahmedabad have been kept vacant for long ; if so, whether they intend to fill up these posts soon ?

The Honourable Sir RAFIUDDIN AHMAD : Yes, for some time, but they have since been filled up

FLOODS, MALVAN TALUKA : GOVERNMENT INFORMATION.

*Mr. A. N SURVE (Bombay City, North): Will Government kindly state—

(*a*) the date or dates on which floods occurred and caused damage in the Malvan Taluka of the Ratnagiri District,

(*b*) the date on which the first information of it was received from—

(*i*) the District Officer, and

(*ii*) any other source or sources, specifying it or them,

(*c*) if Government received information from any other source before they received the same from the District Officer, have they inquired why they were not apprised of the occurrence by the District Officer ?

The Honourable Mr. W. F. HUDSON : (*a*) 24th and 25th July 1931.

(*b*) On 28th July 1931 the Collector of Ratnagiri reported the general heavy rainfall throughout the Ratnagiri District which caused the floods and he gave further information about the floods in the Malwan Taluka in the weekly season telegram dated 3rd August 1931 Similar information was received by Government from the Honourable Member, Mr. A. N. Surve, on the same date.

(*c*) Does not arise.

LARKANA MUNICIPALITY : ELECTED AND NOMINATED MEMBERS.

*Mr. S. S. TOLANI (Western Sind): (*a*) Will Government be pleased to state whether it is a fact that they have refused to sanction the proposal of the Larkana Municipality to re-constitute its board ?

(*b*) If the answer to (*a*) be in the affirmative, what are the reasons therefor ?

(*c*) What were the recommendations of the Collector of Larkana and the Commissioner in Sind with regard to the elected representation on the Board in accordance with the latest census figures and reduction of nominated members ?

(*d*) Will Government be pleased to place the papers, relating to the subject, on the Council table ?

(*e*) How many times has the Municipality of Larkana protested through their yearly administration reports, resolutions or otherwise against the present number of the nominated members on their Board ?

(*f*) What have been the reasons in each case for disagreeing with the Municipality ?

(*g*) Is it a fact that they have appointed six nominated members on the Larkana Municipal Board from the very start in the year 1918, when the Municipality was for the first time changed into an elected one ?

(*h*) In what other Municipal Boroughs in the whole of the Presidency including Sind is the nominated element the maximum (i.e. one-fifth of the whole strength of the members) like in the Larkana Municipal Borough ?

(*i*) Do Government propose to reduce the nominated element and fix the number of elected members according to the latest census figures ?

The Honourable Sirdar Sir RUSTOM J. VAKIL: (*a*) Yes.

(*b*) Pending the final publication of the census figures of 1931, it was considered not desirable to disturb the present constitution.

(*c*) Government are not prepared to disclose the recommendations of their officers.

(*d*) They place on the Council table copies of the Municipal President's letter of 19th May 1931 and of Government memorandum dated 24th June 1931

(*e*) Three times by resolutions passed by the Municipality at their meetings held on 3rd May 1927, 13th January 1928, 12th May 1931 and twice in the administration reports for the years 1927-28 and 1928-29

(*f*) As a safeguard, the local communal situation being somewhat difficult.

(*g*) Yes.

(*h*) Ahmedabad, Broach, Surat, Dhulia, Poona Suburban, Lonavla, Satara City, Sholapur, Pandharpur, Belgaum Bijapur, Dharwar, Hubli, Gadag-Betgeri and Kurla.

(*i*) No, not at present.

No. 126 of 1931-32.

MUNICIPAL OFFICE

Larkana, 19th May 1931.

From—*K B* Haji Ameerali Lahori, President, Larkana Municipality,

To—The Commissioner in Sind, Karachi.

Sir,

I have the honour to forward in triplicate the resolution passed by the Larkana Municipality at their special meeting of the General Board held on 12th May 1931 and request you to move the Government to make, at a very early date, necessary amendments in the Election Rules of the Larkana Municipality under section 10 (*c*) of Act XVIII of 1925, sanctioned by Government in their resolution No. 7030, dated 28th November 1927, as the term of the present Board expires on 31st August 1931 and the general elections will take place on or about the middle of August 1931. If the matter is delayed, the old order will prevail, with the result that the resolutions passed by the Board will remain a nullity till the next general elections are held, i.e., till 1934 and the object of the resolutions will be frustrated.

In all the local bodies, the principle hitherto followed has been to allow representation to the Muhammadan and Non-Muhammadan communities on the population basis.

Following the same principle in the present instance, I have the honour to request that the Government will be pleased to sanction the said amendments as early as possible, so that the amendments may be put into effect in the ensuing general elections.

In 1921, according to the census figures, the population of Non-Muhammadans was 10,726 and the population of Muhammadans was 6,923. On this basis, the number of non-Muhammadan members was 14 and that of Muhammadans was 10, when the total strength of the Board was 30, six being nominated by Government. The Board, in the year 1927 considered this, as not in keeping with the population basis and therefore they passed a resolution on 3rd May 1927, that the number of non-Muhammadan members should, on the population basis, be 15 and that of Muhammadans 9 and moved the Government to adopt that ratio. The Government, on receiving this recommendation, changed the number of non-Muhammadans from 14 into 15, but retained the number of Muhammadans at the original figure 10, thereby increasing the total strength of the Board from 30 to 31—*vide* Government Resolution No. 7030, dated 28th November 1927.

As regards the reduction of nominated element, it may not be out of place to point out that in the Larkana Municipality, the number of nominated members has been six from the very start that is from the year 1918, when the Municipality was, for the first time, changed into an elected one. The present City Municipalities Act admits of the Municipal Board being entirely elected and in other municipalities in Sind as well as in the Presidency, the usual practice has been to fix the nominated element at 1/9th of the total strength of the Board and it is only in this municipality that the Government have been pleased to fix it at 1/5th of the total strength. It is an anomaly. The sooner it is done away with, the better for all concerned. This Board had, on a previous occasion too, in their Resolution No. 1, dated 13th January 1928, recommended that the nominated element should be reduced from 6 to 3 and the Commissioner in Sind had, while forwarding the said resolution, recommended that it should be reduced from 6 to 4, but the Government, in spite of that, retained the same number of 6. The Board has now passed the present resolution that the number should be four instead of six, which should in all fairness meet with the approval of Government.

I have the honour to be,
Sir,
Your most obedient servant,
(Signed).....
for President,
Larkana Municipality.

Larkana, 15th May 1931.

Respectfully submitted through the Collector of Larkana.

No. S. 90 (147) A.

GENERAL DEPARTMENT.

Bombay Castle, 24th June 1931.

SUBJECT—*Election Rules.*—Larkana Municipality.
Amendment of rule 3 of —

Memorandum.

The undersigned presents compliments to the Commissioner in Sind, and with reference to his memorandum No. 11674-G, dated the 15th June 1931, regarding the proposed amendment of rule 3, schedule A of the election rules of the Larkana Municipality, is directed to state that Government agree with him that the existing constitution of the board of the Municipality should not be disturbed pending the final publication of the census figures. The Commissioner is requested to inform the Municipality that their proposal cannot be sanctioned.

By order of the Government of Bombay
(Transferred Departments),

(Sd.) J. B. FERNANDES,

Under Secretary to the Government of Bombay,
General Department.

To

The Commissioner in Sind.

Mr S. S. TOLANI: As regards part (*c*), may I know what objection Government have for disclosing the recommendations of the Collector of Larkana and the Commissioner in Sind to this House?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: There are no concrete proposals made; it was only correspondence, which Government do not think it is desirable in the interest of the public to make public

GAIRAN, NANDGAON TALUKA.

*Rao Saheb R. V VANDEKAR (Nasik District): Will Government be pleased to state the number of villages in the Nandgaon Taluka of the Nasik District which have not got *Gairan* for the village cattle according to the scale of 2 heads of cattle per acre?

The Honourable Mr. W. F. HUDSON: 34 villages.

BORING MACHINES, LOCAL BOARDS.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) whether they intend to give their boring machines to the different District Local Boards who have asked for them for use in their respective districts;

(*b*) whether they consulted the different Local Boards asking them whether the boards required boring machines before they finally disposed of them?

The Honourable Dewan Bahadur S T. KAMBLI: (*a*) and (*b*) The Director of Agriculture has been authorised to sell such of the machines as are not now required by his Department. The machines have been valued, with or without repairs, and their prices fixed. A list of these machines will be furnished by the Agricultural Department to public bodies interested in boring machinery and District Local Boards in due course. It will then be open to the District Local Boards to purchase the machines which they require.

Rao Saheb R V. VANDEKAR Were there any consultations with any of the local boards as regards the disposal of the boring machines?

The Honourable Dewan Bahadur S. T KAMBLI: So far as my memory goes, there were some representations from some of the local boards.

Rao Saheb R V. VANDEKAR. Did Government agree to the suggestions of the local boards?

The Honourable Dewan Bahadur S T KAMBLI: No.

Rao Saheb R. V. VANDEKAR. Why?

The Honourable Dewan Bahadur S T KAMBLI Because it was not found feasible to do so.

CROPS, NASIK DISTRICT: AVERAGE OUTTURN.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) what is the normal outturn per acre of the chief crops of the Nasik District, which are taken into consideration for the purpose of annual crop annewari;

(*b*) the normal outturn for each taluka of the Nasik District?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) and (*b*) A statement giving the information required is laid on the Council table.

Nasik (normal outturn per acre).

Crop.	Nasik.	Sinnar.	Igatpuri.	Dindori.	Niphad.	Chandor.
1	2	3	4	5	6	7
	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.
Rice Clean—Unirrigated ..	1,080	1,080	1,080	1,080	1,080	1,080
Wheat—Irrigated ..	1,320	1,320	1,320	1,320	1,320	1,320
Unirrigated ..	490	490	440	490	550	430
Spelt	1,500	1,500	1,500	1,500	1,500	1,500
Jowari—Kharif	520	520	520	520	520	520
Rabi	1,450	1,450	..	..	1,450	1,450
Bajri—Unirrigated ..	400	400	300	300	350	400
Ragi—Irrigated	1,400	1,400	1,400	1,400	1,400	1,400
Unirrigated ..	..	..	..	..	..	..
Gram—Irrigated ..	..	..	..	..	..	..
Unirrigated ..	370	370	350	350	370	350
Linseed—Dry	360	360	360	360	360	360
Sesame—Dry	400	400	400	400	400	400
Sugarcane—Irrigated ..	7,000	7,000	7,000	7,000	7,000	7,000
Cotton Cleaned—Dry ..	..	..	..	..	..	100
Rape and Mustard—Dry ..	..	..	..	..	..	..
Kodra—Dry	..	..	..	..	..	..
Groundnut—Irrigated ..	2,500	2,500	2,500	2,500	2,500	2,500
Dry ..	..	..	..	..	..	..

Crop.	Yeola.	Nandgaon.	Malegaon.	Baglan.	Kalwan.	Peint.	District average.
1	8	9	10	11	12	13	14
	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.
Rice Clean—Unirrigated ..	1,080	1,080	1,080	1,080	1,080	1,080	1,080
Wheat—Irrigated ..	1,320	1,320	1,320	1,320	1,320	1,320	1,320
Unirrigated ..	490	440	440	440	440	380	460
Spelt	1,500	1,500	1,500	1,500	1,500	1,500	1,500
Jowari—Kharif	520	520	520	520	520	520	520
Rabi	1,450	1,330	1,450	1,330	1,220	..	1,400
Bajri—Unirrigated ..	350	400	400	350	350	..	360
Ragi—Irrigated	1,400	1,400	1,400	1,400	1,400	..	1,400
Unirrigated ..	..	..	..	..	..	..	..
Gram—Irrigated ..	..	..	..	..	..	..	..
Unirrigated ..	370	350	350	350	350	290	350
Linseed—Dry	360	360	360	360	360	..	360
Sesame—Dry	400	400	400	400	400	400	400
Sugarcane—Irrigated ..	7,000	7,000	7,000	7,000	7,000	..	7,000
Cotton Cleaned—Dry ..	100	100	100	100	..	..	100
Rape and Mustard—Dry ..	..	..	..	..	..	..	..
Kodra—Dry	..	..	..	..	..	..	..
Groundnut—Irrigated ..	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Dry ..	..	..	..	..	..	..	..

IRRIGATION SCHEMES, NASIK DISTRICT.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) whether any irrigation survey has been made or any irrigation schemes prepared in connection with any of the rivers Godavari, Kadava, Mosam and Girna in the Nasik District;

(*b*) whether they are aware that scarcity of water and famines are of frequent occurrence in some parts of the Satana, Malegaon, Yeola and Nandgaon talukas;

(*c*) whether they have any schemes in contemplation for the alleviation of this condition?

The Honourable Sir GHULAM HUSSAIN. (*a*) Yes, surveys have been made in connection with the Godavari, Kadwa, Mosam and Girna rivers. A project for a dam across the Godavari at Gangapur for supplementing the supply to the Godavari Canals has also been prepared.

(*b*) and (*c*) Yes.

UNSTARRED QUESTIONS AND ANSWERS.

LLOYD BARRAGE CIRCLE: IDLE MACHINERY.

Mr HAJI MIR MAHOMED BALOCH (Karachi City): Will Government be pleased to state—

(*a*) the cost of all the machinery in the Lloyd Barrage Circle with details or description such as quarry plant, dressing machinery, rolling stock etc lying idle;

(*b*) what price would be realised thereon if sold;

(*c*) whether Government propose to sell them, and, if so, how they are to be sold?

The Honourable Sir GHULAM HUSSAIN: (*a*) A statement showing the cost of all kinds of machinery that is lying idle or is likely to lie idle in the Lloyd Barrage Circle is placed on the Council table.

(*b*) The salvage value of the machinery is estimated at Rs. 61·44 lakhs.

(*c*) Yes. Advertisements have been issued drawing the attention of all public bodies and likely users to the plant and inviting inquiries. It is hoped to sell much of the plant in this way. Plant not thus sold will be eventually disposed of by auction or to machinery dealers.

Statement showing all kinds of machinery that is lying idle or is likely to lie idle in the Lloyd Barrage Circle.

Items	Cost Rs	Items	Cost Rs
Pile Driving Plant	10,95,949	Electric Power Plant ..	14,07,335
Railway Narrow Gauge .	5,33,124	Steel Sheet Piling ..	23,02,373
Railway Broad Gauge	20,43,761	Miscellaneous Plant .	4,17,571
Pumping Plant ..	2,35,019	Fleet ..	55,73,054
Air Compressors and Tools ..	48,760	Cranes ..	5,75,616
Diving Gear .	15,528	Block Moulds ..	1,00,154
Workshop Plant ..	1,72,484	Mortar Mills ..	2,19,635
Water Supply Plant ..	1,48,836	Quarry Plant ..	4,57,130
Stone Crushers and Concrete mixers.	1,41,835	Stone Dressing Plant ..	2,98,580
		Block Yard Plant ..	1,62,012

LLOYD BARRAGE AND CANALS CONSTRUCTION: ROHRI CANAL AND Mr. S. C. MOULD

Mr. HAJI MIR MAHOMED BALOCH (Karachi City): With reference to the reply to my question, printed at pages 89-91 of Volume XXXI of the Official Report of the Bombay Legislative Council Debates, will Government be pleased to state—

(1) why discharge for discharge, the mileage of channels on a perennial canal should be at least five times that on a non-perennial canal, when water in both cases is delivered through the same process, i e main canals, branches, distributaries, minors and field channels;

(2) why Mr. Mould was given a promotion from Rs. 1,475 to Rs. 2,487 when there were so many senior to him in the Department?

The Honourable Sir GHULAM HUSSAIN: (1) The reason why discharge for discharge the mileage of channels on a perennial canal should be at least five times that on a non-perennial canal is

(*a*) that in Sind the "duty" of crops grown on perennial canals is about five times that of rice.

(*b*) that the intensity, i.e the percentage of the area irrigated to the area irrigable, is generally much higher on a non-perennial canal than it is on a perennial canal.

(2) The increase in pay due to the promotion was much less than that mentioned in the question. He was promoted because he was specially selected, in view of his qualifications and experience on irrigation construction works, for one of the temporary posts of Superintending Engineers on the Lloyd Barrage and Canals Construction project The pay of a Superintending Engineer on this project being Rs. 1,750—100—2,150 *plus* Overseas pay Rs. 177 and special Barrage pay Rs. 160, the total emoluments which Mr Mould drew on his appointment amounted to Rs 2,087

DISTRICT COURT EMPLOYEES, LARKANA: MEDICAL CERTIFICATES

Mr. DHALUMAL LILARAM (Eastern Sind). Will Government be pleased to state—

(1) whether the District Judge, Larkana, has been compelling his non-gazetted Hindu subordinates to produce medical certificates of the Civil Surgeon,

(2) whether the note to Article 674, Bombay Civil Service Rules Manual, provides that certificates from registered medical practitioners should be accepted except for very special reasons;

(3) whether such certificates when received are returned to the applicants for counter-signature by the Civil Surgeon or a new certificate from the Civil Surgeon is asked for?

The Honourable Mr. G. A. THOMAS: (1) No. He asks for the Civil Surgeon's certificate in doubtful cases only.

(2) A copy of the Manual is in the Council Library.

(3) Only five applicants out of 17 who produced such certificates were asked to produce certificates from the Civil Surgeon.

DISTRICT COURT, LARKANA: PROMOTION OF MR NASIRDIN

Mr. DHALUMAL LILARAM (Eastern Sind): (*a*) Was Mr. Nasirdin promoted to the grade of Rs 85—5/2—100 by the present District Judge, Larkana, inspite of his being Sindhi knowing?

(*b*) Has any report been made to Government by the former District Judges from 1924 and onwards not to promote these Sindhi knowing clerks to higher grades?

(*c*) Has Mr. Nasirdin been working as Nazir and Sheristedar for the last 21 years?

(*d*) (1) Was he at any time during his whole service transferred to District Court and (2) if not what were the reasons therefor? (3) Are there any such examples from among the English knowing clerks?

(*e*) Has the District Judge, Larkana, disqualified other Sindhi knowing clerks from promotion to the higher grade?

(*f*) Were any representations of protest made on the promotion of Mr. Nasirdin and whether any remarks were made on such representations?

(*g*) What are the qualifications of Mr. Nasirdin?

The Honourable Mr. G A. THOMAS (*a*) Yes. He knows some English.

(*b*) Yes, once in 1924

(*c*) No.

(*d*) (1) No.

(2) The matter is within the discretion of the District Judge

(3) No.

(*e*) Yes

(*f*) No.

(*g*) He has passed the Third Grade Public Service and Departmental Examinations.

DISTRICT JUDGE, LARKANA. RETIREMENT OF CLERKS.

Mr DHALUMAL LILARAM (Eastern Sind): (*a*) Is the present District Judge, Larkana, compelling clerks to retire from service?

(*b*) Have any men actually retired?

(*c*) Is it in accordance with the policy of Government?

(*d*) How many retired (1) during the tenure of the present District Judge, and (2) how many within five years before him?

(*e*) Is it a fact that he has been transferring seniors to work on less important posts without any fault having been committed by such seniors?

The Honourable Mr. G A. THOMAS. (*a*) No.

(*b*) Yes.

(*c*) Yes.

(*d*) (1) Three.

(2) Two.

(*e*) No.

REGISTRATION DEPARTMENT PAY.

Dr. M. K. DIXIT (Surat District): Will Government be pleased to state—

(*a*) whether their attention has been drawn to a leaflet attached to the "Bombay Registration Quarterly" for October 1931 regarding the injustice done to the Registration Department in 1921;

(*b*) if so, whether the facts stated therein are correct;

(*c*) whether it is a fact that the starting pay and future prospects of Sub-Registrars in the Bombay Presidency are lower than those obtaining in all other provinces of India,

(*d*) whether the nature of work of Sub-Registrars under the Registration Act is nearly the same in all the provinces of India;

(*e*) if the reply to (*b*) to (*d*) is in the affirmative, why there is such a wide difference between the rates of pay in Bombay Presidency and all other provinces?—*and*

SUB-REGISTRARS REVISION OF PAY

Dr. M K DIXIT (Surat District): Will Government be pleased to state—

(*a*) whether increase on pre-war rates of pay in consequence of the economic conditions of the Great War was given to the subordinates in all the departments of Government in 1921 or thereabout,

(*b*) whether the percentage of increase ordered to be given on pre-war pay was given on purely economic grounds due to the war,

(*c*) if the reply to (*b*) is in the affirmative, whether the same economic conditions applied to the members of the Registration Department,

(*d*) if the reply to (*c*) is in the affirmative, whether it is a fact that an increase of 25 per cent. only instead of that of 75 per cent admissible under the general orders of Government in Finance Department 438 of 1920 was given to the pre-war starting pay of Sub-Registrars;

(*e*) if so, the special grounds for giving a differential treatment to the Registration Department;

(*f*) whether the head of the Registration Department had proposed a revision or drafted proposals for a revision in pay on departmental grounds before Government issued orders for a general revision, and if so, what were his proposals;

(*g*) whether any other department had been given such a low increase on pre-war pay in spite of the general orders in Finance Department 438;

(*h*) whether it is a fact that many Sub-Registrars had to wait and are still waiting at the maximum of the third and fourth grades for a number of years for want of vacancies in upper grades and whether Government were obliged to grant those waiting at Rs. 80 a personal pay after three years,

(*i*) whether the limit of three years has now been raised to five years;

(*j*) whether executive officers in any other department are required to halt at Rs 80 for more than a year ;

(*k*) if not, why the Sub-Registrars are made to halt at Rs 80 and denied regular increments as in other departments ?—*and*

SUB-REGISTRARS . POSTS IN UPPER GRADES.

DR M K DIXIT (Surat District) Will Government be pleased to state—

(*a*) whether the percentage of the number of posts in the first two grades of Sub-Registrars is lower than that in the corresponding pre-war grades and whether in consequence of this percentage many Sub-Registrars have been denied regular increments above Rs. 80 and Rs 120 for a number of years and some have already retired on the same pay ,

(*b*) whether the pre-war percentage of posts in upper grades was deemed unsatisfactory by the late Sir George Curtis who desired to fix the starting pay at Rs 50 in 1907 ;

(*c*) if the reply to (*b*) is in the affirmative, why the percentage of posts in upper grades was not fixed in 1921 as desired by him ;

(*d*) whether the Sub-Registrars have asked for increasing the number of posts in upper grades failing a wholesale revision to allow them continuous increments up to a certain limit ,

(*e*) if so, whether their request has been granted, and, if not, the reasons therefor ?—*and*

SUB-REGISTRARS' PAY PRINCIPLE APPLIED.

Dr. M K. DIXIT (Surat District) · Will Government be pleased to state whether they have applied the principle of " supply and demand " in fixing the revision of pay of Sub-Registrars, and, if so, whether the same was applied to all other departments including Mamlatdars for whom a special selection was recently created ?

The Honourable Sir RAFIUDDIN AHMAD .—Most of the clauses in these questions have been answered in one form or another in the Legislative Council at various times since 1921 and they are now of no practical interest. Government are also satisfied that the emoluments of Sub-Registrars are adequate at the present time. In these circumstances they regret that no useful purpose will be served by repeating those replies

PRIMARY SCHOOL TEACHERS : DUTY ALLOWANCE.

Dr. M. K. DIXIT (Surat District) : (*a*) Have Government received any memorial from the 3rd year trained teachers of the primary schools of the Surat Local Authority, deploring the discontinuance of the duty allowance ?

(*b*) If so, are Government aware that the teachers who will be retiring on pension within the next three or more years will be hard hit in regard to the amount of their pension ?

(c) If so, will Government state the action they propose to take in the matter ?

The Honourable Sir RAFIUDDIN AHMAD : (a) A representation was received from the teachers but was found to be irregular and immediately returned to them.

(b) and (c) Do not arise

SECOND CLASS SUBORDINATE JUDGE, SURAT RETRENCHMENT.

Dr M. K. DIXIT (Surat District) : Have Government accepted the recommendation of the Retrenchment Committee to reduce the Court of the extra joint 2nd class subordinate judge, Surat, and to dispense with his establishment by the 1st March 1932 ?

The Honourable Mr. G A. THOMAS : No such recommendation was made by the Retrenchment Committee.

B. J. MEDICAL SCHOOL, POONA : HOSTEL.

Mr. L. R GOKHALE (Poona City) : (1) Are Government aware that the students of the Byramjee Jeejibhoy Medical School, living in the hostel of the school and the Superintendent of the hostel have not been pulling on amicably during the last three years ?

(2) Are Government aware that the Hostel Superintendent has given a deaf ear to the various grievances of the students during the same period ?

(3) Are Government aware that there is a great inconvenience caused to the students on account of the accommodation of mess rooms being quite insufficient for two clubs ?

(4) Are Government aware that the hostel mess rooms and cook houses are not provided with store houses ?

(5) Are Government aware that the club buildings built for the Christian and Mahomedan mess have been closed for the last five years, as there are not sufficient Christian and Mahomedan students to run messes ?

(6) Are Government aware that the senior students of the medical Schools have to leave the hostel as the examination approaches owing to the inconveniences in the hostel ?

(7) Are Government aware that a large number of the resident students have submitted their grievances to the Hostel Superintendent, the Superintendent of the School, and the Surgeon General, and that no steps have yet been taken to remove these grievances ?

(8) Are Government aware that the number of the resident students in the hostel has been decreasing for the last two years ?

(9) Are Government aware that the Superintendent has announced the terms of quarters to begin from the 1st of July to the 31st of December and from 1st of January to 30th of June ; and that because new admissions are made from the 15th of November and 15th of June the students who join the hostel are not able to get the use of the hostel for a month and a half ?

(10) Are Government aware that this causes great inconvenience to the students ?

The Honourable Sardar Sir RUSTOM J. VAKIL: (1) Most of the students pull on well with the Hostel Superintendent The grievances of those who do not can only be remedied if more funds are placed by Government at the disposal of the school authorities.

(2) No.

(3) No

(4) Yes, but the old residential quarters which were offered, more than once, for this purpose were refused These quarters, though not ideal, would serve the purpose till the financial situation improves.

(5) The Christian mess has been closed for three years. The Mahomedan mess has never been used But these messes must be kept available for Christians and Mahomedans in case they are required.

(6) No

(7) The attention of the Honourable Member is invited to my reply to his other question on the subject printed at pages 89-90 of Part II of Volume XXXIII of the Legislative Council Debates, 1931.

(8) The number of resident students began to decrease only after November 1930. This is due to the increase in the hostel rent

(9)-(10) The terms have been announced as stated. At the request of the students a change as suggested by them is being tried this year in the winter term. The overlap of 15 days in the summer term is necessary in any case to provide for the registration, etc. of the new students, starting of classes, etc. This amount of inconvenience to new students is, therefore, unavoidable The old students suffer no inconvenience as they are not turned out of their quarters before the end of term.

N. J. HIGH SCHOOL, KARACHI PRIMARY TEACHERS

Mr. GOVER RORA (Karachi City). With reference to their reply given to part (*e*) of the question put by Mr. Shaikh Abdul Majid, M L C, in Council Session of July 1931, regarding primary teachers in the N. J. High School, Karachi (*vide* page 112 of Volume XXXI of the Official Report of the Bombay Legislative Council Debates), will Government be pleased to state the names of the two teachers whose work was not satisfactory ?

The Honourable Sir RAFIUDDIN AHMAD: No, Sir.

HINDU AND MAHOMEDAN VACCINATORS IN GUJARAT REGISTRATION DISTRICT

Mr. J. S. KADRI (Northern Division): Will Government be pleased to state—

(*a*) the total number of Hindu and Mahomedan vaccinators in the Gujarat Registration District,

(*b*) the number of Hindus and Mahomedans who were enlisted as candidate vaccinators in this district during the last two years;

(*c*) the number of Hindu and Mahomedan candidates and vaccinators who left service of their own accord or who were dismissed or discharged from service during the last two years with reasons for the same ?

The Honourable Sardar Sir RUSTOM JEHANGIR VAKIL. (*a*) There are 52 Hindu and 9 Muhammadan Vaccinators including those in Indian States in the Gujarat Registration District.

(*b*) Seven Hindus and 1 Muhammadan were appointed as candidate vaccinators and 9 Hindus and 14 Muhammadans were admitted for training during the last two years ending 31st March 1931

(*c*) Two Hindu and six Muhammadan vaccinators under training left service of their own accord. No vaccinator or candidate vaccinator was dismissed or discharged from service during the period.

RETRENCHMENT COMMITTEE · EXPENDITURE.

Mr J. S KADRI (Northern Division). Will Government be pleased to state—

(*a*) the number of meetings held by the Retrenchment Committee appointed by Government;

(*b*) the daily allowance granted to the members of the Committee,

(*c*) the total expenditure incurred by Government on account of the Committee?

The Honourable Sir GOVINDRAO PRADHAN. (*a*) and (*c*) The honourable member is referred to the information contained in the report itself.

(*b*) A subsistence allowance of Rs 12 has been allowed to the non-official members in addition to the Rs 8 daily allowance drawable under the Regulations.

GOVERNMENT OFFICES · RETRENCHMENT.

Mr. G. M. KALBHOR (Poona District). Will Government be pleased to state—

(*a*) the offices from which hands were discharged on account of retrenchment from January 1930;

(*b*) the number of hands discharged, their castes, designation, pay and period of service to their credit at the time of discharge,

(*c*) the number of hands employed in such offices, their caste, designation, pay and period of service?

The Honourable Sir GOVINDRAO PRADHAN: Government consider that it would serve no useful purpose to gather the information, which would involve a great deal of time and labour.

PUBLIC PROSECUTORS. BACKWARD CLASSES.

Mr. G. M. KALBHOR (Poona District): Will Government be pleased to state—

(*a*) the number of public prosecutors, assistant public prosecutors and honorary assistants to Government pleaders in the Poona, Satara and Ahmednagar districts and their names, castes and the period for which each has practised at the Bar;

(*b*) whether any applications were received for appointment to the same from candidates belonging to the backward communities since December 1930 and their results ?

The Honourable Mr. G. A. THOMAS. (*a*) A statement containing the requisite information is laid on the Council table.

(*b*) Yes. Since December 1930 there were five vacancies. Two of them were given to candidates belonging to backward classes and one to a candidate belonging to an advanced class It has been decided not to fill the other two vacancies

List of District Government Pleaders and Public Prosecutors, Assistant Government Pleaders and Assistant Public Prosecutors and Honorary Assistants in the Ahmednagar, Poona and Satara Districts.

Serial No	Name	Designation	Caste.	Number of years practice at the Bar
		Ahmednagar District.		
1	Rao Bahadur N B Deshmukh	District Government Pleader and Public Prosecutor	Brahmin	38
2	Mr. J. V Saraf	Assistant Public Prosecutor	Do .	31
3	Mr. P K Bhapkar	Honorary Assistant..	Belongs to a backward class.	3
		Poona District.		
4	Khan Saheb J P Messman	District Government Pleader and Public Prosecutor	Parsi	15
5	Mr G V Gupte	Assistant Government Pleader and Assistant Public Prosecutor	Kayastha Prabhu	17
6	Mr A A, Khan	2nd. Assistant Public Prosecutor.	Mahomedan	10
7	Mr V D Jeste	Honorary Assistant.	Brahmin .	5
8	Mr. Stan D'Costa	Honorary Assistant .	Indian Christian.	2
		Satara District		
9	Mr. D. N Nabar	District Government Pleader and Public Prosecutor.	Brahmin Saraswat.	20
10	Mr. K. D Sathaye	1st Assistant Public Prosecutor	Brahmin ..	18
11	Mr. K. G. Kale	2nd Assistant Public Prosecutor.	Do. ..	16
12	Mr A. B. Vagyani	Honorary Assistant	Jain .	2

BORAH WAKFS, BOMBAY · EXEMPTION.

Mr GULAMHUSSEN EBRAHIM MATCHESWALLA (Bombay City): Will Government be pleased to state—

(*a*) whether they are aware of the widespread agitation and numerous demonstrations carried on by the Dawoodi Borah community against the application of the Mussalman Wakf Act to the community;

(*b*) whether they have considered the position in view of the continued agitation of the community?

The Honourable Sir RAFIUDDIN AHMAD (*a*) and (*b*) Yes; but Government are equally aware that there is a considerable inarticulate public opinion among the Bohras in support of its application, which is becoming more vocal and voluminous as light regarding the real nature of the Act is gradually permeating the masses

ERODED LANDS, GUJARAT.

Sardar Davar T. K. MODI (Surat City): Will Government be pleased to state—

(1) whether it is a fact that since 1918 in riparian villages in Gujarat, whenever any portion or the whole of a survey number has been washed away or eroded by the action of a river, the area eroded is written off the accounts and added to the heading "River Kharaba",

(2) if the reply to (1) be in the affirmative, the law under which such action is taken by the Revenue authorities,

(3) whether Government intend to cancel the general order of the Commissioner, Northern Division, in regard thereto?

The Honourable Mr W. F HUDSON: (1) This practice existed till June 1931 when Government issued orders that land lost by diluvion should be treated as *pot kharab*

(2) and (3) Do not arise.

POLICE SUB-INSPECTORS. TRAINED AND UNTRAINED

Mr N E NAVLE (Ahmednagar District). (*a*) Will Government be pleased to state how many Sub-Inspectors of Police there are in this Presidency who were promoted to the posts from the lower ranks and who have had no training at the Police Training School, Nasik?

(*b*) How many of them have been confirmed and how many of them are acting?

(*c*) Is it a fact that many of them have been kept acting for the last 5 or 6 years without being confirmed?

(*d*) Are there any, and if so, what, special reasons for keeping these men acting for such a long time without confirming them?

(*e*) Is it a fact that there is a feeling of dissatisfaction among these acting officers owing to their not being confirmed for a fairly long time?

(*f*) Is it a fact that the Police Training School men are confirmed after 1½ years of service?

(*g*) Are there any, and if so, what, reasons for such a difference in the period for confirmation in the two sets of officers ?

The Honourable Mr G. A THOMAS : (*a*) 236 in the Presidency excluding Sind and Bombay City.

(*b*) 105 have been confirmed

131 are acting

(*c*) Yes

(*d*) and (*g*) Only 25 per cent of the Sub-Inspectors' cadre is filled by Head Constables who have not been trained in the Police Training School, but untrained men frequently hold acting appointments in excess of this percentage when trained men are not available

(*e*) Government are not aware of any dissatisfaction.

(*f*) Yes.

GOVERNMENT RESOLUTION, FINANCE DEPARTMENT, REGARDING RETRENCHMENT

Mr. N. E. NAVLE (Ahmednagar District) : Will Government be pleased to state—

(*a*) whether it is a fact that the Government of Bombay have passed a resolution directing the Heads of Departments to retrench the members of the backward communities in the same proportion in which they stand to the members of the advanced classes in each department,

(*b*) whether they are aware that the heads of some Government Departments do not follow the orders contained in the said Government Resolution ?

The Honourable Sir GOVINDRAO PRADHAN : (*a*) Government have laid down for the guidance of their officers, that retrenchment should be so carried out in each office or department that the ratio between the backward and advanced communities represented by their present numbers in each category of Government servants is maintained to the nearest practicable figure

(*b*) No

BETTING TAX, POONA.

Mr HOOSENALLY M. RAHIMTOOLA (Bombay City) Will Government be pleased to state—

(1) the amount realised as betting tax from (*a*) Bookmakers, (*b*) the totalisator, during the last Poona racing season ;

(2) the amount realised as tax last year in Poona from the totalisator ?

The Honourable Mr. W. F. HUDSON : (1) (*a*) Rs. 1,07,267.

(*b*) Rs. 2,07,148.

(2) Rs. 2,06,245.

CANAL WATER, KARACHI DISTRICT: INSUFFICIENT SUPPLY.

Mr. SHAIKH ABDUL MAJID (Karachi District) Will Government be pleased to state—

(*a*) whether it is a fact that the Local Officials have assured the Zamindars of Karachi District from time to time in reply to their representations that the supply of water in the district even after the opening of the Barrage will always be adequate and in time for cultivation purposes if the minimum gauge reading at Kotri was ten feet;

(*b*) if the reply to (*a*) is in the affirmative, whether it is a fact that although the gauge reading at Kotri was more than ten feet in the latter half of the month of June 1931, the supply of water for cultivation was not enough and not in time;

(*c*) if the reply to (*b*) is in the affirmative, whether Government consider this to be a serious situation calling for an immediate enquiry and necessary action;

(*d*) if the reply to (*c*) is in the affirmative, whether Government propose to take any, and if so what, action in the matter?

The Honourable Sir GHULAM HUSSAIN: (*a*) No such assurance has been given.

(*b*), (*c*) and (*d*) Do not arise.

BARRAGE CANALS: LOSS TO ZAMINDARS IN KARACHI DISTRICT.

Mr. SHAIKH ABDUL MAJID (Karachi District): Will Government be pleased to state—

(*a*) whether it is a fact that the water level in canals in Karachi District cannot be maintained as at present after the opening of the Barrage Canals;

(*b*) whether it is a fact that the zamindars of the Karachi District in general and of the Shah Bunder Division in particular will be seriously affected after the opening of the Barrage Canals;

(*c*) whether it is a fact that Government have assured the zamindars to be so affected that their case will receive most sympathetic consideration;

(*d*) if the reply to (*a*), (*b*) and (*c*) is in the affirmative, what is the nature of the compensation they propose to give to the zamindars of the district?

The Honourable Sir GHULAM HUSSAIN: (*a*) This is not a fact but a doubtful hypothesis.

(*b*) Not necessarily.

(*c*) The zamindars have been informed that systematic improvements to canals in Lower Sind would be undertaken and they have been assured that should cases ultimately arise in which they suffer owing to shortage of water due to the Lloyd Barrage, those cases would receive the most sympathetic consideration from Government upon their individual merits.

(*d*) Does not arise at present—*vide* replies to (*a*) to (*c*) above.

CANALS BEDS : PROTEST AGAINST RAISING LEVELS.

Mr. SHAIKH ABDUL MAJID (Karachi District): Will Government be pleased to state—

(*a*) whether they have received any protest from the Karachi District Zamindars and Jagirdars' Association against the system of rotations and against raising the original beds of canals while executing improvements schemes;

(*b*) if so, what action they have taken in the matter?

The Honourable Sir GHULAM HUSSAIN (*a*) It is presumed that the honourable member refers to the resolutions passed by the Karachi District Zamindars and Jagirdars' Association on 8th July 1931 protesting against rotations on the Nari Chach and improvements to the Kalri canal. If so, the reply is in the affirmative.

(*b*) The river was abnormally low in the early part of the season this year and had it not been for rotations, practically the whole crop would have failed. The result of improvements has been satisfactory. No action is therefore necessary.

ABKARI INSPECTOR T. H. SIPAHIMALANI.

SYED MIRAN MAHOMED SHAH (Hyderabad District): (*a*) Will Government be pleased to state whether they are aware, that in the procedure leading to the dismissal from Government service of Mr Tarachand Hirdaram Sipahimalani, Abkari Inspector of Sind Excise Department, the rules laid down by Government were ignored?

(*b*) Whether the dismissal has been made contrary to the recommendations of his immediate superior and of the enquiry officer the then Assistant Commissioner of Excise?

(*c*) Whether it is a fact that in Government Resolution No. 7170 of 16th October 1883, Judicial Department, it is laid down that in dismissing Government servants, the dismissing Authority had to consider the question of the duration of service, advanced age, consequent reduction to poverty and beggary and also of the future maintenance of the family of the officer sought to be dismissed?

(*d*) Whether they are aware that Mr. Tarachand has got a large family to maintain and that his children, sons and daughters are being educated in College and Schools?

(*e*) Whether they are aware that the combined duration of Mr. Tarachand's service in the Revenue, Police and Excise Departments was not less than 20 years and that he was entitled to 1/3rd pension at the time of dismissal and that he has been debarred from getting it?

The Honourable Sir RAFIUDDIN AHMAD. (*a*) No.

(*b*) No.

(*c*) Yes.

(*d*) Government understand that he had a large family at the time of his dismissal in 1920 but have no information regarding their education.

(*e*) Yes.

BOMBAY VICTORIAWALLAS: SENTENCES UNDER PUBLIC CONVEYANCES ACT.

Mr. SYED MUNAWAR: Will Government be pleased to state—

(*a*) the number of cases of victoriawallas that were fined in the official years 1928-29, 1929-30 and 1930-31 for driving victorias without passengers;

(*b*) the total amount of fines imposed in such cases during the same years;

(*c*) the cases which were punished with imprisonment in lieu of fine during the same years for the same offence;

(*d*) the reasons why victoriawallas seen driving empty carriages to their respective stands after the alighting of the passengers are deemed to have committed an offence;

(*e*) the total number of victorias and the number of stands for them in Bombay city during the above three years;

(*f*) whether the decrease in the number of victoria stands from year to year is due to the fact that some of the victoria stands have been converted into motor stands?

The Honourable Mr. G. A. THOMAS: (*a*), (*b*) and (*c*) Government consider that the labour and time involved in collecting information to answer these clauses of the question would be out of proportion to the value of the information.

(*d*) This is not a fact.

(*e*) and (*f*). Year.	Total No. of Hack Victorias.	Total No. of Hack Victoria Stands.
1929	1930	119
1930	1898	121
1931	1914	126

OFFENCES BY TAXI AND VICTORIA DRIVERS, BOMBAY CITY.

Mr. SYED MUNAWAR: Will Government be pleased to state—

(*a*) the number of taxi and victoria drivers fined respectively for offences against the Acts governing them during the years 1928-29, 1929-30 and 1930-31;

(*b*) the number of cases of taxi and victoria drivers which ended in conviction;

(*c*) the nature of offences for which they were convicted during the same period?

The Honourable Mr. G. A. THOMAS: (*a*), (*b*) and (*c*) Government consider that the labour and time involved in collecting information to answer the question would be out of proportion to the value of the information.

The Honourable the PRESIDENT: I now adjourn the House till His Excellency arrives.

(The House re-assembled at 2-30 p.m.)

The Honourable the PRESIDENT: Order, order. His Excellency will be pleased to address the House.

ADDRESS BY HIS EXCELLENCY THE GOVERNOR TO THE MEMBERS OF THE LEGISLATIVE COUNCIL.

Rising to address the Council, HIS EXCELLENCY said:

Mr. President and Gentlemen,

Since I last had the honour of addressing you, this Presidency has passed through another period of storm and stress, and though we may reasonably hope that the worst dangers are now behind us, even the most confirmed optimist would hardly venture to assert that our troubles are at an end. The ship of State is passing through dangerous waters: there are breakers on all sides, and only by constant vigilance can those at the helm hope to pilot her into the calmer seas which, we hope and trust, lie ahead of us. For this reason, I am laying before you with the utmost frankness the whole position, and I appeal to you, the elected representatives of the people of this Presidency, to co-operate with us in grappling with perils which would, if left unchecked, establish a stranglehold upon our whole commercial and political existence.

On the circumstances which precipitated the crisis so dramatically at the end of last year it is unnecessary for me to dwell here. They are well known to you all, and His Excellency the Viceroy, in his address to the Legislative Assembly at Delhi, has made it abundantly clear that the Congress, or rather that section of it which has latterly so disastrously usurped the management of its affairs, deliberately brought about a rupture in the United Provinces by starting a no-rent campaign at the very time when the Local Government were discussing the agrarian problems with the Congress representatives. That Congress had made up its mind to renew the struggle at the earliest possible moment is evident from the utterances of its leaders, who had made desperate efforts to keep alive the war-mentality. Warnings, repeatedly given, that the people must be prepared to face not lathis but bullets, and that a million lives if necessary must be sacrificed admit, after all, of only one interpretation. In short, Congress was not prepared to adhere to constitutional methods. They demanded, under the threat of an immediate renewal of Civil Disobedience, an unconditional surrender on the part of Government to their demands. I think you must see that, under these circumstances, Government was left with no alternative between accepting the challenge or abdicating.

We decided that the only course open to us was to close immediately with this menace. Procrastination under the circumstances was fatal. The quarrel was forced upon us, and of the justice of our cause I venture to think no unbiassed student of affairs can remain for a moment in doubt.

I now come to the subject which I know must be uppermost in the minds of many of you. I refer to the promulgation of the Ordinances. All of us must of course regret the necessity to adopt government by ordinances rather than by ordinary law, but in this connection I must remind you that emergency legislation of this kind is by no means unknown in other countries. In England the Defence of the Realm Act is a case in point, but perhaps the most striking instance is the recent introduction of the Public Safety Act in Ireland. This Act has been introduced by a National Government and is of a nature sufficiently drastic to make the provisions of the Ordinances recently introduced in Bombay appear comparatively mild. The point I want to make is that there must always come times in national history when the Executive must assume special powers for the preservation of the State. That such a state of affairs threatened us last December is self-evident. When we look back at the history of this Presidency for the last ten years, when we remember the tragedies of Malegaon, Viramgam and Ahmedabad, or more recently, the deplorable campaign of arson and murder carried out by the agents of Congress in Sholapur, or the time when large areas of Bombay were given over to mob rule, for days together, to the entire dislocation of business and traffic, can anyone question the wisdom of Government in taking prompt action to save peaceful citizens from again being exposed to this reign of terror? Congress may pay lip-service to non-violence, but the events I have referred to amply prove the futility of trying to direct into peaceful channels the passions of the mob when deliberately excited by appeals to racial hatred. The Government which allows this sort of thing to go on unchecked is failing in its most elementary duty, the protection of the liberties of the subject.

But as I have already said, the ordinances are emergency measures, to be repealed as soon as the emergency passes. The authors of the Civil Disobedience campaign are responsible for their enactment, and can secure their repeal by abandoning the course of action which brought them into existence. Let me add here that my Government has no quarrel with any political party as such, however widely their views may differ from our own, provided that they endeavour to give them effect through the regular constitutional channels. But we will not permit coercion. We will enter into no treaties with law-breakers. And let me warn those who resort to these methods, that they must be prepared to suffer the full legal penalties which they have deliberately provoked by embarking on this line of action.

I now come to the financial situation. Though there are distinct signs of improvement ahead of us, and India is in many respects in an unusually favourable position to take advantage of the return of more prosperous times when they dawn, I should be failing in my duty were I to conceal the fact that it is still causing me and my advisers grave anxiety. History teaches us that one of the economic consequences of a great war is a temporary boom followed by a more or less prolonged reaction. This is precisely what happened in Bombay in 1865, when, after a short but feverish period of commercial prosperity, the dramatic collapse of the Southern States of America precipitated a crisis in many respects quite as severe as the present one. That crisis was eventually surmounted, as this will be. But the present situation contains elements of danger which were absent in 1865. The first essential for a trade revival is the restoration of law and order, and the presence of a feeling of security. For this reason I am sure you will agree with me in condemning the unpatriotic and suicidal action of a certain section of the mercantile community, who actively support and encourage a movement which may very well bring ruin to themselves and their city. Business must go on, and if it is driven out of Bombay it may well migrate to some other commercial centre never to return. There are signs that this is happening even now, and when the tide turns, as it must turn, there is the danger that we shall find Bombay, which has so often claimed to be the first City in India, passed by in the returning flood of prosperity, if this warning goes unheeded.

The continued closing of the markets adds to the feeling of insecurity which it is surely the aim of all men of goodwill to disperse as soon as possible. It is preventing the despatch of goods to Bombay by up-country merchants and agriculturists; and while it may be perhaps regarded as only a temporary inconvenience by some merchant princes, it may well prove the death of the small and struggling trader. I appreciate some of the difficulties of our merchants such as the strength of social pressure, which are more prevalent here than elsewhere in India. Nevertheless sanity lies in keeping politics and business apart, and with all the emphasis that I can command I call the attention of the merchants of Bombay to the risk they run to themselves, their city and the whole Presidency, in thus encouraging the forces of disorder, and still more in supplying them with the funds without which these subversive activities could not continue.

Fortunately we have indications that a large and growing body of opinion regards with disfavour this perversion of commercial organisation for the ends of political agitation. And my Government is prepared to do everything in its power to assist the growth of this spirit, and prevent the molestation of those who wish to trade freely without interference from self-constituted and ignorant dictators.

I now come to the problem which immediately faces you in this Session—the budget for the ensuing year. I need not go into great detail, for my Honourable Colleague, the Finance Member, is about to address you and to put before you the proposals of my Government for dealing with an unprecedented situation; and I will not anticipate what he will say. But I desire to lay emphasis on two factors in the situation. Only extreme financial pressure has induced my Government to put forward proposals for additional taxation in the conditions that exist to-day. The clamant financial need of the hour is to make the budget balance, and failing that possibility, to reduce the deficit by all means in our power. We believe the task to be threefold: immediate retrenchment, drastic reorganization and steps to the better utilization of resources for progressive development. We claim to have done a great deal in the matter of immediate retrenchment, so much so that any further progress in this direction must involve the risk of paralysing the normal functions of Government, and I trust that the details which the Finance Member will put before you will convince you of the efforts that have been made. But we are not remaining content with what has been done. Some of the retrenchments are obviously of an emergent character, and must as such before long be replaced. I have for some time past been engaged, as you are aware, in reviewing the various departments of the administration, and the time has now come for action.

As I foreshadowed in my last address to you, my Government has decided to take steps to follow up the work of the Retrenchment Committee and is now arranging to secure expert advice on reorganisation of the whole administrative machine. This will not only secure the further examination of such recommendations of the Retrenchment Committee as have not yet been adopted, but will also ensure a broad survey and a detailed examination of the organization of the most important departments. A great deal of material has already been collected and I trust that this enquiry will not take long and will result in the submission of proposals which, it is hoped, may speedily effect a substantial reduction in the cost of the administration. Meanwhile we must all together work to speed up the recovery, which must certainly be approaching.

I may say that I had hoped that my Honourable Colleague would have been in a position definitely to announce the composition of the Expert Enquiry to-day, but this will be done as soon as possible. I have no doubt, Gentlemen, you will also be glad to have an opportunity to make a contribution of your own towards retrenchment, and this we propose to give you by asking you to forgo the October session of the Legislative Council this year. As far as can be foreseen at present, this can be done without sacrifice of any urgent business, but if any sufficiently urgent business subsequently arises, we shall of course arrange to cancel this decision and hold the October session as usual. One possible avenue of retrenchment I indicated in my last speech to you—

a reduction in the size of the Cabinet. We have pressed on with the examination of this possibility and now have a complete scheme worked out in detail for a reduction of the Cabinet to four portfolios—two Members and two Ministers. [*Applause.*] I am inclined to doubt, however, whether it is advisable to bring it into force at the moment, for I do not think that we can contemplate with equanimity the dislocation which such a change would involve at a time when it may be followed so soon by another readjustment when the coming constitutional Reforms are introduced. Meanwhile our scheme is ready in its final form and we are in a position to proceed with it at short notice. I may state in this connection that some time ago I received from all my colleagues a promise of co-operation in any steps which we might have to take. [*Applause.*]

I have dealt at length at the commencement of my speech with the measures that we are taking to deal with the civil disobedience movement, not because I regard them as the most important point of our policy at the moment. I certainly do not. They have been adopted to ensure peace, not merely as an end in itself but as a means to secure the two ends we have adopted as our policy: the building of a new constitution and the improvement of the economic position of the Presidency. We have promised India a constitution under which she will, in the words of His Excellency the Viceroy, become *in due course an absolutely equal partner with the other Dominions under the Crown.* It is sometimes complained that the utterances of Government are of a somewhat cryptic character, but nothing, I think, could be more explicit than this. Our committees, consisting of the foremost public men, Indian and English, are working night and day to frame the details of the new constitution. This is not a constitution for a vague and distant future, but something which will be brought into being at the earliest possible moment. It will give to this Council, the elected representatives of the people, full responsibility for the Government of this Presidency, subject to certain safeguards such as are to be found in all constitutions and are particularly necessary in India where minority problems are especially acute, and of which, in view of the present disturbed situation, I do not think anyone can reasonably question the wisdom and necessity. At the same time, there are indications that we have reached the bottom of the trough of financial depression and may reasonably hope that the return of better days is in sight. The main obstacle in the way is the continuance of sporadic outbreaks of disorder, which cannot possibly achieve any useful end and may delay the fulfilment of our hopes. I call upon all patriotic citizens to rally to the side of Government in their campaign, and actively assist us in repressing forces which are militating against the return of prosperity to this great and historic City and to the Presidency as a whole. It is not enough merely to refrain from assisting in these subversive movements. We ask all reasonable men to have the moral

courage to work openly on our side. The true nationalist is he who comes to the support of his country in its hour of need and this is why we appeal to you for your co-operation. Do this, and I confidently look forward, before the time comes for me to hand over the reins of office, to seeing Bombay once more occupying her proud position as a great commercial port of India, and this Presidency once more prosperous and contented, and enjoying to the full the blessings of responsible Government. [*Applause.*]

PRESENTATION OF THE BUDGET.

The Honourable Sir GOVINDRAO PRADHAN: Mr. President, I rise to present the budget for the ensuing year. In view of the fact that the financial position of the Presidency had been placed before the House in some detail at the recent session of the Council, it only remains for me to bring up to date the facts and figures which were then placed before you and to explain what steps Government have taken and intend to take to meet the situation. Since we met in November last, further revised estimates of the revenue and expenditure of the current year have been prepared, and I regret to say that the position is even worse than then appeared. I will therefore put before you once again a brief review of the financial progress of the year. As you remember, in the final issue of the current year's budget we expected that the closing balance of the previous year 1930-31 would amount to 113 lakhs. In fact the suspensions and remissions of Land revenue and irrigation dues imposed upon us by the economic condition of the agriculturist which followed on the great fall in commodity prices amounted to some 48 lakhs. There was also a fall of 8 lakhs under Excise revenue, and of 5 lakhs under Forests; and though a net reduction in expenditure (debited to revenue) was effected of 19 lakhs, the net result on our balances was a reduction of 36 lakhs, so that we actually entered the current year with a balance of 77 lakhs only, of which 75 lakhs were in the Famine Relief Fund.

2. The budget estimates for this year were left with an excess of expenditure over revenue of 61 lakhs, and the efforts which have been made in the course of the year towards the reduction of this deficit have resulted in savings amounting to 43 lakhs. The revised estimates which have been supplied to you will show the heads in which saving has been effected. I will refer here only to the larger reductions which are:—

General Administration	..	..	9 lakhs.
Police	..	..	4 „
Civil Works	..	..	9 „

On the other hand there have been unexpected increases in interest charges and superannuation allowances amounting in all to 16 lakhs, and it was found necessary during the year to ask for a supplementary grant of 4 lakhs under 5, Land Revenue, though a saving of one lakh has been obtained out of this sum. These additions together with the total of 1 lakh under other heads have reduced the savings to 23 lakhs net.

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3. Coming to the revenue side, the same causes which operated last year have again been responsible for a large fall in land revenue and irrigation dues. Suspensions and remissions of land revenue amount to 19 lakhs, and the fall in irrigation receipts due to suspensions and reduction in the water rates is expected to be no less than 35 lakhs. The continued trade depression is resulting in a further fall in the stamp revenue which is expected to amount to 10 lakhs, and the same reason accounts for a reduction of 12 lakhs in the estimate of revenue from forests. The other minor heads together account for a fall of some 8 lakhs. On the other hand, receipts under various minor heads have increased by 8 lakhs, and the extension of the Betting Tax to the bookmakers has given us a net increase under the head Scheduled Taxes of 3 lakhs. The net worsening of our revenues will therefore amount to 73 lakhs, and the total estimated deficit in the current year will be 111 lakhs. It will be necessary to borrow the whole of this sum, and provision has accordingly been made in the next year's budget.

4. I come now to the estimates for next year. We have provided for a revenue of 14,35 lakhs, which is 13 lakhs less than the revised estimates of the current year. That the fall is not greater is due chiefly to the inclusion of two new items, namely, a larger sum on account of land sales in Sind, earmarked for the payment of interest on the Barrage debt, and a sum of some 16 lakhs, owing to the transfer to the provincial accounts of the gross revenue from the Nasik Distillery. Budgeted expenditure debitable to revenue amounts to 15,08 lakhs. This is 54 lakhs less than the total expenditure incurred in the last year for which we have complete accounts, namely, 1930-31. Lest it should be thought that this represents the sum total of retrenchments effected, I will proceed at once to explain exactly what reduction in expenditure has been carried out, for I know this is a matter to which the House quite rightly attaches the utmost importance. I do not intend now to deal with the detailed recommendations of the Retrenchment Committee: a detailed statement of the action taken by Government on those recommendations is being placed before the House showing the financial effect so far as this can be calculated at present. The Retrenchment Committee recommended retrenchments amounting in all to 36 lakhs, and the Majority Report raised this figure by suggested emergency retrenchments to 121 lakhs. Of this, 8 lakhs on account of stoppage of increments of pay was conditional on the possibility of carrying out the recommendation in all services. The Act of Parliament which provided for the emergency cut of 10 per cent. did not cover such a proposal, and it was obviously impracticable to obtain sanction to this further reduction of emoluments. The condition could not therefore be fulfilled even had Government approved of this further attack on the emoluments of its servants. Again, the 17 lakhs by which the Committee proposed to reduce the Police budget was also dependent upon the restoration of normal political conditions. The current year's budget estimate has indeed been reduced by some 7 lakhs. But it seems highly probable that the re-opening of the Civil Disobedience Movement may necessitate restoration of part at any rate of this sum. The

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emergency recommendations of the Committee are thus reduced to a figure of about 97 lakhs. The expenditure budgeted for next year has been arrived at after a reduction of the budget demand of 1931-32 by no less than 136 lakhs, and 116 lakhs less than the actual expenditure of last year.

5. The reason why this reduction in expenditure is not immediately apparent from a comparison of the total figures is the inclusion in next year's estimates of a number of unavoidable items which have not hitherto appeared in the provincial budget, either because they are new items of expenditure or because they appear for the first time on the expenditure side of the budget, and are counterbalanced by similar provision on the revenue side. A list of these items has been given in the Finance Secretary's Introductory Note to the Blue Book, and I will not weary you by repeating them now. I am sure that the plain statement of the facts given therein will be sufficient to convince the House and enable them to trace for themselves the actual extent of the retrenchments which have been carried out.

6. I will refer briefly to some of the main heads in which reductions have been made. I refer to the budget grants for 1931-32 :

Excise	5
Forests	2
15, Irrigation	16
41, Civil Works	31
General Administration	19
Justice	9
Jails	1
Police	7
Education	27
Medical	3
Agriculture	4
Bombay Development	11
Stationery and Printing	2
Total ..	137

7. Now it will be obvious from a candid review of the manner in which retrenchment has been effected that many of these emergency retrenchments are such as cannot be continued or repeated in future, and a rough estimate of the items which will have to be replaced in the budget in the course of the next year or two amounts to about 50 lakhs. It is clear, if we assumed that the maximum retrenchment possible as a permanent measure has already been carried out, that there would be no hope left of this Presidency ever again balancing its budget until a new settlement adds to its resources. Government have, however, no intention of abandoning hope in this manner and they therefore have decided to obtain the best expert advice in investigating the general

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system of administration, with a view to ascertaining whether it is possible by reorganisation to reduce our general expenditure to a figure more consonant with our resources. It is hoped to secure the services of Sir Frederic Gauntlett, late Auditor General in India. His intimate acquaintance with the administration of all the Provinces will give great authority to his recommendations.

8. I think it desirable at this stage of my speech that I should acquaint the House with the conclusions which the very detailed review to which our finances have lately been subjected, compels us to arrive at, in regard to the future financial position of this Presidency.

I may first refer to a very common comparison which is made between the per capita cost of the administration in this Presidency with that in other provinces. The reason for the high comparative cost has often been debated in this House and it is true no very satisfactory explanation has ever been arrived at. The scale of salaries applicable to all the superior services, both Provincial and All-India, is the same in all provinces. And it has often been pointed out that the scale of pay of the subordinate services, which is determined by the standard of living of this Presidency, could not possibly be reduced to that of our neighbours. We have, moreover, although our population is only half that of Madras and Bengal, to administer an area very nearly equal to that of Madras and considerably greater than that of Bengal; and it must be remembered that the rayatwari system of land tenure adds greatly to the cost of the Land Revenue Department. The extent to which these factors are responsible for the heavier cost of the administration will no doubt be subjected to scrutiny in the proposed expert investigation.

9. I wish now to draw attention to the fact that, for reasons that I will explain, the comparative excess in the figures which are commonly quoted is unduly exaggerated. There are contained in the gross figures of expenditure of this Presidency two large items which have no analogy in the other provinces: one is the sum received and paid on account of the charges of the large loans taken by the corporations in Bombay City, which amounts to nearly a crore and a half. There is secondly an item of nearly 1 crore contained in the budget as expenditure on General Administration on account of inam lands from which we receive no land revenue. The great bulk of this is not expenditure in the sense in which that term is commonly understood, namely, payment for services rendered to Government to-day, whatever may be the historical reasons for the grant. If then we exclude these two items from the cost of the administration, the comparative per capita cost of the chief provinces will be as follows:—

	1929-30
Madras	3·8
Bombay	6·3
Bengal	2·3
U. P.	2·6
Punjab	4·8
Burma	7·6

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I have also prepared two other tables which I think may be of interest to honourable members. In the following table I have excluded from the comparative cost the charges of the unproductive debt which has been sunk in the development of Bombay. However much we may regret the existence of this debt, it is a burden from which we cannot escape and one which is peculiar to this Presidency. From the point of view, therefore, of comparing the actual day to day cost of the administration it would be fair to exclude this item also from consideration. The per capita cost then works out as follows :—

	1929-30
Madras	3·8
Bombay	6·0
Bengal	2·3
U. P.	2·6
Punjab	4·8
Burma	7·6

We might go further, from the point of view solely of comparing expenditure which is subject to possible retrenchment, and exclude the cost in all provinces of the charges of the existing debt and of pensions. If we do this the comparative cost would work out as follows :—

	1929-30	1931-32 (Budget)
Madras	3·4	3·5
Bombay	4·9	4·5
Bengal	2·1	2·1
U. P.	2·1	2·0
Punjab	4·0	3·8
Burma	7·1	6·8

10. A study of the tables which have been given in the beginning of the Blue Book, Nos. I and II, reveals very clearly the course of our expenditure and revenue since the Reforms. This study will be in itself sufficient to refute the too easy accusation of "the rake's progress" which is so often brought against the Bombay Government. The steady downward trend of the curve of revenue will account for the exhaustion of the balances that were built up in the war years. It was only the use of these balances and the constant periodical efforts at retrenchment, coupled with the remission of the contribution to the Central Government, and the reduction of the excessive assignment from ordinary revenues to the Famine Fund which enabled the Government to carry on until the disastrous year 1930-31.

11. These considerations make it extremely difficult to calculate the course of events in say the next 5 years. We have probably not yet reached the peak of the cost of the existing scales of pay and pensions and the saving effected by the recently introduced revised scales can probably not do more than counterbalance this steady increase. I have already referred to the necessity of replacing some of the emergent cuts which have been made by way of retrenchment, and if account be taken of a reasonable growth in the cost of the administration owing to increase in population and a normal rate of progress, it becomes evident

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that even if we assume the restoration of more normal conditions in the course of this period of 5 years, there must inevitably be a series of increasing deficits, unless in the revised provincial settlement some relief can be given to provincial finances. Steps have already been taken to put before the Federal Finance Committee a frank statement of the position.

12. An outstanding event of the current year has been the opening by His Excellency the Viceroy of the Lloyd Barrage. The financial future of this project has, as the House is well aware, been gravely affected by the world-wide fall in commodity prices. While there is no ground for being pessimistic regarding the ultimate ability of Sind to meet the cost of this great work, the new conditions have compelled Government to revise their forecast: and until some more definite indication is revealed of the future course of prices it has been deemed inexpedient to base any forecast on the unduly depressed conditions of to-day. It seems indeed probable that it will be found desirable, as suggested by the Sind Finance Committee, to recast the settlement system at present applicable to Sind. This would be one of the first tasks to be undertaken by a separated Sind. In the meantime the first items debitable to revenue on account of the Lloyd Barrage appear in the Estimates in the shape of 13 lakhs included in the Working Expenses under the head "XIII" on account of those canals which have now been thrown open to irrigation. Whether any, and if any, how much, additional revenue will accrue to the budget of the next year from this source cannot, at present, be ascertained with certainty. An item of 15 lakhs has also been included under the head "Extraordinary Revenue" as the estimate of receipts from land sales, and this sum has been earmarked under the head "14 Interest" towards the interest charges on the Barrage debt.

13. I may perhaps say a word about the separation of Sind here although we are yet somewhat in the dark as to what is to happen. As the House is aware, the Sub-Committee of the Round Table Conference came to the conclusion that the principle of separation should be accepted, and that an expert investigation should be made of the probable revenue and expenditure of a separated Sind. The report of the expert committee has been published. In his speech of December the 1st, the Prime Minister stated that the British Government while accepting the principle of separation intended to ask the Government of India to arrange for a conference with the representatives of Sind for the purpose of trying to overcome the difficulties disclosed by this expert financial investigation. That conference has not yet taken place. The expert financial committee estimated that the expenditure of which the Presidency would be relieved by the separation of Sind would be 98 lakhs. Retrenchment has since reduced this figure which, though it has not yet been possible to work out an accurate estimate, may now be put at something over 80 lakhs. While it is true, therefore, that the immediate separation of Sind would enable us temporarily to balance our budget, we cannot count on an early decision in this matter; and it is clear that even if the separation proves practicable, the replacement of the emergency retrenchments will still leave us with a considerable deficit.

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14. In the meanwhile it behoves us to do our best with the means at our disposal to set our house in order pending the revision of the Provincial Settlement which must come with the introduction of the new constitution. I therefore return now to a consideration of the estimates.

As one method of reducing the deficit of the year we have obtained the sanction of the Government of India to postpone by one year the annual instalment of repayment of principal on account of our debt to the Provincial Loan Fund. The justification of this is that it saves us incurring fresh debt, in the shape of a deficit, to meet these very instalments. The benefit to the revenue budget amounts to some 12 lakhs, and the postponement of the last instalment of the pre-reform debt will set free a sum of nearly 16 lakhs to assist in the financing of our Provincial Loan Account. The reduction in the cost of our general Administration has been effected by a general reduction of establishments of 10 per cent. throughout the Presidency. This has perforce taken the shape in part of a lump deduction, the detailed application of which is still being worked out. In public works we have taken a considerable risk in cutting down not only the grants for the repair of buildings, but the grants for the maintenance of roads and of canals. The success of this policy can only be judged by results, and we can only hope that this emergency retrenchment will not involve us in too great an expenditure in the future on reconstruction. It is a matter for the greatest regret that the axe has had to fall with such severity on the educational budget, and that in this most important nation-building activity we have had to call a halt. But there can be no doubt that in this particular activity, as well as in others, we can only progress as fast as our finances will permit us.

15. The sanction of the Government of India was received during the year to our proposal to utilise 16 lakhs of the receipts from the Petrol Fund to assist us in the maintenance of our roads. The subsidy has been treated as a loan to be repaid as soon as the Presidency's finances permit. We have thought it inadvisable under these conditions to make any further inroad upon this fund in the next year, and I am afraid, therefore, that the grants for the maintenance of roads will have to suffer severely in common with other branches of the administration. But the reconstruction of roads to meet modern traffic conditions, and the extension of first class communications will continue according to the sanctioned programme to the full extent of the funds from this source held in our balances.

16. On the whole it may be said that the harvest of the current year has been good, and there are indications of a rise in the prices of some of the chief export crops: and, in spite of the suspensions of land revenue given in some parts in general the collection of land revenue has been good. We have budgeted next year for receipts from land revenue and irrigation on the assumption that similar conditions will be repeated. An aspect of the agrarian situation to which I wish to draw particular attention is the effect on our Provincial Loans Account of the difficult times through which the agriculturist is passing. Suspensions of land

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revenue automatically involve suspension of tagavi loans, and repayment of the huge sums given out in Sind and Gujarat in the years 1927 to 1929 as flood relief has been much slower than was expected.

17. To sum up, it may be said that, without being excessively optimistic, it will be impossible to increase the estimates of any head of revenue above the figure which we have given. We are therefore left with a gap of 73 lakhs to be covered. For the sake of the credit of this Presidency, which is of the utmost importance, this gap should be reduced, and it is under the pressure of this urgent necessity that Government have proposed the measures of taxation which have already been put before you. It is hoped by this means to reduce the deficit to 45 lakhs. This balance, except to the extent to which the recommendations of the expert advisers may enable us to reduce it, must be borrowed and provision has accordingly been made in our loan programme for this sum. The total loans to which we have now been committed to meet deficits in the annual budgets amount to 198 lakhs, and the annual burden on the revenues of the loan charges calculated on a 30-year basis will amount to approximately 15 lakhs.

18. It will not be irrelevant if at this stage I recall to the House some of the conditions which were understood at the time of its introduction to underlie the Excise policy of Government, as it was based on the report of the Excise Committee. In their resolution of the 12th of February 1925 Government stated that they had no doubt that the Legislative Council and the public would willingly assent to any increased taxation that would be necessary to meet the twofold drain on their resources which the policy involved, and they wished it to be clearly understood that a continuance of the policy would only be possible on such assistance being forthcoming. And in the debate which took place in the Legislative Council in February 1925 the honourable members of this House as it was then constituted made it perfectly clear that the House well understood the additional burden which the introduction of the policy could not fail to impose upon our finances. I venture to recall these facts now because our financial condition to-day makes it abundantly clear that the Presidency is far less able to bear, without further taxation, the loss of its Excise revenue than at any other period of its history.

19. The House will have observed with some interest that the financial proposals have been incorporated for the first time in a single Finance Bill. In doing this we have followed the procedure of the Legislative Assembly and of the British Parliament. It is an obvious convenience to the Legislative Council and to Government that the financial measures needed to meet the proposed expenditure of the year should be incorporated in a single Act, and the procedure will enable the House and the Select Committee—to which I trust the House will refer the measure for detailed consideration—to consider as a whole the general effect and incidence of the proposed taxation. Excepting Part V, which repeals and replaces what is already permanent law, it is intended that the Bill shall remain in force for one year, so that the necessity of retaining all or any of its measures will again come before the House in the Finance

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Bill of next year. I will not anticipate at this stage the more detailed explanations which I will give when I introduce the Bill. I will only say now that in the measures which we have incorporated in the Bill we have endeavoured to restrict our demand to such measures as will, within the limited scope allowed to Provincial Governments, weigh least heavily on the people in general and on its industries in particular, and at the same time spread the incidence as evenly as possible. So far as it is possible to make any estimate at all in the unfortunate conditions which prevail today, we believe that the sum total which these measures will bring in may amount to some 25 to 30 lakhs. I repeat that it is only the extreme pressure of the need of attaining budget equilibrium that has induced Government to propose additional measures of taxation, and I trust that I have been able to convince this honourable House that we have done all in our power to attempt to reduce expenditure to the level of our existing resources. With revenues approximately 2 crores less than they were 10 years ago the task has proved impossible. There is, therefore, nothing left for me but to appeal to the House to realise the grave financial position in which we stand and to assist me in maintaining the credit of this great Presidency.

20. We are passing through times so difficult that many of us are inclined to think that there is no precedent for the extreme state of depression to which we have been reduced. Fortunately for us, history gives the lie to the pessimist and encourages us to hope. One hundred years ago a great Englishman wrote in a time of similar trial:—"The present moment is one of great distress. But how small will that distress appear when we think over the history of the last 40 years;—a war, compared with which all other wars sink into insignificance; taxation such as the most heavily taxed people of former times could not have conceived; a debt larger than all the public debts that ever existed in the world added together."

He went on to point out how progress had inevitably continued, in spite of the pessimists, in spite of occasional stoppages and retrogressions, and exclaimed: "On what principle is it that when we see nothing but improvement behind us, we are to expect nothing but deterioration before us?"

Let us then look ahead with confidence. We may have to reduce our standards of living and administrative efficiency, but if Government can count on the co-operation and support of this House, there is no reason why Bombay should not retain its proud position in the new constitution as the first Province in India. [*Applause.*]

I may tell this honourable House that, according to the usual practice, as last year we began the demands for grants from the top, this year they will be begun from the bottom.

Rao Bahadur R. R. KALE: Is this decision final, or is it open to this side to make any suggestion?

The Honourable Sr GOVINDRAO PRADHAN: It is final.

The Honourable the PRESIDENT: The House is now adjourned to 2 o'clock to-morrow, Thursday, the 18th February 1932.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Thursday, the 18th February 1932.

The Council re-assembled at the Council Hall, Bombay, on Thursday, the 18th February 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOVER RORA, Mr.
HADDOW, Mr. R. R.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.

KARBHARI, Mr. M. M.
KIRKE-SMITH, Mr. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACKIE, Mr. A. W. W.
MATCHESWALLA, Mr. G. E.
McELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PATEL, Khan Bahadur A. E.
PATEL, Mr. C. N.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRA
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JOBBHAI
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SPENCER, Mr. A. B.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MUNAWAR, Mr.
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.

Wadke, Mr. B. P.
Wiles, Mr. G.
Winterbotham, Mr. G. L.

NEW MEMBER SWORN.

Sir Reginald Spence, Kt., made the prescribed oath of allegiance to His Majesty the King-Emperor, and took his seat in the Council.

STARRED QUESTIONS AND ANSWERS.

Fishing Rights, Bandra.

*Dr. M. K. DIXIT (Surat District): Will Government be pleased to state—

(*a*) whether it is a fact that the Mamlatdar of South Salsette issued notices of auction of the fishing rights in Bandra this year;

(*b*) whether it is a fact that in connection with that notice, one Anthone Francis applied to the Collector of the Bombay Suburban District to hold the auction;

(*c*) whether it is a fact that the auction was cancelled by the Collector in spite of the notices issued by the Mamlatdar;

(*d*) the reasons why the auction was not held?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.
(*b*) Yes.
(*c*) No auction was held.
(*d*) The current lease was extended for one year.

Dr. M. K. DIXIT: The reply to (*c*) is that no auction was held. The reply to (*a*) is that notices of auction were issued. May I know whether the auction was not held, because the order of the Collector cancelled the notices issued by the mamlatdar?

The Honourable Dewan Bahadur S. T. KAMBLI: Yes, that is so.

Rao Bahadur S. K. BOLE: What is the name of the present lessee?

The Honourable Dewan Bahadur S. T. KAMBLI: One Rama.

Rao Bahadur S. K. BOLE: What is his father's name?

The Honourable the PRESIDENT: Next question.

Inam Villages: Starred and Unstarred.

*Rao Saheb P. D. Kulkarni for Mr. L. R. GOKHALE (Poona City): Will Government be pleased to give a list of starred and unstarred Inam villages?

The Honourable Mr. W. F. HUDSON: A list of starred and unstarred inam villages (Personal Inams) is placed on the table.†

Agricultural, Forest and Co-operative Departments: Backward Classes.

*Mr. G. M. KALBHOR (Poona District): (1) Will Government be pleased to state how many persons were taken up as fresh recruits

†Kept in the Secretary's office.

in the (*i*) Agricultural, (*ii*) Forest, and (*iii*) Co-operative Societies' Departments in the years 1929-30-31; and how many of them were from the backward classes?

(2) (*a*) Will Government be pleased to state how many posts of (*i*) Auditors in the Co-operative Department and (*ii*) agricultural overseers in the Agricultural Department were given to persons from backward classes disregarding the question of seniority during the past three years as per resolutions passed by Government from time to time?

(*b*) How many temporary vacancies in the above posts were given to suitably qualified persons from the backward classes during the year 1930-31 in pursuance of such Government Resolutions?

The Honourable Dewan Bahadur S. T. KAMBLI: (1) The requisite information is furnished below:—

Year	Agricultural Department		Co-operative Department		Forest Department	
	Number of recruits	Number from backward classes	Number of recruits	Number from backward classes	Number of recruits	Number from backward classes
1929 ..	22	10	13	6	188	152
1930 ..	34	22	9	5	256	211
1931 ..	43	22	4	2	121	107

(2) (*a*) (*i*) None.

(*ii*) One.

(*b*) 3 in the Agricultural Department.
8 in the Co-operative Department.

BACKWARD CLASS BOARD.

*Rao Bahadur R. R. KALE (Bombay University): Will Government be pleased to state—

(*a*) why they have not yet appointed a Backward Class Board as recommended in the Report of the Depressed Classes Committee of 1930;

(*b*) whether it is a fact (1) that such a Board is a part of the scheme recommended by the Committee; (2) that the Backward Class Officer is supposed to work with such a Board;

(*c*) when they intend to appoint a Board?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) The Backward Class Board referred to has already been appointed.

(*b*) Yes.

(*c*) Does not arise.

NON-AGRICULTURAL ASSESSMENT, SUBURBAN DISTRICT.

*Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): (*a*) Will Government be pleased to state the number of cases in which the revenue authorities in the Suburban District in exercise of their control of building regulations issued notices levying full non-agricultural assessment and fine, stating the amount in each case, in the years 1928-29, 1929-30, and 1930-31 ?

(*b*) In how many cases were these cancelled or modified by the Collector or the Commissioner in appeal ?

(*c*) What was the total income of Government from this source during these years ?

The Honourable Mr. W. F. HUDSON: (*a*) The number of notices issued was as follows:—

Year	Number
1928-29 ..	50
1929-30 ..	17
1930-31 ..	102

A statement showing the amount involved in each case is placed on the Council table.†

(*b*) The number of cases in which the orders were modified by the Collector was as under:—

Year	Number of Cases.
1928-29 ..	4
1929-30 ..	3
1930-31 ..	21

In no case were the orders modified by the Commissioner.

(*c*) The total recoveries made were as under:—

Year	Amount		
	Rs.	a.	p.
1928-29 ..	2,226	10	0
1929-30 ..	1,471	3	0
1930-31 ..	10,776	10	6

PRIMARY EDUCATION: POONA DISTRICT LOCAL BOARD SCHEME: REFUSAL OF SANCTION.

*Rao Saheb P. D. KULKARNI (Poona District): Will Government be pleased to state—

(1) whether it is a fact that the District Local Board, Poona, had forwarded a practically no expenditure scheme for introducing compulsory primary education in forty-four villages of their district;

(2) whether it is a fact that Government refused to accord their sanction to the said no-expenditure scheme, which did not involve the State in any extra expenditure on that account;

(3) the reasons for such refusal;

†Kept in the Secretary's office.

(4) whether the promises given at the time of the passing of the present Primary Education Act contemplated such refusal?

The Honourable Sir RAFIUDDIN AHMAD: (1) No.

(2), (3) and (4) Do not arise.

Rao Saheb P. D. KULKARNI: Has the Honourable Minister inquired in the office of the Director of Public Instruction or in the office of the Poona District Local Board whether they have forwarded such a scheme?

The Honourable Sir RAFIUDDIN AHMAD: I have not made any enquiries.

Rao Saheb P. D. KULKARNI: Will the Honourable Minister enquire in the Director's office about the scheme? As a member of the district local board of that district, I know that they have forwarded a scheme, but no sanction could be obtained.

The Honourable Sir RAFIUDDIN AHMAD: If the honourable member will give me further notice, I will do so.

Rao Saheb P. D. KULKARNI: Will this oral notice not be sufficient?

The Honourable Sir RAFIUDDIN AHMAD: No, Sir.

CAUSEWAY OVER BHIMA RIVER: ACCIDENTS.

*Mr. J. G. MORE (Sholapur District): Will Government be pleased to state—

(*a*) whether they are aware of the dangerous accidents that occur on the causeway over the Bhima river at Pandharpur;

(*b*) whether they intend to take any steps in the matter?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes. Some accidents have occurred in the past to carts and people passing over this causeway.

(*b*) Yes. Railings are to be provided for the causeway when funds permit.

PRIMARY SCHOOL, VALSANG.

*Mr. J. G. MORE (Sholapur District): Will Government be pleased to state—

(*a*) whether it is a fact that the primary school at Valsang, taluka Sholapur, was closed by the Collector during the supersession period of the District Local Board;

(*b*) if so, when it was closed;

(*c*) how many students were attending the school before it was closed;

(*d*) what were the reasons for closing the school;

(*e*) whether any correspondence took place between Government and the Collector regarding it;

(*f*) if so, whether Government will be pleased to place a copy of the correspondence on the Council table;

(*g*) whether the school is still closed?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) Yes.

(*b*) On 27th May 1930.

(*c*) 292.

(*d*) Indiscipline among the boys owing to civil disobedience.

(*e*) No.

(*f*) This does not arise.

(*g*) No.

Mr. J. G. MORE: With regard to (*d*), will Government be pleased to let this House know the nature of the indiscipline among the students there?

The Honourable Sir RAFIUDDIN AHMAD: It was owing to the Civil Disobedience movement which is hydra-headed; and I can't put my fingure on its particular head.

Mr. J. G. MORE: May I know whether Government have made enquiries regarding the indiscipline among the students there and the nature of it?

The Honourable Sir RAFIUDDIN AHMAD: They would not have closed the school without making good enquiries.

Mr. J. G. MORE: May I know whether as a Minister, responsible to the people, he has made any enquiry about the indiscipline?

The Honourable Sir RAFIUDDIN AHMAD: The Minister himself does not make enquiries, but the departmental agents do, and they are satisfied that the enquiry was thorough.

Mr. J. G. MORE: May I know whether the closing of the school was known to the Honourable Minister before the question was raised in this House?

The Honourable Sir RAFIUDDIN AHMAD: I do not think so.

Rao Bahadur R. S. ASAVALE: How old were these boys?

The Honourable Sir RAFIUDDIN AHMAD: I do not carry their ages in my head.

Mr. J. G. MORE: When was the school re-opened?

The Honourable Sir RAFIUDDIN AHMAD: I will let the honourable member know the exact date later on, if he wants it.

Rao Bahadur R. S. ASAVALE: Did Government enquire as to who instigated these boys to take part in the Civil Disobedience movement?

The Honourable Sir RAFIUDDIN AHMAD: I have already informed the House that full enquiry was made in all respects.

Dr. M. K. DIXIT: The Honourable Minister said something about the hypothetical nature of the movement. May I know what he said?

The Honourable Sir RAFIUDDIN AHMAD: I did not say anything about its hypothetical nature. I said hydra-headed Civil Disobedience movement.

Dr. V. G. VAISHAMPAYAN: Is it a fact that the parents of these boys had taken part in the Civil Disobedience movement, and that is why the school was closed?

The Honourable Sir RAFIUDDIN AHMAD: I am not aware of that, but if the honourable member will give me further notice, I will make further enquiries.

The Honourable the PRESIDENT: Next question.

DREDGER "SIR GEORGE LLOYD".

*Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Will Government be pleased to state—

(*a*) whether they have sold the dredger "Sir George Lloyd";

(*b*) if so, when and for what price;

(*c*) its cost price;

(*d*) the cost incurred on its (*i*) repairs, (*ii*) maintenance;

(*e*) the cost of (*i*) establishment for and (*ii*) working the dredger;

(*f*) the quantity of filling done by the dredger;

(*g*) the cost of such filling;

(*h*) the cost that would have been incurred if the same amount of filling had been done by (*i*) other dredgers in the possession of Government, (*ii*) dry filling;

(*i*) the amount of interest incurred on it from the date of purchase to the day of realisation of sale price;

(*j*) the net loss to Government?

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes.

(*b*) The dredger was sold by the High Commissioner for India in March 1930. The sale price was £17,000.

(*c*) The cost price of the vessel, excluding insurance, inspection fees, navigation charges to Bombay, etc., was Rs. 33,84,827.

(*d*) The information is not available.

(*e*) As the dredger "Sir George Lloyd" was working in conjunction with the I. P. S. "Colaba" it is not possible to work out separate figures for the former.

(*f*) 53,79,533 cubic yards unconsolidated.

(*g*) Rs. 26,90,444.

(*h*) (*i*) Rs. 36,64,800 and (*ii*) Rs. 49,76,000 approximately.

(*i*) Rs. 18,00,000 approximately.

(*j*) It is difficult to say what the real loss to Government, if any, was. In view of the paucity of demand for vessels of this class as working propositions, their intrinsic value, when they are no longer required for the specific purpose for which they were purchased, is the same as the break-up value. In the case of the dredger "Sir George Lloyd" the break-up value was estimated at Rs. 25,000. The price realised for it was, therefore, much above its estimated break-up value.

SUPERIOR GOVERNMENT OFFICERS: TRANSFERS.

*Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Will Government be pleased to state—

(1) the number of superior officers in the various departments of Government who are transferred or are under orders of transfer since 1st June 1931 from one place to another;

(2) the causes of such transfers;

(3) the period for which the officer has served at the station prior to his transfer;

(4) the cost incurred by Government on such transfers?

The Honourable Sir GOVINDRAO PRADHAN: (1) and (3) The information required is obtainable from the *Bombay Government Gazette*.

(2) Officers are transferred on account of administrative convenience or necessity.

(4) Government consider that the time and labour involved in collecting the information will not be justified.

GOVERNMENT OFFICES, BOMBAY AND POONA: VACANCIES.

*Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Will Government be pleased to state—

(1) the number of vacancies that took place in Government departments in the cities of Bombay and Poona since 1st June 1931;

(2) the number of cases in which the vacancies were filled;

(3) the number of cases in which the vacant posts were filled on the minimum pay of the—

(*a*) old scale,

(*b*) new scale;

(4) the number of cases in which vacancies have been filled not on the minimum pay and the reasons therefor?

The Honourable Sir GOVINDRAO PRADHAN: Government have issued orders that whenever practicable temporary vacancies due to leave up to a maximum period of three months should not be filled, while permanent vacancies due to retirement, etc., should be kept open as long as administratively possible and all new appointments made after 4th August 1931 should be officiating only. The intention is that all new appointments to services and establishments under their control shall be on revised scales of pay and subject to revised pension and leave rules. Pending settlement of the revised scales of pay temporary scales, which are 12½ per cent. lower than the current sanctioned scales, have been brought into operation.

2. The time and trouble involved in collecting the information required by the Honourable Member are incommensurate with its public interest and Government regret that they do not see their way to undertake its compilation.

FLOODS: ACTION BY DISTRICT OFFICERS.

*Mr. A. N. SURVE (Bombay City, North): (*a*) Will Government kindly state the machinery by which it receives information of damage caused by floods?

(*b*) Is it compulsory or optional for the Collector to inform Government of the damage caused by floods in his district ?

(*c*) If compulsory, how soon after the event must he inform the Government about it ?

(*d*) If he fails to do so, what provision have Government made to obtain it in any other way ?

(*e*) Have Government framed any rules to regulate the conduct of district officers in such occurrences ?

(*f*) If so, will Government kindly place a copy of them on the Council table ?

(*g*) If such rules have not been framed, is it their intention to frame them for the guidance of the district officers ?

The Honourable Mr. W. F. HUDSON : (*a*) to (*g*) The Collector is required to take action as laid down in section 7 of the Famine Relief Code, a copy of which is in the Council Library.

Mr. A. N. SURVE : Section 7 of the Famine Relief Code, to which I am referring, in clause (*d*) says as follows :

" To organise, as far as possible, in his district, a permanent charitable famine relief fund, to be devoted to the gratuitous relief of those who need it, to the supply of clothing, and to the provision of fodder for cattle in times of scarcity or famine."

In pursuance of this provision, was any immediate relief of supply of clothing given by Government to the sufferers ?

The Honourable Mr. W. F. HUDSON : What sufferers, Sir ?

Mr. A. N. SURVE : Is there any permanent fund of this nature in the Ratnagiri District ?

The Honourable Mr. W. F. HUDSON : I must ask for notice of that.

Mr. A. N. SURVE : With reference to sub-section (*e*) which reads as follows :

" to make proposals for the relief of distress affecting men and cattle when in his opinion the necessity arises in bringing such proposals care must be taken to make temporary recommendations for the suspension or remission of land revenue ",

have any recommendations for suspension or remission of land revenue been made ?

The Honourable Mr. W. F. HUDSON : If the honourable member means Ratnagiri district, the answer is in the affirmative.

SUKKUR RIOT.

*Mr. S. S. TOLANI (Western Sind) : (*a*) Has the attention of Government been drawn to the speech reproduced in the " Sind Observer," dated 27th May 1930 of the President of a meeting of the Nawabs, Sirdars and Zamindars of Upper Sind held at Sukkur on 22nd May 1930 where he is alleged to have said that the Satyagrahi Volunteers should be beaten with shoes if they go to villages in the mofussil ?

(*b*) If so, did Government approve of such a pronouncement or did they take any action to counteract the effect of it ?

(*c*) If the utterance referred to above was not as alleged, will Government be pleased to state what the pronouncement was ?

(*d*) Are Government aware that the result of this meeting and such speeches of Nawabs, Sirdars and Zamindars was a serious communal-riot accompanied by loot and murders which took place at Sukkur in the month of August 1930 ?

(*e*) Will Government be pleased to state how many Inspectors, Sub-Inspectors and Constables of Police were in service and how many on duty in the days of the riot in Sukkur, how many of them were Mahomedans, how many Hindus and of the other nationalities respectively ?

(*f*) Is it a fact that many Hindus of Shikarpur City had migrated to Sukkur owing to the fear of floods ?

(*g*) Did Government provide any additional police for safeguarding the person and property of these emigrants in Sukkur ?

(*h*) If so, what was the number of police so engaged and if none were engaged, what were the reasons therefor ?

(*i*) Will Government be pleased to state the number of Shikarpuries in Sukkur in the days of the riot ? How many Shikarpuries were killed and injured during the riot and to what extent were their properties looted ?

(*j*) What was the number of Hindus and Mahomedans respectively killed and injured during the riot in Sukkur and what was the total value of property, belonging to Hindus, looted in the town of Sukkur ?

(*k*) Will Government be pleased to state what action has been taken by Government against the Police in regard to their conduct at Sukkur ?

(*l*) Will Government be pleased to place on the Council table full particulars of the lawlessness that prevailed in Rohri, Ubauro, Sukkur and Shikarpur Divisions, showing how long it continued, how many murders, dacoities and gang robberies were committed by Mahomedan dacoits ; how much property was looted and how much was recovered from the dacoits and returned to the proper owners ; and in how many cases the honour to Hindu women was violated by the dacoits and which Government Officers were able to reach the areas and when and what help they gave ?

(*m*) Are Government aware that the Commissioner in Sind, the Head of the province, had when encamped at Sukkur during the riot days made observations on the 6th August 1930 blaming the Hindu leaders of Sukkur in the presence of those of Mahomedans ?

(*n*) Is it a fact that soon after the 6th August 1930 reports spread in the villages to the effect that Government sought the help of the Mahomedans to put down Hindus ?

The Honourable Mr. G. A. THOMAS : Government consider that the labour and time required for answering a question of such a length after so long a lapse of time since the events to which it relates are out of all proportion to the value of the information asked for.

Mr. S. S. TOLANI: I gave notice of this question in February last. I am getting the answer after a lapse of one year without anything in it. What is the cause of so much delay?

The Honourable Mr. G. A. THOMAS: The length of the question.

Mr. S. S. TOLANI: Is it not a fact that the Commissioner in Sind, regarding whom the information mentioned in the question was required, is the same person who is working as Home Member to the Government of Bombay now?

The Honourable Mr. G. A. THOMAS: I must ask for notice of that question.

Mr. S. S. TOLANI: Mr. President, I complain to you as custodian of our rights with regard to this question. I gave notice of this question first in November or December, and when I found in February last that the office did not receive any notice of the question, I again gave notice of the same question. After a lapse of one year, I am getting an answer which is practically *nil*. The matter affects the whole of Sind and the Government are not prepared to give an answer.

The Honourable the PRESIDENT: Can the Honourable Member give any information as to why such inordinate delay has occurred?

The Honourable Mr. G. A. THOMAS: I understand that the honourable member was referring to delay in the Honourable the President's office.

The Honourable the PRESIDENT: I shall find out where the delay took place.

EDUCATIONAL APPOINTMENTS: SIND.

*Mr. S. S. TOLANI (Western Sind): With reference to question of Mr. S. S. Tolani published on page 887 of Vol. XXXI of the Bombay Legislative Council Debates—

(*a*) will Government be pleased to give in a tabular form the following information regarding appointments to the posts of the three Mulla Deputies now called Deputy Educational Inspectors for Mahomedan Education and the Headmasterships of Naushahro Madressah and Mirpurkhas from time to time from the introduction of these appointments or bringing them under the Government:—

(1) names of the officers appointed from time to time;
(2) their qualifications;
(3) particulars of their service when they were appointed;
(4) the number of persons they superseded;
(5) the reasons for their supersession;

(*b*) if no non-Muslim has ever been appointed to these posts, why have they allowed this state of things to continue?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) and (*b*) Government regret that they are unable to supply the information as the labour and time involved in its collection would be incommensurate with its utility.

SHOLAPUR MUNICIPALITY: RESULT OF BY-ELECTION.

*Dr. V. G. VAISHAMPAYAN (Sholapur City): (1) Are Government aware that the Collector of Sholapur has refused to publish in the *Bombay Government Gazette* the name of Dr. K. B. Antrolikar, who has been duly elected in the by-election held by the Sholapur Municipality in the month of August 1931?

(2) Has the Collector reported his action to Government?

(3) Are Government aware that the Collector has taken this action on his own initiative?

(4) Do Government still adhere to Gandhi-Irwin pact?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: This question is an old question and therefore requires a different reply so far as 3 and 4 are concerned. The reply to No. 1 and No. 2 is in the affirmative.

The reply to No. 3 and No. 4 is as follows:

The Collector refused to publish the name of Dr. Antrolikar as an elected member, because his election was illegal. He has been sentenced to 18 months' imprisonment and this period had not expired at that time. The Law Officers of Government opined that the release of a person on account of any arrangement does not necessarily or automatically remove the disqualification and therefore the Collector was justified in not publishing his name in the Government Gazette.

The reply to the last question is in the negative instead of in the affirmative.

Dr. M. K. DIXIT: Do we take it that this gentleman has not been taken as an elected member of the corporation?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: He was elected, but his election was not legal for the reason I have stated now. He applied to Government for his disqualification to be removed and the said disqualification was immediately removed.

VILLAGE PANCHAYATS, NASIK: GRANTS.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state what grants were made to each village panchayat in the Nasik District by Government and the District Local Board, Nasik?

The Honourable Sirdar Sir RUSTOM J. VAKIL: The District Local Board, Nasik, annually make a grant of Rs. 150 to each of the 10 Village Panchayats in the Nasik District. No grants were paid to the Village Panchayats by Government.

Rao Saheb R. V. VANDEKAR: It is stated in the answer that a grant of Rs. 150 is paid to ten village panchayats. Is there any basis on which these grants are made?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: The honourable member can get this information from the district local board. It is entirely left to the district local board to make the grants to the village panchayats.

Rao Saheb R. V. VANDEKAR: Are Government aware whether these grants are made on any basis?

LEMON GROWING INDUSTRY, NASIK.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) whether they are aware that lemons are grown in some of the talukas of the Nasik District, but that there are no facilities for marketing them to the best advantage of the growers;

(*b*) if so, whether the Agricultural Department has ever suggested means and measures for preserving and marketing lemon juice or investigated the possibility of improving and developing the cultivation of lemons in those talukas;

(*c*) whether the Department has ever investigated the properties or economic possibilities of the juice of lemons grown in those talukas, and, if so, what have been the results of such investigations?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes. The facilities for marketing lemons in the Nasik District are the same as in other parts of the Presidency.

(*b*) and (*c*) The lemon industry has already engaged the attention of the Agricultural Department which has published a bulletin on the subject entitled "A preliminary note on the possibilities of the development of the lemon industry in Western India", a copy of which is placed on the Council table†. The Horticulturist to Government has also been conducting investigations into the problem of preservation of lime juice and its economic value.

EXCISE INCOME, NASIK DISTRICT.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state the income derived from the different excise auctions, as regards shops situated in the town of Nasik and in the various talukas of the Nasik District respectively during each of the last five years?

The Honourable Sir RAFIUDDIN AHMAD: Statements furnishing the information are placed on the Council table.†

CONSULTING ARCHITECT: BUILDING PROGRAMME.

*Mr. B. P. WADKE (Bombay City, South): (*a*) Will Government be pleased to state the total number of proposals for new buildings during the next official year and the buildings under construction on 1st September 1931 under the supervision of the Consulting Architect?

(*b*) What is the monthly expenditure in respect of the Architect's Department including the quantity surveyors' section of the Public Works Department?

†Kept in the Secretary's office.

(*c*) What necessity is there for continuing such heavy expenditure in view of the present financial stringency and suspension of work ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) It cannot be said at present what projects will be provided for in the next year's budget. A list of contemplated works generally approved by Government is appended. Detailed plans and estimates for some of these are under preparation in the Consulting Architect's office. No works are carried out under the supervision of the Consulting Architect to Government.

(*b*) Rs. 7,385.

(*c*) Large reductions have already been made in the Consulting Architect's establishment and in view of the pressing need for economy, the question of further retrenchment is already under the consideration of Government.

List of Projects generally approved by Government

	Names of Projects.	Approximate cost.
	Local Government.	
		Rs.
1.	Civil Hospital, Thana	4,00,000
2.	New Administrative Offices next to Council Hall, Poona	5,09,816
3.	Extension to the Central Offices, Poona	6,20,000
4.	Central Offices, Ahmedabad	5,66,870
5.	Store and Office Buildings, Lloyd Barrage, Sukkur, Sind	1,35,200
6.	Bungalow for a High Court Judge at Cumballa Hill, Bombay	86,000
7.	Extension and alterations to the High Court Buildings, Bombay	1,50,000
8.	Agricultural College, Poona, Expansion	7,38,000
9.	Civil Hospital at Nawabshah	1,00,000
10.	District Court Buildings, Sholapur	2,18,000
11.	District Court Buildings, Jalgaon	2,13,000
12.	District Court Buildings, Larkana	2,03,500
13.	Hostel for 51 Lady students in Grant Medical College, Bombay	1,09,000
14.	Hostel for 81 Male Students in Grant Medical College, Bombay	1,56,700
15.	Tubercular Ward, J. J. Hospital, Bombay	75,625
16.	Extension to G. T. Hospital, Bombay	12,10,000
17.	Extension to Civil Hospital at Karachi	11,66,000
18.	Extension to Lady Dufferin Fund Hospital at Karachi	3,17,000
19.	Collector's Katcheri at Dadu, Sind	1,70,000
20.	Type Design for 2nd class Sub-Judge's Court in the Presidency Proper	48,000
	Sind	37,500
21.	Type Design for Police Quarters in the Presidency Proper—Revision.	
	Central Government.	
22.	Additional Blocks of Quarters for three Inspectors and six married Preventive Officers at Matunga	1,67,200
23.	New Building for the Mercantile Marine Department, Bombay	5,00,000
24.	New Post Office at Matunga	34,527
25.	New Post Office at Byculla	89,500
26.	Post and Telegraph Office at Belgaum	3,02,000
27.	New Bicycle House at the Central Telegraph Office Building at Bombay	22,500

Contribution Works.

28.	Anglo-Urdu High School Scheme, Poona	22,59,000
29.	Ismail College, Andheri :—	
	Professors Quarters	2,67,000
	Students' Hostel	
	Dining Room, etc.	
	Mosque	

Mr. J. B. PETIT: Why has the recommendation of the Retrenchment Committee not been accepted by Government?

The Honourable Dewan Bahadur S. T. KAMBLI: In what respect?

Mr. J. B. PETIT: For the abolition of the department.

The Honourable Dewan Bahadur S. T. KAMBLI: I do not think they recommended the abolition of the whole department; there were various proposals by different members.

Mr. J. B. PETIT: What is then the recommendation of the Committee?

The Honourable Dewan Bahadur S. T. KAMBLI: If the honourable member gives fresh notice, I will find it out, or else the honourable member will be pleased to find it out himself easily from the papers in his hands.

Mr. J. B. PETIT: In answer to (c) it is stated that large reductions have already been made in the Consulting Architect's establishment. I should like to know the exact extent of the reduction made.

The Honourable Dewan Bahadur S. T. KAMBLI: The reduction now decided upon will reduce the monthly expenditure to Rs. 3,152.

Mr. J. B. PETIT: The total expenditure is Rs. 7,385. Do I then understand the Government to say that the difference between this amount and Rs. 3,152, is the extent of the reduction that has been made?

The Honourable Dewan Bahadur S. T. KAMBLI: The monthly expenditure was Rs. 7,385 and now it has been reduced to Rs. 3,152.

Mr. J. B. PETIT: So, there is a reduction of over Rs. 4,200.

The Honourable Dewan Bahadur S. T. KAMBLI: I think the honourable member is almost correct in his calculation.

Mr. HOOSENALLY M. RAHIMTOOLA: When do Government expect to find funds for the projects that have been enumerated here?

The Honourable Dewan Bahadur S. T. KAMBLI: I will require notice of the question.

Mr. J. B. PETIT: What is the good of giving this long list of works, including some items costing as much as 22 lakhs, unless the Government expect within a reasonable length of time to give effect at least to some of them?

The Honourable Dewan Bahadur S. T. KAMBLI: It all depends upon the availability of funds.

Mr. J. B. PETIT: Then, what is the use of referring to this long list, as an excuse for continuing this department?

The Honourable the PRESIDENT: We pass on to the next business.

Regarding the question of the honourable member from Sukkur (Mr. S. S. Tolani), it was received in the office of the Legislative Council on the 16th of March 1931 and was despatched to Government on the 18th. The reply to it was received after eight months on the 26th of November. Then it was sent to the Press, and before it was received from the Press the special session was prorogued and it was published in this list. Therefore, the delay was in the Home Department.

Mr. S. S. TOLANI: No, Sir. I sent the question to the Secretary first in December 1930, and the office denied having received the same, and then again I gave fresh notice on 16th of March 1931.

UNSTARRED QUESTIONS AND ANSWERS.

GOVERNMENT MIDDLE SCHOOLS: PROVISION FOR HINDUS AND MUSLIMS.

Mr. A. J. BANGI (Southern Division): Will Government be pleased to give the number of (1) Anglo-Urdu, (2) Anglo-Gujarati, (3) Anglo-Marathi and (4) Anglo-Kanarese Government Middle Schools, both for boys and girls, in each of the three Divisions of the Bombay Presidency, separately, together with figures of Hindu and Muhammadan population in each division?

The Honourable Sir RAFIUDDIN AHMAD: The information required in the first part of the question is given in the following statement:—

	Government Anglo-Vernacular Middle Schools.					
	For Boys.			For Girls.		
	N. D.	C. D.	S. D.	N. D.	C. D.	S. D.
Anglo-Urdu	..	2	..	..	1	..
Anglo-Marathi	..	..	..	1	2	..
Anglo-Gujarati	2	..	..	..	..	..
Anglo-Kanarese	..	..	..	..	..	2

As regards the latter part of the question, the figures of population according to the Census of 1921 are as follows:—

	N. D.	C. D.	S. D.
Hindus	3,176,893	5,606,279	4,349,680
Muhammadans	349,337	379,852	455,291

PRIMARY EDUCATION: WORKING.

Khan Bahadur D. B. COOPER (Satara): Will Government be pleased to put on the Council Table a statement showing the names of the

different local authorities who have taken over control of the working of Primary Education, under the Act, showing in the statement—

(*a*) The name of the Local Authority.
(*b*) The date of taking over control.
(*c*) The name of the Administrative Officer, and his qualifications.
(*d*) The present salary of the Administrative Officer.
(*e*) Whether he is an old servant of Government or newly appointed by the respective Local Authority ?

The Honourable Sir RAFIUDDIN AHMAD: The accompanying statement containing the information asked for by the honourable member is placed on the Council Table. Columns 4–7 of the statement give information regarding the position as it stood on 1st July 1931.

No.	Name of the Local Authority.	Date of taking over control.	Name of the Administrative Officer and his qualifications.	Present salary of the Administrative Officer.	Whether he is an old servant of Government or newly appointed by the Local Authority.	Remarks.
1	2	3	4	5	6	7
	DISTRICT LOCAL BOARD LOCAL AUTHORITIES.			Rs.		
	Bombay Division.					
1	Thana ..	1st July 1925.	Mr. V. L. Gatne, B.A.	275	Newly appointed by the Local Authority.	
2	Bombay Suburban District.	1st Sept. 1925.	Mr. N. R. Bagwe, P.E., S.T.C.	150 *plus* 50 P.A.	Newly appointed by the Local Authority.	Retired Administrative Officer, District School Board, Ratnagiri.
3	Ratnagiri ..	1st June 1926.	Mr. P. S. Khadilkar, B.A., S.T.C.D.	200 *plus* 30 D.A.	Old servant of Government.	Officiating.
4	Nasik ..	1st Oct. 1925	Mr. K. S. Dikshit, B.A.	570	Do. ..	On leave.
			Mr. N. G. Pingale, B.A.	230	Do. ..	Officiating.
5	Kolaba ..	1st April 1927.	Mr. H. K. Gokhale, B.A., S.T.C.D.	680	Do.	
	Central Division.					
6	Poona ..	1st Sept. 1926.	Mr. R. S. Dikshit, B.A., S.T.C.	740	Do.	
			Mr. G. V. Joshi.	270 *plus* 10 P.A.		
7	Satara ..	1st June 1925.	Mr. R. S. Chunekar, B.A., S.T.C.D.	310	Old servant of Government.	
8	Sholapur ..	1st Aug. 1925.	Mr. V. V. Sathaye, B.A., S.T.C.	740	Do.	
9	Ahmednagar ..	1st June 1925.	Mr. V. D. Ghate, M.A., B.T., T.D. (Lond.).	200	Do.	
10	East Khandesh .	1st July 1925.	Mr. S. S. Shirke, B.A.	330	Newly appointed by the Local Authority.	
11	West Khandesh .	1st Dec. 1925	Mr. D. D. Taskar, B.A., S.T.C.D.	280	Old servant of Government.	

No.	Name of the Local Authority.	Date of taking over control.	Name of the Administrative Officer and his qualifications.	Present salary of the Administrative Officer.	Whether he is an old servant of Government or newly appointed by the Local Authority.	Remarks.
1	2	3	4	5	6	7
	DISTRICT LOCAL BOARD LOCAL AUTHORITIES—*contd.*			Rs.		
	Northern Division.					
12	Panch Mahals ..	1st April 1926.	Mr. J. R. Desai, B.A., S.T.C.D.	180 *plus* 30 D.A.	Old servant of Government.	Pay as Administrative Officer has not been fixed as yet. He is drawing pay of supervisor.
13	Broach ..	1st May 1930.	Mr. N. A. Kadri, B.A., S.T.C.D.	230	Do.	
14	Surat ..	1st Sept. 1929.	Mr. G. R. Desai, B.A., S.T.C.D.	290	Do.	
15	Ahmedabad ..	Control not yet taken over.				
16	Kaira ..	Control not yet taken over.				
	Southern Division.					
17	Dharwar ..	1st March 1926.	Mr. R. K. Naik, B.A., S.T.C.D.	250	Old servant of Government.	
18	Belgaum ..	1st Feb. 1926.	Mr. M. Ramchandran, B.A., B.T.	250	Newly appointed by the Local Authority.	
19	Bijapur ..	1st Jan. 1927.	Mr. N. T. Jagtap, B.A.	295	Old servant of Government.	
20	Kanara ..	1st March 1926.	Mr. V. D. Navalgund, B.A., S.T.C., S.T.C.D.	350	Do.	
	Sind.					
21	Karachi ..	1st April 1926.	Mr. S. A. Haq, Matric.	680 *plus* 65 Comp. A.	Old servant of Government.	
22	Hyderabad ..	1st Sept. 1926.	Mr. M. S. Memon, B.A., S.T.C.	390	Do.	
23	Thar Parkar ..	1st May 1929.	Mr. A. W. Musavi, M.A., B.T.	275	Do.	
24	Nawabshah ..	1st Nov. 1926.	Mr. Jan Md. Kazi, Matric.	200	Do.	
25	Sukkur ..	1st July 1926.	Mr. Md. Ibrahim Md. Kasim Soomro, B.A., S.T.C.D.	570 *plus* 80 P.A.	Do.	
26	Upper Sind Frontier.	1st April 1926.	Mr. A. G. Kazi, S.T.C.D.	370	Do.	
27	Larkana ..	1st March 1926.	Mr. G. N. Kazi, B.A.	510 *plus* 100 P.A.	Do.	
	LOCAL AUTHORITY MUNICIPALITIES.					
	Bombay Division.					
1	Thana ..	1st May 1925.	Mr. S. V. Samant, B.A.	80	Newly appointed by the Local Authority.	
2	Bandra ..	1st April 1925.	Mr. K. N. Karandikar, B.A., S.T.C.	180	Old servant of Government.	

No.	Name of the Local Authority.	Date of taking over control.	Name of the Administrative Officer and his qualifications.	Present salary of the Administrative Officer.	Whether he is an old servant of Government or newly appointed by the Local Authority.	Remarks.
1	2	3.	4	5	6	7
	LOCAL AUTHORITY MUNICIPALITIES—*contd.*			Rs.		
	Bombay Division—contd.					
3	Malegaon ..	1st April 1927.	Mr. K. D. Saokar, III year trained and P.E.	86	Newly appointed by the Local Authority.	
4	Nasik City ..	1st April 1925.	Mr. G. K. Pardeshi, III year trained and S.L.C.	175	Do.	
5	Kalyan ..	1st April 1927.	Mr. D. N. Hajare, B.A.(Hons.).	105 *plus* 10 C.A.	Do.	
6	Vengurla ..	1st August 1927.	Mr. P. S. Mahajan, Matric.	60	Do.	
7	Chiplun ..	1st Sept. 1929.	....	....	....	Appointment is yet to be made.
	Central Division.					
8	Poona City ..	1st July 1925.	Mr. G. B. Wable, B.A., L.T.	260	Newly appointed by the Local Authority.	
9	Poona Suburban.	1st May 1927.	Mr. V. B. Bhaskar, B.A.	100	Do.	
10	Lonavla ..	1st April 1925.	Mr. B. N. Kumthekar, B.A., B.T.	80	Do.	
11	Baramati ..	1st Sept. 1926.	Mr. G. G. Shahane, III year trained; Matriculate.	80	Do.	
12	Satara City ..	1st April 1925.	Mr. P. S. Badve, III year trained. Sufficient knowledge of English.	110	Do.	
13	Sholapur ..	1st April 1925.	Mr. B. G. Karadkar, III year trained.	130	Do.	Officiating.
14	Pandharpur ..	1st April 1925.	Mr. M. G. Keskar, B.A.	88	Do.	
15	Barsi ..	1st April 1925.	Mr. S. L. Vipat, III year trained and Matriculate.	80	Do.	
16	Ahmednagar ..	1st April 1925.	Mr. M. G. Modak, M.A., S.T.C.D.	230	Old servant of Government.	
17	Sangamner ..	1st Sept. 1925.	Mr. B. K. Kulkarni, III year trained; Matriculate.	80	Newly appointed by the Local Authority.	
18	Jalgaon ..	1st June 1925.	Mr. S. S. Teni, III year trained.	100	Do.	Officiating.
19	Amalner ..	1st January 1926.	Mr. D. S. Kulkarni, III year trained; Matriculate.	72	Do.	
20	Dhulia ..	1st April 1925.	Mr. H. R. Teli, III year trained; Matriculate.	150	Old servant of Government.	
21	Nandurbar ..	1st May 1927.	Vacant from 1st April 1931.			

No.	Name of the Local Authority.	Date of taking over control.	Name of the Administrative Officer and his qualifications.	Present salary of the Administrative Officer.	Whether he is an old servant of Government or newly appointed by the Local Authority.	Remarks.
1	2	3	4	5	6	7
	LOCAL AUTHORITY MUNICIPALITIES—contd.			Rs.		
	Northern Division.					
22	Bulsar ..	1st Oct. 1925.	Mr. Nanganlal J. Desai, B.A., S.T.C.	110 *plus* 7 Cycle Allce.	Newly appointed by the Local Authority.	
23	Nadiad ..	1st May 1926.	Mr. M. S. Shah, B.A., B.T.	105	Do.	
24	Ahmedabad ..	1st Apr. 1925.	Mr. P. K. Desai, B.A., S.T.C.D.	400	Do.	
25	Rander ..	1st Oct. 1925.	Mr. R. K. Patel, III year trained; Matriculate.	88	Do.	
26	Dohad ..	1st Nov. 1926.	Mr. A. A. Wazifdar, B.A.	85	Do.	
27	Surat ..	1st June 1925.	Mr. G. J. Bhatt, B.A., S.T.C.D. (Hons.).	230	Old servant of Government.	
28	Godhra ..	1st Dec. 1926.	Mr. P. B. Acharya, Matriculate.	88	Newly appointed by the Local Authority.	
29	Anand ..	1st April 1929.	....	..	....	Appointment not yet made.
30	Broach ..	1st April 1925.	Mr. M. M. Dave, III year trained; Matriculate, Hope Medalist.	150 *plus* 25 C. A.	Old servant of Government.	
31	Viramgam ..	1st April 1925.	Mr. C. M. Tripathi, III year trained. 1st grade Drawing and Agricultural Examinations. Knows English.	85	Newly appointed by the Local Authority.	
	Southern Division.					
32	Dharwar ..	1st May 1926.	Mr. D. S. Sirsangi, B.A., S.T.C.	100	Newly appointed by the Local Authority.	
33	Hubli ..	1st Aug. 1925.	Mr. S. B. Goankar, B.A., III year trained.	160	Do.	
34	Gadag ..	1st April 1925.	Mr. P. M. Umadi, B.A., B.T.	130	Do.	
35	Bagalkot ..	1st April 1927.	Mr. K. S. Dovur, B.Sc.	81	Do.	
36	Bijapur ..	1st April 1925.	Mr. S. A. Shaikh, P. E., V. F., 1st Aid to the Injured.	160	Old servant of Government.	
37	Nipani ..	1st Nov. 1927.	Mr. M. Y. Kadolkar, Inter Arts.	65	Newly appointed by the Local Authority.	

No.	Name of the Local Authority.	Date of taking over control.	Name of the Administrative Officer and his qualifications.	Present salary of the Administrative Officer.	Whether he is an old servant of Government or newly appointed by the Local Authority.	Remarks.
1	2	3	4	5	6	7
	LOCAL AUTHORITY MUNICIPALITIES—contd.			Rs.		
	Sind.					
38	Karachi ..	1st April 1925.	Mr. A. T. Gidwani, M.A. (Oxford).	480 *plus* 120 Motor Allce.	Newly appointed by the Local Authority.	
39	Hyderabad ..	1st July 1925.	Mr. A. H. Advani, B.A.	330 *plus* 50 C.A.	Do.	
40	Tando Md. Khan.	1st Dec. 1929.	Mr. U. M. Ismail, Md. Hashim, Inter Arts.	Allowance. 15	Do. ..	Officiating.
41	Mirpurkhas ..	1st June 1930.	....	..	....	Appointment not yet made.
4	Umerkot ..	Control not yet taken over.				
43	Tando Adam ..	1st Oct. 1926.	Mr. Chalria Choitram, Matric, S.T.C.	115	Newly appointed by the Local Authority.	Joint Administrative Officer.
44	Shahdadpur ..	1st Oct. 1927.				
45	Sukkur ..	1st Dec. 1925.	Mr. S. T. Tawermalani, M.A., S.T. C.D.	180 *plus* 30 C.A.	Do.	
46	Rohri ..	1st Nov. 1925.	....	..	....	Appointment not yet made.
47	Garhiyasin ..	1st Sept. 1926.	Mr. G. N. Nathani, B.A., B.T. (I Class).	140 *plus* 60 C.A.	Old servant of Government.	Joint Administrative Officer.
48	Shikarpur ..	1st Mar. 1927.				
49	Jacobabad ..	1st May 1927.	Mr. A. G. Kazi, B.A., S.T.C.D.	370	Do. ..	Joint Officer for District School Board, Upper Sind Frontier and Jacobabad Municipality.
50	Ratodero ..	1st Feb. 1926.	Mr. H. A. Chhugani, F.A.	140	Newly appointed by the Local Authority.	
51	Larkana ..	1st Sept. 1926.	Mr. N. J. Bhambhani, B.A.	105 *plus* 10 C.A.	Do.	

AGRICULTURAL DEPARTMENT: PERIPATETIC DEMONSTRATIONS.

Khan Bahadur D. B. COOPER (Satara District): With reference to recommendation No. 16 on paragraph 138 of the Report of the Royal Commission on Agriculture in India, at page 166, reading as follows:—

"Peripatetic demonstrations of the use of improved implements should be given", will Government be pleased to state—

(*a*) how many implement depôts for demonstration purposes are being maintained by the Agricultural Department;

(*b*) where these depôts are situated;

(*c*) what improved implements are demonstrated at these depôts?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) 127 implement depôts for demonstration purposes are maintained by the Agricultural Department, by the Taluka Development Associations and by the Co-operative Implement Societies in the Presidency as shown below:—

North Central Division	41
South Central Division	24
Southern Division	32
Gujarat	8
Konkan	22
	127

As regards Sind no implement depôts are maintained by the Agricultural Department except the Central Agricultural Depôt, Mirpurkhas, where a stock of improved implements is maintained for demonstration and sale to cultivators.

(*b*) and (*c*) The requisite information is contained in the statements which are placed on the Council Table.

LIST OF IMPLEMENT DEPOTS MAINTAINED BY THE AGRICULTURAL DEPARTMENT AND LOCAL BODIES FOR DEMONSTRATION PURPOSES.

Konkan Division.

The depôts are situated at the headquarters of the Agricultural Overseers and Farm Superintendents and Taluka Development Associations.

Name.	Headquarters.
Agricultural Overseer, North Thana	.. Palghar.
Agricultural Overseer, South Thana	.. Kalyan.
Agricultural Overseer, North Kolaba	.. Karjat.
Agricultural Overseer, South Kolaba	.. Mahad.
Agricultural Overseer, North Ratnagiri	.. Chiplun.
Agricultural Overseer, South Ratnagiri	.. Hatkhamba.
Agricultural Overseer, Kanara	.. Kumta.
Betta Overseer, Kanara ..	.. Sirsi.
Superintendent, Ratnagiri Farm	.. Shirgaon.
Superintendent, Kumta Farm	.. Kumta.
Rice Specialist, Karjat Farm	.. Karjat.
Taluka Development Association	.. Umbergaon, district Thana.
Taluka Development Association	.. Dahanu, Gholwad, district Thana.
Taluka Development Association	.. Palghar, district Thana.
Taluka Development Association	.. Kalyan, district Thana.
Taluka Development Association	.. Roha, district Kolaba.
Taluka Development Association	.. Dapoli, district Ratnagiri.
Taluka Development Association	.. Ratnagiri, district Ratnagiri.
Taluka Development Association	.. Rajapur, district Ratnagiri.
Taluka Development Association	.. Malwan, district Ratnagiri.
Taluka Development Association	.. Sirsi, district Kanara.
Taluka Development Association	.. Karwar, district Kanara.

Gujarat Division.

Eight regular Depôts are maintained at the following places with either a Kamgar, a non-graduate assistant or a graduate assistant in charge, who gives implements on hire as well as for demonstration purposes:—

(1) Bulsar, (2) Broach, (3) Godhra, (4) Garbada, (5) Limdi, (6) Prantij, (7) Asalali and (8) Dholka.

Southern Division.

The depôts of the District Agricultural Overseers are located at the following places:—

(1) Dharwar.
(2) Haveri.
(3) Gadag.
(4) Belgaum.
(5) Chikodi.
(6) Bailhongal.
(7) Bijapur.
(8) Bagalkot.
(9) Mundgod.

The depôts of the Taluka Development Associations are at the following places:—

(1) Dharwar.
(2) Haveri.
(3) Gadag.
(4) Hangal.
(5) Hirekerur.
(6) Ron.
(7) Mundargi.
(8) Athni.
(9) Chikodi.
(10) Gokak.
(11) Murgod.
(12) Bijapur.
(13) Bagalkot.

The depôts of the Co-operative Implement Societies are at the following places:—

Dharwar District.

1. Betigeri Group Seed and Implement Co-operative Society Limited, Hulkoti, Gadag Taluka.

2. Hesrur Group Seed and Implement Co-operative Society Limited, Hesrur, Mundargi Petha.

3. Hosritti Group Seed and Implement Co-operative Society Limited, Hosritti, Karajgi Taluka.

4. Kotumachigi Group Seed and Implement Co-operative Society Limited, Kotumachigi, Gadag Taluka.

5. Mulgund Group Seed and Implement Co-operative Society Limited, Mulgund, Gadag Taluka.

6. Navalgund Group Seed and Implement Co-operative Society Limited, Navalgund, Navalgund Taluka.

7. Panigatti Group Seed and Implement Co-operative Society Limited, Panigatti, Bankapur Taluka.

8. Saswihalli Group Seed and Implement Co-operative Society Limited, Saswihalli, Navalgund Taluka.

Bijapur District.

1. Sulibhavi Implément Supply Society Limited, Sulibhavi, Hungund Taluka.

The Bijapur Anti-Famine Institute has its depôts in all talukas of the district.

Serial No.	Name of Depôt.	Taluka.	District.
	SOUTH CENTRAL DIVISION.		
	(Deccan Canals Area.)		
1	Implement Depôt at Bawada	.. Indapur	.. Poona.
2	Implement Depôt at Hanthurna	.. Do.	.. Do.
3	Implement Depôt at Sangvi	.. Bhimthadi	.. Do.
4	Implement Depôt at Baramati	.. Do.	.. Do.

Serial No.	Name of Depôt	Taluka	District
	SOUTH CENTRAL DIVISION—*contd.*		
	(Deccan Canals Area)—contd.		
5	Implement Depôt at Manjur	.. Kopargaon	.. Ahmednagar.
6	Implement Depôt at Kopargaon	.. Do.	.. Do.
7	Implement Depôt at Karanji	.. Do.	.. Do.
8	Implement Depôt at Belapur	.. Rahuri	.. Do.
9	Implement Depôt at Songaon	.. Do.	.. Do.
10	Implement Depôt at Wadala Mahadeo.	Newasa	.. Do.
11	Implement Depôt at Dharampur	.. Malsiras	.. Sholapur.
12	Implement Depôt at Malsiras	.. Do.	.. Do.
	Poona District.		
13	Implement Depôt at Bhigwan	.. Indapur	.. Poona.
14	Implement Depôt at Talegaon (Dhamdhere).	Sirur	.. Do.
15	Implement Depôt at Saswad	.. Purandhar	.. Do.
16	Implement Depôt at Khed (Shiwapur).	Haveli	.. Do.
	Satara District.		
17	Depôt at Tasgaon	.. Tasgaon	.. Satara.
18	Office and Store-room and Depôt, Karad Karad.		.. Do.
	Sholapur District.		
19	Office of the Inspector of Agriculture, Sholapur, and Store-room and depôt.	Sholapur	.. Sholapur.
20	Office of the District Agricultural Overseer, Barsi, and Depôt.	Barsi	.. Do.
21	Implement Depôt at Tembhurni	.. Karmala	.. Do.
	Ahmednagar District.		
22	Store-room and Office of the District Agricultural Overseer, Ahmednagar, and Depôt.	Nagar	.. Ahmednagar.
23	Implement Depôt at Sangamner	.. Sangamner	.. Do.
24	Implement Depôt at Pimpalgaon Pisa.	Shrigonda.	.. Do.

NORTH CENTRAL DIVISION.

Depôts maintained by the Agricultural Department and the Taluka Development Associations.

	Place.	Taluka.	District.	
1	Sinnar	.. Sinnar	.. Nasik ..	Maintained by the Agricultural Department.
2	Nasik	.. Nasik	.. Do. ..	
3	Dabhodi	.. Malegaon	.. Do. ..	
4	Chandor	.. Chandor	.. Do. ..	
5	Nandgaon	.. Nandgaon	.. Do. ..	
6	Kalwan	.. Kalwan	.. Do. ..	
7	Jamner	.. Jamner	.. East Khandesh	
8	Parola	.. Parola	.. Do. ..	Maintained by the Taluka Development Associations.
9	Jalgaon	.. Jalgaon	.. Do. ..	
10	Mhasvad	.. Do.	.. Do. ..	
11	Nashirabad	.. Do.	.. Do. ..	
12	Bhusaval	.. Bhusaval	.. Do. ..	
13	Bodwad	.. Do.	.. Do. ..	
14	Raver	.. Raver	.. Do. ..	

NORTH CENTRAL DIVISION—*contd.*

	Place.	Taluka.	District.	
15	Yawal	.. Yawal	.. East Khandesh ..	Maintained by the Taluka Development Associations.
16	Faizpur	.. Do.	.. Do. ..	
17	Edlabad	.. Edlabad	.. Do. ..	
18	Pachora	.. Pachora	.. Do. ..	
19	Bhadgaon	.. Do.	.. Do. ..	
20	Chalisgaon	.. Chalisgaon	.. Do. ..	
21	Mehunbare	.. Do.	.. Do. ..	
22	Erandol	.. Erandol	.. Do. ..	
23	Dharangaon	.. Do.	.. Do. ..	
24	Chopda	.. Chopda	.. Do. ..	
25	Amalner	.. Amalner	.. Do. ..	
26	Dhulia	.. Dhulia	.. West Khandesh .	
27	Nyahalod	.. Do.	.. Do. ..	
28	Sakri	.. Sakri	.. Do. ..	
29	Pimpalner	.. Do.	.. Do. ..	
30	Nizampur	.. Do.	.. Do. ..	
31	Sindkheda	.. Sindkheda	.. Do. ..	
32	Shahada	.. Shahada	.. Do. ..	
33	Prakasha	.. Do.	.. Do. ..	
34	Taloda	.. Taloda	.. Do. ..	
35	Nandurbar	.. Nandurbar	.. Do. ..	
36	Shirpur	.. Shirpur	.. Do. ..	
37	Satana	.. Baglan	.. Nasik. ..	
38	Malegaon	.. Malegaon	.. Do. ..	
39	Yeola	.. Yeola	.. Do. ..	
40	Ozar-Tambat	.. Niphad	.. Do. ..	
41	Nasik	.. Nasik	.. Do. ..	

LIST OF IMPROVED IMPLEMENTS DEMONSTRATED AT THE VARIOUS IMPLEMENT DEPÔTS.

Konkan Division.

1. Meston plough.
2. Konkan plough.
3. Sabul plough.
4. Deccan harrow.
5. Planet Junior hand hoes.
6. Nor-crosses.
7. Auto sprayers.
8. Peerless dust guns.
9. Bulsar Rahat.
10. Kison crusher.
11. Chatanooga crusher.
12. Levellers.

Gujarat Division.

C. T. 2 plough,
Malwa plough,
Middle-buster,
B. T. 2 plough,
McCormick Cultivator,
Middle-breaker,
Iron Leveller.

Southern Division.

Various kinds of iron ploughs (two-bullock, four-bullock, six-bullock and eight-bullock ploughs), wheat thresher, Disc harrow, Stone roller, sugarcane mill, iron scraper and chaff cutter are demonstrated.

South Central Division.

Ploughs, levellers, seed-drills, chaff-cutters, bullock-hoes, hand hoes, sieves for seed grading, sulphur dusting machines, sprayers, etc.

North Central Division.

Iron ploughs, Iron levellers, Chaff cutters, Spray pumps, Hand hoes, Stone-roller for threshing jowar, Power chaff cutter, tractor plough and winnowers.

PLOUGH TRIALS, JALGAON FARM: RESULTS.

Khan Bahadur D. B. COOPER (Satara District): Will Government be pleased to state—

(*a*) whether they are aware that as a result of trials carried out at Jalgaon Farm, an increase of 60 per cent. above normal in crops was obtained as a result of the adoption of improved ploughs in place of the indigenous ones—*vide* page 51 of the Proceedings of the Bombay Provincial Board of Agriculture meeting held at Poona on 25th and 26th August 1925;

(*b*) what steps Government intend to take or have taken in making this information generally known to the agriculturist where improved implements are not in use?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) The usefulness of iron inverting ploughs has been brought to the notice of the Divisional Boards of Agriculture and Taluka Development Associations. Almost all the Taluka Development Associations now stock these ploughs and let them out on hire at cheap rates to cultivators. Some Associations have issued leaflets on the subject. Implement depôts have been opened by the Agricultural Department in areas where these ploughs were not well known, and they are demonstrated there and are given on hire on easy terms to cultivators. The use of these ploughs is now well known to cultivators and many private agencies for their sale have been started in important centres. In the year 1929-30 the Agricultural Department organised 65 implement demonstrations in the North Central Division. With a view to making information regarding improved ploughs generally known the following leaflets have been issued:—

No. 6 of 1926.—List of Implements recommended by the Agricultural Department for the Deccan and Karnatak districts.

No. 1 of 1927.—List of Implements recommended by the Agricultural Department for Gujarat.

No. 2 of 1927.—List of Implements recommended by the Agricultural Department for the Konkan Division.

No. 8 of 1927.—Agricultural Machinery and Agricultural Engineering.

Copies of these leaflets are placed on the Council table.*

MANGO TREES: REMOVAL OF FOREIGN GROWTH.

Rao Saheb B. G. DESAI (Kaira District):—(1) Are Government aware that a foreign growth called "वांधा" on mango trees is appearing in the Surat and other districts in an increasing degree?

(2) What steps have Government taken to remove and prevent the growth of such foreign growths on mango trees?

(3) (*i*) Was the Director of Agriculture consulted and has he made any investigation in the matter?

(*ii*) if so, what are the results thereof?

(4) (*i*) Has any special officer been appointed for the purpose?

* Kept in the Secretary's office.

(*ii*) if so, what is his salary and designation and where are his headquarters located ?

(5) When was the appointment made and what was the salary of the incumbent before his appointment to this special post ?

(6) What are the activities of this special officer and what is the measure of success achieved by the special exertion of this officer ?

(7) What opinion or observations have been recorded by the Director of Agriculture with regard to the results achieved by this measure ?

The Honourable Dewan Bahadur S. T. KAMBLI : (1) Yes. The foreign growth is understood to be Loranthus which is a common parasite on mango and other trees.

(2) Mango growers are advised by the Agricultural Department to cut down the growth of the parasite whenever noticed. The methods advocated are fully explained in a leaflet and a bulletin issued by the Department of Agriculture, copies of which are placed on the Council table.

(3) (*i*) and (*ii*) The subject lies within the sphere of duties of the Horticulturist to Government. No special investigation was necessary.

(4) (*i*) No.

(*ii*) Does not arise.

(5), (6) and (7) Do not arise.

CANAL WATER, KARACHI DISTRICT : INSUFFICIENT SUPPLY.

Mr. GHULAM HYDER SHAH (Karachi District) : Will Government be pleased to state—

(*a*) whether it is a fact that the Local Officials have assured the zamindars of Karachi District from time to time in reply to their representations that the supply of water in the District even after the opening of the Barrage will always be adequate and in time for cultivation purposes if the minimum gauge reading at Kotri was ten feet ;

(*b*) if the reply to (*a*) is in the affirmative, whether it is a fact that although the gauge reading at Kotri was more than ten feet in the later half of the month of June 1931, the supply of water for cultivation was not enough and not in time ;

(*c*) if the reply to (*b*) is in the affirmative, whether Government consider this to be a serious situation calling for an immediate enquiry and necessary action ;

(*d*) if the reply to (*c*) is in the affirmative, whether Government propose to take any and if so, what action in the matter ?

The Honourable Sir GHULAM HUSSAIN : (*a*) to (*d*) The attention of the honourable member is invited to the reply given to a similar question put by Mr. Shaikh Abdul Majid.*

BARRAGE CANALS : LOSS TO ZAMINDARS IN KARACHI DISTRICT.

Mr. GHULAM HYDER SHAH (Karachi District) : Will Government be pleased to state—

(*a*) whether it is a fact that the water level in canals in Karachi District cannot be maintained as at present after the opening of the Barrage canals ;

* Printed in the Debates of 17th February 1932.

(*b*) whether it is a fact that the Zamindars of the Karachi District in general and of the Shah Bunder Division in particular will be seriously affected after the opening of the Barrage canals;

(*c*) whether it is a fact that Government have assured the Zamindars to be so affected that their case will receive most sympathetic consideration;

(*d*) if the reply to (*a*), (*b*) and (*c*) is in the affirmative, what is the nature of the compensation they propose to give to the Zamindars of the district?

The Honourable Sir GHULAM HUSSAIN: (*a*) to (*d*) The attention of the honourable member is invited to the reply given to a similar question put by Mr. Shaikh Abdul Majid.

FIRST AND SECOND CLASS TANKS: DHARWAR DISTRICT.

Mr. V. N. JOG (Dharwar District): Will Government be pleased to state—

(1) The number of first and second class tanks in each of the talukas of the Dharwar District in the charge of the Irrigation Department?

(2) The total amount of water cess recovered in respect of such tanks during the last ten years?

(3) Whether the whole amount recovered on water cess has been spent on those tanks?

(4) If not what amount has been spent on those tanks?

(5) Whether the unspent amount, if any, is kept separately and shown to the credit of the tanks in each taluka or district?

(6) Whether any applications from the cultivators have been received during the last three years to repair the tanks, dams and catchment areas of such tanks? If so, how many and with what result?

(7) Whether it is a fact that the cultivators of Tadas in the Shiggaon Taluka of the Dharwar District applied for the repair of the tanks and canals of that village being effected last year? If so, with what result?

(8) Whether it is a fact that a considerable amount is paid every year in that village as water cess?

(9) The amount if any spent on the repairs to the tank and canals in that village during the last twenty-five years?

(10) Whether it is a fact that the unspent amount collected as water cess in one district is spent in the other districts?

(11) Whether it is the practice in the Irrigation Department to inspect each tank every year and keep notes about its condition?

(12) Whether it is a fact that the water in the Honnapur tank in the Shiggaon Taluka of the Dharwar District flows to a nala, as the outlet of the said tank is not in a proper condition?

(13) Whether it is a fact that the overflow water of the said tank is meant to flow into other tanks?

The Honourable Sir GHULAM HUSSAIN: (1) The following statement gives the information required:—

Taluka.	No. of first class irrigation works.	No. of second class tanks.
Kod	1	578
Kalghatgi	....	315
Hangal	1	428
Ranebennur	2	9
Karajgi	....	41
Gadag	1	6
Dharwar	....	83
Bankapur	....	137
Hubli	....	38
	5	1,635

The second class irrigation tanks mentioned above are all in charge of the Revenue Department and the Public Works Department is concerned only with the execution of repairs when required.

(2) The total amount of water rate collections in respect to first class tanks was Rs. 72,343-1-6 during the decennium ending 31st March 1930 and the Irrigation share realised on 2nd class tanks was Rs. 24,70,078 during the last ten years ending 31st July 1930.

(3) and (4) Rs. 86,629 have been spent on first class tanks and Rs. 3,38,997 on second class tanks during the last ten years. The latter figure does not include establishment and tools and plant charges, the accounts of which have not been kept separately for the Dharwar District.

(5) No such accounts are maintained.

(6) It is not possible to give the exact number of applications but several have been received and they have been attended to as far as practicable.

(7) Yes. The tanks in question have been surveyed and the projects are under preparation.

(8) Water cess amounting to Rs. 3,042-15-4 is annually levied from irrigators in the village of Tadas.

(9) Rs. 11,855.

(10) It is not possible to give the information required as no such accounts are maintained.

(11) Yes, in the case of first class tanks. In the case of second class tanks which are as many as 1,635 in number it is not possible to inspect all the tanks every year.

(12) Yes. The necessary steps are being taken in the matter.

(13) Yes.

LAND GRANT FOR ANGLO-URDU HIGH SCHOOL, HUBLI.

Mr. J. S. KADRI (Northern Division): Will Government be pleased to state—

(*a*) whether the present hired building for the Anglo-Urdu High School at Hubli has been found to be incommodious and inconvenient;

(*b*) whether a large number of students are refused admission to the school every year in consequence of shortage of accommodation;

(*c*) whether the Anjuman-i-Islam of Hubli offered to erect a suitable building for the High School, provided they are given a suitable site for the building by Government;

(*d*) whether it is a fact that Government intend to favourably consider the request of the Anjuman for the grant of a plot of land from the vast compound of the Government Travellers' Bungalow, which is now rarely used by travellers?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

(*d*) No.

ELPHINSTONE COLLEGE: LECTURER IN PHILOSOPHY.

Mr. J. S. KADRI (Northern Division): Will Government be pleased to state—

(*a*) the age, qualifications, service and pay on 31st March 1931 of Mr. J. C. P. D'Andrade, Lecturer in Philosophy in the Elphinstone College, Bombay;

(*b*) the date from which he was promoted to the selection grade;

(*c*) the special grounds on which he was granted the selection grade;

(*d*) whether there were any other professors and lecturers in Government Arts Colleges, senior to him in service and pay, and if so, why their right to the selection grade was overlooked in favour of Mr. D'Andrade?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) 43 years; M.A., LL.B.; total service 18 years; pay Rs. 550 per mensem.

(*b*) 1st April 1931.

(*c*) Work in Philosophy of a very high order.

(*d*) Yes, there were some officers senior to him in service but not superior in capacity.

GENERAL DISCUSSION ON THE BUDGET

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Sir, I propose to offer a few observations on the budget presented to this Council in my own humble way. I am not an expert economist, nor do I claim to be a skilful politician, but I am a plain man with plain common sense [*Laughter*]—delighted to work in the fields, and desiring to express here the homely views which an experienced agriculturist like myself can be expected to arrive at, after a due study of the budget and of the general financial situation of this Presidency.

Sir, in a crisis of the character with which we are faced at the present moment, it is undoubtedly difficult to resist the temptation of dealing in severe criticism and even attack of Government. But I do not believe that it is at all necessary, now that Government has fully awakened from the long sleep or stupor which seemed to have overtaken it. I therefore apply myself to the task of making my own constructive suggestions, passing only such criticisms by the way as are necessary or helpful to my theme.

[Mr. M. M. Karbhari]

Before proceeding to this discussion, however, I cannot but frankly express the nervousness I have always felt at handling the bulky volumes of the budgetary statements, in which one almost feels lost without seeing any light for a considerable time. For common men like me—

The Honourable the PRESIDENT: I am sorry to interrupt the honourable member. I notice that he is reading a speech.

Mr. M. M. KARBHARI: These are my notes, Sir.

The Honourable the PRESIDENT: I might point out to honourable members that, as usual, twenty minutes will be the time limit for each speech. When I ring the bell at the end of that time, even though an honourable member is in the middle of his argument, he must stop. And as we go on, the time limit will have to be reduced.

Mr. M. M. KARBHARI: For common men like me, who have not acquired the acumen of our very able Finance Secretary, the form in which the budget is put and presented is a great puzzle, and the very first reform that I would urge in this connection is that the budgets in future should be so outlined and presented that they would acquire a lucidity and intelligibility, and can be understood without much effort. A small committee may be appointed, if necessary, to suggest less clumsy and more lucid methods of presentation, but in any case I do feel that some reform in this direction is urgently called for.

Sir, with a more and more careful study of the budget, the conviction is growing on me that the very fundamental basis of Governmental finance in this Presidency requires to be overhauled. The most outstanding fact regarding our taxation and expenditure is that the agriculturist in the rural areas is keenly sought by Government for revenue purposes, while his own needs and requirements are subordinated to those of mercantile classes, especially in large cities like Bombay, where trade and industry are concentrated. Schemes like the Bombay Development have been undertaken at the expense of what has proved to be unproductive capital, on which the interest has now to be paid by the poor agriculturist who had little interest in that development and had no say at all in the policy. The Government of Bombay receives little revenue from commercial and industrial development, of which the main benefit goes to the Central Government in the form of income-tax and other taxes, and yet it has been considered a desirable policy for the Government of Bombay to undertake developments for the commercial and industrial classes, of which, as experience has shown the ultimate burden falls on the agricultural classes. They pay the piper, but the commercial community calls the tune.

One telling instance will explain how this happens. In a city like Bombay, industrial disputes often occur, and from time to time the police have to be employed in quelling disturbances. At whose cost is this extra expenditure made possible? Is the cost of the police

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met from any special levy on the Bombay millowner? No: it is met from the revenues collected from the agriculturists. I do not really see why the millowners should not be made subject to special taxation, say at the rate of one rupee per workman in the mills, for the employment of the police in such emergencies. The point I want to make is that the centre of gravity in the provincial expenditure must stay with the agriculturist in so far as he is the main contributor to the provincial revenue.

Another point that naturally strikes a student of recent Bombay budgets is the heavy increase in expenditure since the inauguration of the Montford reforms. Not only have portfolios been increased from three to seven, but there has also been great increase in establishments attached to each of these portfolios. It is true that Government have now realised the situation, as is evident from His Excellency's address to this Council. But, alas, it is only a promise to be fulfilled in future, if at all it escapes the proverbial slip between the cup and the lip. If expenditure on such avoidable establishment had not been undertaken, would we have been driven today to retrench such a large sum as 27 lakhs as proposed by the Finance Member in the educational grants which, in a progressive State like ours, should go on expanding?

I have promised, Sir, to devote more time in my speech to constructive suggestions than to criticism, and this I now proceed to do. I begin with the Sind Barrage which is a scheme of vast dimensions and which has entirely been financed by the Bombay Government. Though it is true that, to all appearances, this scheme was undertaken in the interest of agriculturists, it is no less true that it will serve the trading classes as much, if not more. The agricultural depression has further curtailed the prospects of the scheme so far as the agriculturists are concerned, and to that extent the increase in revenue to the Government of Bombay from this scheme will only be nominal. On the other hand, the Central Government is bound to be benefited by reason of the heavy increase in trade, the increase in railway traffic and the increase in the profits of the traders. For this reason, a substantial portion of the capital burden must, in equity, be taken up by the Government of India, as has been very ably and cogently pointed out by Sir M. Visvesvaraya in his report on the scheme.

I would, therefore, suggest to the Government of Bombay that they should approach the Government of India with a representation in this connection, and let them add another important reason which I suggest. I hold, after a very careful study of the topography of the Sind Barrage scheme, that it has a military importance of its own which the Government of India may well be asked to accept. Let me make clear what I mean. It is an admitted fact that the North-Western Frontier is the principal direction from where foreign attacks on India are to be expected as in the past. The frontier open to attack is a large one, from Karachi further up to Kashmir. But if ever such an invasion takes place, this long frontier can be shortened to a few hundred miles,

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if only with the assistance of the Barrage scheme in full operation the whole of Central Sind is inundated. This, Sir, is an aspect of the question which I am afraid has struck none as yet, but is undeniably an important one, and I would ask the Government of Bombay to urge it in their representation to the Government of India who, from military considerations at least, ought to recognise their liability in regard to the scheme.

I come next to the discussion of land revenue. It is very regrettable that this revenue has suffered a steady fall during recent years, but I do not desire to waste my time in discussing the reasons of that fall. There is one thing, however, to which I would draw the pointed attention of Government. It appears to me to be a very strange thing that land revenue assessment is charged by Government on the acreage of land and not according to the income of the landholders from the land. Thus the burden falls equally on the petty landholder who is quite unable to bear it and on the big zamindar to whom it is a light one. On the principle of equity, there should be a gradation scale of assessment on the lines on which income tax is levied, and this would not only take the burden away from the wrong place to the right one, i.e., from the shoulders incapable of bearing it to shoulders which can well afford to bear it, but this is bound to bring steadily increasing revenue to the coffers of Government and relieve them of much of their anxiety regarding the question.

Another method which I would suggest for a steady revenue from land is the scheme of insurance. Government should insure the whole of their land revenue with a respectable insurance company——

The Honourable Mr. W. F. HUDSON: I am sorry to interrupt the honourable member, but will he suggest the names of one or two such insurance companies? [*Laughter.*]

Mr. M. M. KARBHARI:—or companies paying the premiums thereon from the Famine Relief Fund, and the condition should be that if in any year, owing to failure of rain or for any other reason, the ryots are unable to pay their full assessment, the insurance company must make good the deficit. This would also facilitate the remissions of revenue, as Government, not being themselves the losers thereof, would take an impartial view. The insurance company, if necessary, may be required to deposit a certain amount with Government for the privilege, on which again some interest would accrue to Government.

The excise revenue has also dwindled to a considerable extent, but for this I do not hold the rationing policy of Government responsible, as is done in some quarters. The two evils from which the revenue has suffered in recent years are in my opinion (1) the bad and injurious quality of the liquor supplied, and (2) the system of auctioning. Since the distillation has been centred in Nasik as a Government concern, the distilled spirit is diluted and then supplied to the consumers, whereas in previous years private distilleries distilled liquor to such degrees as suited the taste of the consumers. Thus the consumers have

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no real taste for the liquor supplied, and for this reason a vast amount of illicit distillation and importation is going on in the country with its adverse effect on Government revenue. Similarly, the auction system has taken the rates beyond Government's control and consumers are thereby affected. Its effect on revenue is also clear, for though the licensing duties show increase, the large decrease in still-head duty has more than offset it.

It should not be thought that because I have mentioned here the means of increasing the revenue, I am necessarily against prohibition as such. But I believe that the goal will be better served by carrying out a temperance campaign throughout the Presidency, as is now being done in Madras, and I would suggest to Government that they should devote at least 5 lakhs of rupees to this propaganda during the next year.

Land and Excise are the two most important sources of our revenue in this Presidency. Other sources I do not now desire to discuss. I am tempted, however, to make one important suggestion about local self-government. At present the major portion of the revenues of the self-governing local bodies like local boards comes from the Government treasury. This is due to the fact that what is known as local self-government in India descends from above downwards, and does not rise from below upwards, as it ought to do if it were a natural development. The whole system now deserves to be overhauled, and local self-government should start from the village panchayat, which should make its contributions to the taluka local board after meeting its own expenditure, the taluka local board in turn making its contribution to the district local board. Thus the funds of Government treasury will be relieved of the burden and can be utilised for other purposes, especially rural reconstruction. There would also be no need thereafter to maintain an expensive establishment in the Local Board Department.

There is one other matter regarding which I should like to make a suggestion, and then I shall close. We are naturally very much disturbed on the question of debts, on which large amounts have to be paid annually in the form of interest. This heavy burden has now become unbearable and is an astounding source of nervousness to every Finance Member. Now, I would like to suggest to Government that they should approach the Government of India asking them to issue paper currency to the aggregate amount of the principal loans standing against our Presidency, making that currency a legal tender throughout India. Agreement should also be entered into by both the Governments, that every year the Bombay Government should make good a substantial instalment, say Rs. 50 lakhs, to enable the Government of India to scrap the note currency by that amount by substituting silver currency and thus gradually to wipe it off. A measure of this character would save to this Presidency the large amounts that are now being paid as interest charges and will thereby help it to recoup its finances.

Sir, I have done. It is true that there is much to be said on the question of new taxation proposed by Government. But the Bills in that

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connection will soon come up for discussion in this Council. All that I would say on the present occasion is that except for the increase in the electricity charges, the new taxation will fall mainly on the agricultural classes. Apart from this, there is a very real case for the levy of some special taxation on the mill industry and commercial concerns in Bombay, say one rupee on each workman and servant employed therein, to be paid by the employers. I would also suggest the possibilities of a tax on marriage and marriage expenses, on which I had recently published a small pamphlet, a copy of which I had sent to the Finance Member. I wish more serious attention was given to it by the Government, for I have no doubt whatsoever that it will prove a fruitful source of revenue to Government without imposing heavy burdens on the public concerned.

In conclusion, let me make my apology to my esteemed friend the Finance Member for not dealing at length with the particular facts and figures of the budget he has presented. I consider that in a serious crisis like the present, the mere hand-to-mouth criticisms are of no avail. What we really want is a discussion of the fundamental aspects of the question and this I have attempted in my speech.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Mr. President, our Presidency is known for its sanity, but as far as the financial aspect and the handling of the Presidency's finances are concerned, I am bound to say that there is not very much indication of that factor. The Honourable the Finance Member, who once was adorning this side of the House, is now in charge of the financial strings, and it is really tragic that an honourable member of his nationalistic tendencies should produce such a disappointing budget. But that is perhaps due to circumstances over which he has no control.

I think that it is necessary to put before this House certain factors before we approach the task of reconstruction. Going back to the year 1917 or 1918, the revenue of our province stood at 8 crores and odd—Rs. 8,12,00,000 to be exact—with an expenditure of Rs. 7,54,00,000; in 1918 the figure of revenue was almost the same, Rs. 8,53,00,000, with an expenditure of Rs. 7,88,00,000. Ever since the Reforms we shall find that the revenues stand at a little less than double the figure. They range somewhere from thirteen to fifteen crores, but the expenditure has advanced in such an uncontrollable manner that we now find that the finances of the Bombay Presidency are between the devil and the deep sea. The devil is the Government's habit of extravagance, engendered by the pampered way in which it has been the protege of the Government of India and the way in which the Government of India have dealt with this province in years gone by.

The Honourable the Finance Member has, in his lucid address, given certain reasons and has tried to justify that the expenditure of our Presidency is, after all, not so high as it looks. The main reasons he has given are the size of the administrative area, the ryotwari system of land revenue, and others, but I believe he himself does not believe in

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any one of them. In my opinion, our extravagance and our extravagance alone is responsible, and as to how it is so I will presently demonstrate. Government established by law is represented by the whole array of Government servants, and it is common knowledge to this House that the salary bill of this whole established Government, which stood in the past between two to three crores, now stands between five and six crores. Now, that is one factor which is rather disturbing; but another factor which I am now going to state will take the House by storm, and it is a factor to my mind which is absolutely such as cannot be justified. I find, Sir, from the criticism of no less a personage than the Accountant General that, out of the amount that this Presidency has collected, say, in the last twelve years, to be on the safer side, no less than Rs. 15,82,00,000 are sunk in residential buildings which are provided for Government servants. Is it not an astounding fact that not only the salaries have gone on increasing, but such a large amount as Rs. 15,82,00,000 should be sunk in providing amenities for Government servants as a whole? I see the honourable member the Finance Secretary nods his head, but I am quoting it from page 9 of the Report of the Accountant General on the Appropriation Accounts of this Government for the year 1929-30. The Accountant General says there, first, that about Rs. 40 crores have been so invested in irrigational and other matters. As against this, he says that the book value of the Irrigation and Navigation estate of Government was Rs. 28 crores, and that on residential and other buildings Rs. 15,82,00,000 have been spent. Therefore, unless the figure is wrong, which I think it is not, my criticism is justified, that the Government, as at present situated, as at present managed, has abused its trust, and if it were possible even at this stage to put in an insolvency petition for adjudication, I have no doubt the Government would be adjudicated insolvent, and that would have been still better. In contravention of the justification admitted by the Honourable the Finance Member, the view that I would wish this House to remember is this. The figures which I am going to quote will show the extravagance. Taking no account of the fact as to whether we had the necessary cash balance or not, we have gone on spending. For instance, Bombay is the province, in the whole of the machinery of the Government of India, out of the nine provinces, which at present has a dead weight of such a big debt as Rs. 71 crores. As compared with this, Bengal has a debt of Rs. 2,68,00,000; Punjab, Rs. 9,00,00,000; United Provinces only about Rs. 10,00,00,000; Madras, none; the Central Provinces, Rs. 2,31,00,000; Burma, Rs. 2,49,00,000; and Bihar and Orissa, Rs. 35,00,000. That shows what a big load of debt we have got compared with other provinces, and, as the House knows, unlike them the larger portion of it is sunk in such a manner that it would almost be a miracle if it were possible to get anything out of it, not even enough to meet the interest charges. Then there is another set of figures which I would quote, with regard to all the provinces which I have mentioned, viz., Bengal, Punjab, Madras, the United Provinces, the Central Provinces, Burma, and Bihar and Orissa. The percentage increase in

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revenue as against the expenditure, which must matter for any business or governmental concern, is as follows: In Bengal the percentage increase in revenue was 14·9 and the percentage increase in expenditure was only 5; in the Punjab the increase in revenue was 18·20 as against an increase in expenditure of 22·36 per cent.; in the United Provinces the increase in revenue was 2·8 per cent., and in expenditure 5·30 per cent.; in the Central Provinces the increase in revenue was 4·9 per cent., and the increase in expenditure was 7·3 per cent.; in Burma the increase in revenue was 2·48 per cent., and the increase in expenditure was 10·73 per cent.; in Bihar and Orissa the increase in revenue was 31·3 per cent., while there was an increase of 30·1 per cent. in expenditure. Taking our revenue and expenditure, the House will find that the figures I have given are correct. We have got a debt load of about Rs. 71 crores. We have swept away the whole of our balances, and then too, as a matter of fact, we have violated one of the first principles on which the finances of this Presidency were built up. I find it stated in the earlier presentation of annual budgets by the Honourable Members in charge that Government very rightly and consistently held to the orthodox doctrine of finance, of preserving a cash balance sufficiently high to finance their needs and to provide a margin of safety. But here, if my figures are correct, we find that in all these financial principles, our Government, for the last 10 years has almost forgotten. They have not paid attention to it, and their presentation of the budgets—either *plus* or *minus* side of it—has been such that it has not been possible to scrutinise it, and certainly it is very difficult to be scrutinised by a layman. The point that I was making is this, that so far as the Bombay Presidency is concerned, we again find that there is a large amount of debt to be carried, a debt which has been contracted at a high rate of interest. We find that our interest varies somewhere between 6 and 6½ per cent. Now, we must be thankful to the Finance Secretary for his booklet "Review of the financial position of Bombay" in which he has no doubt handled these several figures in a masterly way, masterly in the sense that though there is a debt load of Rs. 71 crores, which means an annual expenditure of at least Rs. 4 crores by way of interest at the rate at which the debt has been contracted, he combats that view and holds that it is not such a large amount that we shall have to pay by way of interest, but that it is much less. He states that our interest charges would come to about Rs. 2 crores. But even accepting his figures as correct, there is no doubt that owing to the transgression of the first financial doctrine of not meeting the expenditure on these big works from loan funds alone but from revenue also, we have this serious result. As the House is aware, prior to the Reforms, the Government of India had a share in all the sources of revenue, and, as a matter of fact, also dictated the policy. Naturally, therefore, the Government of India had a good deal to do with the financial strings, and the Government of Bombay was under its control. That control was relaxed, with this particular result that, though the revenues have increased since the Reforms, we still find that our financial strength has not at all improved. It will be for me

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further to point out how as a matter of fact the revenues obtained by extra taxations to the extent of about a crore of rupees have been bartered away in the last ten years. When we began, there were certain commitments which have been mentioned by the Accountant General himself and which are commitments over which we have no control. They are mentioned on page 20 of the Appropriation of Accounts Report. As my time is limited, I do not wish to go into the details, but I would only make this much reference. You will find there that he mentions that a total amount of 398·26 are the statutory recurring commitments. He mentions that between 1929 and 1930 Government have undertaken recurring liabilities to the extent of Rs. 8,08,58,269 and non-recurring liability to the extent of Rs. 1,36,00,000. That is to say, notwithstanding the financial stringency, we have gone on increasing our commitments—notwithstanding the fact that the expenditure under pensions and commutation of pensions will go on increasing. The Honourable the Finance Member has stated that there is an increase of nine lakhs, which will go on increasing further. In view of these facts, I must strike a note of warning.

We do not still know the fate of the big Sukkur Barrage. We know what has happened with regard to development loans which we have sunk in the deep sea! A large amount also has been sunk in the Indus. Still the financial aspect of it is being differed from year to year, in the hope that greater prospects would come to Government and an opportunity will come to it to balance the figures. I must say that that hopeful outlook does not appeal to us; and in these days of hopelessness I do subscribe to the view that it would be absolutely venturesome to say that our investment even on that project will pay.

One point more I would like to make. The Government of Bombay have all along been thinking of a repayment of the loan in 30 years. But I should think that if they have the least concern about the finances of this Presidency, no less than a moratorium of 60 years will be required for the repayment of the debt, so that this generation may know what we have done should be shared by the generation that comes after us. With these words I take leave.

Rao Bahadur S. N. ANGADI (Belgaum District): Mr. President, I wish I had been able to congratulate the Honourable the Finance Member, but I find that there is nothing in the budget for which to congratulate him. The surprise is not that it is a deficit budget, because it was known long ago that it was going to be a deficit budget. I do not hold the present Finance Member responsible for it, because this is our past legacy. For some time past our finances have been in a great muddle. And yet I venture to say that of all the budgets ever presented to this House, I call this the most disappointing budget. I call it so, not because it has been a deficit budget, but because it has been a budget which is disappointing in more than one sense. It has been pointed out that Government have carried out retrenchment to a large extent, to the extent of Rs. 1,20,00,000. I do not consider this as

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a great surprise, for if Government had not done so, as has been pointed out by the honourable member Rao Bahadur Chitale, they would have been compelled to go to a bankrupt court casting their servants on the streets. So, I say it is not a great surprise that Government have carried out retrenchments.

But the question very important to consider is how that retrenchment has been carried out. It is from that standpoint that I am going to dissect the budget. Is that a retrenchment of the right sort? Is that the retrenchment we wanted the Government to carry out, or is it the retrenchment that Government want to carry out? If the budget is discussed from that standpoint, I am constrained to say never before we had such a disappointing budget, a budget which takes away a lump sum of 27 lakhs, or even more when compared with previous budgets,—50 lakhs—from the education budget. Such a budget I can never call satisfactory, when particularly the Finance Member is an Indian who should have been the last man to be a party to it. It is because of this, I call this an extremely disappointing budget. I know there has been retrenchment in the collegiate and secondary education. But what pains me most is the starvation of the education of the masses. It is a very painful feature of the budget and it is on that account that it deserves the greatest possible condemnation. I could not conceive that, when we are on the eve of provincial autonomy, Government could be so reckless and so senseless as to starve the education of the masses. It is for that reason I condemn it with all the emphasis I can command. I wonder how our Honourable Minister for Education, whose zeal for fight we all admire, has been quietly a party to this kind of retrenchment. I must tell him that the destiny of this Presidency is linked with the solution of the question of education of the masses. One or two professors more for the Andheri College will not solve that question at all. [*Honourable Members*: Hear, hear!] So, dissecting the budget in that light, I say that this budget cannot be condemned too much. Sir, I take it that it is the duty and the business of every Government to provide means for the education of the common people; if they do not do it, we would rather have no Government at all. So, I say I would not have minded even the college education going *phut* and the secondary education going *phut*, but I do mind that the education of the masses should not have been starved under any circumstances. I would not have minded if the Government had borrowed money to run this budget. I know, of course, they are doing it and they will do it, in spite of ourselves, and notwithstanding the fact that we have voted taxation in the past—probably we may be required to vote for it even now. I do contend that the Government have blundered very miserably in starving mass education. They should not have starved, they should not have touched, education at all. That they have done this, pains me very much.

Then, Sir, when we suggested that there should be some measures of retrenchment and we agreed to a cut in the salaries, whether 10 per cent., 20 per cent., or 30 per cent., we did not mean that the salaries of

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the clerks and menials should be cut down. If we look at the retrenchment that has been made, we find that the poor clerks and peons have been cut out. I seriously ask the House whether this is the sort of retrenchment we wanted. We wanted an absolutely different kind of retrenchment. We wanted retrenchment from the top and not from the bottom. When we have been asking for this kind of reduction in expenditure, we have been offered an absolutely different kind of retrenchment,—a retrenchment which has killed mass education, which has cut out clerks and peons. This retrenchment the House did not want. Though Government have shown that they have retrenched a large part of their expenditure, I do not think that either the Honourable the Finance Member or the Honourable Minister for Education deserves our congratulations therefor.

Then, again, Sir, there are various other reasons why it is not possible to characterise this budget as a satisfactory budget, and this is the most important of them. I do not want to go into the details thereof. I only desire to touch upon the financial position of the Bombay Government, as it stands to-day. The more we study it, the more sad we feel and we do not know when we are going to set the financial position of this Presidency in order. I have pointed out that for some time past we have been voting fresh taxation and that there has been relief to a considerable extent to the exchequer of the Bombay Government in the shape of the remission of 56 lakhs which used to be paid to the Central Government; and also I think they have been assigning a much smaller amount to the Famine Relief Fund than they were doing before. Coupled with these we also have had fresh taxation in the neighbourhood of one crore and more. Government have already got that revenue. Now, we are faced with fresh taxation proposals. I think the principal cause of all this muddle is the recklessness with which the Government of Bombay have incurred debts. As was pointed out by my honourable friend Rao Bahadur Chitale, it is somewhere about 70 crores. Of course, I know it is not quite a correct figure, because some loans have been advanced to some corporations in the Presidency which have got to be deducted. In spite of that I venture to say that our net debt comes to 55 or 56 crores. If that is so, we shall see what our revenue budget is. It is somewhere in the neighbourhood of 14 crores and 50 lakhs. If a Presidency like ours with such a small revenue as that runs into debts three or four times its revenue, it is not a business proposition at all. Let us consider the case of a man who has an income of Rs. 400 and who runs into a debt of Rs. 1,600. How will he be able to provide for his domestic budget and set aside a sufficient portion to liquidate his debt? That is exactly the position the Bombay Government finds itself in to-day. No doubt, it has been pointed out that a great relief will come when Sind is separated—relief to the extent of 80 lakhs. This has been pointed out by the Honourable the Finance Member. I hope it will soon be separated, because, after all, it is no good being tacked on to a partner who is eating all the cream of the revenue of the Presidency,

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when we are practically left with very little to meet our urgent needs. Now, it has been pointed out by the Honourable the Finance Member that Government want to enter into some settlement with the Government of India—the Federal Finance Committee is sitting and they are trying their level best to represent Bombay's case properly before them. It may be so, but I am at a loss to know what kind of proposals they are going to put before that committee. The only proposal, according to me, is to ask the Government of India to wipe out our debts. There is no other way. I do not see that any compromise is possible. Unless the Government of Bombay take an uncompromising attitude in this respect, there is no way out of the impasse. If we are to carry this deadweight of sixty crores, I do not know how we are going to provide in the near future for the education of the masses. It is not only education that has been starved in this budget, but many other nation-building departments also have been starved. I do understand the needs of law and order; we do want law and order. With all that, I do wish that Government had not starved our nation-building departments. The only way that remains now is to see whether it is possible to make a request of that kind to the Government of India. Otherwise, I do not see how we can place the finances of this Presidency in proper order.

I do not wish to blame the present Finance Member for our present position. I wish to make it clear that the present Finance Member is not the person responsible for it. After all, he has only inherited a legacy of the past. During the last eleven years, we have had an aggregate deficit of 7,35 lakhs, and it is only natural that we now find ourselves on the horns of a dilemma. Seven crores and thirty-five lakhs in eleven years! I have included the next year's deficit of 70 lakhs in this figure. That is the deficit, whatever you may have done to cover it,—whether you borrowed or took from the Provincial Loan Fund. There is no other way of settling the matter than the one suggested by me. I happened to read the other day in a newspaper of a Polish professor who finds in the earth more gold than is supposed to be there. The Government of Bombay may requisition the services of such a man. [*An Honourable Member*: "Gold diviner?"] I am not speaking of the water-diviner. We do want a gold-diviner, and that is another possible way of making our budget balance.

I do not know if the House is going to sanction the fresh taxation proposed; but, if it sanctions it, it must be on the condition that the entire grant for primary education must be restored to its original figure. With these words, I resume my seat.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, I do not think, Sir, that I can preface my remarks on the budget, better than by offering my heartfelt sympathy to the Honourable the Finance Member in the very serious predicament in which he finds himself placed, owing as much to the unfortunate legacy which he has inherited from past years, as to the numerous difficulties, generated by the world-wide

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depression from which our Province, in common with the rest of the country, is still suffering. It is exceedingly sad and depressing, Sir, to have to face deficit budgets year after year; and it must be particularly depressing for the Honourable the Finance Member, when, in spite of adverse conditions, he has, at the same time, to go far and wide in search of new sources of revenue, to balance the two sides of his annual financial statements. In spite of the fact that retrenchment has already been carried out in various important directions, and the further fact that there are slight increases here and there under certain heads, it is unfortunate that the House has again this year been confronted with a huge nett deficit of about Rs. 73 lakhs. This deficit has, as we have already been told, been very largely brought about by a heavy drop in some of the major heads on the income side, such as Land Revenue, Irrigation, Excise and Forests, owing principally to the world-depression and the consequent economic distress in the country, resulting in the depreciation of the purchasing-power of the rupee and the unprecedented commercial and industrial dislocation of recent years. It cannot be denied at the same time that the wide-spread agrarian discontent and political unrest, now sweeping the country, has also very largely militated against all prospects of an increase of revenue even on the normal scale and very seriously accentuated this unfortunate result. Had it not been for the free and timely application of the pruning knife in every possible direction, there is no doubt that the deficit would have been much heavier and more difficult to bear. In order to fill this huge gap of about Rs. 73 lakhs, the Honourable the Finance Member proposes the four new sources of revenue, embodied in the consolidated Finance Bill, which he has placed before the House, and which, if accepted, will yield about Rs. 23 lakhs, and thus reduce the deficit to be met from Loans, to somewhere about Rs. 50 lakhs. When we come to consider the Finance Bill, we shall all go into the details of the different measures contained therein, and either sanction or reject or even modify them in the light of such facts as may be placed before the House. But in the meanwhile, it is necessary, Sir, to enquire why the Government,—in spite of the fact that they are faced with such a desperate and extraordinary situation,—have not thought fit to give fuller effect to the very careful and well thought-out recommendations made by the Retrenchment Committee of their own appointment. I admit, Sir, at once, that some of the recommendations of this Committee are such, as from their very nature, are most difficult, if not impossible to accept. There are probably also others, which, the Government, in the light of their experience and intimate knowledge of the administration, cannot accept without further examination. But, in spite of all these facts and probabilities, which I readily concede, the impression is still left in the minds of members, that the recommendations of that Committee could have been accepted to a much larger extent than they have been at the present moment, with the result that, in that case, the Government would not have been, as now, compelled to come to this House either for additional sources of revenue or for authority to raise loans to meet the

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balance of the deficit. I know that the Government have, of their own accord, already effected retrenchment in many other important directions, not tackled by the report, and that the grand total of the entire retrenchment effected already, is larger even than the figure recommended by the Committee. That is all to the good and the Government deserve the best thanks of this House for the same. But, there are still certain important retrenchments recommended by the Committee, which the Government have either ignored or turned down. I hope, therefore, that the Honourable the Finance Member will in the course of his reply to this debate, tell us, if possible, why the Government have not given effect to all these valuable recommendations of the Retrenchment Committee more extensively than they have done. Unfortunately for us, Sir, we were given only yesterday, copies of the statement embodying the Government's decision on the Retrenchment Committee's Report and we have not yet had enough time to study it in all its details. In spite of this fact, from what we have been able to see of it, it appears to me that there are important directions in which the Government could have gone much further than they have done, and the gap that is now to be bridged by us, might have been proportionately narrowed down. I think the Government would do well to let us know why all the various recommendations that have been made, have not been given effect to. In the reply given by the Honourable the Minister for Agriculture (Dewan Bahadur Kambli) to one of the questions to-day, there was a big list of civil and other works, going into lakhs, which there is not the slightest chance of being given effect to, at least for some years to come. It was on the basis of the probability of these works not being undertaken, that the Retrenchment Committee, I understand, had made a recommendation for a substantial reduction—almost the abolition—of the department concerned. In spite of that fact, the department has not been reduced beyond a certain limit, although it appears to me, that not one of these schemes has even the ghost of a chance of being given effect to, either immediately or even in the distant future, in view of our very severe financial stringency. This is only one typical instance to which I wish to make a pointed reference. There may be many others; I know that there are a good many; and I think that the Government should explain why some of these major recommendations have not been accepted.

Mr. G. WILES: Will the honourable member state what recommendations he is referring to?

Mr. J. B. PETIT: I have already referred to one—a really typical instance.

Mr. G. WILES: In the one he referred to, Government have given effect to the recommendations of the Retrenchment Committee.

Mr. J. B. PETIT: I know that Government have given effect to only about 50 per cent. of the recommendations and not to the whole of it The monthly expenditure of the department which was Rs. 7,385 has now been reduced by Rs. 4,000.

Mr. G. WILES: Will the honourable member read the recommendations of the Retrenchment Committee? He is speaking without having read the recommendations of the Retrenchment Committee.

Mr. J. B. PETIT: My honourable friend has no right to make such a remark. I have very carefully studied the recommendations of the Committee; but have not had the time to read with equal care the details of the action taken by the Government thereon, for the simple reason that the same were distributed among the members only a few hours ago. If members are not able in such a short time to study the numerous details that were placed before them only yesterday, the Government cannot blame them. They have only to thank themselves for this position.

Mr. G. WILES: The report was published three months ago.

Mr. J. B. PETIT: That is true; and I am sure every member has carefully read and studied it. At least I have done so. But my complaint is, that the details of the action taken by the Government on the recommendations of the Retrenchment Committee, were placed in our hands *only yesterday*. I do not think it is fair for the Government to take three long months to consider the Report and to arrive at decisions thereon; and then to expect the members of this House to go through the long list of items, contained in the Government's statement in the course of a few hours, consisting only of the brief interval between 4 p.m. yesterday and 2 p.m., to-day. If, therefore, members are not in possession of all the facts contained in the statement distributed among them so late in the day, assuming for argument's sake that my honourable friend the Finance Secretary (Mr. Wiles) is correct, he must blame the Government and not the members of this House for this result. As I have said before, I do not want to criticise merely for the sake of criticising; but it appears to me that this is one of the points which requires elucidation, and I hope that the Government will give us further explanation on this and similar other points that may be raised in the House during the progress of the general discussion on the budget. I regret, however, that in their zeal to effect retrenchment, they have thought fit to attack two of the most important and yet most famished needs of the people, by cutting down education and medical relief to a very serious extent, whilst they have neglected even to touch some of the most useless excrescences of the fabric of the administration. I entirely agree with the honourable member who preceded me, that it is very unfortunate that the axe should have been applied so ruthlessly to the tender and none-too-strong shrub of education. It may be argued that every department must in fairness be expected to bear its proportionate share of the reduction. But, if we examine the list which the Honourable the Finance Member placed before us in his speech yesterday, we find that, when judged even from this standpoint, education has been cut down a bit too ruthlessly, without any regard having been paid to the fact that it is an important nation-building department and that it was already being unduly famished. I shall go a bit further and say that I regard the reduction of Rs. 27 lakhs in this department as

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a most unwise and unfortunate step, particularly when we bear in mind the fact that education is already on a very low level in this Presidency as in the rest of the country, and that the requirements of this branch of national activity are very important and urgent, in view of the far-reaching Reforms which are going to be introduced at a very early date. It is a truism which no one will seriously dispute that the more wide-spread the education, the greater will be the responsibility of the people to the new constitution and the more successful will be the consequent working of the same. It is, therefore, necessary that the Government should help this department to the utmost of their ability rather than cut it down so ruthlessly. The reduction that has been made under the heading of "Medical Treatment" is equally unfortunate and stands very much on the same footing. We know the sad plight to which many of the public hospitals in the urban areas have already been reduced. We also realise with very profound regret and shame that effective medical treatment in the rural areas is absolutely conspicuous by its absence. I do most earnestly hope, therefore, that in this direction also, the Government will be sympathetic enough to revise their decision and restore their cuts, if, for no other reason, at least for the sake of suffering humanity.

It is very gratifying, Sir, to note that the Government have not uttered the last word on this subject of retrenchment, that they are going to pursue the matter further by the appointment of an expert committee to which reference was made yesterday by the Honourable the Finance Member, and that on receipt of the report of that committee, they propose to overhaul the entire machinery of the administration and to reconstitute the same on cheaper and, if not more, at least equally efficient lines. I am sure, every member of this honourable House will agree with me when I say that our best and most cordial wishes go with the Committee in its very arduous and onerous task. Whilst wishing it every success in its work, we hope that it will go deep into the details of every department of the Government, without being needlessly afraid of treading upon the toes of people, if it is desirable in the public interest to do so, and will ruthlessly cut down all unnecessary expenditure wherever it might happen to exist, and make courageous and business-like recommendations, which may place the Government of the Presidency securely on its legs again, without at the same time impairing the efficiency of the structure. Besides the representatives of the Government and the Services, I hope that at least two public men of distinction, having some kind of administrative experience, will be associated with the Committee, so that they may be able to bring to bear a broader and more independent outlook on the consideration of the entire question, in addition to the merely official and Government points of view. This is all the more necessary if the deliberations of the Committee are to carry this House with them and to command the confidence of the public at large. If other Presidencies, similarly situated as our Province is, are able to meet their requirements satisfactorily and carry on their administrations much cheaper than and

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as efficiently as we do, there is no reason why we should not be able to do so. It is perfectly true that we in this Presidency have always very justly and properly prided ourselves upon our important position as the greatest manufacturing centre of the country; with our capital, occupying the no less proud position of the Gateway of India. I am ready to admit that this position perforce carries with it heavy responsibilities and the necessity of adjusting our expenditure to the requirements and dignity of this place of pride and supremacy. That we in this Presidency, have invariably done so and endeavoured to rise to the full height of our responsibility, even the bitterest enemy of Bombay dare not deny. But at the same time, we, in this House, must take an introspective view of ourselves and sorrowfully admit, that owing to all these reasons, the Government of this Presidency have, unfortunately for us, got into the habit of always thinking imperially and spending on the lavish all-India scale. I do hope, therefore, that this Committee will also go into that point of view and draw a big thick line somewhere; and not merely follow the old and trodden path of the present administration. What is most urgently wanted at the present juncture, is constructive statesmanship coupled with a compelling sense of proportion. Our position is so desperate, that unless we overhaul the whole system and reshape the entire constitution of the Government from top to bottom, I am afraid that there is no hope for this Presidency. Of course, the one essential point which must be constantly borne in mind, should be the efficiency of the machine, and the attainment of the maximum amount of good with the minimum amount of expenditure.

So far as the Finance Bill is concerned, I wish in all earnestness to put it to the Honourable the Finance Member, whether some other way cannot be found, by which the necessity of this additional taxation can possibly be avoided. Paradoxical though it may seem side by side with my admission that the Government are retrenching and have retrenched in numerous important directions, I shall never be tired of repeating, as I have done in the past, that the taxable capacity of the people of this province, has now been practically reached and that to heap any fresh burden upon the already overladen shoulders of the large bulk of the people, would be sheer cruelty, to say nothing of their inability to bear any further weight, which, if persisted in, may, I am afraid, prove to be the proverbial last straw.

As I have said before, we all sincerely sympathise with the Honourable the Finance Member in his unprecedented difficulties and readily recognise the value of the desperate efforts he is making to solve them. But there is a limit to which even our co-operation and sympathies can go; and, if some method other than that of additional taxation, can possibly be found to help him in his present difficulties, I think he should apply his mind to the consideration and development of it at the earliest possible moment. There is one small direction which occurs to me, in which I think the House can possibly help him to some extent in the attainment of this object. He proposes in one part of the Finance

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Bill, to levy a small surcharge on the consumption of electricity in the Presidency. I am sorry I have not much personal experience of this subject so far as the mofussil is concerned. But, speaking of the City of Bombay, there is a way by which he can get the required revenue without burdening the citizens in the slightest degree. As we all know, all electric supply companies in the country derive their authority from the licences issued to them under the provisions of the Indian Electricity Act. One of the clauses of such licences provides for the appointment by the Government at their option after the lapse of seven years from the date of the licence, of a small advisory committee, upon the recommendation of which it is open to the Government to revise the rates and reduce them if they in their absolute discretion think it necessary to do so in the public interest. I venture to think that, so far as Bombay City is concerned, such an occasion has arisen and there is a clear case for a substantial reduction in the rates charged to the public by the supply company. The Bombay Electric Supply Tramways Co., Ltd., is making large profits and distributing handsome dividends every year. They are buying their supply ready-made for them by the Tata Hydro-Electric and the Andhra Valley Companies; and are thus saved the cost and labour of its production. They are a public utility corporation, enjoying numerous valuable concessions and privileges, denied to ordinary business concerns and industrial companies. They are monopolists in the line and have no competition to fear. If the Government had been properly approached by the public for a substantial reduction in the rates, under the provision to which I have already referred, I have no doubt in my mind that, having regard to all the reasons I have adduced, the Honourable the Finance Member could have been successfully induced to agree to a suitable reduction in favour of the public consumer. Let us suppose that such reduction had been equivalent to the surcharge that the Government now propose to impose on the public under one of the measures embodied in the Finance Bill. My submission is, that instead of giving this well-deserved and overdue relief to the public, the Government should ask the company to pay it direct to them, thus obviating the necessity of reducing the rate and collecting the impost from the public. I think it would be quite proper and in the fitness of things for the Government now to take advantage of this right and say to the company, "Had the public approached us, we would have given them a reduction to the extent at least of the proposed impost. We won't do it now; but, instead, ask you to pay us the said surcharge on the electricity that is being supplied by you to the public." The company can have no reason to grumble and will willingly pay the revenue that the Honourable the Finance Member wants to raise from this source, as it would practically be recovering it from the public, and would at the same time be saving itself the bother and cost of this additional collection. It is quite a simple matter. The company would set apart an amount equivalent to this surcharge, and hand it over regularly to the Government every month. I think it would be a perfectly legitimate

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and proper method of realising the required revenue; and the Government should, if practicable, put it into effect at once. This is one of the methods by which the Honourable the Finance Member may recoup himself without burdening the public. There may be other methods by which the Finance Member can similarly reimburse himself, if not by retrenchment, at least by raising revenue in some such way. These methods have at least this merit about them, that whilst they give much-needed relief to the Government, they do not impose an unnecessary burden upon the public.

Before I conclude, Sir, I would like to allude, in passing, if I may, to the political situation that is now prevalent in the Presidency.

The Honourable the PRESIDENT: Only two minutes left.

Mr. J. B. PETIT: I will not take very long, Sir; and I shall try my best to compress my remarks within the few minutes still at my disposal. I desire, Sir, to invite the most careful and earnest attention of the Government to the present political situation in the Presidency; and particularly to the fact that the intense feelings of indignation, of irritation, of intranquillity, of insecurity, of distrust, and last though not least, of uncertainty, which it has generated in the public mind, are not conducive to those conditions which are so essential to the smooth flow of the daily life of the people, and above all, to the normal working of our trade and industries, which are the very foundations of our prosperity. It is deplorable in the extreme that the authorities are doing nothing to bring about a restoration of normal conditions, with the result that this dislocation of the life and occupation of the Province, continues to exercise a very prejudicial effect upon the finances of the Government. I think it was a huge mistake on the part of the Government to have launched upon a crusade against the Congress and declared their determination to crush it out of existence. Unless History is a record of lies, I am emphatically of opinion that the Government cannot crush a country-wide organisation like the Congress. They will only succeed in driving it underground, there to grow and flourish in an atmosphere of distrust and secrecy like the revolutionary movements existing in all countries. This is what a policy of repression did in Ireland years ago, and this is what it has done only very recently in Egypt. I wish to warn the Government, in all sincerity, that India is not going to be an exception to this universal law of action and reaction. The dangerous and subversive aspects of the Congress could most easily and effectively have been dealt with by the ordinary laws of the land, of which there are plenty in the armoury of the Government. For this reason, I am strongly of opinion that the promulgation of the Ordinances by the Government of India and their application to our Presidency by the Government of Bombay, constitute a blunder of the first magnitude. In this connection, I wish to say at once, Sir, that on principle, I am absolutely against the practice of carrying on the administration by Ordinances, except of course in very rare and extraordinary emergencies. Such a case, I make bold to assert, has not been made out by the public

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statements either of the Government of India or of the Government of Bombay. I want the Government to note that the manner, in which the extraordinary and unusual powers conferred on the authorities by these Ordinances is being exercised, has caused very wide-spread dissatisfaction in the public mind, and evoked a feeling of very intense bitterness and resentment which is very seriously militating against the best interests of the Presidency, and, if I may add, is also having a very harmful effect even upon the intentions of the Government. Whatever justification there might have been at one time from the Government's point of view, for the application of these extraordinary measures to our Province,—which, however, I deny,—I fail to see what excuse the Government still have for continuing them, when, according to their own reports, "the congress has been crushed and all is quiet on the Western front!" After all, Sir, no Government, however powerful, can expect to carry on the administration by Ordinances for an indefinite length of time, in the teeth of public opposition, without seriously undermining their own reputation, and completely forfeiting the respect and confidence of the people.

One word more, Sir; and I have done. As everyone knows, I am not a congress-man. I am neither a follower nor an admirer of its present dictator. I say this deliberately, as I want the Government to take my warning as that of an independent observer, and not as the interested opinion of a partisan. I also hope and trust that the Government will not misunderstand my remarks, but will accept them in the spirit of help and co-operation, in which they are meant and offered.

My most sincere, my most earnest, my most pressing advice to the authorities, if I may accordingly venture to offer it, is, to withdraw this lawless law at the earliest possible moment, as much in the interest of the public as of the Government themselves; and thus help to restore in the Presidency, an atmosphere of peace and goodwill that is so necessary for the success of the great reforms which are on the anvil now, and which, if given a fair chance, are going to herald the dawn of a new era in the relations existing between the two countries.

Mr. G. L. WINTERBOTHAM (Bombay Chamber of Commerce): Sir, I would like to say at the start that I propose to confine my remarks to broad issues only and make only general comments, as I must confess that I have not been able to devote the time for the detailed study of the Budget that it deserves.

I think we are all familiar with the battle cry raised at a certain stage of England's political development, "Peace, Retrenchment and Reform." It seems to me that this is a singularly appropriate text for commenting on the situation as it exists in the Presidency of Bombay to-day. The crying needs of the hour are, "Peace, retrenchment and reform" or, if you like, "reforms"; and I propose to divide such comments as I have to make under these heads, passing very briefly over the question of peace, because, though I hold that the restoration of peace is vitally necessary for the finances of the Bombay Presidency,

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I do not consider this is the right time to discuss the question how peace should be restored. On this subject I absolutely and entirely disagree with the remarks of the last speaker (Mr. Petit). I would like to congratulate him on his astonishing optimism. He wishes Government to discover new sources of revenue without imposing new taxation and to do away with the particular method necessary to deal with a certain situation before that situation has disappeared. Now, on the subject of reform, I believe one thing stands out in considering Bombay's finances. I do not believe they will ever be on a sound footing even when all available avenues of retrenchment have been explored and all possible retrenchment has been given effect to, so long as our main sources of revenue remain as they are. I believe that the main, the root cause of the deplorable financial position of the Presidency to-day is the iniquitous financial settlement under which the Presidency has been groaning ever since the inception of the Montagu-Chelmsford Reforms. Under this Settlement, in an era of progress—who will deny that it has been an era of progress?—the sources of revenue of this province have been confined to certain heads incapable of expansion; and, in fact, owing to the conditions through which we have passed, they have actually dwindled. Here then is a question on which the House can surely speak with a united voice. His Excellency in his speech yesterday referred to the establishment of provincial autonomy in the not distant future. I am one of those who believe that the sooner the responsibility of running the administration of the country devolves upon the elected representatives of the people, the better. But, Sir, I can imagine nothing more disastrous than that provincial autonomy should come to this province before we have obtained a new financial settlement with the Central Government, which will give the new system an auspicious start and a chance to function successfully. I understand that the Finance Secretary goes to Delhi very shortly to put Bombay's claim before the Federal Finance Committee. If I might say so, we could not want a better negotiator. [*Honourable Members: Hear, hear.*] But let us make it plain to all the world that in this matter Bombay does speak with a united voice, and so provide the Finance Secretary with that backing which he will surely need if Bombay's case is to prevail.

So much for reforms. At the same time as pressing our claim for a more just financial settlement, we must make it clear to the world that we have done and are doing what we can, by way of retrenchment and fresh taxation, to help ourselves. To my certain knowledge, retrenchment has been going on in this Presidency for a considerable number of years. I remember distinctly the first time that I attended a budget session that the then Governor stated that it was a matter for consideration whether retrenchment had already not gone too far. That was certainly six years ago. I think we shall probably all agree that there is a limit beyond which retrenchment cannot go without leading to inefficiency, and some of us, myself included, believe that under the proposals contained in the coming year's budget that dangerous limit

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may have been reached. I regard it as no small achievement on the part of Government to have reduced the expenditure in the coming year's budget by Rs. 116 lakhs as compared with the actual expenditure in 1930-31. But it has been made clear that much of the reduction is of a temporary nature, and many of us are therefore convinced that it is now re-organisation and reconstruction which should be taken in hand.

For this reason, Sir, we welcome the announcement of Government's intention to set on foot an expert enquiry with a view to the re-organisation of the whole administrative machine. I congratulate Government, if I may, on their choice of Sir Frederic Gauntlett. I do not believe that a better choice could have been made, not even if the choice had been left to the honourable members of this House! I hope, when the names of those who are going to be associated with Sir Frederic Gauntlett are published, they will be those of men with wide experience, who will command the confidence of all sections of the House. In connection with this expert enquiry, I would stress two points, firstly, that the committee should start work and report without delay, and secondly, with regard to education. This is a matter which, I know, exercises the minds of a great many members of the House. I hope that the expert committee will devote special attention to the question of education. We none of us like to see this important nation-building department cut drastically, as has been necessary in the coming year. But we cannot spend more than we can afford, and the real point seems to me to be to ensure that the available funds to be spent on education are spent in such a way as to give the best results. I and my friends are not satisfied that the best results are being given for the expenditure now being undertaken, and we would urge Government that a particular branch of this enquiry should be the Education Department.

I should like to give my own views, if I may, very briefly, on the question of the per capita expenditure in the various provinces on which the Honourable the Finance Member dwelt in his speech. I myself would pay no attention whatever to such comparisons, however unfavourable to Bombay, provided we could afford the expenditure and were getting good value for money. On that lies the value of the comparisons which have been put before us. If we can afford it, which of course at the moment we cannot, and if we are getting good value for money, which I doubt, I myself should actually take a pride in the per capita expenses of the administration being higher in my province than in others, because I see no reason at all for a comparison of the most progressive province being made with the figures of the most backward.

There is one point, Sir, and here I tread delicately, on which my constituency feel strongly, and on which I must touch. His Excellency the Governor received an immediate appreciative response from this House yesterday, when he referred to plans having been perfected for the reduction of the Cabinet, and it was remarkable to notice how the House also appreciated His Excellency's next statement that the Members of the Cabinet themselves had promised their wholehearted co-operation

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in whatever steps were taken. I believe, Sir, that it is in the best interests of all concerned that the Cabinet should be immediately reduced, and that this matter should not be delayed pending considerations of provincial autonomy which will be coming in the not distant future. I believe that though there will be a good deal of disorganisation in the Secretariat, it can nevertheless be overcome, and that decentralization is the means to overcome it. With so many Members in the Cabinet, the tendency must be to centralise, and we believe that, for the present and also for the future, the right course should be decentralisation.

Then, Sir, under retrenchment comes the cognate question of taxation. I must point out to honourable members that it is not sufficient to say that we are opposed to any form of new taxation, that it cannot be justified by present conditions, and that the maximum taxable capacity of the people has been reached. In theory, I too unreservedly condemn all proposals for new taxation, but in practice, in all countries all over the world, people have been submitting to extra taxation, at the same time as tightening their belts, in order to balance their budgets; and I do not think it is open to the House to claim that Bombay should be an exception, if it is proved beyond reasonable argument that the position cannot be met without some help from taxation of a temporary and emergent nature. We have before us the figures of the deficit in the budget for the coming year, and I am bound to say that I myself can see no hope of the recommendations of the expert committee being such as to cover the total deficit of Rs. 73 lakhs. Government's proposals for taxation must be considered on their merits at the proper time. I am only concerned to point out here and now that the question for honourable members to decide next week will not be so much whether the proposals are desirable in themselves as whether the present circumstances demand further taxation, and if so, whether the Government's proposals are the least objectionable in the circumstances. [*Applause.*]

Rao Bahadur B. R. NAIK (Surat District): Sir, when a Government has to resort to a moratorium, it is needless for anybody to say that the budget is most disappointing. So, on that score, I cannot congratulate the Honourable the Finance Member, but I certainly do so for his courageous presentation of a very bad case. Sir, the Honourable the Finance Member in his speech says that, on account of the depression in the country and in the Presidency, there is a deficit of Rs. 111 lakhs in the current year, and there is likely to be a deficit of Rs. 73 lakhs in the ensuing year, and among the reasons which he has assigned is the fall in the land revenue, in excise and in some other heads. Now, Sir, I am not prepared to admit his contention that there is any fall in the land revenue of this Presidency. I will give his own figures from page viii of the Blue Book, Statement I. Taking the figures of land revenue collections of this Presidency for the last 10 years, the average will come to Rs. 493 lakhs, while the revised estimate of the collections in the current year is Rs. 486 lakhs and the budget amount for the ensuing year is Rs. 488 lakhs. So, it will be seen that there is not any appreciable

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difference in the average of the last ten years in the land revenue collections of this Presidency. Land revenue, Sir, depends on the vagaries of the seasons, and it is usual that in some bad seasons Government have to postpone their collections and grant suspensions and remissions. But suspensions and remissions of land revenue have got nothing to do with the depression in trade. Is the Honourable the Finance Member prepared to say that these remissions and suspensions have been given on account of the depression in trade? No, Sir, he cannot. Whenever the season was not normal, according to the annewari some portion of the land revenue was suspended. So, I say that the complaint of the general masses is that when there is a trade depression and the prices of commodities, as the Honourable the Finance Member himself admits, have gone down very considerably, no relief has been given to them—no reduction has taken place in the land revenue. Therefore, it is not correct to say that, on account of trade depression, the land revenue of the Presidency has gone down. As I say, looking to the average of the last ten years, land revenue has not gone down at all. Then again, in his budget speech he says that in the last ten years the revenue of the Presidency has gone down by 2 crores. That also is not supported by the facts. He says:

"With revenues approximately 2 crores less than they were 10 years ago the task has proved impossible."

You cannot take the revenue of a particular year. You have to take the average of 10 years, and if you do that, you will find that the calculation of 2 crores less revenue during the current year, is not at all correct. The figures are there, and I have worked them out; it will be about a crore less. If you work out the average revenue of the last 10 years and the present year's revenue, it would be about a crore less, not 2 crores, as has been said by the Honourable the Finance Member in his speech. Now, Sir, the Honourable the Finance Member has no doubt tried to give the figures of retrenchment on page 3 and he says that it has gone up to one crore and thirty-seven lakhs. That is a grand figure. I should like to ask the Finance Member whether he has made this retrenchment judiciously and equitably and whether he has applied his mind to the figures and worked out the percentage. The expenditure on General Administration is two crores and twenty-five lakhs which is a little over 15 per cent. of the total revenue of this Presidency and the cut there is nineteen lakhs which comes to about 8½ per cent. of that head. On the other hand the expenditure on education is about 199 lakhs which is about a little less than 14 per cent. of the total revenue of this Presidency and it is cut down by 27 lakhs which comes to about 14 (fourteen) per cent. of that head. I ask the Indian Finance Member whether he has judiciously applied the pruning knife to the cuts. This side of the House is entitled to tell the honourable members sitting on the opposite benches that this head ought not to have received a cut at all. Has any reduction been made in the taxation of the agriculturists who represent 70 per cent. of the population of this Presidency? If that were so, Government were entitled to cut down the expenditure on primary education. So, I ask

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the Government to inform whether this cut has been made judiciously and whether it cannot be restored.

The Honourable the Finance Member then again gives the figures of expenditure per capita of this Presidency. This is a large presidency in point of view of area and also standard of life is high and therefore in comparison with the other presidencies, the expenditure per capita is bound to be higher. He further says that Bombay Presidency, having a ryotwari land tenure has to spend more on Land Revenue Head than Bengal or Madras. May I inform the Honourable Member that Madras has also a ryotwari land tenure!

The Honourable Sir GOVINDRAO PRADHAN: There are big Zamindari estates like Bengal.

Rao Bahadur B. R. NAIK: However, it is mainly ryotwari.

When you say that per capita expenditure is 6·3, is it not a fact that you are getting revenue per capita 7·4? Why should then there be a deficit when your revenue per capita is 7·4 and the expenditure per capita is 6·3? There is no reason for deficit at all. The fact is this. Government have spent large sums of money on unproductive works such as Bombay Development schemes and others and they have to pay interest on the capital of those unproductive works, which have been undertaken against the strong opposition of this side of the House. They have also spent large amounts of money on irrigation works in some parts of the presidency. The growing interest on those debts comes in the way of the budget. It has been stated on pages 17 that 1½ crores of interest is due from the local bodies such as Port Trust and the Corporation. In spite of their precarious condition, if you see the Blue Book of last year and this year also, they are spending large amounts of money on irrigation works. If they have got no funds, they should have cried a halt. Without funds they go and start these works and spend from the ordinary revenue when they have no funds to meet the ordinary expenditure. Thus they are undertaking new costly works and spending money from the ordinary revenues. Now, the Honourable Finance Member says that the retrenchment has been made to the extreme and there is no more room left. Moreover, I agree with him when he says that about 50 lakhs of the retrenchment will have to be restored, as otherwise our capital expenditure on roads and buildings will be wasted. Therefore, the retrenchment of a permanent nature will be only to the tune of 87 lakhs.

I wish to ask the Honourable the Finance Member how much of the total revenue of 14 crores is being absorbed as establishment charges or travelling and all other allowances and contingencies? Five hundred and thirty lakhs you are giving as emoluments and 240 lakhs as travelling allowaces and other allowances making a total of 777 lakhs, which is more than 55 (fifty-five) per cent. of the total revenue of this presidency. Could you not have thought fit and taken the courage in

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both hands to cut down a couple of crores from this huge sum in order to meet your deficit? I think if Government had taken up this question seriously they could have easily met this deficit.

As the time is very short, I want to touch one more point. I agree with the honourable member representing the Bombay Chamber of Commerce that the Government of Bombay and this whole House should insist on the Central Government to help this presidency in liquidating their debts. This presidency is mainly an industrial presidency and the Central Government takes away 5 crores in the shape of income tax alone. It is but right and just that this Government and this Council should heavily press upon the Central Government that at a time of distress and crisis like this they—the Central Government—should come to the aid of this Government in wiping out the debts which this Government have incurred, if not the whole, at least half of it. Even after five years, you will not be able to balance your budget. May I remind the Honourable the Finance Member that the present revenue will not stand? I say that the time is coming when you shall have to reduce the land revenue. Whether this Council reduces it or the next Council I do not know but I do know that on account of the general depression in trade and the fall in prices of agricultural commodities, the Council will have to reduce the existing land revenue. That means you will have an additional deficit. So, we must insist upon the Central Government for a substantial share in the income tax revenue of this presidency. Unless that is done, I do not think your emergency measures for increasing your revenue by imposing surcharge on the electricity consumption or increasing the stamp and court fees duties or extending a probate duty to all communities will give permanent relief.

With your permission, Sir, I touch another subject very briefly. His Excellency asked for the co-operation of this side of the House—the elected members—to assist Government in this financial crisis. I also admit when there is a crisis, every one should put his shoulder and help Government. We are prepared to help Government. But when our co-operation is called for, is it not right on our part that we should expect the same amount of co-operation from the other side? Co-operation from one side will not do any good. If you want co-operation from us we are equally entitled to expect co-operation from the Government benches. I do not want at present to touch upon the present political situation in the country. We are just as sincere as honourable members sitting on the Treasury Benches to see that law and order are maintained in the country. If there are law-breakers, they can be punished. I do not dispute that. But I should like to bring to the notice of the Honourable the Home Member that those from whom you want co-operation and the innocent general public should not be unnecessarily harassed and humiliated. The ordinances may have been promulgated as an emergency measure. But everything is not smooth with the working of these ordinances in the

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mofussil. It has been announced by Government that it is not their desire or intention that any institution of an educational or a social character should be interfered with, if it had no connection with the civil disobedience movement. But, Sir, I know of an educational and boarding institution which is not connected at all with the civil disobedience movement but has been closed and children driven out from it and the buildings taken over by Government. Instances like these no doubt alienate the sympathies of those who are with Government. I may inform the Honourable the Home Member that though his intention is good and he wants to keep friends, the subordinate officers do not want to keep those friends. It appears to me that your intention may be good, but I must say that your subordinate officers are administering the ordinances in such a way that they will not leave any friend to the Government of this country. I am a co-operator and I am not an admirer of the civil disobedience movement. I know every inch of the district I come from. I can give you several instances to show that everything is not smooth there. I shall give an instance relating to my honourable colleague Dr. Dixit. If you come to know the instance, you will be surprised. You know that Dr. Dixit is a member of this Council and that he has not taken part at present in the civil disobedience movement. There was a cultured man, an ex-civil surgeon of Baroda, who was released on parole from the Surat jail and was ordered to go to Jalalpur 20 miles off from Surat. He has no house in Surat and he is a resident of Ahmedabad. He happened to meet Dr. Dixit, who has got his own house in Surat. Dr. Dixit being a near relation of Dr. Sumant, took him to his house and gave him meals that night and the following morning also. What was the fate of Dr. Dixit? Two police sub-inspectors went to his house and asked him to go to the police chowky with them. Dr. Dixit was seated in the police car between the two sub-inspectors and taken to the police station. He was made to wait there for three hours till the Deputy Superintendent of Police arrived, and was only released after some assurance was taken from him. I do not think that anybody in this House will like such an incident. I say that we are ready to co-operate with Government, we are prepared to help them, in keeping law and order provided they are administered properly and with due discretion. Let me tell you that we are as much if not more interested in law and order than honourable members on the opposite side; we have got our interests and we want to see that they are properly safeguarded. At the same time we want to see also that innocent persons, respectable persons, are not ill-treated and humiliated.

I fear, Sir, that I have taken up much time. Now, as far as the budget is concerned, the Honourable the Finance Member expressed a pious hope, an encouraging hope, that better times will come when we will get more money. Those who have got to spend money always hope for better times and say that better times are ahead. But we on this side of the House, representatives of those who have to give the money, are very pessimistic as to the future of our finances.

Mr. A. N. SURVE (Bombay City, North): Sir, the budget that is placed before us is a very disappointing document. The prospect before us is not very inspiring, but whether it is inspiring or depressing, it is our business to find out how we can best meet the situation.

[Mr. A. N. Surve]

First of all, I would refer to the remark of the Finance Member that the Sukkur Barrage is the most outstanding event of this year. This Sukkur Barrage reminds me of a person who, although not in need of a horse, purchases one. He incurs some liability towards its cost; when the horse is bought he finds that he must have a stable; then he has to meet the charges for its feeding and other charges like payment for syce and so on. Similarly, when the Sukkur Barrage scheme was placed before us, rosy prospects of large returns were held before our eyes. Whether that expectation will ever be realised or not, future will decide, but at the present moment we are faced with two facts. The expenditure incurred on that scheme is somewhere in the neighbourhood of 17 crores, and most of that amount is borrowed money. That means we are paying interest charges on that. Now that we have opened these new canals, an additional burden of 13 lakhs in the shape of working expenses of new canals is being placed upon us. In the first place, so far as our presidency is concerned—even including Sind—we did not require the Sukkur Barrage, and yet our Government have built it and incurred this huge liability of 17 crores, and every year in the future there will be an additional call upon our revenues, to meet the growing working expenses, just as we have a call of 13 lakhs this year. Next year we do not know where we will be. As against these 13 lakhs, there is a prospect, it is stated, of our selling land for 15 lakhs. As for that, owing to the world wide depression in commodity prices we find that our cultivators have not got any return for the expenditure they incurred in cultivating their land,—in such a state of things, is it not over-sanguine to expect that we will be able to realise 15 lakhs of rupees by land sales? But granting that that expectation materialises, and those 15 lakhs come to our revenues, they are going out and out to defray the interest charges. So, you will see that this most outstanding event alluded to in our budget only makes us still more depressed and does not allow of any hopes being built on that item for the near future at any rate.

Then, Sir, the second thing that strikes one in this budget is the attitude of Government towards the law of diminishing returns. The margin of diminishing returns has been reached and yet we go on increasing our taxation. The result is that our expectations are never realised. The moment you increase taxation, people try to see that that money does not go into the public exchequer. Depression in trade, agitation in the country,—with these facts before us, we are trying to increase our stamp duty. It is not sound policy to frame a budget in disregard of the law of diminishing returns.

Then, Sir, the third thing I would like to touch upon is the action taken by Government on the report of the Retrenchment Committee. Now, Sir, the majority of the committee recommended retrenchments of 121 lakhs. Out of those Government have accepted only 58 lakhs. In addition they have effected other retrenchments on their own initiative amounting to 37 lakhs. That gives a total of 95 lakhs, as against 121 lakhs. According to the White Book (Statement of Retrenchments) that is placed in our hands, Government have succeeded in making retrenchment to the extent of 95 lakhs. The retrenchments mentioned in that statement may be grouped under several categories.

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The first are the retrenchments accepted by Government either in part or in whole. Under the second category come retrenchments considered and dropped—that means total rejection. The third are retrenchments still under consideration. The fourth are recommendations which cannot be accepted without undertaking new legislation. Then there is the further category—that the question will be referred to an expert enquiry. Then there is also another category and that is that the question will be referred to the Government of India. In this way, several recommendations of the Retrenchment Committee have still to be given effect to. Therefore, I ask why undergo the trouble of setting up a committee to work if in the end Government do not want to accept the suggestions made by it.

Then, the next point that I come to is additional sources of taxation. In this connection, we have first of all to take into account several factors. The first that I would like to take is the disclosure made by the Honourable the Finance Member in his speech yesterday that this Presidency is rendering free service to inamdars to the tune of one crore of rupees. Am I right? (*The Honourable Sir Govindrao Pradhan* indicated dissent.) I am referring to the Honourable the Finance Member's statement on page 4 of his speech, namely, "There is secondly an item of nearly 1 crore contained in the budget as expenditure on General Administration on account of inam lands from which we receive no land revenue", etc. Consider this thing, that the taxpayers are to pay this one crore and the benefit is to go to a few inamdars. The Honourable the Finance Member has made some very insufficient remark alluding to historical reasons which are not stated. But may I ask him why this matter is not taken to a final issue with the Government of India? Is our presidency so very rich that it can penalise its own people and render free service to these inamdars? I do not know if our Government have pursued that point. If we succeed there will be no necessity of taxing this presidency further. Therefore, I would most humbly request our Finance Member to take this matter up to the Government of India and see that those men who have received this free gift shall in future be made to bear its cost.

Then, Sir, the other thing to which the Honourable the Finance Member has drawn our attention is the excise revenue. Now, Sir, that is a very touchy point. The Honourable the Finance Member has reminded us of our debates in 1925. He states that the Government have adopted this policy on the clear understanding that there will be a double raid upon the resources of the State, double raid in the sense that the revenue will be wiped out by the policy of prohibition and expenditure will be increased in carrying out that policy. In this connection, may I just refer the Honourable the Finance Member to the figures given in the Blue Book? In 1921 the figure was somewhere on the border of Rs. 3,42,00,000 and in 1932 according to the budget it is only Rs. 3,30,00,000. Where is the loss of revenue? The loss of revenue, if it is considered as such, is only 12 lakhs. Again, the expenditure in 1921 was 28 lakhs. This year it is 45 lakhs. But certain items which were not shown in 1921 have been shown now, e.g.,

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distillery expenses, etc. In this connection what the Government meant to convey to honourable members on this side of the House was that they would make prohibition quite effective and for that purpose increase the staff. We find that there is no increase in staff; on the other hand there is a reduction. I will give the figures relating to the staff. Under "Superintendence—Presidency establishments and district establishments" the expenditure for 1930-31 was 20·78 lakhs and in the Budget for 1932-33 it is only 18 lakhs. That means that the expenditure has not increased but decreased. So the condition we had in mind, in 1925, viz., that if Government carried out prohibition, the tax-payers would cheerfully submit to further taxation, has not been fulfilled.

I next come to provincial settlements. The time is fast approaching when we must exert ourselves to the utmost in getting redress for the injustice which we have suffered during the past 12 years. The Honourable the Finance Member has been good enough to say that he is fighting our case, but he has not given any indication as to the direction in which it is being fought. I may here state that the attitude of the Government of India towards our Presidency is very step-motherly, and the policy of the Government of Bombay is also very halting. I will refer to the incidents which took place in 1925. In that year the Government of Bombay placed before the Council several taxation Bills. In the same year other provinces got remission from the Government of India in respect of provincial contributions. Bombay was neglected, and in virtuous indignation, Government withdrew the finance Bills. The effect was magical. The Government of India made some small concessions to this Presidency, and I am happy to say that the provincial contribution also was subsequently remitted. Unless we plead our inability, unless we show to what agony we are subjecting ourselves,——

The Honourable the PRESIDENT: The honourable member's time is up. One minute left.

Mr. A. N. SURVE:——unless we place our case very strongly before the Government of India, I do not think we are going to get anything from that Government. I will just draw the attention of the Honourable the Finance Member to two concessions which we have obtained from the Government of India: the postponement of the payment of instalments out of the loan fund and also the instalment of pre-reform debts. We must show what our real need is. If we subject ourselves to additional taxation, I do not think anybody is going to come to our rescue. One word about the finance Bill. The selection of time for this Bill is very unlucky, its subject matter unsuitable and there is great danger of fraud to which I shall refer when the Bill comes before the House for discussion.

(*After recess.*)

Rao Saheb P. D. KULKARNI (Poona District): Sir, I congratulate the Honourable the Finance Member for his great efforts with which he framed the budget. But it has been presented to us at this odd time. Really speaking, the soil on which the structure of the budget has been erected is in itself not fit for the foundation of that heavy building. The

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blame for this bad choice does not lie solely with the present Finance Member. That is the legacy left by his predecessors to him by their own achievements. Shri Shankaracharya when examining the doctrine of Buddha, in his शारीरक, passed some remarks on the efforts of that great Teacher. Those are as follows :—

"यथा यथाऽयं सौगतसमयः उपपत्तिमत्त्वाय परीक्ष्यते तथा तथाऽयं सिकताकूपवद् सर्वतः विदार्यत एव" (शारीरके, तर्कपादः).

It means, as more and more efforts are made to examine the doctrine of "*Sougata*" to see how far it stands to reason, all such efforts prove more and more futile just like the efforts of digging a well in sand the edges of which being very brittle come down from each and every side unexpectedly. The same remarks are very suitably applicable here to the present efforts of the Finance Member in trying to balance his budget. The sound foundation for the budget is said to be popular goodwill and full co-operation of the representatives of the people. In my support I quote the economists of great name and fame like Mr. Cleveland and Mr. Buck who state in unmistakable terms :

"Popular goodwill is the only safe foundation for budget. There is no human phenomenon more depressing, no political condition more fraught with peril to society, than a government unsupported by the goodwill of the people, a condition which, unabated, causes increasing distrust and social unrest, leading, when long continued, to popular despondency or acts of violence." (Page 3.)

When we look to the deficit budgets of this type, the inference is naturally drawn even in the present case that there is lack of popular support to the present policy of the Government; otherwise this state of things would have never happened. The income of the Government is successively decreasing and on the other hand the expenditure side is taking strides too high.

With regard to the state of income, the Government publication "Bombay, 1929-30" tells us that—

"An examination of the revenue receipts for the last five years disclosed the fact that the budget revenue had never been realised to the full. On the contrary there had been large deficits which had averaged 66 lakhs a year." (A review of the Administration of the Presidency.)

One of the evident reasons for this mishap is obviously the unrest among the people, caused by the present ways of conducting administration of the country. In my support I shall now quote the honourable member the Finance Secretary :

"The catastrophic fall in prices during the year, combined with the civil disobedience movement, led to a fall in revenue which is at present estimated at Rs. 1,95 lakhs." (Review of the Financial Position of Bombay 1921–31).

So this fall is attributed by the Finance Secretary to the civil disobedience movement, which is the outcome of the discontent among the people. I shall now show from the figures given in budget estimates of the last three years that the actual revenue is decreasing year after year. In 1928-29 the account figure for Land Revenue was Rs. 4,84,67,776.

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It went down in 1929-30 to Rs. 4,79,62,982, and further decrease is seen on the same head in 1930-31 which is Rs. 4,74,45,139. These figures clearly show that the collections of land revenue are constantly decreasing year by year. From the figures of income from forest of the last three years it will be seen that the income from that head is also suffering adversely, and though there may be some other reasons for the non-payment of taxes, forest *satyagraha* must be one of the reasons for this decrease in income. The root of the discontent among the people is in the present policy of the bureaucracy. In 1928-29 Rs. 73,43,035 were realised from the forests; in 1929-30 Rs. 79,74,964 were realised, but in 1930-31, when the real beginning of the no-tax-payment movement was made, the income decreased to Rs. 52,23,753. This decrease of about Rs. 27 lakhs clearly shows how it has become difficult to frame a balanced budget. The reason for this is admittedly told in the Administration Reports of Land Revenue and Forests. The Land Revenue Administration Report says:

"The administration of land revenue proved exceptionally difficult on account of the civil disobedience movement and Revenue officers had to work under conditions of altogether exceptional strain." (1929-30.).

This shows that Revenue officers had very strenuous work, and it was very difficult for them to make the recovery of the dues. Why was this so? Is it due to the fall in prices of materials and the general depression only? It cannot be said that on that account only people are not so very willing to pay their dues to Government. There must be another reason for that, which I have given more than once. Now to corroborate my statement, I quote a passage from the Forest Administration Report for the same year. It is stated there:

"The depression still continues and is accentuated by the present civil disobedience movement." (Chapter VIII—Page 59.)

From these statements the conclusion can safely be drawn that the people of the country are not satisfied with the way of administration and that goes to bring about the fall in the income. This has made the task of the Honourable the Finance Member—to meet the two ends of the budget—very difficult.

Now, this discontent—which has partly resulted in civil disobedience or no-tax-payment movement—has thrown extra burden on the resources of the Government for providing the extra expenditure on the Departments of the Police and Jails. The income of Government is decreasing and, at the same time, ground is created for marked increase in the expenditure of the Departments such as Police and Jails etc. This policy of the Government has made the task of balancing the budget more difficult. I am showing the progress in the expenditure side.

The Honourable the PRESIDENT: The honourable member has taken nearly fifteen minutes in quoting from various books.

Rao Saheb P. D. KULKARNI: Sir, after the expiry of my time, if I do not finish, I shall resume my seat then and there. What can I do

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under the circumstances? Without sufficient time at my disposal I cannot finish my arguments. I think I shall not be able to convince the House if I make jumps in my speech.

The expenditure of the Police Department has grown enormously big. In 1928-29 it was Rs. 1,69,73,282; in 1929-30 it amounted to Rs. 1,75,98,883; but in 1930-31 it has gone up to Rs. 1,91,63,381; that means an increase by Rs. 21,90,099 within the short period of two years. This extra burden was thrown on the exchequer because of the extra work involved in putting down the movement of the discontented people for their freedom.

The same progress is made in the Jails expenditure also. The predecessor of the present Home Member has already admitted in his last budget speech that the jails were overcrowded. He said:

"Another point was the very unpleasant overcrowding which certainly did exist in some of the jails. Last year there were at times perhaps 150 persons to look after suddenly in places where there was only accommodation for a dozen, and it was inevitable that discomfort should be caused." (Page 837 Official Report of the Bombay Legislative Council Debates.)

Why all this botheration? Because the discontented people break the dictates of Ordinances. They do not co-operate with Government authorities. Eventually Government have to deal with them and thereby extra expenditure is to be incurred on their account. Says thus the Finance Secretary:

"There was additional expenditure particularly under 'Police' and 'Jails' necessitated by the Civil Disobedience Movement." (Review of the Financial Position of Bombay.)

This state of things caused by public discontent has brought the Government in a difficult position in which they cannot present a balanced budget. This is one of the reasons why a balanced budget has become an impossibility. Now, new sources of income, which would cover all these deficits, when asked by the Government are ruthlessly thrown out by the representatives of the people, which leaves no hope of recoupment. New taxation Bills were brought in, but they were rejected only for the reason that the voters, who have elected the members, have made it clear by their action that unless the evil of the people's disappointment is cured and they are given their reasonable demands, no new taxation should be sanctioned. That is the message of the voters to their representatives in Council. In its absence Government might have taken the support of trade and commerce. But, also, they have been also hampered by the civil disobedience movement and the no-tax-payment campaign! There is no hope of their immediate improvement in the near future.

In "A Review of the Administration of the Presidency of Bombay" this has been told in plain terms:

"The civil disobedience campaign was launched in the Bombay Presidency in the early part of 1930 with disastrous effects on the industrial and commercial activities of the city and the Presidency. Under such conditions it was hardly to be expected that Bombay's commerce in the past year should show any indication of recovery." (Page VI.)

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Under these circumstances, His Excellency the Governor yesterday asked us to give co-operation. The words are fresh in the memory of all honourable members of this House who attended the session. Co-operation is also asked for by the Honourable the Finance Member. But when the representatives of the people choose and recommend some remedies to secure the cure of the disease of the present discontent, they are rejected by the Government *in toto*. More than 15 honourable members of this House have sent a resolution to take steps to restore freedom of the persons arrested under ordinances in order to create a calm atmosphere, and then to be able to represent to Government the sense of the voters as to what should be the means to meet the demands of the discontented. The voters now are not in a calm frame of mind. They are in opposition to Government. Therefore, in order to create a calm atmosphere, we have requested you to do certain things in a loyal and constitutional way. But all these resolutions were disallowed by His Excellency by a stroke of the pen. The following is the letter which one of the honourable members has received in this connection :

"I have the honour to inform you that your resolutions Nos. 1 and 2 (copies attached) have been disallowed by H. E. the Governor under Rule 22 of the Bombay Legislative Council Rules, the former on the ground that it cannot be moved without detriment to the public interest, and the latter on the ground that it relates to a matter which is not primarily the concern of the Local Government."

I think, unless the root cause of the evil is removed once for all, these preventive measures will be of no use. Let the atmosphere be calm. Let us have a chance of creating good-will and good opinion about the actions of the Government; and we shall then be able to accord our sanction to new taxation if necessary, and we shall be then willing to enable Government to balance the budget. The extra expenditure under Jails and Police will then be curtailed, and the deficit in land revenue will also be recouped, as the people will be willing to give land revenue at any cost. They will do so because their fields and lands are dearer to them even than their own lives. They know that if they do not pay the land revenue their lands will be confiscated. But they are agitated by this bad atmosphere. In order to calm that storm it was requested by many honourable members that certain remedies should be adopted for the good of the Government and people. But unfortunately, as our advice is discarded, at present we have become helpless. We are not in a position to take advice from our voters. Now there is the difficult task before us, of giving sanction to fresh taxation. But, mind well, we are not prepared for the task. The responsibility wholly lies on the shoulders of the Government, that is, the Honourable the Finance Member. I therefore hope that His Excellency the Governor will take into consideration our request for the creation of a calm atmosphere listening to the advice of the representatives of the people; we will then be able to take advice from our voters and, if at all inevitable, can give sanction to the imposition of new taxation proposed by Government to balance the budget after the necessary adjustments are made by them on the lines suggested.

Mr. C. N. PATEL (Kaira District): Sir, the Honourable the Finance Member has placed in our hands the budget for the coming year, but I do not think he has taken any lesson from the experience he has met with during the last year. Last year's also was a deficit budget, and he had requested the House to meet the deficit by further taxation. He knows full well that this House was dead opposed to giving any help in the form of new taxes. This year again he has come forward with the same offer, and I am sure this House will give him the same response, or the same sort of response that was given to him last year. Last year we refused to pass any measures for further taxation. This year also I hope the House will reject the new taxation Bills.

It has been said by some of the honourable members who preceded me that what we want is peace, retrenchment and Reforms. As regards peace, Sir, the civil disobedience movement is so much and so badly talked of. I am not here to advocate the cause of the civil disobedience movement, but really we ought to see both sides of the question. I am not here on the merits or demerits of the civil disobedience movement. But whether the methods adopted, viz., the ordinances and the working of the ordinances to cope with the civil disobedience movement are properly carried out, and whether the people are given the sort of treatment which justifies the heavy expenditure that is being incurred in these days, will have to be looked at in order to arrive at a proper understanding and proper decision as regards the merits of this budget. The honourable member Rao Bahadur Naik gave us an instance of how an honourable member of this House was dealt with, indicating the way in which these ordinances are worked. I have some unpleasant reminiscences to put forward about the events that have happened in my own district. It has appeared in the papers—the incident of Gana has appeared in the papers. So far as I know, the Revenue and Police authorities have not been in a position to deny them. If the story is true, really it ought to shock the decency and morality of every living human being. If the story is false, then it must be given a denial. At any rate, as the facts have come to my ears, the matter is serious enough to require a thorough investigation, an investigation which will command the respect of law-abiding persons. As regards the doings of the police in other places, I would mention the instance of the acts of the Sub-Inspector and Head Constable of Virsad at Sunav. Especially the action of the head constable there in treating even women is most reprehensible. As the story has been told, if the action of the police at that place is also investigated, even the Government benches will have to admit that all is not well with the administration of the ordinances. In Ahmedabad, for having a white cap, one is given a strike on his head or his body, whether he is a millowner, or a millionaire or a beggar in the street. Every one with a white cap was given a lathi blow one day from the station right up to Bhadra. [*The Honourable Mr. G. A. Thomas: Did you get one?*] I did not get one. If you think that I should get one, I would not shirk it. I would not discard the white cap for the sake of it. If Government think that the white cap should be banned, they can promulgate an ordinance. What I want is that Members of

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Government should know that the ordinance is being carried out in utter disregard of the intentions of the Government by their officers. Persons are arrested for alleged offences. They are, however, not put up to take their trial; but what happens is that they are arrested, beaten and then released. As a pleader, however humble my knowledge may be, I say that a person may be arrested, but it is illegal to beat the man after he is arrested. The names of the persons who were arrested and beaten and let off have already appeared in papers. Even in Nadiad, I know of arrested persons who instead of being placed before a court and tried for alleged offences were given a beating. They are given punishment by the police officers. If this is the spirit in which the ordinances are to be worked, we had better not have these ordinances. If we want the Government to have a sane administration, I would request Government to withdraw these ordinances. If they want to keep these ordinances, they ought in fairness to themselves and critics like myself institute an enquiry with some non-officials in it to investigate into the truth or otherwise of these allegations. These allegations are serious enough. But I shall add one more. There are public meetings held. Usually a warning is to be given to the persons to disperse. Without any warning to disperse and closing them on all sides, lathi charges are made even on innocent passers-by. I know of one case where even a Government doctor was beaten as a result of which he was disabled in both the legs. People of 80 years and children between 5 and 12, and even innocent men and women are given lathi blows. People who have taken no part in the meetings have been victims of the lathi charge. This instance I am referring to as having happened in Nadiad. What I submit to Government is that they should make an enquiry into all these allegations. Of course, it is useless to ask questions, because if questions are asked, replies may be given after several months, as it has happened in the case of my honourable friend to my left (Mr. S. S. Tolani). If you really want to take this side of the House into your confidence, if you want to satisfy this side of the House that the ordinances are worked in a good spirit, you ought in fairness to institute an enquiry into the working of the ordinances in the mofussil and see that something is done to alleviate the unnecessary hardship on innocent people.

Then, again, Government are responsible for the various huge expenses that are being made. Various suggestions have been made to Government from time to time for reducing their expenses, but they are putting off doing the right thing under one pretext or another. As regards primary education I would ask Government to hand it over to the local bodies. But the dispute arises with regard to the datum line. The local bodies would not have these primary schools unless a particular amount is given. As a matter of fact more money is spent by the Government. Government would not take that into consideration and they keep a particular limit which they call the datum line. They say that if you are prepared to take these schools on that basis we will give you. The local bodies are afraid of the so-called datum line. As

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a result of this Government are starving the primary schools for fear of having to pay more sums to the local bodies, who are in their turn afraid of taking over charge of these schools.

Then, again, the Public Works Department could be done away with and the staff dispensed with. These works can be handed over to the local boards. The rates of the Public Works Department are proverbially high and the same work can be done at a much cheaper rate and more economically by the local bodies. The present engineers and the staff will be absorbed by the local bodies. If 75 or 50 per cent. of the present expenditure of Government is handed over to the local bodies the same amount of work will be done by them. Just to cite one instance, so far as I know of the working of this department, officers are practically idling away their time. A few days back two labourers were required at the Nadiad court house to remove the grass in the compound. Two labourers were engaged on 8 annas a day. There were the assistant engineer, one supervisor and one mistry to look after this work for three days. I should think that perhaps the bhatta of these officers could have been spared and several more labourers engaged to do the work. Even for the planting of trees on roads, I have known of engineers coming from Kaira and residing in Nadiad for three months for supervising the work. Any Mali engaged on Rs. 15 or Rs. 20 a month will be able to do this work even better. Instances like this can be multiplied. This is a waste of public money which has been going on. It is up to the Finance Department and the various other departments to see that this wastage is stopped, if they really mean business. If they accept this suggestion, I am quite sure that they can save money not only to meet the deficit, but spare more money for reducing the debt.

Something more also can be done. The Revenue Department and the Magisterial Department are at present combined. What happens is that the Revenue Officer is generally minding his revenue work. He fixes the hearing of a case in a certain out of the way place. The litigants have to go there. More often the cases are taken up not before 5 o'clock in the evening. People who come from long distances have to go back. The places where the hearings are fixed are such that no one else but the revenue officer will be provided for. Just look at the hardship the people have to suffer. There may be some excuse for combining these two functions in one man. Perhaps, the revenue officer gets a sort of sanctity over the people. If that is the excuse, then the mere fact that it is so is sufficient condemnation of the system. As a result of the separation we will require a less number of mamlatdars and deputy collectors and Collectors, and the same magisterial work can be easily done by honorary magistrates or by magistrates who are paid Rs. 50 or Rs. 100 a month. In certain centres second class magistrates may be appointed to do most of this work; and the administration of criminal justice would be more quick than at present. The returns of criminal cases that are pending for more than three months sent to Government will tell their own tale. Litigation is being dragged on and very few cases are disposed of within three months, as they ought to be.

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I oppose more taxation on this ground. People—especially the masses—have very little to live upon. The agriculturists have not realised sufficient from their lands to meet the cost of cultivation and the cost of labour. This year they have not got sufficient to pay their revenue to Government out of their profit. Most of them are indebted and they have to pay their creditors. If they pay the Government and the creditor, how are they to feed their family and cattle? Land cannot yield anything until the next season. They have either to go on starving or borrow to feed their family. If nobody lends, they have to commit theft. In these times it is not proper that we should increase the burden on the people. One reason for the proposed increase in the court-fees is stated to be that the value of the money has gone low. What I submit is that if the money has gone down in value, also the claim itself has gone down in value. If two years back the value of a claim was Rs. 1,000 it has gone down in value and the court-fee also must be reduced. This tax will eventually fall on the back of the poor agriculturists. If Government care to know the condition of the people in the mofussil, they can take statistics. Although the average agriculturist in Gujarat owns about 10 to 20 bighas of land, yet 75 per cent. of Gujarat agriculturists are in indebted circumstances. Any proposal for increasing taxation which will add to their debts stands condemned. Now the proposal to extend the probate duties to those classes who are now exempt from them will reduce them to greater poverty and indebtedness. The stamp duty is also sought to be raised; the new rates are out of all proportion to the ability of the people to pay. I warn Government that the law of diminishing returns will come into play. The poor man's postcard that was originally priced one pice is now charged three pice. What is the result? We find that people have cut short their letter writing to one-third or even one-fourth of what they were used to. The increase in price does not put more money into the coffers of Government. If you go on increasing court-fees and stamp duties, it will not always bring more money; it will be the other way. People will refrain from going to courts of law and will find means to settle their differences privately. I am sure that the money that will go into the pockets of Government will be less than what they expect it to be. In this connection one thing that I would submit is that we should not use the court-fees as a means of earning revenue. I know that the courts are not working at a loss. We should not make court-fees a source of income.

[*No one rose to speak.*]

The Honourable the PRESIDENT: If no one is willing to speak, I will call upon the Honourable the Finance Member for a reply.

Khan Bahadur ALLAHBAKSH: There are three days allotted for general discussion.

The Honourable Sir GOVINDRAO PRADHAN: There are three days allotted, but if nobody is going to get up, I will certainly get up and give a reply.

Rao Bahadur R. R. KALE: Sir, some criticisms have been made against the Home Department just now by two honourable members on this side. I wish to know if any Government member is going to give a reply to those criticisms before any other non-official member speaks. If any honourable non-official member speaks, he will only repeat the grievances more or less. I should like to see if any reply is going to be given to the criticisms already made. We can, of course, prolong the discussion: there is no danger of discussion stopping.

The Honourable Mr. G. A. THOMAS: Sir, I can only speak once. I do not, therefore, wish to reply as soon as one honourable member has made a few observations. If any statement is required by honourable members on the policy pursued by Government, the proper occasion would seem to be when the honourable member (Rao Bahadur Kale) moves the address he has tabled. I do not want to speak twice on the subject.

Rao Bahadur R. R. KALE: In order to create an atmosphere favourable to the grant of new taxation, it is necessary, I think, that the reply should be given just now. It is from that point of view that I think that this is the proper time. I know my address may be coming later on.

The Honourable the PRESIDENT: This is a matter for honourable members on the Government benches to decide. They should know which is the best time.

The Honourable Mr. G. A. THOMAS: Sir, I am only entitled to speak once. Now only one honourable member has made an attack. If any other honourable member were to speak on the subject after I have once spoken, I should be debarred from giving a reply to him.

The Honourable the PRESIDENT: If it were a matter of the Standing Orders or the Rules, I would have called upon honourable members from the Government benches to speak. As that is not the case, the best course for the non-official side of the House is to follow their own inclinations in the matter of speaking. If they do not take this opportunity, then the opportunity is being lost, because I will certainly call upon the Honourable the Finance Member for a reply.

Mr. PESTANSHAH N. VAKIL: There is another course open to the President which I may be permitted to suggest. It is that the House may be adjourned, because members evidently want time to study the figures supplied. There is likely to be a plethora of speakers to-morrow.

The Honourable Sir GOVINDRAO PRADHAN: Sir, the Honourable the Home Member is correct, because he has only one chance to reply. If we exhaust our right of reply now, we cannot reply to the other members who may speak hereafter.

Rao Bahadur R. R. KALE (Bombay University): Sir, in that case—I had really no intention to speak at this stage, because I was engaged elsewhere and intended to speak to-morrow after collecting my thoughts so as to concentrate on certain specific questions of policy.

The Honourable the PRESIDENT: Is the honourable member speaking?

Rao Bahadur R. R. KALE: I am speaking, Sir. I am speaking although I had no intention to speak to-day. The Honourable the Finance Member in his last year's speech had referred to the atmosphere that prevailed at that time. In paragraph 3 of this year's speech also he says:

"Coming to the revenue side, the same causes which operated last year have again been responsible for a large fall in land revenue and irrigation dues."

He has not made specific mention of the political cause, but I take it that he does refer to it. As has been stated by one of the honourable members, an atmosphere of goodwill and calmness is necessary. I know a good deal has been said about the administration of the ordinances. It may be replied that the ordinances have been promulgated by the Viceroy and the Governor General, and that the local Government has to carry them out. But I submit that a certain amount of discretion is left to the local Government even under the ordinances. It was left to the local Government to decide whether the ordinances should in the first instance be applied to particular areas only or simultaneously to the whole Presidency. They were given discretion to choose particular areas at particular times which in their opinion were in a disturbed condition and which required the operation of the ordinances immediately. It cannot be said that each and every place, even villages situated remote in rural areas, required the whole operation of each and every ordinance. The ordinances have been applied to areas where they are not required. That is my first grievance. My second grievance relates to the carrying out of the provisions of the ordinances by the subordinates of Government. It is the duty of Government to see that the ordinances are administered in such manner as not to imperil the safety and liberty of all law-abiding persons. That is another discretion vested in Government: it is for Government to make enquiries and take steps to satisfy the people that the ordinances are being worked in a spirit of humanity and, as far as possible, without causing humiliation to persons. There have been instances, I think, in all parts—I do not say that there are not good reasons for them. At the same time, I feel that before a person is arrested or served with a notice, which is humiliating to him, an opportunity should be given to him to refute the accusations against him. To arrest a man without giving him an opportunity of explaining his action and make him sit for two hours in a police station, as I am told an honourable member of this House (Dr. Dixit) was made to, shows lack of caution. The honourable member told me yesterday the story of his own detention. Is that not humiliating, and is it not necessary to make enquiry into such cases? We are all opposed to civil disobedience: at least I must say that nobody in this House likes the stunt of civil disobedience.

The Honourable Mr. G. A. THOMAS: Has Dr. Dixit complained to the Government?

Rao Bahadur R. R. KALE: Dr. Dixit went to the District Magistrate, but he was not there. Because he gave shelter to a friend, to say that

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he screened him is nothing less than humiliation. I cannot think of a milder term than that to apply to such a kind of action. If they wanted him, he should have been sent for. But two police officers were sent, he was made to sit between them in the police car and taken to the *thana* and made to sit there two or three hours before the police officer chose to go there. This could have been avoided. Is it not possible to avoid recurrence of such things in order to create an atmosphere of peace and goodwill? We know the difficulties of Government. When there is this movement, which has to be stopped, they are bound to put it down. I do not deny that. But such incidents as this must be avoided. After all, the subordinate police are human beings, and when excessive powers are left with them, a certain amount of caution is necessary in order to avoid abuse of such powers by them. That being so, the question before this House is this. The income of Government is going down owing to the spread of the civil disobedience movement. There is this grievance: I do not say that there are no other grievances. The civil disobedience movement may be the result of the grievances of the people, and the very principle "no supply without redress of grievances" justifies honourable members of this House in criticising the taxation proposals.

His Excellency the Governor was pleased to announce that he is going to appoint an expert committee to reorganise the administration. Well and good. I submit that this should have been done long ago. In fact, from the very beginning of the reforms we have been asking for the overhauling of the whole administrative machinery and concentration of powers in certain hands in order to avoid reduplication of work. The Secretariat is said to be overstaffed. If all this unnecessary expenditure had then come under the scrutiny of an expert committee at the very beginning, we should not have arrived at a point at which we are bankrupt. But, as the late Mr. Gokhale once said, the words "too late" are writ large on every work of Government in the history of this Presidency, and I think that it is this belatedness in doing things, in accepting the advice of the public, that has brought us to our present condition.

With regard to education, complaints have been made by honourable members against the cut in the grants. I would be willing to accept a cut in education if other departments also are made to sacrifice a proportionate share. But here again it is a question of policy. What kind of expenditure are you going to cut? The greater cut will fall on poor institutions, such as primary and secondary schools or aided high schools or colleges. There has been a cut of 15 per cent. under primary education and 5 per cent. under secondary education. I have been repeatedly urging that the expenditure on education in Government institutions is far out of proportion to the expenditure incurred by privately managed institutions. Why not apply the knife there? Has the Government done anything in this matter? So far as I know, an attempt in this direction was made by the first Minister of Education when he

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abolished the Poona High School. I want to know whether any such attempt has been made in later years, and, if not, I want to demand an explanation as to whether there is any change of policy so far as this matter is concerned. So far as I know, you are increasing the expenditure on Government colleges. It was suggested that Government want more money for starting scientific classes in the Andheri College. This college was started as an arts college. Why should you come forward for more money in these times of stringency for starting the Inter Science classes? Why should you apply to the University for affiliation of the College for that purpose? This is an item of expenditure under Education which requires looking into.

There is also another matter. I understand that in the matter of technical schools there is a committee of direction. In all other provinces I find that technical education is managed by the Director of Industries. In this province for some time there was no Director of Industries. But now a Director of Industries has been appointed. Why not hand over charge of technical education to the Director of Industries?

The Honourable Sir RAFIUDDIN AHMAD: Technical schools are in his charge now.

Rao Bahadur R. R. KALE: I find that provision has been made for the secretary's pay, etc. There is no need to incur all this expenditure on the committee of direction. The establishment and other charges according to the budget come to Rs. 15,000. If technical education has been handed over to the Director of Industries, why should this expense be necessary? So far as I know, the inspection of the technical schools is carried out by one inspector and in addition by the Secretary who charges Rs. 50 for the inspection of each school. He inspects five or six schools in one day, taking about 15 minutes for each inspection. In addition to the inspection fee, he is paid travelling allowance for touring in a motor car at the rate of six annas per mile, or whatever is allowed under the rules. My point is: if you want to reduce the expenditure on education, by all means do so, but you must curtail all this unnecessary expenditure first. If you cut down the grants of institutions which are supplying the needs of the people, where are they to go for funds? Resolutions after resolutions have been passed by Government that as soon as private agencies capable of taking charge of secondary and higher education are found, Government should stop the costly management of their own educational institutions, whether secondary, higher or collegiate.

These are matters which require to be explained. Again, unless and until we have a statement of policy with regard to salaries of Government servants, we cannot agree to additional taxation. The Honourable the Finance Member said that they have volunteered a cut of 10 per cent. That is not a correct view. The 10 per cent. cut was the result of the general policy of His Majesty's Government at Home. But what about

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the whole question of salaries ? They must be determined by a reference to the income per capita of the people of this country. I made that point clear in my speech last year and also at Poona. The question of salaries must have relation to the standards adopted as the basis in other countries. One honourable member said that Bombay is a very rich province and therefore the amenities of life must be greater. But my point is that the average per capita expenditure must have relation to the average per capita income of the people. Take the case of other countries. Base your salaries on that basis. What proportion do salaries of public servants in other countries bear to the income per capita of the people in those countries ? You must find out some such scheme. I know you cannot deprive of their income, the people who are now in service and whose salaries have been fixed. But I say you must have a policy. We must be convinced that Government is really seriously tackling the problem in the proper manner and then we may be disposed to give you more money if your coffers are empty. It is no use merely tinkering with this problem in a slipshod manner—cutting down salaries by some rough and haphazard method and other minor retrenchments. We are tired of that. You abolish a post in order to save money. In my own district a court has been abolished. The people of that place (Tasgaon) made representations against the abolition. It is a commercially important town and even if you find a saving now, in due course you will suffer loss on account of the abolition of that court. Government has paid no heed to public protests. We will not be satisfied with this sort of retrenchment—abolition of a post here, retrenchment of establishment there, etc. It is something to know that reorganisation is going to take place through the appointment of an expert committee. There must be some such attempt on the part of Government before the Honourable the Finance Member can expect this side of the House to comply with his request for more taxation.

Mr. SHAIKH ABDUL MAJID (Karachi District): Sir, it was my intention to speak some time to-morrow, but as the discussion is about to come to an end unceremoniously for want of speakers, I take my chance to-day. I do not want to enter into the technicalities of the discussion. I want to draw the attention of the honourable House to the remarks that fell from the lips of my honourable colleague Rao Bahadur Angadi, that with the separation of Sind, the finances of the Presidency will improve considerably. I believe he has taken the most correct view of the whole situation. The Financial Enquiry Committee appointed by the Government of India in pursuance of the resolution of the Round Table Conference to investigate into the future finances of Sind has, in its report, stated that there is likely to be a deficit of Rs. 1,10,00,000 in the budget of Sind on the basis of its present income and expenditure. If that is so, the easiest method of balancing the budget of the Bombay Government is to separate Sind immediately. By doing so they will be meeting the demand of the Muslim community also. Leave us to our fate and we will know how to balance our budget and meet the deficit.

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As regards the other points which have been mentioned by some of the honourable members, I agree with them generally in the demand that the nation-building departments should not suffer by reason of any retrenchment effected by Government. I have nothing else to say with regard to the points raised by honourable members.

I avail myself of the opportunity to draw the attention of Government to the grievances of the people in my constituency. The Karachi district, from which I come, is faced at present with three problems which are going to make or mar its future and which require sympathetic handling at the hands of the Government. One of these problems is the question of water supply of Malir Tapa of Karachi taluka. For the last 30 years the Karachi Municipality has been robbing the khatedars of the Malir tract of Karachi taluka of their legitimate supply of water by constructing underground galleries which have obstructed the natural flow of water towards their lands and brought about misery and sufferings among the khatedars. In the Malir tract, formerly if a well was dug a few feet deep, enough water could be procured, but after the municipality began to construct the underground galleries in order to provide the municipal area and other areas which depend for their water supply on the water works of the Karachi Municipality, the khatedars of the Malir tract can get water after digging their wells 40 or 50 feet deep, and that also for a very short time. Government revenue also is suffering by the action of the Karachi Municipality, and I think it is high time that Government should come to the rescue of the illiterate khatedars, who feel shy of resorting to legal measures, and Government should call upon the Karachi Municipality not to extend this underground gallery any further, as it proposes to do, and also give due compensation to the khatedars, who have been suffering for the last 30 years. That is one point towards which I want to draw the attention of the Government.

Another point is the condition of the Ochto river in Keti Bunder and Mahal Keti Bunder. This Ochto river used to flow quite satisfactorily two years ago, but since the last year it has dried up to a very large extent, and the water from the sea has rushed in the Ochto, and thus the water has become brackish, and neither the people nor the cattle can use it, with the result that not only cultivation has suffered in the two talukas of the Karachi district, but thousands of people have migrated from Gorabari taluka along with their cattle. The situation that has been created is very delicate and requires the immediate attention and the sympathetic attention of the Government. That is another problem that faces my constituency.

The third problem which requires solution at an early date is the effect of the Barrage over the cultivation of Lower Sind. For the last 10 years, the dangers to Lower Sind have been brought to the notice of the Government, and now we have reached a stage when the canals within the Barrage zone will begin to operate immediately, and with that prospect in view the dangers and anxieties of the zamindars

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in Lower Sind have been increased considerably. The whole optimism of Government with regard to the supply of water to Lower Sind, even after the opening of the Barrage, depends on the theory, which I think has exploded itself, that the river bed at Kotri was steadily rising, and any losses in the supply of water that the zamindars in Karachi district may suffer will be more than counterbalanced by the rise of the level of the river at Kotri. But, looking to the level of the river at Kotri for the last 10 years, we see that the river bed at Kotri is rather losing than gaining; it is deepening rather than rising, and all the calculations based upon the theory of the rise of the river bed at Kotri have proved to be untrue. When, in a recent interview with the present Chief Engineer in Sind, a deputation of the Karachi district brought this point to the notice of the Chief Engineer in Sind, that all the assurances given to the zamindars in the Karachi district were based upon the theory of the rise of the bed of the river at Kotri, and that observations for the last 10 years demonstrated that that theory cannot be depended upon, he had no answer to give. Rather, when a pertinent question was put to him whether, after the working of the canals within the Barrage zone, the canals in the Karachi district would maintain their present level, his reply was that it depends upon the monsoon rainfall and the catchment area of the Indus. Sir, that is the third problem, and a very serious problem, which threatens the whole of the district, rather, the whole of Lower Sind including a part of Hyderabad district with devastation. I am not going to accuse anybody now for making wrong calculations about the rise of the river bed at Kotri, but Mr. A. Musto in his well known booklet "The Barrage and the future of Sind" has mentioned that theory, and has put so much faith in it that he has made calculations for fifty years hence as to what would be the rise of the bed of the river at Kotri after every 10 years. Sir, far be it from me to cast any aspersions against, or attribute any motives to, the then Chief Engineer in Sind, that is in 1923, or those Members of the Government who put their implicit faith in those theories. We are now threatened with a sure deficiency of water, and that means that there will be no kharif cultivation in Karachi district.

Under these circumstances, while requesting Government to consider the problems of Karachi district sympathetically, I may mention that people are not in a mood to consider any proposals for fresh taxation.

As regards the retrenchment that has been effected, I may inform this honourable House that there have been complaints in the Muslim press of my province that the axe of retrenchment has fallen upon the Mussalmans, on the plea that they were new entrants and have not yet been made permanent, and therefore their services should be dispensed with. Formerly, we used to hear that Government could not employ more Mussalmans because they were not qualified; and now when qualified Mussalmans are available, their services are to be dispensed with. Notices have been served upon them to leave Government service on a certain date, because Government want to effect retrenchment. I think that is not fair. The advanced classes have taken sufficient

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advantage of Government appointments for the last 100 years. Now that Government have been provided with an opportunity to raise those who are behind, it is unfair that, with the smallest representation in the services that the Mussalmans have, they should be asked to be prepared to leave the service no sooner they have entered it. Even the figures that have been supplied by the Honourable the General Member, in answer to a question put by my honourable friend Khan Bahadur Ghulam Nabi Shah, tell their own tale. In the Public Works Department there is only one Muslim Executive Engineer, while there are 30 non-Mussalmans; there are only 5 Muslim Assistant Engineers on the permanent cadre when there are 60 non-Mussalmans, and there are only 5 Muslim temporary sub-divisional officers, when there are 56 non-Muslims, and so on. Such is the condition of the representation in the services of the Muslim community; and there is an agitation in the Hindu press in Sind that Government have been always treating the Mussalmans very favourably and partially when compared with the other communities. But these figures tell their own tale. What I want to press is——

The Honourable the PRESIDENT: The honourable member's time is up.

Mr. SHAIKH ABDUL MAJID: Only one word. What I want to bring to the notice of Government is this. Qualified Muslims at least, should not be driven out of Government service on the flimsy pretext of the so-called retrenchment. There is enough room otherwise for retrenchment if Government were serious enough. We are now told that an expert committee is being constituted. The retrenchment has been brought about as a result of the general depression and the extremely costly machinery of Government. If Government had taken up this work five years before, the earth would not have gone asunder nor would the heavens have fallen.

The Honourable Sir RAFIUDDIN AHMAD: Mr. President, as usual a great deal of fire from the opposite benches has been directed against the departments under my charge. Sir, I am prepared to face the music. In the first place I will deal with the remarks made by my honourable friend Rao Bahadur Kale. He accuses me of not having a policy. I think that accusation would not stand. I am following the traditional policy and a very wise and sane policy it is. He said that one of my honourable predecessors Dr. Paranjpye had by one stroke of the pen closed the Poona Government high school. Well, I am not prepared to abolish any school by one stroke of the pen. The policy of reducing the Government colleges and Government high schools and devoting money thus saved to aided schools and colleges has its supporters. But then there are difficulties in the way. My honourable friend knows very well the fate of the motion which he had the pleasure to support at the senate regarding the fate of the Elphinstone College—that that college should be entirely reserved for research work and should be closed as an arts college. One of the staunchest and oldest

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members of the senate, Sir Jivanji Modi, strongly opposed the motion and gave very good reasons for the continuance of the Elphinstone College as an Arts college. I am told that motion was very badly defeated.

Rao Bahadur R. R. KALE : No, no ; it was carried over.

The Honourable Sir RAFIUDDIN AHMAD : It was carried over, but all the speeches in the senate were, I think, against the motion.

Rao Bahadur R. R. KALE : No, no. There were speeches in support as well as against.

The Honourable Sir RAFIUDDIN AHMAD : I think the honourable member is a great supporter of that motion. But I have reasons to believe that the motion will not be carried. It is only my honourable friend who is speaking the feelings of a microscopic minority. A large number of the people of the backward classes, the Mahomedans and the Lingayats—[*An Honourable Member : Do they want the Elphinstone College ?*] If the honourable member only waits for some time, he will see that I am talking about another matter. They want that the colleges should be continued, because they say that some of the aided colleges that have been established by the advanced classes are not suitable for them.

Rao Bahadur R. R. KALE : The Andheri College——

The Honourable Sir RAFIUDDIN AHMAD : If the honourable member removes from his brain the Andheri College for a moment, it would be better for all concerned. In Bombay there are two Government colleges. My point is that all these classes have been appealing to us for maintaining these schools and colleges, and not for abolishing them. There are also other good reasons to maintain them.

Some time ago delegates from the Secondary Teachers' Association and others waited upon me to tell me that retrenchment axe should not fall very heavily upon aided secondary schools and colleges. Recently they came and thanked me for what was done by Government regarding the aided schools.

One honourable member opposite, Rao Bahadur Angadi, remarked that I have been a good fighter when I was on the opposition benches. He is not well informed when he said that I did not fight for reducing the cut in education in the Cabinet. I did fight against the cut. There must, however, be a limit to fighting. When it is decided that all the departments must give their quota, the departments under my charge have to follow suit. Therefore, quite against my will I had to yield. I did, however, my best to save the aided colleges and the higher education. The cut is only 5 per cent. regarding secondary schools. With regard to the cut in primary education an attack has been made by the honourable member Rao Bahadur Angadi that that was a wrong thing to do. If University and higher education was not to be touched primary education was bound to suffer heavily. Compulsory education or mass education was only adopted as a policy if certain number of taxes were to be levied for it. I may remind the House that there is not a

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single additional tax has been levied for the purpose. [*An Honourable Member: The Entertainment Tax.*] The money from that tax is not merely for education. [*An Honourable Member: If you read the speeches*——] Even if it be so, the income from that tax is hardly 10 lakhs of rupees. So, some source had to be found for raising the necessary amount. In November last, my honourable colleague the Revenue Member had already informed the House that if the House would not consent to any further taxation the Educational department would suffer. I think it is fresh in the memory of honourable members I am very sorry to say that nothing has been done since. [*An Honourable Member: They are ready.*] You cannot have it both ways—you cannot eat and keep your cake at the same time. I cannot support an unreasonable demand.

Then, with regard to the Andheri College, my honourable friend Rao Bahadur Kale said that a new class was being added in Science. That is not so. A full scheme has been sanctioned by this House which included the Science Class. [*Rao Bahadur R. R. Kale: I said that on account of the financial stringency it can be postponed.*] It is a wrong contention. The Legislative Council passed the whole scheme. But for two years the Intermediate Science was not required. Therefore, we saved that money. A promise had been given to the parents that this class would be opened after two years. We were obliged to do it, and moreover it is self-supporting.

Rao Bahadur R. R. KALE: The students could have attended the science classes in the existing colleges in Bombay.

The Honourable Sir RAFIUDDIN AHMAD: May I remind the honourable member that he has himself said in the Finance Committee that whatever money is sanctioned for education should not be grudged. [*Dr. V. G. Vaishampayan: I opposed this particular grant in the Finance Committee.*] I only remarked that Rao Bahadur Kale had made these remarks. I think the whole House would agree with me that it should not be opposed because it goes to benefit a particular community——

Honourable MEMBERS: No, no.

The Honourable Sir RAFIUDDIN AHMAD: I have done something constructive even in these critical times. We have had a scheme for re-organising the secondary training college for the sake of training teachers which was hanging fire. I am glad that I got the money to put it into actual practice. You will soon see the result. In these days of stringency, we have also started the depressed class board and we have allotted Rs. 12,000 for that. [*Dr. P. G. Solanki: That is a big amount.*] I am sorry to say that it is a small amount. I would double it, if funds were available. I hope the honourable member would be thankful also for smaller gifts. [*Dr. P. G. Solanki: I shall have my say later on.*] We have done what we can. I am also following moderately the policy of abolishing schools. I have abolished 14 classes in the Elphinstone High School, Bombay. If circumstances permit and all the other boys are absorbed by other schools without causing any

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inconvenience, the whole school might be abolished some day. So, we are following that policy.

With regard to the other departments under me that of Excise is of a very controversial nature. My honourable friend Mr. Karbhari from Thana complained, if I understood him right, from very long notes that he wanted strong liquors. [*Mr. M. M. Karbhari: That is not what I said.*] I tried my best to follow him. His eyes were so fixed upon his notes that I could not catch them. I think he complained——

Mr. M. M. KARBHARI: About diluting liquor at Nasik.

The Honourable Sir RAFIUDDIN AHMAD: I do not know whether the inference from this was that he wanted the strength of liquors to be increased. If his constituency ought to have it——

Mr. M. M. KARBHARI: I request the Honourable Minister to go through the transcript of the official reporter——

The Honourable Sir RAFIUDDIN AHMAD: But I have to answer now without that benefit. If that is not his demand, then I have nothing to add. I am doing my best to conduct this department with the advice which the House has always given me, but the times are so bad that it becomes extremely difficult to follow the lines to the letter. I shall be always very glad to receive any suggestions. Up to this time I have not received any new suggestions.

Rao Bahadur R. R. KALE: You had promised several times to call me, but never called me.

The Honourable Sir RAFIUDDIN AHMAD: Call you for what?

Rao Bahadur R. R. KALE: To discuss educational matters.

The Honourable Sir RAFIUDDIN AHMAD: I want certainly to invite my honourable friend to dinner for social amity but that is a different thing, and I will keep my promise. But with regard to other matters——

Rao Bahadur R. R. KALE: You promised to discuss with me the question of the reduction of Government educational institutions.

The Honourable Sir RAFIUDDIN AHMAD: With regard to more controversial matters the time has not yet come for useful discussion. The committee to which the honourable member referred need not be appointed now. We have appointed a committee to overhaul the administration, and this is not the time for smaller committees. Otherwise, there is a standing invitation to the Honourable Member to my house at all times.

Mr. C. M. LANE: Sir, if I may, I would like to make a few remarks on the speech of the honourable member from Karachi (Mr. Shaikh Abdul Majid). I would like first to say that up to this time I have heard no criticism of the Public Works Department: I believe that shows that our astonishing retrenchment is generally appreciated. As regards the speech of the honourable member from Karachi (Mr. Shaikh Abdul Majid), he said that his constituents have three main

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grievances. The first is in connection with the Malir tract. It is scarcely an irrigation case with which I am directly concerned, but four years ago, as Superintending Engineer, Karachi, I investigated it. The fact is that in that tract there are a few gardens and a few scattered patches of cultivation. These last have been affected by the Karachi Municipal water-supply extension. An expert enquiry was held on this complaint four years ago. I understand that this question is being referred to arbitration. It is a matter with which as Secretary for Irrigation I am not concerned at all. However, it is a matter which is receiving attention.

Now, as regards the two other points on which the honourable member said his constituency had grievances. The first was with regard to the sea water entering through the mouth of the Ochito river. The mouth of that river got silted up some eighteen months ago. Some expenditure was incurred on its clearance last year, and it was not entirely effective, and considerable expenditure is being incurred on its clearance this year. The principal importance of this river is not to supply water for irrigation but to supply drinking water for the town of Keti Bunder and for villages and cattle in this portion of Ghorabari taluka.

My honourable friend's third point was about the effect of the Barrage withdrawals on Lower Sind canals. Unfortunately, the honourable member was not here to receive the answers to his questions which would have been given by the Honourable the General Member yesterday. If he had received those answers, it would have taken the wind out of his sails and his present complaint would not have been made. He now says, however, that although the engineers say that the bed of the river at Kotri is rising, he himself has seen the bed of the river at Kotri and does not think it is rising. I myself have looked at the bed of the river at Kotri and I would not commit myself to say from the evidence of my own eyes that the river bed is rising. But our observations are taken with instruments of precision, and I think they must be more reliable than the honourable member's visual evidence. It is an established fact that it must be so. The Indus is a deltaic river. The delta is pushing out to the sea. A natural bar is formed and the whole bed of the river is slowly but surely rising. If it had not been for the fact that the bed of the river is rising, the Indus would not have been at a higher level than the general ground level of the land. The river runs through Sind and it is this physical feature that enables it to irrigate the land by its overflow water. The honourable member said that Lower Sind is threatened with deprivation of water supply and no kharif crop. I can assure the honourable member that there is no room for such serious apprehension. Government are committed to see that Lower Sind is not adversely affected by withdrawals by Barrage canals. Works are already in progress for remodelling the Kalri and Narichach. We will take up the other similar works as the Finance Department allows us. The Barrage, I may say,

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is already in operation. The full Barrage pond level has been held up since the 11th of this month at Sukkur, and still nearly a thousand cusecs are entering the Fuleli. This compares favourably with the average discharge. I do not, therefore, think that there is any reason to anticipate very serious effects on Lower Sind from Barrage withdrawals.

I do not think, Sir, any other points with which I am directly concerned, have been raised in this debate. As I said, I am very grateful for the absence of criticism of my department so far.

The Honourable the PRESIDENT : The House is now adjourned to 2 o'clock to-morrow, Friday, the 19th February 1932.

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BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Friday, the 19th February 1932.

The Council re-assembled at the Council Hall, Bombay, on Friday, the 19th February 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.

KIRKE-SMITH, Mr. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACKIE, Mr. A. W. W.
MATCHESWALLA, Mr. G. E.
McELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PATEL, Khan Bahadur A. E.
PATEL, Mr. C. N.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SPENCER, Mr. A. B.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR.
VANDEKAR, Rao Saheb R. V.
WILES, Mr. G.

STARRED QUESTIONS AND ANSWERS

RECRUITMENT OF BACKWARD CLASSES IN GOVERNMENT SERVICE IN SATARA DISTRICT.

*Mr. A. B. ACHREKAR (Satara District): Will Government be pleased to state—

(*a*) the total population of the district of Satara;

(*b*) the percentage of the proportional strength of (*i*) Forward, (*ii*) Intermediate and Backward, (*iii*) Depressed and (*iv*) Muhammadan communities comprising the whole population of the district;

(*c*) the percentage of persons employed from amongst these four classes of communities in the Revenue and Judicial services of the district;

(*d*) whether the proportionate recruitment in the Government service from backward communities as expressed in Government Resolutions is properly worked out in this district by the district officers?

The Honourable Mr. W. F. HUDSON: (*a*) 1,026,259 according to the Census of 1921.

(*b*) Advanced	4·4
Intermediate and backward	76·5
Depressed	15·7
Mahomedans	3·4
(*c*)	Revenue.
Advanced	61·8
Intermediate and backward	28·8
Depressed	0·5
Mahomedans	8·9

As regards the judicial service the Honourable Member is referred to the Honourable Member in charge of the Home Department.

(*d*) Yes.

MAGISTRATES, KURLA: ATTENDANCE AT MILLS.

*Mr. R. R. BAKHALE: Will Government be pleased to state—

(*a*) whether it is a fact that the Resident First Class Magistrate of Kurla was attending the mill gates of the Swadeshi Mills, Kurla; if so, since when did he begin his attendance, and when did he end it;

(*b*) if the answer to (*a*) be in the affirmative, whether his services were requisitioned by the management of the Swadeshi Mills, Kurla, or he went there of his own accord; if the latter, what are the grounds on which he took his decision to go;

(*c*) who were the other magistrates who were going to the Swadeshi Mills, Kurla, during the strike of its workers, and whether they were going every day or off and on?

The Honourable Mr. G. A. THOMAS: (*a*) He visited the Swadeshi Mills, Kurla, on various occasions between the 26th October and the 18th December 1931.

(*b*) He went there of his own accord and at the request of the police as there was a possibility of a disturbance.

(*c*) The District Magistrate visited the mills once and the Sub-Divisional Magistrate several times.

POLICE PROTECTION FOR HEAD JOBBER, SWADESHI MILLS.

*Mr. R. R. BAKHALE: (*a*) Will Government be pleased to state whether it is a fact that special police protection had been given to a head jobber of the Swadeshi Mills, Kurla, in the months of September, October and November 1931?

(*b*) If so, what was the number of the constables—armed and unarmed—and head constables who were so given and what was the duration of such protection?

(*c*) If the answer to (*a*) be in the affirmative, was this protection given whenever necessary, or was it given all the twenty-four hours during the period of its continuance?

(*d*) If the answer to (*a*) be in the affirmative, was this protection sought by the Swadeshi Mill authorities or by the head jobber concerned?

(*e*) If the answer to (*a*) be in the affirmative, was this protection given with the knowledge, previous consent and permission of the District Superintendent of Police, Bombay Suburban District?

(*f*) If not, who was the authority who gave that protection and was he entitled to do so?

(*g*) When did the District Superintendent of Police come to know of this protection, and what were the orders he issued?

(*h*) If the answer to (*a*) be in the affirmative, was any charge levied on those who sought this protection, and, if so, what was the amount of such charge?

The Honourable Mr. G. A. THOMAS: (*a*) No.

(*b*), (*c*), (*d*), (*e*), (*f*), (*g*) and (*h*) Do not arise.

ARTILLERY MAIDAN WORKS: CONTRACTS.

*Mr. SHAIKH ABDUL MAJID for Mr. HAJI MIR MAHOMED BALOCH (Karachi City): Will Government be pleased to state—

(*a*) whether the work of constructing roads, footpaths, table drains and storm water drains in the Artillery Maidan was given to Messrs. Ferro Concrete Construction Company in 1929-30;

(*b*) whether they were permitted by Government to give the work to petty sub-contractors;

(*c*) whether Government are aware that the contractors gave the work to about 8 or 9 petty sub-contractors at 25 per cent. net profit;

(*d*) whether Government are aware that some of the petty sub-contractors have gone to court for settlement of their claims against the Ferro Concrete Construction Company;

(*e*) if the rates of the company were so high as to enable them to make 25 per cent. net profit through petty sub-contractors agency, why Government did not do the same departmentally through the same agency?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) The work of constructing roads and footpaths only on the Artillery Maidan at Karachi was given to this firm in 1929-30.

(*b*) No.

(*c*) No.

(*d*) Government are aware of only an instance of a petty piece-worker suing this firm.

(*e*) *Vide* reply to (*c*) above. The practice in vogue in Sind is to get all works done by contract as that agency is considered to be on the whole more economical.

GRAZING IN SIND.

*Mr. SHAIKH ABDUL MAJID for Mr. HAJI MIR MAHOMED BALOCH (Karachi City): Will Government be pleased to state—

(1) whether it is a fact that cattle discovered grazing in the close areas are sent to the cattle pound;

(2) if the reply to (1) be in the affirmative, whether the owners are challaned in court even after the pound fees and penalty are paid by them;

(3) if the reply to (2) be in the affirmative, the number of cattle owners challaned for the last three years in Sind;

(4) whether it is a fact that there is a system of rewarding the subordinates for their bringing more cattle to the cattle pound;

(5) whether it is a fact that only nine months in the year is the grazing season;

(6) if the reply to (5) be in the affirmative, what are the reasons for charging grazing fees for the full period of one year;

(7) whether it is a fact that the hilly tract people and people residing outside of forest areas bring their cattle for grazing purposes only for two or three months in the year;

(8) if the reply to (7) be in the affirmative, why they are charged grazing fees for the full year;

(9) whether Government have received any complaints against this system;

(10) if the reply to (9) be in the affirmative, whether Government propose to take any, and, if so, what action in the matter?

The Honourable Dewan Bahadur S. T. KAMBLI: (1) Yes, unless the owners are willing to compound the offence.

(2) No.

(3) Does not arise.

(4) No.

(5) No.

(6) Does not arise.

(7) Yes, a few do in certain districts only, on account of the pod crop, and stay from two to six months.

(8) Because the grazing fee is very low and the minimum period has been fixed as one year.

(9) None.

(10) Does not arise.

Mr. SHAIKH ABDUL MAJID: With regard to (9), is it not a fact that written complaints have been sent to the Conservator of Forests and that in interviews granted to the representatives of the Maldars' Conference these grievances have been brought to his notice? Has the attention of Government not been drawn to these grievances?

The Honourable Dewan Bahadur S. T. KAMBLI: Government are not aware of any such complaints made to them as such.

Mr. SHAIKH ABDUL MAJID: Does not the Conservator of Forests form part and parcel of Government and how is it that you distinguish the Conservator of Forests from Government?

The Honourable Dewan Bahadur S. T. KAMBLI: That is a different question altogether.

POLICE SUB-INSPECTOR'S HEAD CLERK, SAKRAND.

*Mr. SHAIKH ABDUL MAJID for Mr. HAJI MIR MAHOMED BALOCH (Karachi City): Will Government be pleased to state—

(1) (*a*) the total period of service rendered by the present head clerk Mr. Rijumal of the Sub-Inspector, Sakrand;

(*b*) and the period he has been in the Sakrand office since his appointment there?

(2) Have Government officers received complaints that he manages to send to high officers anonymous applications against some well-to-do people with the intention of harassing them and squeezing out money?

(3) If the reply to (2) is in the affirmative, what action have Government taken against him?

(4) Will Government be pleased to give reasons for keeping him there for the most part of his service?

The Honourable Mr. G. A. THOMAS: (1) (*a*) Fifteen years.

(*b*) Two years and three months.

(2) No.

(3) and (4) Do not arise

SUKKUR RIOTS, AUGUST 1930: ARRESTS.

*Mr. SHAIKH ABDUL MAJID for Mr. HAJI MIR MAHOMED BALOCH (Karachi City): Will Government be pleased to state—

(1) How many Muhammadans and how many Hindus were arrested in connection with the Sukkur riots of August 1930 in the town of Sukkur between the 3rd and the 6th of August 1930? Out of these how many were found to be actually committing offences and for what were the rest arrested?

(2) How many of these were people of Sukkur Town against whom nothing was alleged? How many of them were Muslims and how many of them were Hindus?

(3) After how many days were those referred to in (2) above released from jail custody?

(4) Under whose orders were those persons arrested and kept in custody?

The Honourable Mr. G. A. THOMAS: (1) 151 Muhammadans and 49 Hindus. 44, of whom 33 were Muhammadans and 11 were Hindus,

were arrested while actually committing offences. The others were arrested as a preventive measure either because they were found carrying lathis and other weapons or because they were bad characters suspected of causing trouble.

(2), (3) and (4) The question is not understood.

FOREST GRIEVANCES ENQUIRY COMMITTEE : SIND FORESTS.

*Mr. SHAIKH ABDUL MAJID for Mr. HAJI MIR MAHOMED BALOCH (Karachi City) : Will Government be pleased to state—

(1) whether it is a fact that the Forest Grievances Enquiry Committee was appointed six years ago to enquire into forest grievances and to make recommendations ;

(2) whether it is a fact that the Committee visited Sind ;

(3) what recommendations were made by the Forest Grievances Enquiry Committee in respect of Sind forests, and how far have those recommendations been given effect to ?

The Honourable Dewan Bahadur S. T. KAMBLI : (1) Yes.

(2) No ; the scope of the enquiry was confined to the Presidency proper.

(3) Does not arise.

Mr. SHAIKH ABDUL MAJID : May I know whether the Government think that there is no necessity of appointing a similar committee for Sind since there are many complaints against the Forest Department ?

The Honourable Dewan Bahadur S. T. KAMBLI : This question does not arise out of the question at all ; it introduces a new matter altogether.

POLICE ENQUIRY : MEHRABPUR TALUKA.

*Mr. SHAIKH ABDUL MAJID for Mr. HAJI MIR MAHOMED BALOCH (Karachi City) : Will Government be pleased to state—

(1) whether they are aware that on some application police made enquiries of one Changalshah of Mehrabpur ;

(2) if so, will Government please give the name of the applicant ;

(3) was any statement of the applicant taken before making further enquiries in this case ;

(4) if the reply to (3) be in the negative, what were the grounds for making an enquiry in this case ;

(5) is it a fact that this man was much harassed by the police and was let off after payment by him of some money ?

The Honourable Mr. G. A. THOMAS : (1) No such application was made.

(2) and (3) Do not arise.

(4) Changalshah has been associating with bad characters.

(5) No.

POLICE SUB-INSPECTOR, TATTA.

Mr. SHAIKH ABDUL MAJID for Mr. HAJI MIR MAHOMED BALOCH (Karachi City) : Will Government be pleased to state—

(1) whether Mr. Khushaldas, Sub-Inspector of Police, has remained at Tatta for more than three years ;

(2) the reasons for keeping him there for this period ;

(3) whether it is a fact that the number of undetected crimes have increased during his time ?

The Honourable Mr. G. A. THOMAS : (1) Yes.
(2) His work has been satisfactory.
(3) No.

VERNACULAR READERS : PREPARATION.

*Mr. A. J. BANGI (Southern Division) : Will Government be pleased to state—

(*a*) the amount spent in the preparation of the Marathi Readers, the Gujarati Readers, the Kanarese Readers and the Urdu Readers, separately ;

(*b*) the time devoted to the preparation of each of the series ;

(*c*) the number of persons employed in the preparation of each of them ;

(*d*) whether the persons thus employed were especially deputed for the preparation of the Readers or were doing this work in addition to their other official duties ?

The Honourable Sir RAFIUDDIN AHMAD : (*a*) Rs. 93,000 for the preparation of Marathi, Gujarati, Kanarese and also Sindhi Readers. Separate information for each of these is not available. Expenditure incurred on the Translation Board of Urdu Text Books was Rs. 40,711-7-0.

(*b*) About 2 years and 2½ months for the Urdu Text Books and about a year and 5 months for the rest.

(*c*) Including the Chairman and Secretary, the Urdu Text Books Translation Board consisted of 10 members. The number of persons employed in the preparation of the Marathi, Gujarati, Kanarese and Sindhi Readers was 8, including 2 persons attached to the Committee for temporary periods. Separate information for each Reader is not available.

(*d*) The persons employed in the preparation of the Vernacular Readers in Marathi, Gujarati, Kanarese and Sindhi were on deputation. In the case of the Urdu Text Books Translation Board none of the members, except the Secretary, was specially deputed to serve on the Board.

ENGINEERING SERVICES : COMMUNAL INEQUALITIES.

*Mr. A. J. BANGI (Southern Division) : Will Government be pleased to state—

(*a*) how many Brahmins, non-Brahmins, Muhammadans and others have been taken—

(*i*) in the Bombay Engineering Service,

(*ii*) in the Bombay Subordinate Engineering Service since 1925 ;

(*b*) how many of these are from the Karnatak and how many Lingayats ;

(*c*) how Government intend to make good the communal inequalities ?

The Honourable Sir GHULAM HUSSAIN: (*a*) The following numbers have been appointed since 1925:—

(*i*)	Brahmins ..	30
	Non-Brahmins ..	32
	Muhammadans ..	5
	Others ..	2
(*ii*)	Brahmins ..	40
	Non-Brahmins ..	27
	Muhammadans ..	3
	Others ..	4

(*b*) Nine from the Karnatak and one Lingayat.

(*c*) Every endeavour is being made to achieve proper admixture of all classes and communities in the services under the control of this Government.

POLICE STATION: MUGATKHAN.

*Mr. A. J. BANGI (Southern Division): (*a*) Is it a fact that Government intend to abolish the police station at Mugatkhan Hubli and transfer it to Kittur in the Sampgaon Taluka of the Belgaum District?

(*b*) When was this station established at Mugatkhan Hubli?

(*c*) What are the reasons for its proposed abolition and transfer to Kittur?

The Honourable Mr. G. A. THOMAS: (*a*) The Police Station has already been transferred from Mugatkhan Hubli to Kittur.

(*b*) In November 1928.

(*c*) The increase of crime at Kittur made the transfer necessary.

LOCAL BOARD, RATNAGIRI: CLERKS.

*Rao Bahadur S. K. BOLE: Will Government be pleased to state—

(*a*) the number of clerks in the service of the Ratnagiri District Board and of the School Board, respectively;

(*b*) how many of them are Brahmins and how many are non-Brahmins belonging to the backward classes?

The Honourable Sirdar Sir RUSTOM J. VAKIL: The information given below is as it stood in November 1931. The word "Brahmin" is used to include members of other advanced castes:

(*a*) and (*b*) School Board, District Local Board, Ratnagiri—

10 Clerks—

9 Brahmins.

1 Non-Brahmin.

District Local Board, Ratnagiri—

8 Clerks—

4 Brahmins.

4 Non-Brahmins.

Taluka Local Boards, Ratnagiri District—

9 Clerks—

6 Brahmins.

3 Non-Brahmins.

School of Industry under the control of the District Local Board—

1 Clerk—a Non-Brahmin.

GOVERNMENT CENTRAL PRESS: HOUSE RENT OF ASSISTANT MANAGER.

*Rao Bahadur S. K. BOLE: With reference to the answer to the question regarding house rent of the Assistant Manager, Government Central Press, reported at page 95 of Volume XXXI of the Official Report of the Bombay Legislative Council Debates, will the Government be pleased to state—

(*a*) whether the Accountant General of his own accord passed the highest amount of rent admissible to Mr. Joshi when the certificate attached to the establishment bills in support of Mr. Joshi's house rent did not vouch that he lived within a mile of the Press;

(*b*) whether it was stated in the house rent bills submitted by Mr. Joshi that he was living within a mile of the Press;

(*c*) if so, how many times such bills were repeated and what was the amount drawn by Mr. Joshi as house-rent allowance?

The Honourable Sir GHULAM HUSSAIN: (*a*) The Accountant General accepted the certificate given by the Manager of the Press and passed the establishment bills.

(*b*) No.

(*c*) The house rent was drawn on monthly establishment bills for the period from 11th May 1925 to 22nd March 1926 and it amounted to Rs. 1,038-12-0.

Rao Bahadur S. K. BOLE: With regard to (*b*), when Mr. Joshi stated that he was not living within a mile of the Press, why was the extra allowance that was allowed in the case of those who were living within a mile of the Press allowed to him?

The Honourable Sir GHULAM HUSSAIN: I have several times replied to the honourable member that the Manager, who is the head of the department, certified the allowance.

Rao Bahadur R. S. ASAVALE: Was that allowance allowable under the rules?

The Honourable Sir GHULAM HUSSAIN: Under the rules, the Manager has the discretion and he allowed it.

Rao Bahadur S. K. BOLE: Was the fact brought to the notice of the Accountant General when the bills were submitted to him?

The Honourable Sir GHULAM HUSSAIN: The Accountant General accepted the certificate given by the Manager and passed the establishment bills.

Rao Bahadur S. K. BOLE: Does it not amount to giving a false certificate in this case?

The Honourable Sir GHULAM HUSSAIN: It is a true certificate. The head of the department certifies. It is in his discretion and he granted the rent allowance.

Rao Bahadur S. K. BOLE: Was that admissible under the rules?

The Honourable Sir GHULAM HUSSAIN: He has the discretion under the rules.

Rao Bahadur S. K. BOLE : Though the person was not living within one mile from the Press ?

The Honourable Sir GHULAM HUSSAIN : I cannot answer the question better than I have done.

GOVERNMENT PRINTING PRESSES : RESIGNATION OF CLERKS.

*Rao Bahadur S. K. BOLE : Referring to the questions and answers on pages 95–99 of Volume XXXI of the Official Report of the Bombay Legislative Council Debates, will Government be pleased to state—

(*a*) the names of clerks who had served more than ten years at the Yeravda Prison Press and then resigned ;

(*b*) whether it is a fact that they were forced to resign by Mr. Joshi ;

(*c*) whether the so-called resignations were not accepted when the actual facts were mentioned and that they were coerced into giving fictitious reasons ;

(*d*) whether it is a fact that some of the clerks who were forced to resign after long service had petitioned to Government bringing to their notice the maltreatment meted out to them ; if so, whether they will be pleased to state the names of such clerks and the replies given to them by Government ;

(*e*) whether it is a fact that Government refused to interfere in the matter ;

(*f*) what is the number of clerks in the Yeravda Prison Press ;

(*g*) whether the petition from Mr. H. C. Bhave, a clerk who had tendered his resignation from the Yeravda Prison Press, was received by them bringing to their notice the intolerable hardships to which he was put by Mr. Joshi ;

(*h*) whether that clerk also had left service to better his prospects ;

(*i*) whether it is a fact that the present head clerk, Government Central Press, while at the Yeravda Prison Press, had tendered his resignation several times ; if so, under what circumstances the resignations were tendered and the reasons why they were subsequently withdrawn ;

(*j*) whether these resignations were also tendered for bettering the prospects ;

(*k*) whether they are aware that some of the clerks who were forced to resign from the Yeravda Prison Press by Mr. Joshi were prevented from taking further steps against him (Mr. Joshi) ;

(*l*) whether Mr. S. K. Daftardar, *ex*-head clerk of the Government Central Press, while doing duty as head clerk was ordered to serve as head binder at the Government Central Press, in addition to his own duties ;

(*m*) whether this was done at the instance of Mr. Joshi ;

(*n*) whether any other head clerk previous to Mr. Daftardar or after him had been so entrusted with the head binder's duty, in addition to his own ?

The Honourable Sir GHULAM HUSSAIN : (*a*) Messrs. B. A. Gupte, H. C. Bhave and M. W. Deshmukh.

(*b*) No.

(*c*) No.

(*d*) and (*e*) Only one clerk who resigned after long service, Mr. Bhave, petitioned Government for an appointment under Government or reinstatement in the press department with quarters, or some pension or gratuity. Government replied that they could not comply with any of his requests. As regards his grievance that he was granted leave without pay for the period by which he overstayed the leave granted to him, Government directed that he should be treated as on privilege leave and granted pay for that period. Mr. Bhave submitted another petition to Government in May last, for another post in the Printing Department. That petition was forwarded to the Superintendent, Government Printing and Stationery, for disposal.

(*f*) 18 (including the Head Clerk).

(*g*) The petition received from Mr. Bhave stated his personal hardships as regards non-provision of quarters on the premises of the Press, and he made very vague allegations of "untoward attitude of the authorities" towards the clerks, without reference to any individual.

(*h*) No.

(*i*) The present head clerk, Government Central Press, submitted his resignation once as he did not agree with certain orders issued by the then Manager, Yeravda Prison Press. The resignation was forwarded by the Manager to the then Superintendent, Government Printing and Stationery, under whose advice it was withdrawn.

(*j*) No.

(*k*) No.

(*l*) No. Mr. Daftardar was relieved of his duties and deputed to the bindery, not to do any mechanical work, but to improve and set right the outturn account of that section.

(*m*) Mr. Joshi reported the unsatisfactory condition of the outturn account of the bindery section in consequence of which the above arrangement was made by the Manager, Government Central Press.

(*n*) No.

Rao Bahadur S. K. BOLE: Do the Government intend to make enquiry into the causes that led nearly 100 clerks to tender their resignations during a period of 10 years, and even the present head clerk had to submit his resignation but it was withdrawn at the request of the Superintendent?

The Honourable Sir GHULAM HUSSAIN: Where does the honourable member get the 100 clerks from?

Rao Bahadur S. K. BOLE: Last time I asked a question, and that number was given in the reply.

The Honourable Sir GHULAM HUSSAIN: Will the honourable member read out that reply?

Rao Bahadur S. K. BOLE: Unfortunately, I have not got that reply with me now.

The Honourable Sir GHULAM HUSSAIN: Then I am sorry I can give no reply to the question.

Rao Bahadur S. K. BOLE: If I refer to it next time, will the Government give a reply?

The Honourable the PRESIDENT: The whole force of the question is gone now. Next question.

MAMLATDAR'S NOTICE TO MAHARS, INDAPUR.

*Rao Bahadur S. K. BOLE: Will Government be pleased to state—

(*a*) whether they are aware of the notice served by the Mamlatdar of Indapur, district Poona, on Sakharam Bapoojee Kamble and others belonging to the Mahar community residing at the village Bawade, a copy of which appeared in the issue of 3rd August 1931 of a Marathi weekly "Janata";

(*b*) if so, do Government approve of the contents of the notice and the steps taken by the Mamlatdar?

The Honourable Mr. W. F. HUDSON: (*a*) Yes.

(*b*) Although the notice was not suitably worded, Government are satisfied that it was issued in the interests of the peace of the village.

ADMINISTRATIVE OFFICER, DISTRICT SCHOOL BOARD, NASIK.

*Rao Bahadur S. K. BOLE: Will Government be pleased to state—

(*a*) whether they have received a copy of the resolutions passed by the District School Board, Nasik, at their meeting held on 12th July 1931, and whether and when the Minister of Education, the Director of Public Instruction, and the Educational Inspector, Bombay Division, received each a copy of the said resolutions;

(*b*) whether the Local Authority, Nasik, has forwarded to Government a copy of the resolutions passed by them in connection with the resolutions of the School Board referred to in (*a*);

(*c*) whether Government have sent any communication to the District Local Board, Nasik, after the 12th July 1931, regarding the services of Mr. K. S. Dixit as the Administrative Officer of the District School Board, Nasik;

(*d*) whether while writing to the District Local Board, Nasik, regarding the services of Mr. K. S. Dixit Government took into consideration the resolutions of the District School Board referred to in (*a*) and the resolutions of the District Local Board referred to in (*b*)?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) Government understand that a copy of the resolution referred to was received by the Educational Inspector, Bombay Division, on 1st August 1931. No copies were received by the other officers mentioned.

(*b*) Government have no information on the subject.

(*c*) and (*d*) No communication was sent by Government. But there was one sent by the Director of Public Instruction after due consideration of the resolution of the Local Authority.

CIVIL COURT, LARKANA.

*Mr. DHALUMAL LILARAM (Eastern Sind): (*a*) Has the attention of Government been invited to the questions addressed to the authorities in the "Hindu" of Hyderabad, Sind, dated 29th July 1931, in connection with the Civil Court of Larkana?

(*b*) Has the attention of the District Judge and the Judicial Commissioner been invited to the above?

(*c*) If so, has any enquiry been made in the matter, and if so, with what result?

The Honourable Mr. G. A. THOMAS: (*a*) Not until the receipt of this question.

(*b*) The article in the "Hindu" was seen by the District Judge but not by the Judicial Commissioner of Sind.

(*c*) Enquiries were made, but no action was found necessary.

SURAT MUNICIPALITY: LOAN PROPOSED BY COMMITTEE OF MANAGEMENT.

*Dr. M. K. DIXIT (Surat District): Will Government be pleased to state—

(*a*) whether it is a fact that the Committee of Management appointed to administer the affairs of the Surat Municipality consists of members nominated by Government only;

(*b*) whether it is a fact that the life of this body is shortly coming to an end;

(*c*) whether it is a fact that its Chairman is now corresponding with Government to raise a loan;

(*d*) whether it is fact that he has been doing this without consulting the public;

(*e*) whether it is a fact that some of the members were opposed to this proposal of loan and that the Chairman rushed through the business;

(*f*) whether it is a fact that the Committee of Management as a body has been kept in the dark by the Chairman, regarding the purpose, the amount and the rate of interest of the proposed loan?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: (*a*) The members of the Committee were appointed by the Commissioner in accordance with section 219 (2) (*b*) of the Bombay Municipal Boroughs Act, 1925.

(*b*) The term has already come to an end.

(*c*) The application has not yet reached Government.

(*d*) The public will have an opportunity of expressing views on the matter when the application is published for public objection in due course.

(*e*) Only one member out of 13 was opposed to it; the reply to the latter part is in the negative.

(*f*) No.

EXCISE APPOINTMENTS.

*Dr. M. K. DIXIT (Surat District): Will Government be pleased to state—

(*a*) in a statistical and tabular form the number of—

(*i*) Gujarati speaking Indian Christians holding Sub-Inspectors' posts in the Excise Department of the Bombay Presidency;

(*ii*) Gujarati speaking Indian Christians holding head clerks' and clerks' posts in the Northern Division of the Presidency;

(*b*) whether it is a fact that a certain Indian Christian lad who was an undergraduate and strongly recommended by Principal Hamill for the Sub-Inspector's post was appointed as a Sub-Inspector in an officiating vacancy in the Ahmedabad District in 1928;

(*c*) whether it is a fact that in spite of his appointment orders duly passed by the Excise Commissioner he was not allowed to join his duties by the Superintendent of Excise of Ahmedabad Sub-Division;

(*d*) whether it is a fact that he was not allowed to join at the instance of a certain missionary of the I. P. Mission of Ahmedabad;

(*e*) the circumstances under which this lad was refused admission to the Ahmedabad Distillery;

(*f*) the reasons why the Sub-Inspector of Bhuwaldi of taluka South Daskroi was prevailed upon by the Superintendent of Excise, Ahmedabad, to get his two months' leave already granted to him cancelled;

(*g*) whether it is a fact that the leave was cancelled after the new appointments were already ordered by the head of the Department?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) (*i*) Nil.

(*ii*) One.

(*b*) Yes; on the recommendation of the Superintendent of Excise, Ahmedabad Division.

(*c*) No.

(*d*) No.

(*e*) Mr. W. Hunter, the Sub-Inspector in question, was ordered to undergo a course of training in gauging and testing of liquor at the Liquor Warehouse, Ahmedabad, before joining his appointment, but as the Sub-Inspector in whose leave vacancy Mr. Hunter was appointed cancelled his leave, there was no need for the latter to undergo training at the warehouse.

(*f*) The Sub-Inspector, Bhuwaldi, was not prevailed upon by the Superintendent of Excise, Ahmedabad, to get the two months' leave cancelled.

(*g*) Yes.

PETIT HIGH SCHOOL, SANGAMNER: GRANT.

*Mr. L. R. GOKHALE (Poona City): (*a*) Is it a fact that the "Petit High School" of Sangamner was getting a grant from Government and that the grant was discontinued without any reason being given?

(*b*) Are Government aware of the fact that Mr. Devidas Bhaskar Lele, B.A., was the head master of that High School for more than

20 years and was instrumental in building up the said High School from an Anglo-Vernacular school ?

(*c*) Is it a fact that Government refused to revive the grant to the Sangamner Municipality unless Mr. Lele was removed from the office and his services were dispensed with ?

(*d*) Is it a fact that even the gratuity due to him was refused by the Sangamner Municipality ?

(*e*) Is it a fact that Mr. Lele was not given an opportunity to state his case before he was removed ?

(*f*) Will Government be pleased to lay on the Council table all the papers relating to the suspension of the grant to the Sangamner Municipality and also papers in connection with the services and removal of Mr. Lele from the post of the head mastership of the Petit High School ?

The Honourable Sir RAFIUDDIN AHMAD : (*a*) Yes. The conditions on which Government were prepared to re-register the school and restore the annual grant-in-aid have since been communicated to the school authorities. They accepted the conditions and the grant-in-aid has been restored.

(*b*) The reply to the first part of the question is in the affirmative ; Government have no accurate information regarding the latter part.

(*c*), (*d*) and (*e*) Yes.

(*f*) No, Sir.

Mr. L. R. GOKHALE : I would like to know why no reasons were assigned for the discontinuance of the grant.

The Honourable Sir RAFIUDDIN AHMAD : It was confidential ; the reasons were confidential. Later on, as the honourable member will find, they were given certain conditions, which were accepted and the grant was restored.

Mr. L. R. GOKHALE : Will the Honourable Minister state the conditions upon which the grant was renewed ?

The Honourable Sir RAFIUDDIN AHMAD : The conditions are given.

Mr. L. R. GOKHALE : They are not given here. I would like to know the conditions.

The Honourable Sir RAFIUDDIN AHMAD : I think in reply to a subsequent question the conditions are given. If the honourable member will wait till question by the honourable member Mr. Navle is reached, the conditions would be explained there.

Mr. L. R. GOKHALE : Why was not Mr. Lele given an opportunity to explain his case ?

The Honourable Sir RAFIUDDIN AHMAD : There was no need for it. We had sufficient evidence.

Mr. L. R. GOKHALE : Was he ever heard ?

The Honourable Sir RAFIUDDIN AHMAD : Not by the Department. But we had enough evidence—confidential—before us.

Mr. L. R. GOKHALE: My point is, why was not Mr. Lele allowed to state his case either to the authorities or to the Government?

The Honourable Sir RAFIUDDIN AHMAD: Because we had received confidential reports about him from reliable sources which admitted of no contradiction.

Rao Bahadur G. K. CHITALE: Are we to understand that by a confidential report is meant not to give an opportunity to the person who is to be condemned, to explain himself?

The Honourable Sir RAFIUDDIN AHMAD: What do you mean by a confidential report?

Rao Bahadur G. K. CHITALE: The report may be there; but is not the man who is to be condemned, to be given an opportunity to say what he has to say on the allegations made against him?

The Honourable Sir RAFIUDDIN AHMAD: I think I have given my reply and I have nothing more to add.

Rao Bahadur G. K. CHITALE: That is not the reply.

The Honourable Sir RAFIUDDIN AHMAD: That is my reply.

Rao Bahadur G. K. CHITALE: That is not the reply.

The Honourable the PRESIDENT: That is his reply.

Rao Bahadur G. K. CHITALE: But that is not the reply to my question.

The Honourable the PRESIDENT: Whatever that be, that is the only reply he gives.

Rao Bahadur G. K. CHITALE: Is this House to be treated in that manner? If you, Sir, think that it is a proper reply, I have nothing to say; but is that the way to treat the House on a point of information like this?

The Honourable the PRESIDENT: The reply is to be understood. The question was, why when there was a confidential report about the man, he was not given an opportunity to state his own case. The reply repeated several times, is that there was sufficient evidence for the purpose of Government to take the action they did take. So, the reply is there. No opportunity was given to the man.

Rao Bahadur G. K. CHITALE: My question was whether that was the proper procedure for condemning a man.

The Honourable the PRESIDENT: That is a matter of opinion.

Rao Bahadur G. K. CHITALE: It is not a matter of opinion; it is a matter of right.

Mr. M. M. KARBHARI: Is it not probable that the confidential report may be one-sided and misleading?

The Honourable Sir RAFIUDDIN AHMAD: Government examined the confidential report, and they had reasons to believe that it was satisfactory.

Mr. L. R. GOKHALE: I think Government examined the report confidentially also, because I have reason to believe that the report was one-sided and unfounded in fact.

The Honourable the PRESIDENT: What is the question?

Mr. L. R. GOKHALE: The question is, was Mr. Lele asked to state what he had to say about certain allegations made in the report?

The Honourable the PRESIDENT: No.

Mr. N. E. NAVLE: Did not Government think it desirable to let Mr. Lele have some opportunity to have his say on the point at issue?

The Honourable Sir RAFIUDDIN AHMAD: I have repeatedly answered the question about three or four times.

The Honourable the PRESIDENT: Next question.

DEVASTHAN VILLAGES: CLASS III.

*Mr. L. R. GOKHALE (Poona City): (*a*) Are Government aware that lands or villages, wholly or partially, exempt from land revenue adjudicated under Act XI of 1852, so continuable according to the terms of the original sanads so long as lineal male descendant of the original grantee is alive and not continuable in perpetuity or permanently, have been classed "Devasthan Class III" when the alienation registers were prepared in 1886?

(*b*) If so, will Government place on the Council table a list of such villages?

The Honourable Mr. W. F. HUDSON: (*a*) Yes.

(*b*) The requisite list is given below:—

Name of village.	
Akurdi	District Poona.
Jambe	
Sashte	
Urali Dewachi	
Ambi	
†Hinjavdi.	

Mr. L. R. GOKHALE: Are Government aware that there have been certain alienations of these properties during the last 30 years and they have not been objected to by Government?

The Honourable Mr. W. F. HUDSON: No, Sir; I am not aware of it. But I will make enquiries if the honourable member wishes. I think he had better put down a question on the subject, so that I can give him full information.

Mr. L. R. GOKHALE: I will do it. Was the classification of the last village subsequently changed by Government from Devasthan to personal inam as a special case, or was there any reason for the change?

The Honourable Mr. W. F. HUDSON: I am afraid I do not know the history of these cases from the year 1886, but if the honourable member wants more information about that village, I will endeavour to supply it to him in due course.

† The classification of this village was subsequently changed by Government from "Devasthan" to "Personal Inam".

ASSISTANT DEPUTY EDUCATIONAL INSPECTOR, KAIRA DISTRICT.

*Mr. J. S. KADRI (Northern Division): Will Government be pleased to state—

(*a*) the qualifications, present pay, and total service of Mr. M. K. Patel, who is now serving as an Assistant Deputy Educational Inspector in Kaira District;

(*b*) whether it is a fact that he was appointed a Supervisor and Acting Administrative Officer by the Nadiad Municipality against the orders of Government;

(*c*) whether his present pay has been fixed in excess of the pay due to him under the rules on misrepresentation of facts about his service;

(*d*) if the answer to the above be in the affirmative, what steps are proposed to be taken to readjust his pay in accordance with the Civil Service Regulations?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) Mr. M. K. Patel is a 3rd year trained Primary teacher. His present pay provisionally fixed, is Rs. 80 per mensem. His total service on 1st September 1931 was 24 years 8 months and 28 days.

(*b*) No.

(*c*) No.

(*d*) Does not arise.

GOVERNMENT HIGH SCHOOL, NASIK: IV STANDARD.

*Mr. J. S. KADRI (Northern Division): (*a*) Are Government aware that the progress and strength of the Fourth Standard Class for Urdu-knowing Muhammadan students at Nasik have been greatly handicapped by the class being attached to the Government High School there?

The Honourable Sir RAFIUDDIN AHMAD: No; but the Educational Inspector, Bombay Division, however, is of opinion that it should be attached to the Anglo-Urdu Middle School, where it would have full scope for development.

Mr. J. S. KADRI: May I know when this opinion of the Educational Inspector, Bombay Division, will be put into force?

The Honourable Sir RAFIUDDIN AHMAD: Well, I think that opinion would be sent to the Director of Public Instruction, and as soon as his opinion is obtained, that may be put into force.

PUBLIC WORKS DEPARTMENT: MUHAMMADANS.

*Mr. J. S. KADRI (Northern Division): Will Government be pleased to state—

(*a*) the total number of clerks on permanent and temporary establishments of the Public Works Department, in the Bombay Presidency proper;

(*b*) the number of Muhammadans among them;

(*c*) the total number of clerks retrenched or likely to be retrenched from the temporary staff of the Public Works Department;

(*d*) the number of Muhammadans among those retrenched or to be retrenched ?

The Honourable Sir GHULAM HUSSAIN : (*a*)

	Clerks on permanent establishment.	Clerks on temporary establishment.
	265	458
(*b*)	15	20

(*c*) Since April 1929, 123 clerks have been retrenched. The further number likely to be retrenched in the near future is 6.

(*d*) Number of Muhammadans among those retrenched .. 5

Number of Muhammadans among those likely to be retrenched .. .. *Nil.*

GOVERNMENT COLLEGES : RETRENCHMENT.

*Rao Bahadur R. R. KALE (Bombay University) : (*a*) Is it a fact that in the name of retrenchment the Vernaculars are treated callously while other subjects are unduly encouraged in colleges ?

(*b*) What is the total saving to Government as a result of reducing the pay of the Vernacular posts to a uniform rate of Rs. 150 a month ?

(*c*) What was the actual pay that the Gujarati Lecturers (pensioners) at Bombay and Ahmedabad had been drawing until recently, i.e. just before the uniform rate of Rs. 150 a month was fixed ?

(*d*) Did Government sanction any premature selection grades recently to incumbents in colleges ?

(*e*) If so, will they furnish a list of names of the persons who got the selection grade recently with the details of salary they were drawing at the time they got the selection grade and the salary they were entitled to after they got the selection grade ?

(*f*) What is the total liability to Government under this item ?

(*g*) How is such a step consistent with the policy of retrenchment ?

The Honourable Sir RAFIUDDIN AHMAD : (*a*) No.

(*b*) The saving is Rs. 725 per mensem.

(*c*) Rs. 200 and Rs. 150 respectively.

(*d*) No.

(*e*), (*f*) and (*g*) Do not arise.

PETIT HIGH SCHOOL : REMOVAL OF HEAD MASTER.

*Mr. N. E. NAVLE (Ahmednagar District) : (*a*) Is it a fact that Government asked the Sangamner Municipality to remove the late long-standing head-master of the Petit High School, Mr. D. M. Lele, B.A., without stating any reasons therefor ?

(*b*) Is it a fact that Mr. Lele was not given an opportunity to explain his own case in answer to any charge or charges that might have been levelled against him behind his back ?

(*c*) Is it a fact that the removal of Mr. Lele was made by Government a condition precedent to revive the educational grant of the Petit High School which they had stopped without giving any reasons ?

(*d*) Will Government be pleased to place on the Council table all the correspondence regarding the removal of Mr. Lele and temporarily stopping the grant of the Petit High School ?

(*e*) Are Government aware that the 'removal' of Mr. Lele instead of being considered as at the most a 'discharge' is interpreted to be a 'dismissal' by the Sangamner Municipality, according to law ?

(*f*) Is it a fact that the legal interpretation put on the matter by the Sangamner Municipality has become the cause of that body refusing to grant Mr. Lele the full sum of gratuity to which he would ordinarily be entitled ?

The Honourable Sir RAFIUDDIN AHMAD : (*a*) and (*c*) The removal of the Head Master was made by Government a condition for the restoration of the grant to the school.

(*b*) Yes.

(*d*) No, Sir.

(*e*) and (*f*) No.

Mr. N. E. NAVLE : With regard to (*e*), are Government aware that the Sangamner Municipality are treating the discharge as a dismissal and depriving Mr. Lele of his gratuity and the provident fund to which he is legally entitled ?

The Honourable Sir RAFIUDDIN AHMAD : My reply is in the negative.

Mr. N. E. NAVLE : Part (*e*) of the question is : "Are Government aware that the 'removal' of Mr. Lele instead of being considered as at the most a 'discharge' is interpreted to be a 'dismissal' by the Sangamner Municipality ?" The answer is, No.

The Honourable Sir RAFIUDDIN AHMAD : Government are not so aware.

Mr. N. E. NAVLE : I want to ask whether Government have treated it as a discharge or a dismissal.

The Honourable Sir RAFIUDDIN AHMAD : Is it not hypothetical ?

Mr. L. R. GOKHALE : Does the Government yet know that Mr. Lele is treated as a dismissed servant by the municipality ?

The Honourable Sir RAFIUDDIN AHMAD : If the honourable member would put me a separate question on the subject, I will find it out.

Mr. L. R. GOKHALE : Did Mr. Lele apply to the Government to enquire into his case ?

The Honourable Sir RAFIUDDIN AHMAD : If the honourable member will give me notice, I will find it out.

Mr. L. R. GOKHALE : Does the Honourable Minister know that there were some enquiries made by him recently in the Department, and that Mr. Lele was not given any hearing or reply ?

The Honourable Sir RAFIUDDIN AHMAD : I am not so aware.

COLLECTOR OF BOMBAY: ESTABLISHMENT.

*Mr. N. E. NAVLE (Ahmednagar District): Will Government be pleased to state—

(*a*) whether it is a fact that the Collector of Bombay has entertained an unqualified and over-aged typist belonging to the advanced classes; if so, whether he obtained the previous permission of Government before doing so;

(*b*) whether it is a fact that the Collector of Bombay some time back dispensed with the services of some qualified acting clerks who were taken on the approved list of candidates and among whom there was a backward class candidate who was a graduate and who had acted for about two years;

(*c*) whether the Collector had advertised the post as required by the Government orders before entertaining the unqualified typist referred to in (*a*) above; if not, why not;

(*d*) whether there are any clerks on the permanent staff of the Collector who know typewriting, and, if so, why one of them was not employed as a typist in preference to the unqualified man?

The Honourable Mr. W. F. HUDSON: (*a*) (i) Yes.

(ii) No.

(*b*) Yes.

(*c*) No. The list of eligible candidates was sufficiently large.

(*d*) No.

Mr. N. E. NAVLE: With regard to (*a*) the answer is that the Collector of Bombay has entertained an unqualified and over-aged typist belonging to the advanced classes. With regard to (*b*) the reply is that a graduate clerk belonging to the backward classes was dispensed with after putting in two years of service. Is it fair and is that the sort of encouragement given to the backward classes?

The Honourable Mr. W. F. HUDSON: There are particular circumstances. The reasons are as follows: The unqualified typist was working in the office since 1925 temporarily. He was discharged at one time when the temporary post was abolished. He is an expert typist and he is doing typing work. The qualified clerk referred to by the honourable the Deputy President is not an expert typist. It is essential that a certain portion of the staff in an office should be able to type with skill. Consequently, the unqualified man who does typing work with skill was reinstated to the benefit of public service. I admit that this is not strictly in accordance with the rules, but there are circumstances in which exceptions have to be made. I am satisfied that this is one of them.

INSPECTRESS OF GIRLS' SCHOOLS, SIND.

*Mr. S. S. TOLANI (Western Sind): Will Government be pleased to state—

(*a*) whether Miss Mahomedali, B.A. (Punjab University), was Assistant Lady Superintendent (Vice-Principal) of the Training College for Women, Hyderabad, Sind, from 1925–1927?

(*b*) Is it a fact that Mrs. Judd was Lady Superintendent (Principal) during that period?

(*c*) Is it a fact that Mrs. Judd was transferred to the post of Inspectress of Girls' Schools in Sind owing to the transfer to some other place of Miss Twells—the then Inspectress of Girls' Schools in Sind ?

(*d*) Is it a fact that Miss Mahomedali was given by the Bombay Government two years' leave on full average pay to prosecute her studies abroad with a view to obtain a diploma or certificate in teachers training in England ?

(*e*) Is it a fact that Miss Lachhi Jagumal, B.A. (Calcutta University), Graduate Teachers' Training College (Glasgow) was appointed as Assistant Lady Superintendent in place of Miss Mahomedali ?

(*f*) Is it a fact that owing to the transfer of Mrs. Judd, Miss Jagumal was appointed Lady Superintendent ?

(*g*) Is it a fact that Mrs. Judd retired in December 1930 and her place was filled by Miss Jagumal as Inspectress of Girls' Schools in Sind ?

(*h*) Is it a fact that Miss Mahomedali failed in her examinations thrice in 1929, 1930 and 1931 and returned without getting a certificate or a Diploma for teaching from England ?

(*i*) Is it a fact that Miss Mahomedali has joined service and has been put straightway as Inspectress of Girls' Schools in Sind without acting as Lady Superintendent, replacing Miss Jagumal who has reverted as Lady Superintendent ?

(*j*) Will Government be pleased to state why Miss Mahomedali was given this preferential treatment ?

The Honourable Sir RAFIUDDIN AHMAD : (*a*) Miss Mahomedali was Assistant Lady Superintendent and also officiating Lady Superintendent during the period.

(*b*) She was both Lady Superintendent and Inspectress of Girls' Schools in Sind during the period.

(*c*) Yes.

(*d*) She was granted study leave for two years on average pay.

(*e*) Yes, the appointment was only officiating.

(*f*) Yes, she was appointed to officiate as Lady Superintendent.

(*g*) Mrs. Judd left India on leave preparatory to retirement in December 1930. Miss Jagumal was appointed to officiate in her place in April 1931 temporarily until Miss Mahomedali's return.

(*h*) It is a fact that Miss Mahomedali returned without any academic degree from England.

(*i*) Yes.

(*j*) No preferential treatment was given to Miss Mahomedali. She was senior to Miss Jagumal, and also the Educational Inspector in Sind was of opinion that she was more competent for the post than Miss Jagumal.

PROSECUTION OF MR. HARVEY : REFUSAL OF GOVERNMENT SANCTION.

*Mr. S. S. TOLANI (Western Sind) : (*a*) Will Government be pleased to state whether it is a fact that Mr. C. N. Kanuga, Counsel for the Complainants Messrs. K. F. Nariman and S. M. Surveyor in the case against Mr. T. Harvey (Back Bay Engineer) and others applied

to them for sanction to prosecute Mr. Harvey for cheating and abetment, misappropriation and criminal breach of trust of public funds in connection with Chawl Contracts at Worli ?

(*b*) Is it a fact that they have refused to grant the necessary sanction ?

(*c*) If the reply to (*b*) is in the affirmative, will the Government give reasons for such refusal ?

The Honourable Sir GHULAM HUSSAIN : (*a*) Yes.

(*b*) Yes.

(*c*) Government are satisfied that there is no case for a prosecution.

Mr. S. S. TOLANI : With regard to (*c*), may I know what was the basis of their decision for not sanctioning the prosecution ? Was it because of lack of evidence or any other legal hitch that no prosecution was launched ?

The Honourable Sir GHULAM HUSSAIN : Neither in fact nor in law.

SECONDARY TEACHERS : REVISED SCALE OF PAY.

*Mr. S. S. TOLANI (Western Sind) : (*a*) Will Government be pleased to state if the scale of salaries of the Secondary teachers in the Bombay Presidency was revised in 1921 and a new scale framed ?

(*b*) Is it a fact that the Accountant General had ruled and Government had approved that such of the teachers and the Inspecting officers who had preferred to remain in the old scale till they reached Rs. 140 and then took to the new time scale, should be given the benefit of Fundamental Rules 22 and 23 whereby they had to get the next higher stage of the new scale ?

(*c*) Is it a fact that the Director of Public Instruction in his letter no. S. 84 (*b*)-B, dated 19th February 1929, had called for the names of all the assistant masters and Inspecting officers who had preferred to remain in the old scale of 50—5—80—10—150 sanctioned in Government Resolution, Educational Department, No. 1666 of 15th April 1920 till they reached the grade of Rs. 140 and then come on to the new scale of 70—5—140—10—200 ?

(*d*) Will Government be pleased to state if the Director of Public Instruction has given the benefit of Fundamental Rules 22 and 23 to the teachers and Inspecting officers whose names were reported to him from various schools and Inspectoral staff in the Presidency including Sind ?

(*e*) If the answer to (*d*) be in the negative will Government be pleased to state why the matter has been delayed so inordinately ?

(*f*) Is it a fact that the cases of those masters who come under the anomalies referred to in paragraph 8 (2) of the circular are also under the consideration of the Director of Public Instruction ?

(*g*) Is it a fact that the delay caused in the disposal of the cases of the former class of teachers is due to the joint consideration of the latter class of masters referred to in paragraph 8 (2) of the circular ?

(*h*) If so, do Government intend to treat the cases of both the classes separately ?

(*i*) If not, what are the reasons therefor ?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) Yes.

(*b*) Government accepted the Accountant General's view that two particular assistant masters were entitled to the concessions allowed by Fundamental Rules 22 and 23. The Government orders in question had reference only to these two individual cases.

(*c*) Yes.

(*d*) and (*e*) Before action was taken on other cases Fundamental Rule 22 (*a*) was amended by the Secretary of State. Under the revised Fundamental Rule 22 (*a*) Government servants are not entitled to the additional increment. It was accordingly decided by Government orders issued in June last not to give the additional increment to those Government servants whose pay had not been fixed under the old rule.

(*f*) and (*g*) No. The anomalies referred to in the Director of Public Instruction's letter would have arisen only if the concession under the old Fundamental Rule 22 (*a*) had been granted. It was not possible to consider the grant of the concession without at the same time considering the anomalies which the grant would have involved.

(*h*) and (*i*) These questions do not arise now in view of the answer given to clauses (*d*) and (*e*) above.

UNSTARRED QUESTIONS AND ANSWERS.

MALARIA IN SIND.

Khan Bahadur ALLAHBAKSH (Sukkur District): (*a*) Is it a fact that malaria becomes generally prevalent in Sind at the end of each Abkalani season?

(*b*) Is it a fact that malaria is likely to be more prevalent after the Lloyd Barrage Canals come into full operation?

(*c*) Does the Lloyd Barrage Scheme contemplate the introduction of perennial cultivation in Sind?

(*d*) Are Government aware that the periodic prevalence of malaria in Sind will operate against the success of perennial cultivation?

(*e*) If so, what steps do Government intend to take to combat the periodic prevalence of malaria in Sind?

(*f*) Has a special fund been created for the purpose, and, if not, do they intend to create such a fund?

(*g*) Have any steps been taken for overhauling the Public Health machinery in Sind, and, if not, are any such steps under contemplation?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: (*a*) Yes.

(*b*) Government are informed that expert opinion holds that canal irrigation does not appreciably increase the incidence of malaria except where waterlogging occurs.

(*c*) Yes.

(*d*) This is a matter of opinion and Government are not prepared to reply.

(*e*) The question does not arise.

(*f*) No.

(*g*) No. The responsibility for appointing competent Health Officers rests in the District Local Boards. But so far no District Local Board in Sind except the Larkana Board has appointed a Health Officer although the Director of Public Health has been pressing them to do so.

GOVERNMENT CENTRAL PRESS, BOMBAY: DUTY ALLOWANCE.

Mr. HAJI IBRAHIM JITEKAR (Southern Division): Will Government be pleased to state—

(*a*) whether the duty allowance of Rs. 15 per mensem to clerks in the Government Central Press is being continued;

(*b*) whether the bonus of 10 per cent. allowed last year to technical men including readers and copyholders getting less than Rs. 100 per mensem has been reduced to 5 per cent. as a rule in every case this year;

(*c*) when the bonus has been cut down by 50 per cent. why the duty allowance to men getting above Rs. 100 is being continued;

(*d*) whether the duty allowance is paid in the Yeravda and Karachi Presses to men performing the same duties;

(*e*) whether it is a fact that two *ex*-convicts, Sharma and Kulkarni, with no minimum qualifications are working as clerks in the Government Central Press;

(*f*) whether Government are aware that clerk Kalsekar with 5 years' service has been ordered, without the Manager's knowledge, to work as a machine-room clerk simply because he is a backward class Hindu and not liked by the Head Clerk and that Mr. Kalsekar is asked to attend office at 9-30 a.m. though other clerks attend at 10-30?

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes.

(*b*) and (*c*) The dearness allowance has been reduced by half in view of the fall in prices. Duty allowance is paid to men doing work of extra responsibility.

(*d*) No.

(*e*) Yes.

(*f*) Under orders of the Manager, Government Central Press, Bombay, clerks are being shifted from place to place with a view to train them for the different kinds of work in the Press and so qualify them for promotion as opportunity arises. Mr. Kalsekar and one other clerk are at present having their turn in the machine room and they have to keep to the machine-room time of attendance.

GOVERNMENT CENTRAL PRESS, BOMBAY: COMPOSITORS.

Mr. HAJI IBRAHIM JITEKAR (Southern Division): Will Government be pleased to state—

(*a*) whether it is a fact that out of about 880 compositors in the Government Central Press only six are Muslims;

(*b*) whether it is a fact that Mr. D. D. Rege, Head Clerk in the Stationery Office, and Mr. B. J. Rege, Head Clerk of the Press, are cousins and work in close contact with a view to keep the Press entirely closed for Muslims;

(*c*) whether it is a fact that the Head Clerk of the Press has been holding out threats to Muslim compositors to close down the Urdu section;

(*d*) the number of years during which the Urdu section has been in existence;

(*e*) whether Government propose to close down the Urdu section?

The Honourable Sir GHULAM HUSSAIN: (*a*) The total number of compositors at the Government Central Press in December 1931 was 219 of whom 7 are Muslims.

(*b*) Messrs. D. D. Rege and B. J. Rege are remote cousins and live separate, but neither of them has any control over the recruitment of the staff. Appointments at the Press are made either by the Superintendent, Government Printing and Stationery, or by the Manager, Government Central Press, in accordance with powers delegated to them by rules 77 and 78 in Appendix E to the Bombay Civil Services Recruitment Rules.

(*c*) No.

(*d*) Since about 1880.

(*e*) The closure of the Urdu section is not contemplated, but the reduction of its number by transfer of hands to the piecework establishment is under the consideration of the Superintendent.

CANTONMENT BOARD, HYDERABAD.

SYED MIRAN MAHOMED SHAH (Hyderabad District): (*a*) Will Government be pleased to state when the Cantonment Board at Hyderabad, Sind, was constituted under the Cantonment Act of 1924?

(*b*) How many members were then elected to represent Hindus and Mahomedans separately?

(*c*) How many elected members now represent the two communities?

(*d*) What was the number of electors when the first elections took place?

(*e*) Has the number of electors since been increased?

(*f*) If the reply to (*e*) be in the affirmative, what were the reasons which led Government to reduce the number of the members of the Board?

(*g*) Is it a fact that the Cantonment Board objected to the reduction of the strength of representatives?

(*h*) Are Government aware that several meetings of the Board or of the sub-committees have not come off for want of quorum?

(*i*) How many military officers are permanently attached to the Hyderabad Station?

(*j*) Is it a fact that there is one elected member for the general constituency?

(*k*) What is the number of electors on that roll and their nationality?

(*l*) Do Government intend to increase the number of representatives of Hindus and Mahomedans on the Board?

The Honourable Mr. W. F. HUDSON: (*a*) In September 1924.

(*b*) Three Hindus and three Mahomedans.

(*c*) One for each community.

(*d*)

Hindus	485
Mahomedans	330
Miscellaneous	92
	907

(*e*) No. The present number of electors is as under :—

Hindus	368
Mahomedans	376
Miscellaneous	57
	801

(*f*) The reason for the reduction of the number of members of the Board was the inability of the Officer Commanding the Station to find sufficient number of Military Officers for nomination on the Board as required by clause (*e*) read with clause (*f*) of section 14 (*1*) of the Cantonments Act. The Inspecting Officer (now Director) of Military Lands and Cantonments in his Inspection Notes of 1926 remarked that the constitution of the Board appeared to be unnecessarily large for the size and importance of the Hyderabad Cantonment.

(*g*) Yes.

(*h*) The new Board, i.e. after the reduction in the number of members to 7, was reconstituted in February 1931. From February to end of October 1931, 12 meetings were held of which 3 were adjourned for want of quorum. Meetings used to be adjourned for want of quorum before the new Board was reconstituted, i.e. when the Board consisted of 15 members. For instance, during the period from April 1930 to January 1931, 15 meetings (two of them being special) were held of which 4 were adjourned for want of quorum.

(*i*) The number of Military Officers attached to the units in Hyderabad Cantonment when at their full strength is about 20, but owing to constant changes in troops the average number of officers present at the station at any one time does not exceed 12.

(*j*) Yes.

(*k*) The number of electors on the roll is 57. The nationality of the electors is not shown in the roll.

(*l*) No.

STATEMENT BY THE HONOURABLE THE PRESIDENT RE : AN INCORRECT REPORT IN NEWSPAPERS.

The Honourable the PRESIDENT : Before we proceed to the next business, I should like to mention a matter which has been brought to my notice. I find that two of our leading papers in Bombay—the *Indian Daily Mail* and the *Bombay Chronicle*—refer to a matter which they think was before me. They state that Rao Bahadur Kale had tabled a resolution on the present political situation which has been disallowed by the President. I am reading from the *Daily Mail* which has been repeated in the *Bombay Chronicle*. There are newspaper reporters who run about everywhere, get hold of some members, find out some piece of information which they think reliable and rush to the press. This is very

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objectionable. They should be warned against such a thing. I am sure none of the honourable members could have given the information, and particularly Rao Bahadur Kale. He knows the facts as well as I do. No resolution was placed in my hands on the present political situation by the honourable member Rao Bahadur Kale which was disallowed by me.

Rao Bahadur R. R. KALE : So far as I am concerned, perhaps——

The Honourable the PRESIDENT : No motion was submitted to the President by the honourable member Rao Bahadur Kale on the present political situation which has been disallowed by him. Whatever any other circumstances may be, it matters little. The papers are wrong in the statement they have made.

ADJOURNMENT MOTION.

Rao Bahadur G. K. CHITALE : May I request you to permit me for leave to move the adjournment motion ?

The Honourable the PRESIDENT : Is the honourable member asking for leave ?

Rao Bahadur G. K. CHITALE : It may be postponed to Monday.

The Honourable the PRESIDENT : If the honourable member asks for leave to-day, necessarily the discussion must take place at 4 o'clock to-day.

Rao Bahadur R. R. KALE : Can he do it on Monday ?

The Honourable the PRESIDENT : He can get up on Monday. He is not asking for leave now ?

Rao Bahadur R. R. KALE : No.

GENERAL DISCUSSION ON BUDGET—*resumed.*

Mr. L. R. GOKHALE (Poona City) : Sir, the Honourable the Finance Minister has again introduced a deficit budget for the ensuing year 1932-33. As was pointed out yesterday, generally the notice the honourable members get of this budget is insufficient. This year the budget was in the hands of the members on the 7th or the 8th. No doubt, this is the period which is allowed by the order. Hardly we get ten days. Is it possible for the Government to try to put these budgets in the hands of honourable members 15 or 20 days before the introduction of the budget ? The fact is that the time at present allowed to honourable members is insufficient and this fact was illustrated yesterday by the difficulty of certain honourable members not being ready to discuss the budget generally.

This year our total revenue is Rs. 12,13,00,000, and the deficit we are told is about 61 lakhs. As you look into the budget, you find that we are almost on the verge of bankruptcy. We have possibly no source of income left. We have been told that there is no way to limit the expenditure any further. If that is so, I believe we are really in a very delicate position financially. The remedy is that such a condition ought to be set right by the members of this House, whether they belong

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to the Government benches or to the popular side. But before these remedies are sought, I believe it is essential that a full discussion should take place and a full expression of views should be given by the elected members of this House as to what they have to suggest about this budget or about the additional taxation. Looking to the revised estimate, it is very difficult at this stage to say whether we are likely to have any increased revenue. If as time goes we are likely to get better revenue, perhaps we may have no reason for any increased taxation. We may be better off by about 30 lakhs at the time of the revised estimate. If that is so, then I do not see any necessity for us to have any new taxes at least this year. But that depends of course on the revised estimates, the seasons and the state of the trade depression and so on.

The causes that have led to this bankruptcy are, I believe, many. I will only narrate some of them. From my point of view, the first and foremost cause is the reckless expense that was incurred by this top-heavy system of Government during the war and perhaps also during the post-war times. I believe that that is the primary cause of our bankruptcy. If we consider the increase in the pay of establishment, the increase in the numbers of the different cadres, and the increase in the allowances, we will find sufficient justification for my statement. At the time these increases were made, hardly any thought was given to the question whether those prosperous times, those apparently prosperous times, would continue and, if so, for what period. No idea of that kind appears to have entered the minds of those who were responsible for those budgets, and the natural result has been that we have now a top-heavy administration which we are now unable to maintain. The attempt made by the Honourable the Finance Member to explain the unusually heavy charges of this presidency will not, I think, satisfy at any rate some of us. It is not understood why Bombay should spend four times more than what the other presidencies spend in some matters. Bombay is said to be an industrial province. It is. But is not Bengal also an industrial province? Why should then there be such a disproportion between the expenses of Bengal and those of Bombay? The other reason assigned was that Bombay was thinly populated. Perhaps it is. But are there not other provinces in this dominion of India where the population is equally thin? In fact, this thinness is no argument, from my point of view, for the costliness of the administrative system of this province. If the population is thin, the charges to maintain that population should also be thin: the number of officers and the arrangements made to maintain the population should be equally thin, as it is in other provinces. That is why I say that the thinness of population cannot be the reason for this extra cost. I am asked what it is due to. My simple answer is, it is due to the tendency of those in authority to reckless expansion of the expenses of the various departments. I cannot see any other reason. I hope that when those who are in the know rise to speak they will try to tell us exactly how far this statement of mine is not accurate. My conviction is that that is the only explanation of this unusually costly administration.

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Then, Sir, there is another reason why we have reached this state of bankruptcy. My idea is that it is due to the gigantic schemes that we undertook in the boom times. We are paying about two crores of rupees by way of interest. I would put it to any householder, if out of his income two annas or more than two annas in the rupee is to go to liquidate the interest on his loans, what would be his position? Are we not in that condition? Those two big schemes, the Development scheme and the Barrage scheme, have cost us a good deal during the last twelve years. We have wiped out not only the balances which we had with us—about seven crores of rupees—but we have also spent a loan of about 17 crores of rupees after these schemes. Were we justified in doing so? Supposing I get a loan in a boom time, am I to be reckless and not to think of the future? Is it justifiable under the circumstances to borrow and spend the money without regard to the result? We have seen that these schemes have not up to now been paying. God alone knows whether they will ever pay, and, if so, when. At any rate, it is certain that we will have to meet the interest charges on the loans spent on these schemes for some time to come.

Another reason that I find is the inequitable financial settlement this province gets from the Government of India. I believe that we are the best paymasters, as regards income-tax and customs, of the Government of India, and our proportionate share is not adequately paid to us. I hope the case of this presidency was not allowed to go by default with the Government of India. If our case was properly represented, I am sure we would have received a better and a more equitable financial settlement, considering the contributions that we are making to the Imperial Government. That is one of the chief reasons why we are in difficulties.

No doubt we have been told that the trade depression and the political situation are also responsible. To my mind, Sir, the trade depression cannot be an important factor. It is common to all the presidencies in India. So also the political situation, which is almost the same throughout the country. We are not specially hit by any of these two conditions. As regards the political situation, my idea is that Government are as much responsible for it as any other people or party. If Government were so minded they could have succeeded in avoiding this situation. In the first place, putting aside controversial matters, it is not possible to get quiet times and a politically sound condition with a people who are dissatisfied with the existing conditions. It is very difficult, as our rulers do know, to rule satisfactorily a people who are discontented from the top to the bottom. Perhaps the reasons for this discontent may not be appreciated by those who are not of the ruled, but those who are the rulers can certainly see what they are. If all the people, whether they be Liberals, Nationalists, Mahomedans, Hindus, Europeans or depressed classes, really feel that they have a grievance, is it not certain that a grievance exists? Is it all imaginary? Is it not something that ought to be enquired into? If that attitude is taken

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by the rulers, a good deal of this political dissatisfaction and economic situation of the presidency will be avoided. I do not want to say that it was done with purpose; I do not want to suggest that it was done under any particular advice; but I do want to state that Government have not shown sufficient statesmanship in tackling the present question. If they had shown that, I am sure a good deal of the present difficulty could have been avoided. That is the reason why I draw the attention of the honourable House to the present situation which has financially involved us into difficulties.

As regards trade depression, I believe I have said that it is common to all parts of India and I do not think we have suffered more than any other industrial town in India. So these two causes cannot be the causes of our financial difficulties. They may partially be the causes, it is not that they are entirely not, but they are a very minor factor in the present situation. For instance, as regards land revenue. Agitation about the revision of land revenue policy has been going on for the last 20 years. Rightly or wrongly, people have been saying that the taxation under land revenue is rather heavy and that the people are not in a position to pay the same. This is not a new agitation.

So also as regards the excise question. This presidency, I presume, has now accepted prohibition as a policy. It is a settled fact. When settling our differences, we have have to remember the fact that prohibition is the goal which has been declared by this House, and considering that fact, we must try to arrange our expenses. I know some of us do not like this idea. I know the argument has been advanced that on account of prohibition or on account of the attempts to curtail the number of shops illicit distillation has been going on and that therefore there is no case for prohibition. To that argument my reply is: the case is there, but the remedy is not there. In order to make prohibition successful the Government must come forward to help. Government, we know, has its arms long and strong, as we find to our great sorrow. If that is the case, I suggest that the strength should be utilised in the cause of prohibition.

I come next to the question of debts and suggest that the Government of India should be approached for the remission of these debts which amount to 17 crores of rupees. I think we all know that the Government of India was the final authority which sanctioned these loans. It was they whom we had to approach for the sanction of the schemes for which we borrowed. They approved of the schemes, and after having approved of them, allowed us to spend the money. If we have misspent the money, we have done it with the authority of the Government of India. Therefore it behoves the Government of India to come and help us in this period of financial stringency. Can we not ask them to remit, if not the whole, at least 50 per cent. of these loans? And if the Government of India says that they would do it, we shall save at least a crore of rupees in interest charges annually. That is my suggestion so far as the loan account is concerned. It may be said that the Government of India

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would not agree to this remission. I ask: is not the Government of India morally responsible for this debt? The Government of India has, I am told, better experts than the provincial Government. The experts at Simla must have examined our schemes. When the schemes have failed, are they not equally responsible for their failure? Of course if our Government suffers, it will not suffer alone. The Government of India will also suffer. Therefore I suggest that a proper representation should be made to them and the loan account should be wiped out as soon as possible.

In the short time at my disposal, I will suggest a few remedies. As regards new taxation, I submit that no popular representative can safely say to his people "You contribute something more to the exchequer" in the present difficult times, especially when the Government has not set its own house in order. I believe I am not wrong in saying that even those who do not agree with the views expressed by Indian politicians think that Government should not claim fresh taxation until they have readjusted their administration. I will only read a few lines——

The Honourable the PRESIDENT: From what?

Mr. L. R. GOKHALE: From my own notes, Sir.

"We say without hesitation that the Government of Bombay have no right to ask the public to bear extra taxes until they set their house in order. They have no moral justification for saddling the taxpayers with an additional burden until they can show that their whole administrative machinery is being thoroughly overhauled."

I adopt this reasoning which has been put forth from Hornby Road. I believe this powerful voice from Hornby Road is sufficiently attractive to many of us. Therefore my suggestion is that no taxation should be agreed to by this House until Government has overhauled its machinery.

Dr. M. D. GILDER (Bombay City, North): Sir, during the general discussion on the Budget in 1926 an honourable member said:

"What I find, Sir, is that year after year deficit budgets are being presented to this Council. Why? Because before the reforms there was a rule that no deficit budget could be presented to any Council, and no extra expenditure could be shown unless it was of an exceptional character and of a non-recurring nature. The moment the control of the Government of India was removed we find that year after year deficit budgets—so-called deficit budgets—are being presented, and a case is tried to be made out that fresh taxation must be levied and that otherwise the two ends cannot be made to meet."

Further on, he says:

"The second achievement of the reformed Council, as soon as full control was given to it, is that they passed two Acts, the Court-fees Act and the Stamp Act, and also saddled the subjects with additional taxation. Then there came the Entertainments Duty Act and the Totalisator Betting Tax Act. When is the Government justified in levying a tax? In the first place I wish to impress on the Government that the taxable capacity of the people of this province has been reached."

Thus spake the honourable member Mr. Govind Pradhan representing the constituency of Thana. [*Laughter.*]

We have had several further taxation bills since then. The price of agricultural produce has gone to the lowest within living memory. Trade

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and commerce are at a standstill. And the Honourable Sir Govindrao Pradhan comes forward with—not two but four—taxation bills.

In 1924 the Honourable the Finance Member—he was then on this side of the House—said:

"Then we are told that the administration is being worked as economically as it was possible to do. Last year there was a cut of 60 lakhs and it looks as if Government are proceeding with a vengeance. I have noticed that the expenditure on general administration in 1919 was 73 lakhs 8 thousand and in 1924-25 it is shown as 2 crores and 34 lakhs, that is a rise of 300 per cent. So my submission to this House is that this budget which has been presented as a very sound budget and in which the Honourable the Finance Member not only takes pride to himself but also to all his subordinates, shows that it is based upon prodigality and not upon economy."

We cannot distinguish between expenses under general administration and land revenue at present, as there have been changes in the system of keeping accounts. Taking the two together, when the Honourable the Finance Member called the budget a prodigal budget, the expenses were Rs. 2 crores 81 lakhs and the income was Rs. 14,18,00,000. To-day for an income of Rs. 12,60,00,000 the expenditure is Rs. 2,76,00,000; and still, Sir, he objects to his budget being called a rake's progress! I daresay he remembers that when we were students studying political economy in the B.A. class, in one of the text books of political economy they used to give a petition from the candle-makers of Paris to the king of France asking him that for the sake of the candle-making industry he should order that all doors and windows of houses should be closed between sunrise and sunset. We are having a tax on electricity. Would not that be a good suggestion for the Honourable the Finance Member to follow? He would derive much greater revenue from it.

I will now take you to another question. If you turn to page 65 of the Blue Book under paragraph "Mental Hospitals" you will find the remark:

"The reduction in the estimate for next year as compared with the budget and the revised estimate for the current year is accounted for.....by the abolition of the post of full-time Superintendent of the N. M. Mental Hospital, Naupada, Thana, the supervision of the institution being entrusted to the Civil Surgeon, Thana, in addition to his own duties with a special pay of Rs. 150 per mensem."

Sir, some years ago I drew the attention of this House to the fact,—and I remember that it considerably excited the risible faculty of the Honourable Minister the Moulvi Saheb—that according to the Government Indian industries could not provide beds for Indian lunatics, and they brought beds from America for the Yeravda hospital where nearly one quarter of the patients are classified as Europeans and Anglo-Indians. And now, Sir, the Government cannot even afford a specialist for Naupada where the patients are all Indians. Look at the saving that Government are making. The doctor is getting a pay of Rs. 850. He is a specialist and has confined his whole attention to mental diseases. When he is retrenched he will have to have a pension. At the Naupada hospital the average attendance of patients is 335. At Ratnagiri and Dharwar where the average number of patients is about 170, they have a part time superintendent and two sub-assistant surgeons. So at Thana where at

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present they have only one sub-assistant surgeon another will have to be appointed. Considering all this, the actual saving effected by this measure is a little over Rs. 3,000 per annum. And, Sir, compared with that, what do we find on page 5 of the Proceedings of the Finance Committee? Under "Medical" item 28:

"Providing plugs for hot water bags in the wards at St. George's Hospital, Bombay.....Rs. 5,791."

So the expense approved for plugs for hot water bottles for a European Hospital is Rs. 5,791; and the average daily number of patients in the St. George's according to the latest report is 113. Therefore, for providing plugs for hot water bags the expense is Rs. 51 per occupied bed! Sir, let us look at it from another point of view. The total number of in-patients in the Thana Civil hospital is 24 per day. The total number of patients treated in a year including out-patients is 7,933. There is a dispensary at Bandra called the C. J. Dispensary. The average number of resident patients in this dispensary is 22 per day, and the total including out-patients 15,723 per annum. The B. M. S. man at the Bandra gets a pay of Rs. 380. The Civil Surgeon at Thana gets about Rs. 2,000 and another Rs. 150 is to be added for looking after the Mental Hospital. Might I not suggest that the Civil Surgeon had better be retrenched, and that mental patients be allowed the help of a specialist from the saving thus effected? But the Honourable Minister's reply will be, "Yes, but the Civil Surgeon is recruited by the Secretary of State, and I have no power to touch him." Therefore, for the interest of the sacrosanct services our mental patients will have to do without specialist treatment; they will have to go year after year and live in the lunatic asylum without any specialist help! These are the things that make us wonder at times whether our friends who have been deprived of their liberties were not right in asking for safeguards in the interests of India and of India alone.

Sir, we are here, and all of us are here, to co-operate. His Excellency made a strong appeal for co-operation. But, Sir, I ask, does the Government co-operate with us? Look at the way we were treated yesterday at question time.

Mr. L. R. GOKHALE: And to-day.

Dr. M. D. GILDER: The Honourable the Home Member wanted notice to tell the House whether he was himself Commissioner in Sind on a certain date. The Honourable Member objected to the length of a question. Surely, Sir, it is for you to decide, according to the Standing Orders, whether a question is too long or not, not for the Government. Sir, the press is gagged, the platform does not exist and this House is the only place where, under considerable restraint, and with a full sense of our responsibility we can bring to the notice of the Government what we see and what we know. But what do we see here? Yesterday, when the honourable member for Kaira was speaking about police excesses, the Honourable Member in charge of the department got up in his place, and after a ceremonious obeisance to the Chair, with pontifical dignity

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and decorum and gubernatorial stateliness and slowness walked out of the Chamber. May be I am misjudging him, may be he had an urgent call; but these are times when such things are liable to be misconstrued and the honourable member who was sitting by my side will confirm the statement that the thought then passed through my mind whether, at the back of my vaunted and boasted respect for law and order there is not in my mind a background of cowardice! Sir, we know from our experience of a building in the Mayo Road that, though a steel frame may give strength, yet when it is mixed with fiery material like lime or chunam, it brings an edifice into greater danger, and in a shorter space of time than good old timber, or even country *devdar*.

Sir, I have access to houses of people, rich and poor, and can get to them when they are not on their guard. Let me warn the Government that this movement has spread far and wide, and that the sentiment of Indian nationalism is there now, no longer to be effaced. Government may be right from their point of view in the action which they are taking. I do not wish to sit in judgment on them, I only wish to warn them that their policy seems to me like that of the ostrich which buries its head in the sand and then imagines there is no danger in the desert.

Mr. N. E. NAVLE (Ahmednagar District): Sir, I am not in a position to congratulate the Honourable the Finance Member on the budget he has presented, especially from one point of view, and that is that he has brought with the presentation of the budget proposals for adding burdens to the taxpayers of this presidency, particularly because the measures of taxation which he has brought forward are going to affect the agriculturists of this presidency. As I represent the Deccan agriculturists, it is my duty to tell him—and I think Government well knows it—that the taxable capacity of the peasants has reached its maximum, and if you are going to add to the burdens of the peasants any more, I think you are landing in dangerous waters.

Sir, the plight of the ryot is very hard. Agricultural commodities have gone down in price, and, instead of coming to the help of the agriculturists, particularly in these deplorable times, Government are going to add to their burdens. I think Government would not be well advised in bringing these taxation measures forward at this time. Sir, if we look to the revenue of this presidency, we can easily see that the major portion of the revenue of the Government of Bombay comes from the pockets of the ryots, the agriculturists and the labouring classes. The land revenue is Rs. 5 crores and odd, and this comes from the agriculturists; so also the excise revenue is mainly contributed by the agricultural community and the labouring classes; so also court fees and general stamps and the forest grazing fees. So, the major portion of the income of the Government of Bombay comes from the pockets of the agriculturists and the labouring classes. If that is so, may I ask Government what is the return the Government of Bombay is giving to these peasants particularly? The only amenity at present being provided for these peasants is the village school. Government appoint magistrates, mamlatdars and deputy collectors, but that is for their

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own purposes, and not for the peasant. They want to collect revenue, and they appoint the mamlatdar; and for the trial of offences they appoint magistrates. The only direct amenity that is provided for the peasant in return for the major portion of the revenue which he contributes is, as I just now said, a village school, and the Government grant that comes out of their treasury is given to the local boards, because the local boards control these village schools. And what is the plight of education?

Education has been retrenched by Rs. 27,00,000. There is a cut of Rs. 27,00,000 in the budget for primary education. I am so pained to see that. That should never have been the case. The Honourable the Education Minister yesterday said that he fought out his case very vehemently in the Cabinet. I am sure he must have done it. I do not want to discredit that fact. He must have put in a strong fight; but, Sir, what about the criticism levelled by my honourable friend Rao Bahadur Kale, namely, that he might have applied the scissors somewhere else in the department? He should not have cut down the grant for primary education. There was secondary education, University education—I mean the colleges. Why carry on the luxury now of maintaining the Deccan College at Poona and the Elphinstone College in Bombay? The reason the Honourable Minister yesterday gave was that the backward classes wanted these Government colleges and High schools. But the backward classes have now started their own Education Societies. They are in a good position now. There is in Poona the Shri Shivaji Maratha Education Society, and the Deccan College may be handed over to that body. I am a member of the society, and I am willing to take over the Deccan College to-morrow. We have got youths who were trained in England, who are well educated, who have got University degrees in M.A. and B.A. with high classes. We can take the college over to-morrow. We say, give that college in our charge. But that is not done. When you carry out retrenchment all through, I do not say that the Education Department should not bear its quota of retrenchment. Every department is having its quota, and the Education Department will have to take its quota of retrenchment. But where to apply the scissors is the question. I am really surprised that Rs. 27,00,000 should have been cut out of the primary education grant. Again, I wish to ask the Honourable Minister in charge whether this cut of Rs. 27,00,000 is inclusive of the 10 per cent. in the grant for primary education to local bodies, or whether it is exclusive of the 10 per cent. cut. As a member who has something to do with these local board schools—I am chairman of the local board schools in my own district—I know that there were Government orders ordering a 10 per cent. cut in the grants for these local board schools; and there is this additional cut of Rs. 27,00,000 in the grant for primary education. I should like to know whether this is in addition to the 10 per cent. cut that has been ordered, or whether this is inclusive of it.

Rao Bahadur G. K. CHITALE: It is in addition.

Mr. N. E. NAVLE: If it is in addition, it would be a great hardship indeed. Then we would have to close a large number of schools. This is the only amenity which Government are providing for these villagers at present, and if even these schools are going to be closed——

The Honourable Sir RAFIUDDIN AHMAD: It is inclusive and not exclusive of the 10 per cent. cut.

Mr. N. E. NAVLE: I am glad to hear that. To that extent I must thank the Honourable Minister for Education.

Coming to another point, Government say that they have carried out retrenchment. No doubt they have carried out retrenchment to the extent of a crore and some lakhs of rupees. But I ask seriously whether there is no room for further retrenchment. Sir, if we see the list that is placed in our hands of the retrenchment proposals that were put forward by the Retrenchment Committee and the effect given to the proposals of the Retrenchment Committee, as has been well pointed out, with regard to certain proposals of the Committee Government say, "We are referring to the Government of India; we are thinking over it; we are asking for information" and so on. These things, Sir, are taken so lightly as that, and if they are delayed in the manner in which they are being delayed, then there is no hope of real retrenchment. I think there is really room for further retrenchment to the extent to which there is a deficit in the present budget. If Government seriously mean business, they can really see that the budget is balanced by retrenchment. I myself do not think that Government are really at a loss to find out the real means, if they really mean to carry out retrenchment. But, Sir, instead of that, we have got these measures of additional taxation, which are linked up with the balancing of the budget. And, as a representative of the agriculturists, I must enter my strong protest against the way in which the proposals are brought before this House.

Then a word about the present movement. I do not wish to discuss at length the political situation and the causes which led to it. Still, I must enter my emphatic protest at the way in which the ordinances are being worked. I can only speak for my own district, though I can speak for other districts too, but I have intimate knowledge of my own district. I think the district of Ahmednagar is comparatively a very peaceful one. The people are very docile, and still there was a lathi charge thrice in the last month, which was unwarranted and uncalled for. Sir, the people, peacefully of course, were disobeying the law and the ordinance rules, and they were prepared to take the consequences. As I say, there was no necessity to resort to a lathi charge thrice during one month. That really creates an unpleasant situation.

The Honourable Mr. G. A. THOMAS: Were you there?

Mr. N. E. NAVLE: I was away at Delhi. I got the information on my return. It was unmerited. From the account given to me, and from my enquiries about these lathi charges, I say that innocent people who merely gathered there to witness the whole show were belaboured for nothing. The people who really take part in the civil

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disobedience movement, if they receive a lathi or two, they are prepared for it. But if you are going to carry it further and beat the spectators who are there merely to witness the fun, then you are carrying things too far.

The Honourable the PRESIDENT: The honourable the Deputy President should speak a little louder, so that I may hear him.

Mr. N. E. NAVLE: I have got sore throat, Sir; but I will try to speak as loudly as I can. Then about my own resolution. I had tabled a resolution about the release of Mahatma Gandhi and the rest of the Congressmen which, Sir, you were pleased to allow. My resolution suggested the release of the prisoners with a view to bring about a peaceful atmosphere.

The Honourable the PRESIDENT: The honourable member is entering into the merits of a disallowed resolution.

Mr. N. E. NAVLE: I am so sorry to say that the opportunity which would have been afforded to put forward our views about the present political situation indirectly——

The Honourable Mr. G. A. THOMAS: Was it disallowed by you, Sir, or by His Excellency?

The Honourable the PRESIDENT: It was disallowed by His Excellency. The Honourable the Deputy President cannot criticise the order of His Excellency the Governor.

Mr. N. E. NAVLE: I have not the least intention to criticise His Excellency's action, but, as I said, Sir, we would have had an opportunity of ventilating our views indirectly on the situation as it obtains.

As I said, I am really sorry that this is a deficit budget. Government have squandered money on luxurious schemes and they are now in difficulties to meet the expenses. But if the deficit is going to be met by additional taxation and not by further retrenchment, then, I for one would oppose all measures of taxation which Government are going to table before the House in this session.

With these words, Sir, I resume my seat.

Dr. M. K. DIXIT (Surat District): Sir, in the first place, I sympathise with the Honourable the Finance Member for the precarious condition of the finances. I do not want to blame him. It is an inherited legacy and I thought he would try his best to see that the finances of the Presidency would be put on a proper basis. I am afraid he has failed in doing so and, therefore, I cannot congratulate him. We have noticed that for the last six years since 1925-26, except for one year, deficit budgets have been presented to the House; and the total of these deficits will roughly come to Rs. 6,85,00,000. Next year he has estimated a revenue less by 13 lakhs as compared with the amounts shown in the revised figures of 1931-32 and the expenditure figures of the next year as compared with those of the revised estimates of 1931-32 show that the budgetted amount is short by 50 lakhs. He has shown us a deficit of 73 lakhs for the ensuing year. May I ask him whether he has really made serious

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efforts to see that the budget was well balanced without leaving any deficit? I expect a reply from him in the affirmative. But it is very difficult to swallow that reply. I am sure if he had made strenuous efforts to balance the budget without deficit, he could easily have done so. He has got before the House four taxation Bills. One would not be surprised that when there are taxation Bills to be presented to and got passed by the House, the budget is shown as a deficit one and the revenue side is shown as thin as possible. I feel that he could easily have shown on the revenue side figures much larger than what he has shown, not merely figures on paper, but with full hopes of realising the amount. For instance, the figure under Land Revenue on the revenue side is shown as Rs. 4,88,00,000. We find that money is flowing more quickly than was anticipated from certain districts. I know from my own district—it has been announced in local papers officially—that so many lakhs have been recovered from this taluka and that taluka, and that money is flowing at the rate of Rs. 50,000 a day. Some people have paid already in advance before the *kist* is due. Under those circumstances, putting up the revenue side under Land Revenue by 15 lakhs would not be an overestimate. Take the other head—the Excise. The budgetted amount is Rs. 3,30,00,000. This figure can easily be put up by 15 lakhs. There is evidence to show that Bombay proper alone has given 7 lakhs more than last year. In Ahmedabad the Excise revenue has increased by 5 to 10 per cent. I find in to-day's papers that in the Surat District certain shops have brought 100 per cent. more than the rates of last year and on an average there is an increase from 40 to 50 per cent. over last year's figures. On the strength of newspaper reports, though they may not be quite accurate, Government is bound to have a substantial increase in the Excise income. It is quite reasonable to put up this figure by 15 lakhs.

A third thing is the increase of revenue which is expected under the Administration of Justice. The civil disobedience movement is bringing in a lot of revenue. Thousands of rupees have been collected as fines. Over and above the terms of imprisonment for six months, seven months and so on, persons concerned are sentenced to various amounts of fines. In certain cases the fines have run to thousands. I know that in the case of Dr. Kanuga he was sentenced to a fine of Rs. 1,000. Some other gentleman was sentenced to a fine of Rs. 2,500. These are not nominal fines on paper, but cash was really recovered. Properties are being attached. I am sure a fairly large income can be made from that source. It would not be an exaggeration if I put that figure at 10 lakhs, as fines recovered on account of civil disobedience movement. [*Laughter.*] It is not a question for laughing. These are actual facts which exist. Then Government have confiscated Congress funds and property. I do not know the exact value of the property confiscated. I have tabled a question on that subject. A sum of Rs. 78,000 from a firm of rice merchants has been attached, because it is suspected that some part of it belonged to the Congress. Other properties like *ashrams* and buildings have been attached.

The Honourable Mr. G. A. THOMAS: Have all these *ashrams* become the permanent property of Government?

Dr. M. K. DIXIT: At present, they are with Government.

The Honourable Mr. G. A. THOMAS: Can Government sell them?

Dr. M. K. DIXIT: That remains to be seen. So, this figure can be easily put up. I am glad to note from the Honourable the Home Member that they were only attached and not confiscated, and he is not inclined to dispose of them at any rate.

The Honourable Mr. G. A. THOMAS: I suggest you should read the Ordinances.

Dr. M. K. DIXIT: Thus, we can easily increase the revenue by 40 lakhs —15 lakhs from Land Revenue, 15 lakhs from Excise and 10 lakhs from the Administration of Justice and confiscation of properties. That is exactly what I feel and that is my opinion.

Then, we have a small amount of Rs. 30,00,000 on the deficit side. Surely, if the Honourable the Finance Member is courageous enough, he can effect retrenchment to the extent of 30 lakhs. There has been a deficit budget since the year 1925. Everybody knows that the income of all members of society has gone down. The Government servants are having a cut of only ten per cent. in their salary. May I ask you and the House whether the income of different members of society has not gone down tremendously—the traders, the lawyers, the agriculturists and doctors and others? It has affected them to a much larger extent than ten per cent., and if the cut on the pay of Government servants is increased from 10 to 15 or 20 per cent., it will not matter much: they will not in any way be worse off than individuals who are not Government servants.

Then, there is another source. My honourable friend Rao Bahadur Bhimbhai Naik quoted the other day the expenditure under civil administration. It is 7,77 lakhs including allowances and other things. Is it not possible to save 30 or 40 lakhs from an item of 7,77 lakhs? It is not an impossible task at any rate. It only requires courage. An emergency has arisen, there is a crisis; and to meet it you require a bold man. I trust that the Honourable the Finance Member will rise to the occasion and will not show a deficit budget and get his Finance Bills passed.

Then, there was a suggestion made by the honourable member representing the Bombay Chamber of Commerce (Mr. Winterbotham). It was also a suggestion made by His Excellency in his address. His Excellency said that he had almost made up his mind to reduce the size of the Cabinet. I do not see why that reduction cannot be made immediately. The only reason why it could not be made was suggested by His Excellency, namely, that it might create dislocation of work belonging to the various departments. But some day that thing has to happen. Why not face it now and reduce the Cabinet at once? We can save thereby nearly two lakhs or even more. Thus, it is quite possible to balance the budget.

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Various retrenchments have been made, but, as has been pointed out by several members, the retrenchments have not been in the right direction. If we go by the figures, we find that retrenchment has been effected mostly in the transferred departments; a much higher percentage of retrenchment has been effected in the transferred departments than in the reserved departments. I find that in an expenditure of 5,09 on the reserved side of the civil administration, only 18 lakhs have been reduced; while on the transferred side of the civil administration out of 3,02 lakhs, 27 lakhs have been reduced. The percentage works out to a little more than 3 per cent. on the reserved side and a little less than 10 per cent. on the transferred side. This is the way that the nation-building departments have been affected. I certainly congratulate the Honourable Minister Sir Rafiuddin Ahmad for the able fight that he put up in the Cabinet, as he stated yesterday, against a larger cut in his department than 27 lakhs.

Then, Sir, a reference has been made to the way in which the present administration is carried on, and how the rigours of the present administration are felt. My honourable friend Rao Bahadur Bhimbhai Naik from Surat District made a reference to the attachment of the Anavil Boarding School. It was really a very exciting sight to see as it was described. At broad daylight, at twelve o'clock, a raid was made on the Boarding House. The Anavil Boarding House is a place meant for the Anavil community from all over the Surat District and even from outside for providing boarding and lodging convenience to Anavils who intended to send their children to schools, facilities for which do not exist in other villages. So, in that particular boarding school there are two types of pupils, residential pupils and day pupils. The day pupils come to attend the schools located in the boarding house, stay there from 11 to 5 and return to their homes. But children who come from the mofussil are housed in the boarding house and have no other arrangement to put up in the city; they reside as boarders as well as students. The raid was carried out when the school was working. This school is a Government recognised school, being affiliated to the Sarwajanik Education Society of Surat, which receives certain Government grants. So far as I know, the school is open to Government inspection; I learn there is a girls' school also. During the course of the raid little children, boys and girls from 9 years or less, and young boys of 15 and 16 were all turned out from the classes, the residential boarders as well as the day pupils who were there. They were not allowed when going away from their schools to take their books and slates, pens and bicycles. The children were turned out into the streets. You can imagine the mental condition of these little children who were turned out at midday. They were not allowed to take any money with them. The children, who belonged not to the city but came from the district, did not know how to reach their homes. Some had to go out to persons not belonging to their own community. Sir, it is situated in your own neighbourhood in the city, and you can easily imagine what sort of inconvenience it must have caused. If this raid was made in a more

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reasonable and lenient way, all this sort of demonstration would not have happened. There was a tremendous protest from the city in regard to this.

Then, I will refer to another incident to show how rigorously the administration of ordinances is going on in Surat District. There is a small place called Rander, two miles away from the city. Five or six children between the ages of 5 and 10 were playing about in the street in that place when the car of the Deputy Superintendent of Police or some other police officer happened to pass them and the children shouted "Boycott, boycott." Mind you, these were children between the ages of 5 and 10, children who could not understand the meaning of the word "Boycott", and these children were hauled up before the magistrate and they were fined, and the fines were recovered from the parents. The boys were not all Hindu boys; some of them were Mahomedan boys. Surely, it would never have been the intention of either the parents or the children to insult officers in any way. And yet they were rigorously dealt with!

Mr. B. P. WADKE: Were they all Indian children?

The Honourable the PRESIDENT: Order, order.

Dr. M. K. DIXIT: Then, Sir, a reference was made by my honourable friend (Rao Bahadur Bhimbhai Naik) about me personally. I should not have referred to the matter at all, being a man of very modest temperament, and where I am personally concerned I would not thrust forward myself; but two honourable members have referred to this matter, and I feel it my duty to place before this honourable House the incident in its proper perspective and state facts as they happened. Dr. Sumant Mehta, a highly cultured man, of university education, aged about 55, and who had held a very responsible post under the Baroda Government, was doing social work in Baroda territory somewhere about 25 miles north of Ahmedabad. He was arrested from that place and brought to Surat. After some days he was released and an order was placed in his hands signed by the District Magistrate. He happens to be a relation of mine and an old co-student. He wanted consultation in the matter; he wanted to see me. He met me and told me that he was served with an order which it was impossible to obey. He was asked to go and reside in Jalalpur, a village near Navsari about 20 miles south of Surat. He has no home in Surat city, nor any in Jalalpur of the Surat District. He has a home in Ahmedabad where his wife and children stay permanently. He asked me what he should do in the matter. He did not know anybody in Jalalpur; there was no hotel there where he could go and set up. It was absurd to expect that he should put up a house in Jalalpur within a few hours and go and stay there. A cultured man of that type could not be expected to go and sit on the roadside like a leper or sleep on the footpath. He must have a house to shelter him and some nourishment to feed him. The absurdity of the order is perfectly obvious. He is not a man who would evade law; he is a man who would obey law if it was made possible

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for him to do so. He would disobey if driven to do so. There was no other alternative for him. I tried to persuade him to obey the orders of the District Magistrate by making an attempt to get the objectionable nature of his order modified, and I said, "Come along; I will go with you to the District Magistrate and represent the case properly to him." At any rate, I expected that if the District Magistrate could be seen and the case properly represented, he would modify the conditions of the order. The District Magistrate was out camping when we reached his bungalow. We left the bungalow, and I put Dr. Sumant up with me in the afternoon, evening and night anticipating that the District Magistrate would arrive on the morrow. As it happened, the information that I had received did not turn out to be correct and even the next day the District Magistrate did not return. I decided to go next morning to Bulsar myself and represent the case. But in the evening at about 6-45 he was arrested and taken away. I put him up with me in a small farm cottage where I am carrying on a few agricultural experiments in cotton growing. I was staying with my family in the very farm cottage for about five weeks before this incident happened. Next morning it was my turn to be arrested. Two sub-inspectors dressed in their trim uniforms came to me and took me in a police car with them to the police office. I was asked to go with them. I asked the reasons why I was being taken. They replied, "Because you have harboured a man who has disobeyed the orders of the District Magistrate." I go to the police office, wait there for some time and then the Deputy Superintendent comes and talks to me. I put the whole case before him, the circumstances of the case, as to the way in which I had put Dr. Sumant up with me and the object of my putting him up. My object was to see that Dr. Sumant obeyed the orders of the District Magistrate by getting the humiliating and absurd clauses removed. After some time I was asked by the Deputy Superintendent if I could put that down in writing and give an undertaking. I asked him why he wanted a written statement from me. Did he want to humiliate me? He said, "Far from that." He did not want me to apologise or express regret. I shall read out the statement which I gave to the Police for the information of the House:

"Dr. Sumant B. Mehta was not harboured by me with a view to hide him from the police. It was never my intention nor his to do so. Even in future I shall not harbour anybody with a view to hide him from the police or assist such people in any way for evading the law in any way."

These are the very words which I wrote out in the police office. Somebody may ask me why I gave that undertaking. The position was clear. I did not want to earn a cheap martyrdom by refusing to write that. I had to write it. Possibly, had I not written it, I should not have been able to attend the Council but might have been rotting in Sabarmati or some other jail. This episode did not end there. Had it ended there, neither the public nor the House would have known anything about it. Next morning inspired news was published in a local paper and in the *Times of India* here. I leave it to the House to judge for themselves and compare the written statement which

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I have read out and that published in the *Times of India*, and say whether the information published in that paper gives the correct version of the whole affair. I feel that I have not done anything wrong by making an attempt to make it possible for Dr. Sumant Mehta to obey the order of the District Magistrate by getting the conditions modified after properly representing the case to the District Magistrate. The tragedy of the whole case was that the District Magistrate did not happen to be in Surat when this happened. Had he been there, nothing would have happened and probably Dr. Sumant Mehta, who has now been sentenced and lying in the Sabarmati jail, would have been a free man. I was arrested about 9 a.m. from my place and released about 12-15 noon from the police office.

The Honourable Mr. W. F. HUDSON: Mr. President, I always feel somewhat reluctant to intervene in this particular debate, because, as the House is aware, this is the one occasion in the year on which honourable members have an opportunity of wandering over all the wide fields of administration, and when by a happy convention and through the kindness of the Chair questions of irrelevancy do not often arise. I know how much honourable members appreciate the privilege of discoursing on their favourite subjects, whether they be ordinances or mental hospitals or even the wells of Malir. And, therefore, it always seems to me unfortunate if occupants of this bench, who have so many opportunities of airing their views, should occupy any considerable portion of the three days which are allotted to us. If, therefore, I venture to make a few remarks today, it is because it seems a little unlikely in the natural course of events that I shall have an opportunity of addressing the House on what is, after all, a very important subject. Unless the House radically changes its methods, I think it hardly probable that the item of "Land Revenue" will be reached this year when we come to discuss the demands for grants, because unhappily "Land Revenue" is at the wrong end of the stick.

Again, I observe that a large number of important resolutions have been put down for discussion in connection with land revenue, but unless honourable members—or a large number of them—are going to withdraw their bills, it seems to me unlikely that at any rate most of these resolutions will be reached. And, therefore, I take the opportunity which is afforded to me today by this general discussion to say a few words on the subject of land revenue, although, as the House is aware, it is only part really of the general financial situation. We are now halfway through this debate and I have observed with some surprise and perhaps natural gratification that very few trenchant criticisms have been directed against the department with which I am chiefly concerned. Modesty, of course, forbids me to attribute that to any idea that there is perfection in the Land Revenue department; but I do feel, in the present crisis through which we are now passing, that the absence of criticism is a tribute to the moderation and the efficiency with which our revenue officers have carried out their particularly difficult duties during the past year and is also a tribute to the general correctness

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of our land revenue system. There were, as I said, comparatively few criticisms, but there have also, I am glad to say, been one or two very interesting constructive suggestions. It is very refreshing to us, on this bench, when we get from the other side not merely criticism, but also something constructive, and it gave me great pleasure yesterday when my honourable friend Mr. Karbhari actually ventured into what I may call the experimental field. He suggested, amongst other things, that we should put (if I understood him) a heavy assessment on big landowners and a low assessment on small landowners. I do not know how far that commends itself to my honourable friends the leading zamindars from Sind. But I see that there is something in it, and I have no doubt that in days to come, when there is income tax attached to profits from land, the idea which the honourable member suggested will take shape. But for the present I am afraid it is not possible for us to accept it, nor do I think that this House would accept it either. Then my honourable friend went on to make what I think was a happy suggestion, that we should insure land revenue. That would put Government in a most powerful position. Nothing is more difficult for us at the present moment than to decide what remissions we should or should not give. We should be able to be very generous, indeed, when the insurance companies would bear our losses, and to that extent I most heartily welcome the suggestion of the honourable member. But if he would just fill in a few of the details on some future occasion and tell us, first of all, what companies he thinks are likely to take on this risk, and, secondly, what premium we should have to pay, the Revenue Department will be very glad indeed to consider the proposition.

Now, Sir, in the course of the debate, it has been thrown up against us that we have not retrenched as much as we should. One or two honourable members, I think, especially objected to the fact that we had not accepted *en bloc* the recommendations of that very hard-working and able body, the Retrenchment Committee. I am sure honourable members will agree with me when I say that that has always been the fate of retrenchment committees. I do not suppose any retrenchment committee that ever existed has ever had all its recommendations accepted. But I do claim, at any rate as far as the department with which I am concerned, that we have accepted a great many suggestions and to every one of them we have given the fullest consideration. When we have reluctantly been compelled to turn them down, it is because we felt after most meticulous consideration that they were not feasible. Just to take one or two instances: honourable members will observe on page 17 that we have made one or two very radical changes in the revenue department. For instance, we are abolishing Huzur Deputy Collectors. That is a matter which has been under discussion for a very long time and has been very strongly objected to by a large number of officers, I may say officers with considerable financial experience. But we have taken that suggestion from the Retrenchment Committee. We are also abolishing Daftardars in Sind, a step against which I have

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fought all my life, and which I know is going to result in a marked diminution of efficiency. But we have done that on the recommendation of the Retrenchment Committee. Then, again, we are carefully investigating, and I have no doubt shall in due course carry out, the abolition of certain districts. I do not know if that is going to be an entirely popular measure. I am already receiving vigorous protests from the inhabitants of the districts which expect the axe to fall on them. We are also proposing to abolish a considerable number of talukas, and that, again, is a most unpopular measure. I would appeal to honourable members who represent the districts which are to be abolished or who live in the talukas which will cease to be talukas and become mahals, to use their influence and explain to the people why it is that we do these things—not because we want it, not even because we admit that they are sound administrative measures, but simply and solely because we must do them on grounds of economy.

Then there is a proposal to abolish the post of one of the Superintendents of Land Records. We do not propose to abolish the Superintendent of Land Records because on careful consideration we think it is practically impossible without the work being hopelessly dislocated. We are proposing, however, to place in abeyance the post of Settlement Commissioner until such time as it is absolutely necessary that he should be reappointed.

Then take a case in which we have been obliged to refuse to carry out the recommendations of the Committee. It was suggested by them—I do not think they pressed it—(I give just a typical case) that the post of Superintendent of Land Records in Sind should be amalgamated, if possible, with that of the Manager of Incumbered Estates. The answer to that is that it is impracticable. It so happens that 25 years ago or thereabouts I myself combined for the brief space of one month these two particular offices. I do not think they have ever been combined since, and of course, for a month anybody can carry on the two offices, by the simple expedient of not doing the work of one of them, leaving it for completion when the permanent incumbent returns. But I do assure the House, that as a permanent measure it is quite impracticable. The point is this, that no one, not even a Government officer, can be in two places at one and the same time, and that it is quite impossible for the Superintendent of Land Records, during the touring season, to go to the places where the Manager, Incumbered Estates, ought to go, or for the Manager of the Incumbered Estates to go to the places where the Superintendent of Land Records has to go. I am not going to enlarge upon that. I am only quoting this as an instance of the way in which Government have had to deal with these recommendations. We did give the suggestion very careful consideration. I knew in my own mind it was impossible, but I did not turn it down like that. I sent it to the Commissioner in Sind, in order that he, in consultation with the Superintendent of Land Records and the Manager, Incumbered Estates, might consider whether under the present conditions it was possible. Their answer was more

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definitely in the negative than mine could have been. I would submit to the House that, in a case like this, we are not justified in carrying out the recommendations of the Committee, because I am sure it must be obvious to honourable members that the members of the Committee could not possibly know all the details of the work that these officers have to do.

But I claim on our behalf that, as far as possible, we are carrying out retrenchment. In addition to the items I have mentioned, we are cutting 10 per cent. of our establishments. Now, I heard it stated in the House—I think yesterday—that retrenchment was not going to mean any loss of efficiency. I beg, with all respect, to differ. I have spent the last 30 years in inspecting offices,—offices of Collectors, offices of Assistant Collectors, offices of Mamlatdars. I have spent a good deal of my time in chasing village establishments and trying to get them to do their work, and I know perfectly well that this 10 per cent. cut, which we have carried out because we felt we must, is unquestionably going to reduce the efficiency. The work will be done more slowly if possible than at present. Honourable members, I think, sometimes say that the mills of Government grind exceedingly slowly; but they are going to grind slower still. I do not want any one to go away with the idea that such blessed words as "reconstruction" and "re-organization" are going to make up for loss in personnel. I do not say they will not make up to some extent, but they will not make up the whole. In saying this, I am not of course thinking of the reduction on this Bench, to which we are all looking forward, and I should be sorry to embarrass those of my honourable colleagues who will still survive the axe by suggesting that the four will not do their work as efficiently as the seven do at present. But when you get lower down the scale, I can assure the House that there is going to be a considerable reduction in efficiency. We have got to face that fact, and I for one am quite prepared to accept the fact that, if you are going to pay Rs. 5 where before you paid Rs. 10, you cannot expect to get the same value for your money. You will be very lucky if you got, say, seven rupees worth.

Now, I turn to another side of my work, that is in connection with assessment and the present agricultural situation, because I am sure that a great many members of this House are very anxious to know what Government are proposing to do in that regard this year. I do not think the House will require any assurance from me that we have watched the agricultural situation with the gravest anxiety. We have done our best to get correct information about such difficult things as prices and the position of the agriculturists. I have held two conferences with all the Commissioners, and the Commissioners have held conferences with all their Collectors. I have made rather a lengthy tour in Sind, and there personally discussed the situation with all the Collectors (except one who was ill), and we have come or are coming to certain definite conclusions. I propose to take the House into my confidence today, because I want the House to share the responsibility which

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Government holds in this matter and also to feel that the House supports us in the action which we are proposing to take, although that action may seem to be singularly ill-timed, in view of our present financial position.

The House will remember that last year we gave certain new concessions, concessions which had never been given before, chiefly in view of the fall in agricultural prices. Last year the House will remember we collected none of the arrears. That was a very considerable loss to us. In addition to that, we gave special remissions outside the ordinary rules to the extent of Rs. 15,00,000. Altogether there were suspensions of Rs. 10,00,000, which would not have been granted under the ordinary rules, and Rs. 15,00,000 of remissions. In addition to that, in the course of the past year, we have reclassified certain lands in Bardoli and Chorasi. These involve Government in a loss of Rs. 28,000; and reclassification would have been spread over a much larger area if the foolish people of Bardoli taluka had not refused to co-operate with the officers of Government who were conducting those operations. If and when they come to their senses, those operations will be continued; but they must inevitably mean a loss of revenue.

Then the House will remember that all settlement reports which were written before a certain date have been hung up, and that Government have made no attempt to introduce fresh settlements. In certain talukas in the Kanara district we have reduced assessment to the extent of Rs. 17,000, because the Settlement Officer, when he prepared his reports, had recommended those particular reductions; but he had also recommended very considerable enhancements. I felt sure that I should have the approval of the House in agreeing to the reductions being put into force and the enhancements being postponed indefinitely. But the House will see that in our present financial position all these concessions are extremely difficult, and they make the position of my honourable friend the Finance Member even more arduous than it is at present.

Now we come to the present year. Fortunately for us, we have had, on the whole, what I may call a good monsoon—some exceptions of course—but on the whole a distinctly good monsoon. But prices are still in some cases well below the level of the past few years. I am glad to say that in some cases there has been some distinct improvement, in cotton for instance and various other crops,—I will not go into details—but as regards rice, there is no doubt that the inhabitants of the rice tracts are having a pretty bad time, and we had to consider what action should be taken in regard to them. Now Government have decided—and I hope that the House will support us in this decision—that in this year's acreage we will not ask anybody to pay any of the authorised arrears, *i.e.* more than one year's dues. That is again a very serious loss, and when my honourable friend over there felt so confident that we had under-estimated our receipts under land revenue, he I am afraid was speaking very much without the book. If we get anything like

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the revenue which we have estimated, I for one shall be extremely surprised, although I am bound to say that at the present moment the money is coming in very well. But that proves nothing, unfortunately, except that most of the people in the presidency are quite ready to pay their revenue when they are asked. But suspension of all authorised arrears will cost us a good many lakhs.

Then, in addition to that, we are going further than we have ever been before. The House will remember that last year I uttered a word of warning about the dangers of tinkering with settlements. I could hand down no worse legacy to my successor in this office than a precedent which suggests that settlements are things which can be enforced when it suits the agriculturist, but cannot be enforced when it does not suit the agriculturist. Last year, I am glad to say that in the great majority of cases we were able to collect our revenue without making any of these exceptional concessions. But we have come to the conclusion that two years are worse than one, and that in certain areas some sort of concessions must be made. We have decided,—and I feel sure that the House will approve of this decision, although what I am now announcing is going to cost us six or seven lakhs,—that in certain talukas in the Kolaba district, in the Thana district, in the Bombay Suburban district and in the Ratnagiri district, where settlements are comparatively recent, we will give a suspension of 2 or 3 annas in the rupee outside the ordinary annewari rules. Now, the House will see that that is a very considerable concession; and it is much more than that—it is really going beyond the principles of our settlements. I confess that I have agreed to this with the greatest regret, because I cannot help feeling that it is the thin end of the wedge. But, on the other hand, one does realise that there are very exceptional circumstances, and we can only hope that with a return to better prices these suspensions will in due course come back to us. We are also making certain concessions in the Ahmednagar district. I will not go into details, but the Ahmednagar district in the Central Division is one which has had rather a chequered history, and we feel that where the crops have not been up to the average, we must do something special for them. Also certain parts of the Belgaum district, the rice villages, have had a bad year. It is really a precarious tract as far as rice is concerned. There again we are breaking our rules and making certain concessions.

I say nothing about Sind at present, because we have not definitely settled what we are going to do. I am still awaiting the final report from the Commissioner in Sind. But my friends from Sind know that I have a soft corner for them in my heart, and the danger as far as I am concerned is that I go too far rather than the other way.

We have also not decided anything about rabi. The House will agree, I am sure, that we must give nothing away until we are absolutely obliged. Our financial position is such that much as we should like to be what is called generous, we have to remember that that generosity is at the expense of the general taxpayer, and therefore we have made no decision whatever in regard to the rabi crops. All I can say is this,

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that our officers have the most careful instructions to watch the course of events and report to us if in any particular case or cases they think that a concession is absolutely necessary. I do not think the House will want Government to go further than that. It must be so obvious to every one that any concessions which are beyond what is absolutely necessary are unfair to the general taxpayer. I have before me various resolutions tabled by honourable members.

Mr. V. N. JOG: The wheat crop has failed.

The Honourable Mr. W. F. HUDSON: If the wheat crop has failed, if and when the crop fails, that would be a matter for special consideration. [*Interruption.*] We are not going to discuss the details now.

I have before me a large number of resolutions none of which will probably come on. One honourable member recommends a remission of not less than 50 per cent. Fifty per cent.! I am not an expert mathematician, but it does not require very much to calculate that it would add 2½ crores to our existing deficit. I do not think that the House will expect us to regard such a resolution seriously. These are amiable gestures made for the consumption of constituencies. But I would like to say to the House that we have not lost sight, in our anxiety to balance our budget and in our anxiety to be generous to the general taxpayer, of the needs of the agriculturists. We do hope, however, that by making timely concessions, even though they may run counter to our recognised principles, we shall enable the ryots to tide over the worst of their difficulties, and that with the revival of world trade a period of agricultural prosperity will set in for this Presidency.

Rao Bahadur B. R. NAIK: On a point of information. Has order been issued for postponing the collection of last year's arrears?

The Honourable Mr. W. F. HUDSON: I am almost certain that the orders have been issued, as I have received letters from various parts of the Presidency thanking Government for it. If by any chance anybody has paid the arrears, there is no objection to getting it back.

Rao Bahadur B. R. NAIK: Money once paid to Government never comes back.

The Honourable Mr. W. F. HUDSON: I beg to differ entirely from the honourable member. Large sums of money were repaid last year in similar circumstances.

Mr. B. S. KAMAT: Sir, I wish to confine myself strictly to the financial aspect of the budget in the few observations which I desire to make on this occasion. The budget has been characterised as a gloomy or a disappointing one. To a certain extent this description of the budget may be correct. I venture to think, however, that although the budget is no doubt gloomy, looked at from the point of view of the deficit and the necessity for borrowing there is a ray of hope in the budget we have before us this year. It may be remembered at this time last year it was my unfortunate duty to analyse some of the causes of the present state of things regarding the finances of the Bombay Presidency. I described

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the position in words which recently have been reiterated in one or two articles of the leading English journal in Bombay in attacking the financial policy of this Government. My description last year was, it will be seen, perfectly correct under the circumstances. I think it is our duty this year to review the position during the last 12 months, so far as the action taken by Government is concerned, and to judge whether in the light of the action taken, there has been a different mentality on the part of the Government. I, for one, venture to think, Sir, that the budget presented this year by Government has been presented in a somewhat chastened mood. Thus, in the first place, they appointed a Retrenchment Committee and from the statement of the action taken on the recommendations of the committee there is no doubt that they have retrenched considerably. For instance 59 lakhs as in statement I, another 58 lakhs as in statement II and 37 lakhs as in statement III, which is irrespective of the recommendations of the Retrenchment Committee. I think this is not a bad record. Then, again, there are certain outstanding features of these retrenchments—I mean a different outlook, which I just now mentioned. We have been told by His Excellency the Governor that the question of limiting the size of the Cabinet is practically settled. Then again, during the last year, there was the outstanding question of the cut in the salaries of the civilians. That has been tackled. I consider it is a great thing that we on this side of the House have been able to effect a breach in the citadel. The salaries of the civilians have been cut down by 10 per cent. notwithstanding statutory provisions by recourse to enactment of the House of Commons. This is by no means small. There are some people who think that ten per cent. cut is not satisfactory. The question is not whether it is ten per cent. or more but it is a question of principle. That has been achieved during the last year. We have to judge the attitude of Government from various other aspects—of prestige, tradition and so on. Take the question of move to Mahableshwar. Though the cost involved is only Rs. 25,000 or may be Rs. 60,000, still behind it there was a tradition. Government have now come forward to give up the move to Mahableshwar, which was in vogue for more than 60 years. These are the facts which I wish to bring out in order to show that this year's budget has been presented in an entirely different frame of mind. There is the honest effort to retrench. Then, again, as the majority of the members of the Retrenchment Committee have pointed out, sufficient attention was not so far paid to the re-organisation of the Secretariat. I am happy to observe that Government have now come forward to appoint an expert committee, to overhaul the Secretariat and also various other departments. I referred in my speech at Poona to the re-organisation of the Public Works Department. The majority of the Retrenchment Committee also drew the attention of Government to this matter. I think the honourable member the Finance Secretary was at one with me there and admitted that he was in the octopus grip of the engineers. Here again, Government have come forward to re-organise the Public Works Department. These are the features which give me a little ray of hope that Government have realised in their own mind

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that they have been running the machinery at a great deal of extravagance. I think all this is due to the hammering of the question from this side of the House. Public opinion has asserted itself and the criticism against Government for frittering away the resources of the presidency has had its effect. Now, Government have opened their eyes to their past mistakes and let us hope they will take a new departure in regard to their future financial policy.

With reference to the decision of the Government to reduce the size of the Cabinet, I share the views of some of my friends here, viz. that although it is a good decision, it is not being given effect to as early as possible. I am inclined to think early effect could be given, if there had been co-operation on the part of those——

The Honourable Mr. G. A. THOMAS: Please repeat the last sentence. I did not quite catch it.

Mr. B. S. KAMAT: I do not remember the exact words. I say this good resolution of Government could be given effect to with the co-operation of those concerned, that is to say, the Members of Government. In this connection, with regard to the reduction of the Cabinet, I wish to draw attention to one remark made by the honourable member representing the Bombay European Chamber of Commerce. He pointed out yesterday the need for decentralisation. I do not exactly know what he meant by decentralisation. If by decentralisation he means the transfer of power from the hands of either Ministers or Executive Councillors to local officers in the districts or to the heads of departments, I for one would not welcome that form of decentralisation. If on the other hand the honourable member meant that petty matters of routine on which there is a great deal of unnecessary correspondence should be left to the lower officials, that is a different matter. If there is any feeling in the minds of my European colleagues that there should be decentralisation in order to curtail the powers of the elected Ministers, I for one or any one on this side of the House would oppose such decentralisation.

I now come to another part of the question in which the Honourable the Finance Member has tried to reply to the observations of the Retrenchment Committee on the point of per capita cost in Bombay. He has compared expenditure per capita of the different provinces with that of this Presidency. He has chosen for comparison Madras and Bengal. But the majority of the Retrenchment Committee have taken Punjab for a correct comparison with Bombay from the point of view of the number of districts and the population. If at all he is going to reply to the Retrenchment Committee, I may point out to him that this comparison cannot go on all fours for the simple reason that Madras and Bengal do not compare with Bombay in point of area and population. Punjab should have been taken. The subject is more or less of an academic nature. Unless we know the local condition of each province, it is not possible to come to any decision. However, in one respect I have not been able to follow him when he

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said that Madras has no expenditure on *inam* lands as we have here and therefore their per capita expenditure is less. He tried to show that there is no analogy so far between Bombay and Madras. I imagine, Sir, that if there are no *inam* lands in Madras, though Madras is a ryotwari province, there are I think Proprietary Estates there which are the same as *inam* lands. I find from the Madras Budget that the Government of Madras are spending a sum of 24 lakhs on those Estates. I do not think, therefore, that the Honourable Member is entirely correct.

There is another observation of the Honourable the Finance Member to which I should like to draw attention, that is with reference to Sind and the Sukkur Barrage canals which have now come to operate. He has stated in his speech that in this year's budget provision has been made for 13 lakhs for the working expenses for the new Canals. He has not been able to say what the sale of canal water would bring in as revenue. That has a bearing on the point I wish to refer to now.

The Honourable the Finance Member wants to have taxation to raise about 30 lakhs this year. I have no doubt eulogised Government on their frank attitude and I have admitted that they have carried out substantial retrenchments. This does not, however, mean that there is no further room for retrenchment. In that case the expert committee would not have been appointed. Now, my object is not to harp on past blunders. The only question we have to consider is whether new taxation is necessary. There is going to be, as I said, a Reorganisation Committee; until that committee has finished its work we cannot know where we are. But apart from the retrenchments which that Committee will show, I wonder if the Honourable the Finance Member has not overlooked some source of revenue in these new canals. If there is a charge on the debit side of 13 lakhs for working expenses of the Barrage, what about the income from the sale of the canal water? The Honourable the Finance Member says that the estimated revenue is uncertain. But surely if the working expenses are 15 or 13 lakhs, I should expect on commercial and business principles that the receipts from the sale of water should be far more than 15 or 13 lakhs, say 25 or 30 lakhs. Honourable members should realise that the Honourable the Finance Member is trying to get only about 30 lakhs of revenue from all the three new taxation Bills he has in view. Is it not possible to get this 30 lakhs from the new canals? If at all you want further taxation, I am pointing out that you have a source of revenue in the sale of water in the Sind canals. Is it worth while having new taxation to cover only a small part of the deficit? Or you can wait until the Reorganisation Committee can tell you how much you can get from a reorganisation of the Secretariat and the Public Works Department.

Apart from this possible source which I suggest, there is one other reason why we ask that Government should wait before asking us to grant them further taxation. There is the question of the separation of Sind pending and there is also the Federal Finance Committee investigating into the question of federal finance under the reformed consti-

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tution. If under the new constitution we get new sources of taxation, and if also under the new constitution Sind is going to be separated, we may soon be able to balance our Budget. I do not see why we should have further taxation simply for the sake of 30 lakhs. If we have to borrow to tide over our difficulties in respect of other large amounts, viz. 195 lakhs, surely it is not worth raising only 30 lakhs by further taxation in these bad times. However, we shall be coming again to the same question when we discuss the Finance Bill on Monday and I do not want to go more into this question. These are only general remarks I wish to make with reference to the need for proposed new taxation as disclosed by the Budget. The deficit which is left uncovered is great, and, after all, we are going to borrow a great deal for covering that deficit.

There is only one other observation which I should like to make, and that is with reference to the subject of education. It is indeed a pity that a very heavy cut has been given to the Department of Education. In this connection there is one point on which I differ from some of my honourable colleagues on this side and also from the honourable member the Deputy President, and that is the question of the abolition of the two old colleges, the Elphinstone College and the Deccan College. I for one do attach some value to sentiment; but it is not only on grounds of sentiment that I base my case.

An Honourable MEMBER: Hand them over to certain societies.

Mr. B. S. KAMAT: There again my objection is that these old institutions like the Deccan College have a moral value of their own. They maintain a standard and a tone which cannot be expected perhaps in other institutions and societies, new and fresh. Just as an Englishman likes to send his boys to Eton and Harrow, because there is a certain tone in those institutions, similarly there are many parents, Government servants and others, who like to send their boys to institutions like the Elphinstone College and the Deccan College. Merely for the sake of small economy, I would not like to see the sacrilege and iconoclasm involved in the destruction of these institutions.

An Honourable MEMBER: Are they at all comparable with Eton and Harrow?

(*After recess*)

Rao Saheb R. V. VANDEKAR (Nasik District): Sir, the Honourable the Finance Member has presented his annual budget to this House, and on the whole I find it unsatisfactory. Year after year, we have become familiar with the Honourable Member whose lot it has been to present deficit budgets and to appeal to this House to help him to balance them. Government's favourite way of balancing a budget is to ask sanction for additional taxation. But this House has more than once shown in unmistakable ways that it does not consider that the people can bear additional burdens. The land is not flowing with milk and money. The cultivator finds it difficult to pay even the existing land tax owing to abnormal fall in prices. The number of unemployed is

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daily increasing and trade has been hit very hard. The people being in a very bad condition cannot brook the idea of more burdens. This side of the House had been constantly dinning into the ears of Government that the administration was too costly for the Presidency and that Government ought to retrench. But Government evaded the uncongenial task of retrenchment by putting forward the plea that efficiency would suffer. Matters have drifted from bad to worse and Government have at last come to admit that they have to retrench even at the cost of efficiency. I again repeat that the administration is too costly for the Presidency and also unsuitable to the ideas and requirements of the people. Retrenchment and further retrenchment is necessary. Had the times been prosperous the people could have borne further taxation especially for the advancement of the nation-building departments. If additional burden be placed upon the people it will simply crush them without yielding any substantial amounts to the treasury. The law of diminishing returns will come into operation and both the Government and the people will have to suffer. The requisite revenue will not be got, and the people will have to pay the higher rate without getting any corresponding advantage. A study even cursory of the figures of the last five years will lead to the conclusion that we are going from bad to worse. The revenues are not only not expanding but they are on the other hand receding. Owing to world conditions, the prices of agricultural produce have dwindled abnormally and this has made serious inroads on the revenues of Government. The actual revenue for the year 1927-28 was 13,94 lakhs as against the budgeted figure of 12,59 lakhs for the next year, thus showing a net fall of about one crore or 8 per cent. of the total revenue, within a period of five years. Government have no doubt realised the absolute necessity of retrenching expenditure during the corresponding period, but this retrenchment has had a very disastrous effect upon the activities of the nation-building departments which should not have been made to suffer for want of funds. In 1927-28 the total expenditure on education was 2,01 lakhs. This year's estimate is 1,74 lakhs. Instead of larger amounts being spent we see that the expenditure is lower than it was five years ago with a very heavy cut of 15 per cent. Agriculture is in an equally bad plight. In 1927-28 the total expenditure on this department was 27 lakhs of rupees. Comparing this with the amount budgeted for next year we see a drop of 8 per cent. Public works are in the same sorry plight. Medical relief is in even a worse condition. The work of the nation-building departments has not only come to a complete standstill, but we are actually going backwards.

Going through the budget figures for the next year, I am disappointed to see that Government's desire to help the backward classes has not been translated into action by provision of more money by way of scholarships and opening of more facilities for improvement of agriculture. The heavy reduction in grants for primary education to local bodies is seriously handicapping the Boards in their attempt to spread primary education among the masses.

The Honourable Sir RAFIUDDIN AHMAD : Sir, will the honourable member read again his remarks about the depressed classes ?

The Honourable the PRESIDENT : Is he reading ?

Rao Saheb R. V. VANDEKAR : I am refreshing my memory, Sir.

The Honourable Sir RAFIUDDIN AHMAD : I want to know what he said about the backward classes ? Will he kindly repeat his speech ?

Rao Saheb R. V. VANDEKAR : I wanted to bring to the notice of the Government that they should have given additional facilities for improvement of agriculture and given more scholarships.

The Honourable Sir RAFIUDDIN AHMAD : The scholarships have not been reduced in any way.

Rao Saheb R. V. VANDEKAR : I wish they had been increased. That is the only point I wished to make.

The heavy reduction in grants for primary education to local bodies is seriously handicapping the boards in their attempt to spread primary education among the masses, a duty which primarily is that of Government, but which Government have now placed on the local bodies. This retrenchment is, to say the least, most unwise and runs counter to various promises and professions made by Government in this House, and I must say that Government is shirking its obvious duties in this respect. As regards the improvement of agriculture, Government have not only not given additional facilities but propose to cut off those already available ; for instance the Baramati farm, Loni agricultural school which did some useful work in this respect.

I shall now say a few words about irrigation, a subject intimately connected with agriculture. It is generally said that irrigation works in the Deccan cost very heavily and do not yield adequate revenue to justify the cost of the venture. Big irrigation works, no doubt, are not directly profitable to Government when only irrigation dues are taken into consideration. But when one takes into consideration the indirect advantages such as the prosperity of the people, affording opportunities for employment of capital and protection from famine, the investment by Government is justified and one cannot urge that more money should not be spent on the development of irrigation. Some hold forth the high revenue received from Sind irrigation and point out what high dividends are realised. I beg to point out that inundation irrigation is generally cheaper than storage tanks irrigation. But at the same time I may also point out that the percentage of return is generally calculated on the amount spent by the British Government and the original cost of the canals constructed at enormous cost by the former rulers is lost sight of. I am under the impression that the heavy profits from irrigation works that are paraded may be due to some such calculations. I have once more to raise my protest against the high irrigation rates that are charged in the Deccan. When the prices of agricultural produce were high on account of war and subsequent abnormal conditions, irrigators could make both ends meet and found money to pay the Government fees. But the prices have heavily fallen down and the cultivator finds it very difficult to recover even the actual expenses of cultivation. If the high

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dues are to be paid, they must be paid out of his savings, if there be any. This is a drain on his capital and when that is gone he will not be able to go on with his work. The irrigation policy must be based upon the principle of business. Every year water is stored in huge quantities in lakes such as Bhatghar, Bhandardara, and Darna Dams, but unless it is utilised before being replenished by next monsoon the quantity stored goes to waste. This is not the treasury of money which goes on accummulating; hence if the water is issued for irrigation even at nominal rates Government will realise some revenue at least and the profits realised by the cultivators will be immeasurable. The situation is a very delicate one and ought to be handled with great care and statesmanship. At all events substantial reductions in the existing rates are absolutely necessary. I may be permitted to bring to the notice of the department one thing which will bear repetition. Time and again high officers of Government and humble servants have also tried to open the eyes of the department how to avoid and prevent waterlogging. Both on the Nira Left Bank canals and on the recently constructed Godavary and Pravara system the cultivated lands are being rapidly waterlogged. This causes loss not only to the cultivator but to the irrigation revenue also. It also shows how tremendous is the loss by wastage of water. The department has been maintaining a costly staff to investigate the causes of waterlogging and to do research work, to find out how to prevent or remedy the evil. This branch, I am led to believe, is paying more attention to find out how to improve the waterlogging lands. It appears they think that waterlogging is inevitable. So a remedy for the disease has to be found out. The result is that they recommend a system of drainage. But the cost of this improvement is beyond the means of the average *bagayatdar*. A scheme of compulsory acquirement of waterlogged land and improvement at Government cost was, I hear, submitted to Government. It was shown by statistics that the scheme would be profitable financially and would add to the prosperity of the people. But the stringency of finance during the past few years obliged Government to throw cold water over the brilliant scheme and it must be accumulating dust in the archives of the Secretariat. But waterlogging and its evils are continuing their havoc. I may point out once again that our ancestors had to face the same difficulties from ancient times. It has always been held that the king was to provide irrigation facilities wherever possible. Powerful emperors in ancient times did construct tanks on a gigantic scale. Vincent Smith makes mention of a big tank built by Chandragupta whose seat of government was at modern Patna and the irrigation tank was provided in Kathiawar. In the distribution of water too, the ancients can give a tip or two to modern engineering experts. In my district of Nasik there are a number of minor village irrigation works, which are supplying water to crops in the villages. These villages have devised a scheme of water distribution, rotation of crops, keeping a watch over the crops and such other things. The schemes have been found satisfactory. Wet crops are being raised every year, but there is no waterlogging. Manuring once in three years is found sufficient to prevent

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exhaustion of the soil. Mr. Simcox, once the Collector of Nasik, made use of his eyes and he did his best to draw the attention of Government to the system, and recommended that the old tried method should be made use of in the distribution of water from the new Godavary and Pravara canals. But his report is lying in some pigeon-hole accumulating dust. I humbly request the Honourable the General Member and the Honourable Minister for Agriculture to call for it and read it.

Lastly, the position that our people, the non-Brahmins, are occupying in the services is also most unenviable. The promises made by several Governors have not so far been followed by substantial results. I earnestly request Government to go again into the question of securing fair representation of candidates from non-Brahmin classes in the public services especially when the prospect of having a self-autonomous Presidency is drawing nearer, so that they may get confidence that their interests in this respect will not be affected. I must congratulate the Muhammadans on bestirring themselves and getting the Government to recognise their claims, but so far both Government and the other sections of the House have not done the same so far as our claims for a due share in the public service is concerned.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: Sir, I consider myself fortunate that the departments in my charge have escaped criticism of any description whatever at the hands of this honourable House. In fact, had it not been for the two suggestions made by the honourable member Dr. Gilder, it would not have been probably necessary for me to get up to speak at all.

Dr. V. G. VAISHAMPAYAN: I am going to make some remarks.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: The honourable member Dr. Gilder made two suggestions. One referred to the abolition of the post of expert alienist at the Thana mental hospital and the other to the doing away with the civil surgeoncy at Thana and substituting instead a man from the B.M.S. With regard to the first, I may inform the honourable member that the matter is being considered by Government. With regard to the latter, I must confess that I have not devoted any thought to the question. The honourable member seems to think that regard being had to the comparative non-importance of Thana as the district headquarters and also to the fact of its being in close proximity to Bombay, Thana might well be placed under a B.M.S. officer. In that connection all I can say at the present moment is that I shall be glad to give my careful consideration to the suggestion, which he has made and, if administratively feasible, I shall be glad to carry out his suggestion.

I understand from the honourable member from Sholapur (Dr. Vaishampayan) that he is going to say something about the medical department, but I am sorry that having got up now, I shall not have, at least during the next day, an opportunity of satisfying his curiosity.

Dr. M. D. GILDER: On a point of information, Sir. In the budget it is stated that the post of Superintendent of the mental hospital has been

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abolished. The Honourable Minister just now said that it is under consideration. May I take it that what is in the budget is still under consideration?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: The post has been already abolished and the Superintendent of the mental hospital is under notice now. But when I say that the question is being reconsidered, it means that a supplementary provision will have to be made in the event of Government deciding to re-engage the alienist and to renew his contract.

Dr. J. ALBAN D'SOUZA (Bombay City, South): Mr. President, the budget that has been presented to this honourable House on behalf of the Government by the Honourable the Finance Member may, to my mind, well be characterised as an open confession which is good for the soul. It is good I daresay, for the soul of Government. It is good, I believe, for the soul of the Honourable the Finance Member. I may assure the honourable House it is good for my soul and let me sincerely hope it is good for the soul of the body politic which is now sitting in deliberation over the selfsame budget on the floor of this House. Sir, an ordinary confession obviously connotes sins of omission and commission, but an open confession, whatever else it may signify, portrays a sort of serious atonement even for acts for which the responsibility does not lie. This latter is exactly the situation in which, to a very great extent, Government are just now in. If only this honourable House will bear with me for a few, short minutes with an open and unbiassed mind, I shall amplify my statement and give proof for the correctness of the same.

Sir, the Honourable the Finance Member, in the very first paragraph of his budget speech, has clearly indicated how from the latter half of the year 1930-31 trouble started with economic depression from which the presidency has since been suffering in common with the world at large. The evidence of this I shall give just now. The closing balance for the year was expected to be Rs. 113 lakhs; but what with the fall in land revenue and irrigation dues to the tune of Rs. 48 lakhs,—and here I may incidentally mention a word on behalf of Government, that this was due to remissions and kindly treatment given to the agriculturists on account of the fall in commodity prices—what with the fall in excise revenue to the tune of Rs. 8 lakhs, and in forest revenue to the tune of Rs. 5 lakhs, amounting in all to Rs. 64 lakhs, the closing balance was reduced to Rs. 77 lakhs, out of which the Honourable the Finance Member most candidly and openly admits Rs. 75 lakhs were from the Famine Relief Fund. Further, in the current year, 1931-32, the same adverse forces have been at work in a more vigorous manner. Government, it must be admitted, had no control whatever on this fall in revenue, and it went on falling to an even larger extent than in the year previous. The Honourable the Finance Member informs us that land revenue fell by Rs. 19 lakhs, irrigation dues by Rs. 35 lakhs, stamp revenue by Rs. 10 lakhs, forest revenue by Rs. 12 lakhs, and under minor heads there was

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a fall in revenue of Rs. 8 lakhs, amounting to a total fall of Rs. 84 lakhs as compared with the Rs. 64 lakhs of the year previous. Sir, I take it that the statement I have made, that the responsibility for this downward trend of the presidency's finances does not lie upon the shoulders of Government, is correct.

Sir, the next most important question that arises is a question that happened to be asked in the fore part of this session by one of the honourable members on this side of the House: what efforts have Government made towards combating this downward trend of the presidency's finances? Sir, we have been assured by the Honourable the Finance Member that in 1931-32 the deficit was Rs. 61 lakhs, and he has shown us on the first page of his speech that an honest and forceful attempt was made to effect savings to the utmost possible extent. Under General Administration Rs. 9 lakhs were saved, under Police Rs. 4 lakhs were saved, and under Civil Works Rs. 9 lakhs were saved. This year, as we may read on page 3 of the Honourable the Finance Member's budget speech, an even more forceful attempt and a bigger effort has been made towards economy with the result that the savings effected are decidedly on a larger scale than the previous year. The savings amount to Rs. 137 lakhs. The items under which savings are effected are given in detail. Incidentally, before I leave the subject of the items and savings, lest I should forget to refer to it later on, I would draw the attention of the honourable House that a fair amount of the savings effected are under items which are nation-building in character. I would heartily wish, and it would be my greatest desire, that somehow or other the major portion of the burden of the savings thus effected may be piled on the non-nation-building departments in the list.

The nation-building departments obviously are Education, Medical and Agriculture. Under these three heads there is a saving of Rs. 27 lakhs, Rs. 3 lakhs and Rs. 4 lakhs, respectively. The major portion of these Rs. 34 lakhs might have been distributed under Bombay Development, Stationery and Printing, Excise, Forest and Irrigation. [*Laughter.*] I hear a laugh on the other side. It may be taken that standing here as a medical man, I am crying out my own wares, but there is no doubt, and my honourable friend will admit that, after all, the three items I have mentioned come under the heading: nation-building departments, whereas the others do not strictly do so. If therefore I make a claim on behalf of these departments, I feel I am justified in doing so.

I have indicated, Sir, that this year there has been a more honest and a more forceful attempt on the part of Government to exercise strict economy. But, Sir, in addition to these savings effected, Government gave a further thorough earnest of their desire to do their best by the finances of the presidency. A Retrenchment Committee was appointed. First of all, an *ad interim* report of the committee was published, and on the *ad interim* report a saving of Rs. 59 lakhs was effected. Then we had the final report of the Retrenchment Committee, resulting in a saving of Rs. 58,26,725. I feel, Sir, that Government have gone a great way in their efforts to safeguard the finances, by combating the downward trend of

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the finances of the presidency. These are obvious facts which I place before those who care to read them—facts mentioned in the statement that was put in our hands the day before yesterday. In addition to the *ad interim* and final reports of the Retrenchment Committee, Government have effected a further saving by carrying out retrenchment not included in the Retrenchment Committee's report of a sum amounting to Rs. 37,06,528. In all, by the three methods I have explained there has been a saving of Rs. 1,54,89,193. Well, Sir, if after this, conviction is not struck into the minds of a section of the honourable House in regard to the anxiety of and the honest efforts made by Government to safeguard the interests of the finances of the presidency, all I can say is, broadly speaking, I might as well try and convince a wall.

Sir, I feel I must admit, as against this, there have been lapses in the form of excesses here and there. My honourable friend Rao Bahadur Chitale mentioned in his speech the case of Rs. 15,82,00,000 spent during the course of the last 12 years on providing buildings for officers of Government.

The Honourable Sir GOVINDRAO PRADHAN: It is absolutely incorrect.

Dr. J. ALBAN D'SOUZA: I am glad that the Honourable the Finance Member says it is incorrect. I wish he had mentioned this to my honourable friend Rao Bahadur Chitale when he made that statement. Possibly he let it go by then to take it up seriously when his time comes. That is what the honourable member Rao Bahadur Chitale said, that Rs. 15,82,00,000 were sunk during the course of the last 12 years on erecting buildings for Government officers. Now, 12 years is practically past history. I would like the honourable member Rao Bahadur Chitale to put his hand on his heart and say whether such a thing has happened within the course of the last three years. The period on the other side of the last three years, so far as the present Council is concerned, may be considered past history. What we are concerned with and what we ought to enquire into now is: what has been done, what efforts have been made towards curtailing expenditure in the course of the last three years? There is no doubt that every effort,—as I have indicated just now and as has been indicated in the speeches of the Honourable the Finance Member,—an honest attempt has been made year after year to effect savings, wherever possible, in the expenditure of this presidency.

Coming now to the battle cry of my honourable friend Mr. Winterbotham: he says the finances of the presidency are dependent on peace, retrenchment and reforms. I personally would like to making a small alteration. I feel that the battle cry of the moment should be peace, undoubtedly, trade revival, re-organisation and reconstruction of the administrative machinery, and last but not least the revision of the provincial settlement. These are the items which are going to stand by us in the betterment and improvement of the finances of the presidency. Regarding peace, Sir, I do not know where the dove remains encaged. But let us hope that sooner or later, better sooner than later, he will find his way out of the cage and hover over this presidency in his wonted

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manner. Regarding trade revival, the *sine qua non* for the betterment of the finances of the presidency, I would refer to the statement made by His Excellency the Governor, when he appealed to the Bombay merchants not to lend a helping hand to the forces of disorder that prevail. Said His Excellency, "Sanity lies in keeping politics and business apart." Sir, it is said that on trade depend the finances and well-being of the presidency, and nothing can alter it. It is a statement which is absolutely correct. Unless the Bombay merchants co-operate to keep business away from politics, it will be impossible to set the finances of this presidency on a sound footing. One thing that strikes me, and this is that the idea of trying to cripple Government by preventing a trade revival is surely the absurd policy of cutting off the nose to spite the face. Referring to the third factor, re-organization and reconstruction, I must say that the announcement made by the Honourable the Finance Member, regarding the appointment of an expert committee to go into the re-organization and reconstruction of the administrative machinery of Government, is most welcome. We may fully expect that this committee will do its level best to set the finances of the presidency in good order. I quite agree with my honourable friend Mr. Winterbotham who paid a high compliment to the chairman who is to preside over the expert committee.

Lastly, regarding the revision of the provincial settlement, there is the equally welcome news that our honourable member the Finance Secretary is shortly to go on a deputation before the Federal Finance Committee to settle the matter on behalf of the Bombay Presidency. I heartily endorse the view of the honourable member Mr. Winterbotham when he says that the Bombay Government could not have selected a better financial medium for the important negotiation.

Before I resume my seat, I feel I must say a word or two about the suggestion offered by my honourable friend Mr. Petit in regard to the Electricity Bill. He has suggested that under the Electricity Act it may be possible to get from the B. E. S. T. Company itself what Government is seeking to obtain from the consumers. I would earnestly appeal to the Honourable the Finance Member to give a serious thought to this suggestion so that the burden may not fall on the poor consumer. I understand that it costs the B. E. S. T. 6·1 pies per unit and they charge Re. 0-4-0. The profit they are evidently making is large. If Government could arrange to obtain the contribution they need from this profit it would be a great benefit to consumers.

With reference to the information asked by my honourable friend Dr. Gilder in regard to the abolition of appointment of the Superintendent of the Naupada Mental Hospital, I quite agree with him that as a large number of poor and indigent people go there for treatment, the services of a specialist must be retained.

My last word is to introduce a suggestion which I personally believe would go a great way in solving the difficult problem of the presidency's finances. We medical men believe in the theory that desperate diseases call for desperate remedies. This theory is based more on commonsense

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than on the high lines of the medical science. There is no doubt that the House will agree with me that the finances of the presidency are suffering from a desperate disease. Commonsense suggests that the remedy should be drastic. The drastic remedy I therefore suggest is a Sweep-stake run by the State on the lines of the Irish Hospital Sweep-stake. It may be said that such a procedure may verge on the immoral, but I may be permitted to remind the honourable House that a procedure more or less on the same lines was adopted during the world war under the patronage of His Excellency Lord Willingdon, then Governor of Bombay.

Mr. G. WILES: Sir, during eight long and interesting years I have been serving the Bombay Government in the Finance Department. At moments when I listen to yet one more debate on the budget, I am inclined to look on them as long and weary years. Years ago, I described myself as a humble cobbler in the finances of this presidency. I am still cobbling, according to the ability which has been given me. We have done our best to put before the House the financial position; presenting the budget as intelligently as we can. It is a little disappointing to have our efforts referred to as "masterly manipulations." But the masterliness of the Finance Department has been employed solely in arranging the Blue Book, not for the purpose of concealing the position but for revealing it. Every budget that I have known has been "disappointing,"—I suppose every budget must be disappointing to somebody or other. It has become a routine matter for honourable members to open their speeches with the phrase, "I cannot congratulate the Finance Member." I am going to make an appeal to honourable members to try and get away from the past and look into the facts confronting us and the future. I wish to support most heartily this attitude of my honourable friend from Poona, Mr. Kamat. We have now reached a stage which has long been foreseen by every one who has studied the finances of the presidency carefully. It has come, in spite of all efforts to withstand the flood. It has come more quickly and devastatingly, because of the world situation. Once again I say, let us face the facts. Let us abandon these recriminations about what has happened in the past. How are you going to benefit the presidency by urging wearily, "extravagance, extravagance, all is extravagance?" I ask you to satisfy yourselves, we have given you every opportunity of doing it, that Government have done their utmost to set their house in order and have only come to you now with a demand for fresh taxation, after doing their utmost to meet the situation. If we are to have discussions of the past, I would only ask that the discussion shall relate to facts and not to fancy; and that honourable members who criticize shall use their weapons fairly and not misinterpret. Misinterpretation may be either deliberate or may be due to want of study. The statements which have been put year after year in the Blue Book do not change very much; they are only brought up to date. I do not think it is fair for honourable members to complain that they have not had time to study them. That

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may very well relate to the budget of the future. As regards the past the information is there and there is no excuse for not understanding it. I sympathise very much with those members who complain that they do not get time to study the budget figures; and do not expect them to know them as well as the Finance Department, who takes months to prepare them. But it is not practical politics to give you the budget at an earlier date. Whether it will be possible under the new constitution I cannot say. So long as it has to be passed before the end of March, it is not possible for us to give you longer time for study than we do to-day.

I am going to refer now very briefly to some criticisms which were made by the honourable member Rao Bahadur Chitale. In spite of what I have said about ignoring the past they were so wrong and have been given such publicity that I think it is my duty to correct them. He refers to the last Appropriation Report of the Accountant General and read what he said was "a criticism of the extravagance of the Bombay Government" during past years in having spent Rs. 15,82,00,000 in housing its officers. I will read out the exact wording. The Accountant General in explaining the debt position of the presidency pointed out a liability of 66 crores, against which there are assets amounting to 25 crores which reduces the outstanding debt of the Bombay Government to 40 crores. He goes on to say:

"As against this, the book value of the Irrigation and Navigation estate of Government was Rs. 2,803 lakhs and of residential and other buildings Rs. 1,582 lakhs. These assets have not necessarily all been created by expenditure from loan funds but they exist at the credit of the Bombay Government and may be taken as a set-off to the debts."

That is interpreted as "criticism of the extravagance of the Bombay Government in housing its officers." These are *assets*, worth Rs. 15,82,00,000 which have been built up from the time of our grandfathers and great grandfathers. It is the book value of the whole of Bombay Government's possessions and buildings. For the information of the honourable member, I have obtained from the Accountant General the actual book value of residential buildings out of the Rs. 15,82,00,000. It is Rs. 3,70,00,000. That is the book value of the residential buildings throughout the Presidency.

Rao Bahadur G. K. CHITALE: How am I wrong?

The Honourable Sir GOVINDRAO PRADHAN: You are wrong ten times over.

Rao Bahadur G. K. CHITALE: Fifteen crores are sunk which do not bring any return.

Mr. G. WILES: I am repeating that this asset of 15 crores worth of buildings has been built up not from our borrowings but from our revenue year after year. That is the total book value of our possessions. It is not money "sunk", as the honourable member used that term: nor was it used in building residences. Since the reforms, very little expenditure has been incurred. If the honourable member refers to a statement in the Blue Book, which is put in for his information, he

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will find that since the reforms were introduced less than 5½ crores have been sunk, I use his own word, in expenditure for "other purposes," that is, for purposes other than irrigation. Five crores have been spent: that includes everything that is spent for "other purposes", not for buildings and officers' residences, but everything—roads, bridges, offices, katcheris—throughout the whole presidency. I will only ask, when I put these facts before the House that the honourable member should remove the film of prejudice which causes him to see the figures with such a jaundiced eye. They are susceptible of easy explanation.

Arising out of this, is the whole debt position of the Bombay Government. Here again, I must take exception to the way in which it is sometimes very carelessly referred to by members on the other side. Once again, I refer to one of those statements which take the Finance Department such a long time to prepare, and put before them for their information. It is worth studying. The seventy-one crores of debt is not only the debt of the Bombay Government: that has been explained many times. If you are going to compare the seventy-one crores with our revenue, you must add to that revenue the whole revenue of the Bombay Municipality, the Improvement Trust and the Port Trust, because their borrowings amount to 20 crores in all. So that, our net outstanding debt at the end of this year is 50 crores. The honourable member has insinuated that with that "masterly" touch of mine I have done something to reduce the apparent cost of this debt. I have done nothing of the kind. The interest charges on these fifty crores are 2,69 lakhs. Here it is in black and white: that is the amount paid as interest charges. The burden on the province is less than that, for the obvious reason that a considerable portion of this 50 crores is productive debt. If we invest our monies in productive schemes, are we not entitled to take credit for the production?

In the same way, I would ask the honourable member to consider carefully whether the figures (which unfortunately I was unable to write down) which he gave of the outstanding debt of other provinces are correct. He compared our figure of 71 crores, if I remember right, with 10 crores of the United Provinces and 2 crores of Bengal. They are the only two figures which remain in my mind. The actual figures which I have taken out from the Government of India Accounts are rather different:—

Madras	..	..15½ crores.
Bengal	..	.. 2½ crores.
United Provinces	..	.. 30 crores.
Punjab	..	.. 30 crores.
Burma	..	.. 2½ crores.
Bihar and Orissa	..	.. A little over 6 crores.
Central Provinces and Berar		.. A little below 6 crores.

While on the subject of statistics and comparison with other provinces, I wish to sound a note of warning about the too easy use of "per capita" statistics. My honourable friend from Poona (Mr. Kamat) put his

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finger on the spot when he pointed out that the real value of "per capita" statistics depends entirely on the composition of the "heads" of the population. Per capita statistics have their full value only when you have complete homogeneity of population. We know that the population in India is decidedly less homogeneous than that of any other country in the world. So, per capita statistics may be perfectly meaningless. This does not mean to say that they may not be of some value as a rough guide to the incidence of taxation when we compare provinces which probably have the same amount of homogeneity.

My honourable friend Rao Bahadur Kale referred again to his remarks of last year about salaries and the need for reduction. I was not quite certain what conclusion he wished us to draw, but I have taken him to mean that salaries in future must follow the ordinary market rates of commercial life, as the salaries paid to-day are in many cases excessive. That is, of course, very true. The revision of scales was one of the first things that the Retrenchment Committee set themselves to, and they have been published in the second volume of the Retrenchment Committee's report; these have been accepted by Government and have been put into operation. It must be some time before they can affect the budget.

This brings me to my honourable friend Rao Bahadur Naik from Surat, who criticised Government for the large proportion which salaries bear to our total expenditure. Now, has any of the honourable members ever thought out what proportion of Government expenditure must be salaries? Take this budget, take every major head one after the other, and you will see that the great bulk of it is composed of salaries. The expenses of Government must be mostly salaries. Practically the only exception to that rule is the Public Works and Irrigation. It is really no criticism at all against the activities of Government to say that too large a proportion of the expenses is on salaries. You cannot have too large a proportion. That does not mean that no retrenchment is possible. I do not want you to assume that. But we cannot get retrenchment by cutting indefinitely the scales of pay. The only way in which you can now get retrenchment is by reorganisation, by scaling down the salaries in the future and by reducing the personnel of the administration. That you must realise must hit very heavily somebody or other.

In spite of the Honourable the Finance Member's speech, I still find a little misapprehension about what retrenchment has been effected. The note which is given at the end of the pamphlet which has been distributed to you shows the amount of retrenchment which has been effected under the three heads (1) ad interim report, (2) final report, and (3) carried out by Government without the report. You cannot add those three together. I do not want anybody to go under the impression that you can add them together and say that is the total, because some of the retrenchments that were carried out as a result of the ad interim report has been incorporated in the second report.

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I have taken out what I think is the figure. It amounts to about 40 lakhs. So that, the net retrenchment is 40 lakhs plus 58 lakhs plus 73 lakhs, which roughly speaking gives the 136 lakhs, with last year's budget, referred to in the Finance Member's speech. In dealing with retrenchment, I have seen it several times stated in the Press that the 1,21 lakhs recommended by the Retrenchment Committee is permanent retrenchment and that it cannot be understood why Government has not put it into force. That is a misapprehension. The permanent retrenchment recommended by the Retrenchment Committee was only 38 lakhs, and 1,21 lakhs was the emergency retrenchment which they thought could be put into force for the next year. As a matter of fact, the emergent retrenchments which Government have put into force, although they are not the same as those recommended by the Retrenchment Committee, do amount to approximately the same figure. I do not think, Sir, that this can be called, as one honourable member said, tinkering with retrenchment. I called myself a cobbler, but I do know enough about tinkering to understand that you cannot "tinker" with an axe of the size which has been applied to our finances.

Let me repeat, before I sit down, my plea to get down to facts. I claim to know something of what I am speaking about, and I am perfectly certain that Bombay cannot go on in the way it is going on to-day without some additional resources. You may call it a tale of woe, but that does not remedy matters. You cannot go on administering a great province by retrenchment any more than you can go on governing it by ordinances. [*Honourable Members:* "Hear, hear."] The facts are that the revenues, low as they are—and they could hardly be lower—cannot be raised by any juggling in figures. What benefit is it going to be to this Presidency to juggle with the figures of land revenue? I was delighted to hear our honourable friend from Surat (Rao Bahadur Dixit) say that the land revenue is coming in so well in Surat. But the fact that the ryots there are running to the treasury to pay their dues, does not mean that we are going to get more than our average revenue. After all, Surat is a comparatively small part of the Presidency.

My honourable friend Mr. Kamat is under a little misapprehension about the figure of revenue from Sind. He thinks that when we have put in 13 lakhs of expenditure on one side, it ought to be more than covered by the revenue from the other side. I think he has overlooked the fact that the Sindhi does not pay for his water. There is no "sale of water" in Sind. Sindhis are in the lucky position of having a land settlement just as you have in the Deccan, and however large a quantity of water he may use, he does not pay any more for it. That is a system which, as you know, was referred to as being somewhat anomalous by the expert committee that enquired into the finances of Sind. Those are the facts. It is not possible for us to put into the budget any exact sum from the sale of water, because we do not sell it. But such revenue as we may get in the first year is included in the land revenue estimates. It is not so big as we had hoped, because our

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engineers told us that in the first year the water which is let into the new canals is not of great use to the irrigators. Of course, if I am wrong, my friends the engineers will correct me—

Mr. PESTANSHAH N. VAKIL: What is the meaning of giving them the Barrage, if we are not getting any revenue from it?

Mr. G. WILES: The Barrage is going to last more than next year, we hope. I am referring only to the first time that water is being let into dry land.

The steady increase of our unavoidable expenditure has helped to bring us to the position we are in to-day, coupled as it is with a fall in our revenue which the Honourable the Finance Member put very nearly at a crore of rupees. Honourable members who have studied the first statement in the Blue Book will see that that statement is approximately correct.

My honourable friend Mr. Winterbotham has referred to the fact that I am going next week to Delhi to give evidence before the Federal Finance Committee. The Federal Finance Committee is only a section of the Round Table Conference. It is not quite true to say that the Federal Finance Committee is going to settle the finances of India, but it will make recommendations to the Round Table Conference and it is of the utmost importance that the case of the Bombay Presidency for the revision of the settlement should be put before them with all the force of which we are capable. The honourable member Mr. Winterbotham has supported me in my appeal for the support of this Council in what I am about to undertake. I wonder if this honourable House realises our position to-day in the matter of our share of the revenues of India. Perhaps an illustration will tell more than much talk. Bombay is very largely an urban province—more so than most provinces in India. If you take a typical inhabitant of Bombay—a clerk, say, drawing Rs. 100 a month, it has been estimated that he pays in total taxation Rs. 46-5-0 a year. Out of that, 5 annas go to the Bombay Government and Rs. 46 is distributed—Rs. 15 to the Central Government and the balance to the Bombay Municipality.

Mr. HOOSENALLY M. RAHIMTOOLA: That is not quite correct.

Mr. G. WILES: As those honourable members who have read the proceedings of the Round Table Conference are aware, it has been proposed that in the new settlement between the Federal Government that is to be and the provinces, the whole of the income tax should be distributed between the provinces in a certain proportion. The exact manner of the distribution is yet to be determined. If this hope comes to fruition, then there is reason to hope for our finances in future. But you ought not to go away with the idea that this can easily be brought about in the very near future; as you know, the finances of the Government of India are very nearly as bad as our own. At the moment it is impossible for them to give up the whole of the income tax to the provinces without getting something in return every year. Whether this can be done by an adjustment of taxation or by the re-introduction of the system of

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provincial contributions is another matter which remains to be discussed. But it is in the discussion that the needs of Bombay must be put forward. If we are going to get the income tax, we are probably going to pay large sums again in the form of contributions. It is of the utmost importance that we should make it perfectly clear what our needs are and what steps we have taken to meet them from our own resources. It is not going to be much support to me to have to report at Delhi that the opinion of the Legislative Council is that we have not carried out retrenchments to the extent that we should and that it is possible to balance the budget "very easily", without any taxation. Therefore, Sir, I appeal to this House to support the Honourable the Finance Member in the budget which he has put forward and to co-operate—to use the expression which some honourable members have already used—with us in doing our utmost to put our house in order before we appeal to the Federal Government of India. [*Applause.*]

Dr. V. G. VAISHAMPAYAN (Sholapur City): Sir, the honourable member the Finance Secretary has, in his masterly way, told us that there was no further scope for retrenchment. I would point out, as a layman, that there are so many posts like the Divisional Commissioners' posts which are practically doing nothing but the work of a post office. Then there is the post of Director of Information who is not doing anything else but publishes news which is given in the Anglo-Indian papers. Then the Director of Public Health, who merely collects statistics from the districts and sits in his chair in his office and does nothing. This work could easily be done by sub-assistant surgeons in the districts. But I am not going to deal with all this because the Gauntlett Committee is being appointed very soon and we shall watch its results and then say whether we should vote for the new taxation proposals or not.

When His Excellency addressed this House the other day, he said that his Cabinet would be reduced to 4—2 Executive Councillors and 2 Ministers. I will ask one plain question and it is: when is it going to take place? If we find the will and the courage on the part of Government to remedy its defects, we shall not shirk from our responsibility in extending our hand of sympathy and friendship.

Turning to the medical side of the budget, I would like to point out to the Honourable Minister that at present the poor taxpayer in the district is charged for the medicines which he takes from the civil hospital—let it be one anna or half anna. This practice ought to be abandoned as early as possible.

Then, as the honourable member Dr. Gilder has already pointed out, with regard to the post of Mental Diseases Specialist at the Thana mental hospital, the Honourable Minister has given us an assurance that he is re-considering the question. I am therefore not going to speak on that.

As regards the Indian Medical Service I have to say a few words. The recruitment to this service should immediately be stopped. We find that there are eminent men amongst us who are more efficient than the present civil surgeons.

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The number of beds has been reduced in a number of hospitals in the mofussil as well as in Bombay city proper. The retrenchment committee ought not to have touched this part of the nation-building department which is an essential duty of the Government to help the poor.

If the Government really want nationalists to rally round them, let the ordinances be withdrawn, as the lathis and bullets do not make any distinction between a loyalist and a congressman. It is by these ordinances that Government are forcing people to become congressmen against their will. I would therefore urge that the emergency ordinances should be withdrawn and a peaceful atmosphere created, so that the seed of hatred may not be deeply sown into the hearts of the younger generation.

Lastly, I have to say that if they want revenue to come to Government, they must act in the way suggested by a number of honourable members since yesterday. With these few remarks I resume my seat.

Khan Bahadur GHULAM NABI SHAH (Thar Parkar District) (Addressed the House in Urdu): Mr. President, the Honourable the Finance Member has presented a Budget showing a deficit of Rs. 73 lakhs. Last year also the budget presented showed a deficit of one crore and odd lakhs of rupees. I am unable to understand for how many years the Honourable the Finance Member will go on proposing deficit budgets and requesting the Honourable House to sanction fresh and fresh taxation bills. If there is any happy class of people in these days of depression, it is the services. Government can conveniently reduce number of posts in services.

The fall in prices of agricultural products has rendered the position of Zamindars very pitiable. The prices of such commodities have been reduced to one-third of their former value. The people of Sind, including those of Thar and Parkar District, want assessment to be reduced to 50 per cent. as it was originally fixed on different and high valuation of market values of agricultural products. To my mind that much reduction appears quite reasonable. The Governments of the Punjab and the United Provinces of Agra and Oudh have reduced the assessment in their respective areas from 25 per cent. to 40 per cent. The conditions in Sind are far worse. I beseech Government to consider this point very dispassionately and not drive the peasantry to desperation. The Honourable the Revenue Member was pleased to announce the rebate in the remission in the Presidency proper only. As far as Sind is concerned he is still awaiting the report from the Commissioner in Sind. I cannot help remarking that the condition in Sind is very bad generally, and particularly that of Thar and Parkar district which is indebted to the extent of Rs. 50 lakhs only to Government and co-operative department. Loking to the low rates of grain, I feel it would be too great a hardship upon zamindars to bear, if the assessment is not reduced by 50 per cent. at least.

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I would like to bring it to the notice of the Honourable the Minister for Education that our district has only one high school. The public of Thar and Parkar has been crying for many years for even a decent building to house the school. His Excellency the Governor during his visit to that part of Sind remarked in the visitors book about the necessity of a building for the High School. In spite of that, I am sorry to submit, Sir, that Government has made no provision in the budget for it. The Honourable Minister is also one of the elected members and it is his duty to impress upon the Honourable the Finance Member the necessity for funds for this building. I am surprised that despite the deficit budget and in the teeth of opposition of the entire block of Sind's representatives in this Honourable House, Government can find lakhs of rupees for constructing buildings at Dadu and quarters for police in Thar and Parkar amidst the sandy desert and sandy hills at exceptionally great costs. Where is the necessity for these in these most critical times ? But, Sir, this Government cannot find funds for providing a school building for poor boys who are suffering for want of suitable accommodation. This in spite of insistent demand for the last 7 or 8 years.

The Mussalmans are being thrown out of Government service; officials say, because of need for retrenchment and further is the plea, for their bad record. To this, Sir, my humble submission to Government is that if and when they do wish to dispense with any one in the services for either of the above reasons, they must frame charges and give to the party concerned a chance to vindicate his position or explain. And if after such explanation Government feels satisfied that his services are no longer desired they may do so. I must urge at this stage, Sir, that Government must fulfil its verbal and written promises and declared policy for giving 50 per cent. posts to Mussalmans in Sind. Till now these have remained dead letter in practice of Government while making appointments. An honest and serious effort is required from Government to convince us that Government means business and is sincere in its professions. If it is expedient, as a measure of retrenchment, that Government should reduce number of Government servants, they should retire those incumbents of various posts who have already put in 30 years or even 25 years of service so that the younger Mussalmans may be able to continue in service till their quota of 50 per cent. is completed. But what do we find, Sir, is that even some Officers are being maintained, due to undue influence or reasons best known to Government, even after they have reached age limit or 30 years of service. Is this justice to younger people ? I have been reminded here of an instance as to the treatment meted out to Mussalmans in various branches of Government service in Sind. A Mussalman servant was reduced by Rao Bahadur Jagat Singh, Collector of Thar and Parkar District presumably according to usual official practice in Sind with regard to such matters. But when the true facts were brought to the notice of the Collector, R. B. Jagat Singh, that just and fair officer, after a thorough investigation found the man to be absolutely innocent

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and undeserving of any punishment and restored him to his original post and confirmed him in that appointment. But I am sorry to say that, even in such an instance, that man has again received a notice of termination of services. I beg to emphasise, Sir, that our district has hardly produced half a dozen graduates uptil now, in this long long period of efforts of education department in Sind, for want of facilities for secondary and higher education in Thar and Parkar District, and if these young graduates are turned out of service and discharged in the manner described above, I venture to say that it would deal a blow to our efforts for inducing people who are poor, to take advantage of higher education and improve their economic condition on account of prospects of Government service prescribed for qualified men. If this discouragement is continued in the above fashion and it appears it is going to last for ever, the Mussulmans will remain entirely unrepresented in the services and the consequence of it would be what can be imagined on account of complete domination of one small community over an overwhelming Muslim population of Sind. We already have had very bad results and Government can very well see it in the utmost poverty and pitiable ignorance of Mussulmans of Sind. It is no fault of Mussulmans who are living outside cities and towns to have taken late to education as they were deprived of all facilities for education by the action of Education Department in Sind by providing Schools in Municipal towns only. The result is that the services are flooded with overrepresentation of our sister community which again now does not like to lose its monopoly of it and does not like members of Muslim community entering services. Even when a Mussulman by stroke of fortune gets a job, he is soon dislodged from it by the device of Hindu superiors. The tale of this is told daily in this honourable House by the paucity of figures of Muslim employees in Government service as supplied by Government in answers to questions. It is far from me to suggest that all Hindus are alike. There are very many honourable exceptions who treat Mussulmans with fairness and justice, but the vast majority of them are so prejudiced that they victimise the Mussulman subordinates to retain the monopoly for their community. And thus our economic and educational backwardness continues and we are being impoverished by a particular oligarchy. This cannot be rectified unless a special and honest effort is made by Government to appoint Mussulmans to the extent of at least 50 per cent. as heads of offices.

I like to draw the attention of the Honourable the General Member that the Punjabi Mussulman servants of Government in Sind are being driven out of service simply because they belong to the Punjab which is not a part of this Presidency. I feel it will be very hard on those servants of Government to drive them out now after a long, honest and meritorious service. I am strongly of opinion that Mussulmans of Sind should have preference over all communities. But as there is not a sufficient number of Sindhi Mussulmans there, the Muslim recruitment should be extended to Presidency Muslims and then Muslims from all over India. Mussulmans of Sind do not desire to oppose employment of

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Mussulmans of other places in India, provided it is not to their own exclusion. It is the undue influence of the sister community that is at the bottom of turning out Punjabi Mussulmans. According to teachings of our holy religion all Muslims are brothers. It is said in the holy book of God in Koran that "کل مومنین اخوت" all believers are brothers. Therefore the Mussulmans are entitled to their share of representation in the services and their places should not be filled by any other community. Mussulmans should be appointed to them be they from the Punjab or any other part of India if Sindhi Muslims are not available. Even the fate of India is being decided and powers being transferred today on the basis of proportion of different communities in India. It is a point of special note by Government that many Punjabi Mussulmans have settled and naturalised in Thar and Parkar District of Sind after the construction of Jamrao Canal in 1902. They are watching this policy of Government of excluding Punjabi Mussulmans with great concern and painful feelings. I would therefore beg of the Honourable the General Member to give appointment to the Muslims of Punjab in preference to other communities and he should not permit his subordinates to turn them out of it, after having kept them in it for so many years.

After the passing of the Irrigation Act, in 1931, I like to bring it to the attention of Government, Sir, that the zamindars have been very much handicapped on account of the Act providing the officers of the Public Works Department with weapons to harass the zamindars. Of course, it depends upon the individual officers how they desire to operate the Act. Some officers do take a liberal view whereas many others are autocratic and fail to understand the intentions of Government and the spirit underlying such an Act. I wish all the Executive Engineers would work in same harmony and sympathy with the zamindars as is being done by Mr. Menesse, the Executive Engineer, Fuleli Canals. And then zamindars will hardly have any cause to complain. I am sure that the Chief Engineers and the Superintending Engineers will make every effort to see that justice and fairness are done to zamindars.

In the end I will request the Honourable the General Member and the honourable member the Secretary to Government, Irrigation Department, to kindly instruct the district officers-in-charge of Mithrao Canal that they should provide for rice cultivation and so design the modules so as to give sufficient water for maturing rice crops for such lands, on Mithrao Canal, as have yielded rice cultivation since 1900. The attempts at conversion of these rice tracts to any crops would reduce the yield, so much so that there would be no income to zamindars. Moreover the zamindars will suffer because of the price of land being affected considerably which may practically ruin them. I am afraid many of them may seek legal redress if driven to desperation if Government did not pay attention to my this reasonable request made on behalf of them here.

Mr. V. A. SURVE (Ratnagiri District) (Addressed the House in Marathi): On a careful examination of the budget for the year 1932-33 presented before the Council for its approval by the Honourable the Finance Member, any one can point out that the amounts on the debit side far exceed those on the credit side.

The figures on the credit side for the last twelve years, i.e., from the year 1921-22 to the year of the present budget are with a few variations almost the same; that means that revenue has not decreased. The actual collection from land revenue in the year 1930-31 comes to Rs. 4,74,45,000 and the budget estimates for the year 1931-32 place the amount at Rs. 5,05,96,000; while in the revised estimates it is shown to be Rs. 4,86,92,000. The amount of Rs. 4,88,48,000 has been shown in the estimates as the total amount of collection of land revenue in the next year, and the same item has been shown to amount to Rs. 4,46,34,000 on page 25 (*Sic*) of the book containing detailed estimates. Amounts on the debit side under this head are always shown in excess every year. The amount of expenditure under this head has been shown in the blue book as Rs. 64,94,000 for the year 1930-31, while Rs. 71,25,000 have been shown as the amount of expenditure for the year 1931-32. For the next year, however, only estimates have been made.

The cut in the expenditure on primary education made in the present budget is opposed to the principles of justice and equity. An amount of Rs. 1,30,16,972 was spent on primary education in the year 1930-31, but a great cry was raised that the amount spent was quite inadequate to meet the demand for primary education in the Bombay presidency. Despite this fact, the above amount was reduced by five per cent. in the all round retrenchment of the last year. After deducting this percentage the Educational Authorities had set aside the sum of Rs. 1,25,60,000 towards primary education as shown in the revised estimates. The budget estimates for the ensuing year placed before the Council show that the amount of Rs. 1,07,27,000 is to be spent on primary education; that means that the amount is less than the one spent last year by Rs. 18,23,000. Thus for the sake of maintaining peace and inviting co-operation the Government of Bombay is devising such measures as would tend to deprive the children of peasants of their education and place the primary teachers in worse than half-starved condition in service. Under the Primary Education Act, which was passed in the year 1923, Government made it obligatory on itself to contribute 2/3rds of the amount decided upon by the local boards to be spent on education, etc., but this very Government is now evading to pay the extra cost incurred by the boards. This goes to show how far Government cares to observe the rules of law and equity, and how it sets the people to think on the question. From this very budget it can be shown how Government manages to show deficit in its budget estimates. The (actual) income realised from excise department in the year 1930-31 is Rs. 3,04,35,644; and it is estimated for the current year at Rs. 3,35,79,000. The debit side shows that an amount of Rs. 10,31,000 has been estimated in excess of the ordinary expenditure.

[Mr. V. A. Surve]

Capital accounts and non-capital accounts—Items Nos. XIII, XIV, XV are the most expensive items in this budget. Out of these three, income realised from the two items, viz., XIII and XIV is shown to be Rs. 38,30,000, and the expenditure charged for these two items is shown at Rs. 1,02,37,000. And if the expenditure on item No. XV, which is non-capital and non-productive, be added to this amount, the total amount spent comes to Rs. 1,53,00,000 per year. After excluding such amount as would be required for public utility, a saving of Rs. 75,00,000 can easily be effected from these three items. It is the pious wish of Government that it should be allowed to spend lavishly on departments which are unnecessary and that people should keep quiet by the fear of its authority and co-operate with it.

From the year 1931-32 retrenchment is being bruited about throughout the presidency; and the salaries of the lower servants who are in a half-starved condition have been reduced at a certain percentage. This Government has, however, shown courage in effecting a similar cut in the fat salaries of its higher servants simply to placate the lower staff. The primary teachers who do not get even a bare living were already affected by the all round retrenchment and a cut of five per cent. was effected in their salaries. But Government does not seem to have been satisfied with that, and, therefore, the amount for primary education has been reduced by Rs. 18,23,000 in this year's budget estimates. It will never be possible to wipe off the deficits in the budgets by effecting retrenchment as proposed by the Bombay Government and recommended by the retrenchment committee. I am constrained to say that Government has ignored the real methods by which retrenchment could have been effected. There are three posts of Deputy Collectors for every district in the Bombay presidency. Of these three posts only one post viz., that of the City Magistrate or the Huzur Deputy (Collector) should be retained and the remaining two posts should be abolished. Similarly all the posts of the Revenue Commissioners in this presidency should be abolished. Only the staff required for keeping the record in the offices of the Revenue Commissioners should be maintained. The post of the Director of Information should altogether be abolished. All the posts of the Police officers subordinate to the Commissioner of Police and superior to the District Superintendent of Police should be done away with. It is also necessary to abolish the posts of Deputy Directors, Assistant Directors, etc., in the office of the Director of Public Instruction, excepting the post of the Director. Similarly all the posts of medical officers in the medical department, subordinate to the Surgeon General and above the rank of the District Civil Surgeons should be entirely abolished. In the Public Works Department all other posts excepting those of the Chief Engineer and the District Executive Engineer should be abolished. It is essential to do away with posts of Engineers in the Public Health Department in these days of financial strigency. One doctor for each laboratory should be the scale fixed for the laboratories in the Bombay presidency; and the rest of the posts should be abolished. Reduction in the strength of the Judicial Department, should, however,

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be such as would not hamper the work of administering justice. I am of opinion that if Government practise economy as suggested above, it will never get any deficit in its budgets. The Bombay Government has always failed to effect economy as suggested above. His Excellency the Governor, in his address given on the 17th instant, appealed to the members of this Council to co-operate with Government in passing the taxation bills and thus increasing the various taxes. Government expects co-operation of the members in imposing additional taxation on people, but when the representatives of the people table resolutions to consider the situation created by the ordinances in clapping into jails innocent ladies, students and leaders struggling hard for the welfare of the people in this country, those resolutions are disallowed by Government. And with all that His Excellency the Governor holds out his hand in the hope of securing co-operation, but I do not believe that it will receive a sympathetic response from the representatives of the people so long as His Excellency wears on his hand the "tiger's claws" in the form of Ordinances. His Excellency deplores the present state of commercial depression in his address. But this solicitude on His Excellency's part is for the sake of those merchants who can get their grievances redressed with the help of the prime minister. Indians are not now so ignorant as not to understand that this solicitude on His Excellency's part is not for the sake of the merchants in India but for those beyond the seven seas.

The Bombay Government is not prepared to discuss with the representatives of the people the resolutions sent in by them on the present situation; and, therefore, Government is not entitled to ask for their co-operation. In meetings convened in cities and Villages in the Bombay Presidency it is being stated on behalf of Government that this Government is taking great pains for ameliorating the condition of agriculturists and Marathas; and has been making all possible efforts so that the interests of these classes may not be affected. But Government will not be able to cite even a single example to show that it has made efforts in the direction of promoting education, industry and arts or of improving the economic condition of these Marathas and agriculturists. The people are now very well aware that these talks are being indulged in simply with the view of misleading them.

The Honourable the Finance Member in introducing the Finance Bill in the Council is trying to make out that the deficit shown in the Budget for the next year cannot be made good without additional taxation.

The Bill is a hotchpotch and proposes a tax on the consumption of electrical energy, immeasurable increase in the Court-fees, immoderate increase in the general Stamp duty, and duty at the rate of two per cent. on Succession Certificates. There is discontent prevailing all over the country from the prince to the pauper. In these circumstances Government should make efforts to remove the discontent. If the bureaucracy on the contrary, is under the impression that it can maintain peace in the country by additional taxation or repression, it is labouring under a delusion.

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The duty which is to be imposed on the consumption of electrical energy will not be a burden to the rich and big officers, viz., the fat salaried servants such as the Minister for Education, the Minister for Excise, the Minister for Forests, etc., if they are required to pay the same. But such is not the case in regard to the Court-fees, Stamp-duty and Death duty. The whole burden of these taxes will fall upon the agricultural classes. The Government, which is tomtoming all over the world that it is the guardian of agriculturists and saviour of the Marathas, has girded up its loins to exploit these two classes by imposing on them this additional taxation. I am confident that the representatives of people who are present in this Council will never be a party to these taxation bills, and it is my humble appeal to them that they should not levy Death duty at the rate of two per cent. by according their assent to the passing of these bills.

I feel sure that, so long as this Government does not give a careful consideration to the demands made in the interest of the public by their representatives and so long as it continues to pay as much inattention to the public interest as it possibly can, it will not receive as much co-operation from the representatives of the people as it expects. I can show from the Council Records that the bureaucracy invented from its fertile brains the idea of levying Death duties in March 1925. The present Finance Member had the honour of being in this Council at that time as an elected representative of the people. On the 14th of March 1925 His Excellency the Governor of Bombay submitted a representation to the Central Government in which His Excellency explicitly stated: "In no other Presidency is there such a heavy burden of taxation ont he people as in the Bombay Presidency. It is not now feasible to impose additional taxation in this Presidency and it will not be possible to obtain sanction from my Council to any additional increase. With your consent, however, I shall have to hit upon a plan of imposing Death duties." Thus the idea of Death duties was in the embryo from the year 1925, and after coming into being in the month of March of the year 1931 it has been placed before the Council for its further consideration. It is that very scheme of imposing Death duties that is before the Council today.

The Honourable the PRESIDENT: Tomorrow being Saturday, the first question I should like to consult the House about is when to meet. Honourable members must remember that it is not quite a full day, and therefore the speeches tomorrow would not have the same limit of time as today, but a reduced limit of time, and as time goes on probably that limit may alsc be reduced. Yesterday there were not many honourable members willing to get up; today a large number of them were anxious to speak; tomorrow probably a larger number will try to speak. But I must leave at least an hour to one of the honourable members on the Government benches who would like to speak on the questions raised. I hope, therefore, that tomorrow honourable members will not be long in their speeches and will finish their remarks before the time allotted.

[The President]

Now, there is a proposal to meet at 9-30 tomorrow and adjourn at 1, [*An Honourable Member:* 10 to 1.] Ten to one would mean a loss of half an hour to honourable members. [*An Honourable Member:* 9-30 is too early.] All cannot agree on a point like that, and I must take the general sense.

Mr. PESTANSHAH N. VAKIL: We are agreeable to 9-30.

The Honourable the PRESIDENT: That is the general sense.

There is another point. I have been approached by various representatives of the Press in regard to the remarks I made this morning about the publication of Rao Bahadur Kale's motion: One of them particularly points out that I omitted to mention the "Times of India" which was quite as much guilty as the "Indian Daily Mail" and the "Chronicle." Well, I intended no invidious distinction at all. My remarks were meant for all papers. I had not seen all the papers. My warning applies to all representatives of the Press in this House.

The House is now adjourned to 9-30 a.m., tomorrow, Saturday, the 20th February 1932.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Saturday, the 20th February 1932.

The Council re-assembled at the Council Hall, Bombay, on Saturday, the 20th February 1932, at 9-30 a.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOVER RORA, Mr.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. John
JOG, Mr. V. N.
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACKIE, Mr. A. W. W.
MATCHESWALLA, Mr. G. E.
McELHINNY, Mr. G. W.

MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PATEL, Khan Bahadur A. E.
PATEL, Mr. C. N.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SPENCER, Mr. A. B.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WILES, Mr. G.

The Honourable Mr. G. A. THOMAS: Sir, if it is in order, I should like to move the adjournment of the House in order to admit some fresh air into the Hall. I understand the cooling system necessitates the closing of the doors and windows during the day. As we have assembled in the morning to-day, the atmosphere in the Hall is stifling.

The Honourable the PRESIDENT: I will look into that.

The Honourable Mr. G. A. THOMAS: So you rule the adjournment motion out of order? [*Laughter.*]

The Honourable the PRESIDENT: Order, order. As we have met early to-day, some of the honourable members whose questions appear in to-day's list are not present. I therefore propose to take up the list on Monday.

The Honourable Mr. W. F. HUDSON: I quite understand, Sir, but might I suggest that in future this bench should be informed the night before?

The Honourable the PRESIDENT: Yes. We now proceed with the general discussion on the budget.

GENERAL DISCUSSION ON THE BUDGET—(*resumed*).

Mr. N. N. PATIL (Kolaba District): Sir, I rise to offer some remarks on the budget that has been presented to this honourable House by the Honourable the Finance Member. In doing so, I propose to confine my remarks to the land revenue policy of the Government which vitally affects the poor agriculturists. The note in the budget does not give us any information as to the actual figures either of suspensions or remissions. The Government ought to have known that this item is a very controversial one. It seems that to avoid criticism they have supplied this Council with figures which leave this matter in absolute darkness.

It is an admitted fact that the prices of agricultural produce have fallen by nearly 40 to 50 per cent. In the case of rice and other cereals the cost of production is not covered by the prices realised. There is absolutely no unearned increment from land. Land revenue has now become simply and purely an unjustifiable exaction from a defenceless and disarmed population. In most districts land revenue is nothing but the looting of poor ryots and landholders simply because they happen to hold some land. Appeals, applications, petitions and no-tax campaigns have all failed to impress the bureaucracy with the gravity of the situation. Let me make here quite clear that there is no no-tax campaign in the district from where I come. The landholders and ryots of my district are quite satisfied with the presentation of petitions and applications to Government, humbly begging for some remission in land revenue. But look at the attitude of the Government. They do not even care to send a reply to their petitions. In most of the villages of my district I have found many families of agriculturists who have not even a single grain of corn with them to live upon. They cultivated the land and grew the corn. But owing to the bad season the quantity grown was so small that out of that quantity they could not even satisfy the claims of landlords. These claims are no doubt exorbitant, but at the same time Government exact assessment from landholders and the landholders exact rent from their tenants, using whatever false measures they like, and ultimately the poor agriculturists have to suffer; so much so that many a time they have to go without food. If a man, even of the position of an M.L.C. happens to visit some villages purely with a view to try to improve the most pitiable position of the peasants, with any disadvantage to the Government, what is his fate there? What

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happens to him? The all-powerful subordinate revenue officers are there to gag him out at once by the issue of a notice under section 144 of the Criminal Procedure Code. That is the fate of an M.L.C. I venture to state that the gravity of the situation is not at all realised by these revenue officers. Moreover, they are propped up with such huge salaries that their sole object is to minimise the grievances of the people and in any way to add to the revenues of the Government. Though there is an Indian Finance Member with a huge salary, much greater even than that of the Prime Minister of England, the members of this honourable House have been supplied with a budget that contains simply a jugglery of figures.

It is earnestly hoped that Government will be pleased to give a remission of at least 33 per cent. in all the districts, on account of the slump in prices of agricultural produce. Suspensions are of little use, and, in the long run they will embitter the feelings of the people against the Government. An opportunity of great possibilities of reconciling the people is afforded to the Government, and Government can afford to be just and equitable in time. It is not necessary, Sir, and it is not desirable also to face an agricultural revolt to learn wisdom. The situation in the United Provinces does not much differ from the situation in this Presidency as regards prices. That Government has granted substantial remissions, and this Government is only thinking over the problem of suspensions and remissions. The loss in revenue can very well be made up by drastic cuts in the salaries of all highly paid posts. What is the use of retrenching the pay of poor primary teachers and clerks drawing Rs. 50 or so per month? Is it equitable and just to apply a uniform cut of 10 per cent. to the salaries of all without any differentiation? It is a wonder, Sir, how Government officers are not ashamed to fill their pockets with the highest salaries in the world when 75 per cent. of the population is starving and can hardly have one meal a day. That is the position in villages.

With regard to my district, Kolaba, my request to the Government would be this, that the khatedars who have to pay an assessment amounting to Rs. 30 or less should, this year at least, be exempted from the payment, because the land that is assessed for Rs. 30 or so is necessarily required for the bare maintenance of that landholder. In the case of other big landlords I may say that a remission of at least 33 per cent. should graciously be granted.

Before I finish my speech, I have to refer to one point, and that is as regards the proposed abolition of my district (Kolaba). I am shortly going to submit my note on this point to the Government. But let me ask Government here as to why they have still retained both the posts of District Deputy Collectors for that district. If they think that the district is so small as to deserve abolition or amalgamation, in the name of acute financial stringency, both these posts of Prant officers can be conveniently done away with. But they are still there against the will of the population.

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Sir, in the course of criticising the budget, many honourable members on this side of the House have made to the Government many suggestions and many requests too. If the Government do not care to pay any heed to those suggestions and requests, they, that is, the honourable members on this side, will have to keep the same attitude, much against their will perhaps, towards the Government benches when they come forward with their new taxation Bills and with their demands for grants. Sir, I beg to state that one-sided co-operation is no co-operation. In my humble opinion, it is mere submission, and submission kills the self-respect of those who submit. My request to the Government, therefore, is this, that in their own interest they should not force us,—who are ever willing to co-operate with them, who have come here to this Council to co-operate with them,—to submit meekly.

One word more and I have done. As regards the point of decentralisation of powers that has been raised in this Council, I beg to agree entirely with the view of the honourable member Mr. Kamat. In my humble opinion, I should say that the Ministers and Executive Councillors should not be deprived of their powers which they now possess. With these words I resume my seat.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, for the last three days, we have listened with great attention to the criticism of the budget that has been presented by the Honourable the Finance Member. I will not call it, as the honourable member the Finance Secretary takes objection to it, a disappointing budget, but in any case it has been admitted to be a deficit budget. A deficit budget is not presented for the first time now to this Council; it is being presented for the last three or four years in succession.

Sir, the honourable member the Finance Secretary asks us not to look behind, but to look to the present circumstances and to look ahead. We have been looking behind not so much for offering criticism for criticism's sake, but in order to find out as to whether there were any mistakes committed in previous years, so that they can be corrected in subsequent years. It is no use criticising for things which cannot be corrected, but it is certainly our duty to look into things which can be corrected later on.

Sir, between the years 1920 and 1924 there was a boom period, and it appears every one took it for granted that the boom had come to stay. His Excellency the Governor reminded us the other day that great wars are always followed by temporary booms, subsequently followed by more or less prolonged depressions. That was a very wise warning. But a warning like that should have come to Government benches at the time when there was a boom in the country. They have undertaken from time to time schemes and projects which cost us crores and crores of rupees, and we now find that we are hardly able to pay even the interest charges.

Coming to the present facts, without going very much into the cases of the past years, we find that in spite of retrenchment to the tune of

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something like Rs. 1,35,00,000, we have still a deficit of about Rs. 60 lakhs or Rs. 70 lakhs, and we therefore want a critical survey of the retrenchment that has been effected in order to find out whether we can ever balance our budgets. A survey of the retrenchment effected will clearly show that out of a retrenchment of Rs. 1,35,00,000 about a crore is only temporary and nominal. The making and repairs of roads have been postponed, the irrigation has been postponed and other amenities of life have been postponed in order to make the deficit smaller. Education has been made to suffer, medical relief is suffering. In spite of all these, we have got still to face a deficit of 60 lakhs. Therefore, the position is that we cannot continue this sort of retrenchment all along. We have to construct and repair roads, have repairs for our buildings, push our education forward and extend our medical relief. If that is the situation, we have to find some way to balance the budget in the near future. But the Honourable the Finance Member has told us in his speech that our revenues are coming to stay between Rs. 12,50,00,000 and 13 crores. If that is the situation and if the retrenchment that has been effected is by cutting down the essential services, we have to pause and think. Our revenues will be Rs. 12,50,00,000 and our expenditure will be 14 crores, including the one crore for amenities of life which will have to be restored. If that is the situation, we will have to try and find out remedies. With the taxation proposals that have been passed here, I do find that the Honourable the Finance Member has been able to put up the taxation only to the tune of 30 or 40 lakhs. This means he himself finds the people unable to bear any more taxes. If that is so, we have again to pause and think as to whether we can produce 1½ crores by taxation. That is a grave situation. If we cannot raise 1½ crores by taxation, what is the remedy ? The position is clearly this. In the boom period—that is why we have to look behind again—the Lee Commission took advantage of the temporary boom to raise permanently the pay of the Imperial Services. Of course I do not say that the Imperial Services may not deserve the whole thing. The question is not what they deserve, but the question is what we can afford to give. Considering the question from that point of view, we must come to the conclusion that the posts, the salaries and allowances, including the overseas allowance are much more than what we can afford. Here the question of efficiency is put up. If one Commissioner is taken away and the districts under him amalgamated to other divisions, it is contended on behalf of Government that efficiency will be lost. It may be argued that if there is a Commissioner for every two districts or if we have 24 High Court Judges, there will be much greater efficiency than we have now. But efficiency has its own limits. If we cannot afford to pay the services as much as they deserve, we must even at the cost of efficiency retrench them. This has been laid down as a policy in certain matters. We have made it a point that the backward and Muslim community candidates should be appointed in services even at the cost of some efficiency. Why should we not apply the same principle in the case of the Imperial Services and retrench them in order to balance our budget ?

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The position is that we cannot raise our revenues to balance the budget to the tune of 1½ crores and we cannot reduce this 1½ crores of expenditure. The third position is whether we can get additional revenues from the Government of India. That is the question which the honourable member the Finance Secretary raised. He said that even from that source we cannot expect much, as the Imperial Government is in a worse condition. Even if we get the income-tax, a certain proportion of that amount will be taken away by Imperial Government. Therefore, the question is, what are we to do ? That must be answered and we cannot sit with folded hands without finding a solution for it.

Even in the services, there are what are called supervising staffs. Take for instance one district. If you look into the district court, you will find that the pay of the District Judge is perhaps more than the consolidated salaries of the staff under him at the headquarters. If you look into the office of the Collector, you will find that the whole staff under him at the headquarters is paid even less than the pay of the Collector. We have borne this since the year 1923, and to our great detriment ; we have been consequently facing a deficit budget. We have lost 7 crores of our balances. We cannot afford to go on like this. It has been admitted by the Honourable the Finance Member in the speech he made on the last occasion, that we cannot borrow for running the ordinary administration. The road-making, building repairs and so on cannot be permanently retrenched. He said then that the only remedy was a cut in salaries. A nominal temporary cut of 10 per cent. has been made with regard to the higher services, and another ten per cent. has been made in the staff of the lower establishment. Probably on account of the Lee Commission and on account of the fixed salary promised by the Secretary of State, we cannot touch the strength and salaries of higher officers. Now, a strong case will have to be made out to the Government of India and the Secretary of State, that we cannot bear these charges, and that they should reduce the number of the All-India Services and also retrench their pay permanently. That appears to me to be the only remedy. The Retrenchment Committee has done its work admirably. Certainly their work was confined to seeing whether the expenses for 1931-32 and 1932-33 can be reduced. The Retrenchment Committee never thought of reducing permanently the expenditure on education, and roads and buildings, and other amenities of life. We must have these amenities and also a balanced budget.

The honourable member the Finance Secretary explained the position which was raised by my honourable friend Rao Bahadur Chitale. I have again gone into those figures and studied them, though not so carefully as the honourable member the Finance Secretary. Out of the 41 crores of debts, the Accountant General says that 26 crores produce something, while against the remaining 14 or 15 crores of the debts are assets such as buildings and residential quarters. Are we not entitled to know whether these residential buildings fetch any economic rent ? Should we not know whether we get rent on it at the rate at which we

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pay ? We are certainly entitled to know this. If they are not paying proper rents, they ought to be made to pay higher rents at the rate at which we pay interest.

Leaving this question for a moment, I come to the question of education. The Honourable Minister for Education has told us that he has been fighting in the Cabinet and in spite of the fight he could not succeed. Well, if the members of the Cabinet are fighting amongst themselves, then it is an unfortunate Cabinet, and the less said about the Cabinet the better. The position is clearly this. If education has to suffer, and suffer to the extent of 26 lakhs and more, then ways and means must be found to see that it touches the poor the least. If 26 lakhs is to be procured by a cut in educational expenditure, then this House has a right to demand that primary education ought not to suffer. The position of the Government is not worse than the position of local bodies. The local bodies are getting much less by way of taxes on account of the trade depression, and without any previous warning whatever, and after their budgets are prepared and passed, they are told that they will have to find ten per cent. more for primary education from their own revenues. What is to be the position of the local bodies ? The people are taxed to the utmost ; we all know that. The position is very grave. The Honourable the Finance Member has taken figures on the understanding that we shall have in the year 1932-33 as plentiful a crop as in the year 1931-32. We know, and we know to our regret, that India, and particularly the Bombay Presidency, is not favoured with plentiful crops year after year. If we are faced with a famine next year, what have we to fall back upon ? Practically nothing ! If that is the position of the local Government and local bodies, what are the local bodies to do when they are forced to find ten per cent. more for the education of their children ? Are they to close down the schools ? I submit they cannot, because if they close down the schools, their grants for the next year will be still lower and the grants for the subsequent years will go lower and lower as grants for primary education to local bodies are based on expenses of previous year. Therefore, the closing down of the schools is no remedy. What then are we expected to do ? Raise funds ? There again the honourable member the Finance Secretary has admitted yesterday that the local taxes also are falling. If that is so, what is the remedy ? Are the local authorities to dispense with the services of some of their servants in other departments ? Can the local authorities bear this ? If the local Government cannot bear it, the local Government must come forward to help by reducing their own men. The local authorities will have to reduce their own men, not to the extent of 10 per cent. but something less. I think that the supervising staff in the Education Department can be curtailed to a very great extent even at the cost of efficiency. We have now inspectors for drawing, inspectors for geography, inspectors for everything, inspectors for boys' schools and inspectors for girls' schools. Some of that staff could have been reduced. That has not been done. They are now reducing the grants to primary schools in spite of the promise that was given to the local authorities that they would be given

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one-third or one-half of the total expenditure incurred by them. The Honourable Minister for Education remembers the promise given to the local Government——

The Honourable the PRESIDENT: Local bodies.

Rao Bahadur G. V. PRADHAN: Yes, local bodies. He said that backward classes and Mussalmans object to the closing of secondary schools and colleges. I know the objection. There are certain freeships and scholarships which are given to Mussalmans and backward classes. I do not grudge them those freeships and scholarships. He can make it a condition with the aided schools that they should award a certain number of freeships and scholarships to Mussalmans and backward classes, or he can provide special grants to aided schools for this purpose. But he cannot say that because the backward classes and Mussalmans object, therefore, those schools cannot be closed down.

Coming now to the ordinances, I have a few words to say. As Government say, the ordinances are not going to be here for ever. The ordinances are only temporary. And we have been promised that the ordinances will be used in as temperate a manner as possible. But, as a matter of fact, we have found that in the working of the ordinances, that extra care which is required in the exercise of the powers given under them is not used everywhere. There is a maxim in law that it is rather desirable to let ten criminals free rather than put one innocent man in jail. But that maxim has not been applied in the working of the ordinances. I shall quote an instance, an instance from Nasik town. One Mr. G. V. Ketkar, a pleader, was arrested in Nasik under the ordinances in the beginning of January. His whole fault was that he had taken part in the civil disobedience movement in the year 1930-31. Subsequent to his release from jail in July last or thereabouts, he had declared, and declared in papers, that he was not going to take part in politics any longer. Neither in the bar room nor in the meetings in the town did he speak a word on politics. He conducted himself in such a way that no grudge could fall upon him since his declaration. He had left Poona and was living in Nasik since July last. In spite of that, an order comes from the Collector of Poona that he should be arrested and, subsequently, a further order after his release, that he should not go to Poona for a month after his release. Is this the way in which the ordinances are to be worked mercifully? If this is the way, then no man is safe and there is no room for repentance. As a matter of fact, at the time he was being arrested, he told the Deputy Superintendent of Police of the place that he was not taking part in politics for the past six months and he did not understand why he was being arrested. The answer given by the Deputy Superintendent of Police was that he was helpless in the matter and he had orders to arrest and he had to execute that order.

The Honourable the PRESIDENT: The honourable member's time is up, but I will give him two minutes more.

Rao Bahadur S. N. ANGADI : I want to put a question to the honourable member. Where did he learn that efficiency was suffering on account of the recruitment of the backward classes to the services ?

Rao Bahadur G. V. PRADHAN : That is what is stated in the local Government's report to Round Table Conference.

Rao Bahadur D. R. PATIL (East Khandesh District) : Sir, everybody knows that the position of the Finance Member is not a happy one when he has to present a deficit budget and every sort of attack is made upon him. The question before us is why we get these deficit budgets. I may submit, Sir, that many factors are responsible for such a position, namely, the vagaries of the season, trade depression, fall in prices of agricultural products and so on. Of course, these are factors over which Government have no control, much less the Honourable the Finance Member. It is, however, the duty of Government to see that the money of the tax-payer is spent properly in a business-like way. In that connection I am constrained to observe that Government have not used that care which they ought to have used. To prove that I will quote certain figures that appear on page 13 of the Blue Book. They have given the revenue and expenditure from the year 1921-22 to the year 1932-33. The year 1921-22 was a year when the Councils were not in existence.

The Honourable Sir GOVINDRAO PRADHAN : They were in existence.

Rao Bahadur D. R. PATIL : For the year 1921-22 the ordinary revenue was Rs. 13·11 crores and the expenditure was 15·02 crores, that is to say, we had a deficit of 1·91 crores. My submission is this : when Government knew very well that their income was only 13·11 crores they ought to have cut their coat according to their cloth, but unfortunately they spent money beyond their means. That is why I say they did not take that ordinary care which a business man generally takes. Now, take the year 1922-23. As if by the wand of magic we got a surplus of 64 lakhs. I do not know in what way Government secured that surplus, whether by retrenchment or in some other way. I hope the Honourable the Finance Member will be kind enough to throw some light upon that point. For that year the ordinary revenue was 14·17 crores and the expenditure was 13·53 crores. I am very glad to say that wiser counsels prevailed upon Government in that year in using the tax-payer's money with frugality and thus securing a surplus of 64 lakhs. Again, Sir, from the year 1923-24 to the year 1924-25 we got a surplus of 29 lakhs and 27 lakhs respectively. Why was that so ? Because Government limited the expenditure to their revenue. Now, when we come to the year 1925-26, we find that the ordinary revenue was 15·59 crores and the expenditure was 16·50 crores, and thus we get a deficit of 91 lakhs. Here the frugality ceased and Government began to spend money extravagantly. When we come to the year 1926-27 we find that our ordinary revenue was 14·86 crores, and the expenditure was 16·52 crores. Here again we find extravagance on the part of Government and the result is a deficit budget to the extent of 1·66 crores. From that year up till now we have been getting deficit budgets

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excepting in one year, namely, 1929-30 when there was a surplus of 11 lakhs. When we examine these figures we find that the Government have not used sufficient care in spending the taxpayer's money. Everybody in this House knows that every now and then it has been alleged by honourable members on this side of the House that Government have not carried out sufficient retrenchment in various departments. Whenever the budget is presented to this House, what is the reply of the Honourable the Finance Member ? "We have done our best to effect retrenchment. What can we do ?" This has been the usual reply of the Finance Member. But this time the Honourable the Finance Member seems to be serious enough to effect retrenchment and it appears that he has done his best. Had the Government taken such care and effected retrenchment in the past, I am sure that the financial condition of this Presidency would not have been such as we find now.

There is no doubt that Government have spent money extravagantly. This can be shown by the figures which I have quoted. It might be said, "What is the use of crying over spilt milk ?" That is true to some extent. But the question is : how can we remedy the situation arising out of the deficit budget ? Government have very wisely decided to appoint an expert committee. That goes to show that they want to effect further retrenchments. I am sure that the committee will go into the various departments thoroughly so as to secure economy. In this way some economy can be effected and if fortunately we get prosperous years in future, perhaps we may be able to balance the budget.

As regards the taxation proposals, I may say at this stage that they must be examined on their own merits.

Now I come to another point. Some of the members have remarked that the size of the Cabinet must be reduced. In that connection His Excellency has observed that Government have got a definite scheme before them ready for being given effect to. But His Excellency has given a warning, or rather he has given his opinion in these words :

"I am inclined to doubt, however, whether it is advisable to bring it, (i.e. the scheme) into force at present, for I do not think that we can contemplate with equanimity the dislocation which such a change would involve at a time when it may be followed so soon by another readjustment, when the coming constitutional reforms are introduced."

I submit, Sir, that when we get new reforms the whole Cabinet will be elected. It is rather cruel on the part of honourable members on this side of the House (if I may be allowed to use the expression). We should not touch the Cabinet till the new reforms are introduced. The Members of the Cabinet, especially the ministers are the elected representatives of the people ; are they not doing good to the country ? They are doing their best, they are doing as much as they can do for the good of the people. When they are doing that, we ought to be satisfied with their presence in the Cabinet. We must insist upon Government not touching them. I am glad to observe that His Excellency gave his opinion against the reduction. I entirely agree with the view expressed by His Excellency. I know that our Ministers are doing very good work in the Cabinet. I say

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with pride that the Honourable Sir Ghulam Hussain, when he was Minister for Local Self-Government, did a lot of good to the backward classes by amending the Local Boards Act. In the same way our present Minister (the Honourable Sirdar Sir Rustom Vakil) is doing his best, and if we impress upon him the necessity of a particular measure, he does pay attention to it. He is doing his best for the backward classes. Now remains Moulvi Saheb. He is very attentive to the interests of the backward and depressed classes, Lingayats, Marathas and Muhammadans as well. I think he is also doing his best for the backward classes. So far as our Minister, namely, the Honourable Dewan Bahadur Kambli is concerned, we know that he has been doing his best for the good of the communities backward in education. Now take the case of the Executive Councillors. Fortunately we have got two Indian Councillors—Sir Ghulam Hussain and Sir Govindrao Pradhan. Sir Govindrao is also doing useful work, but unfortunately his position is very peculiar. The vagaries of the season, trade depression and such other things have stood in his way. What can he do? He does not get sufficient revenue. How can he present a surplus budget? I know an attack has been made upon him by my honourable friend Dr. Gilder. That is of course a grave charge, and as Sir Govindrao is a politician and a lawyer, I want to know what reply he is going to make to that charge. Perhaps I may be allowed to suggest a reply to that charge though I have no right to do so. So far as I can think, he can give this reply: "I have grown wiser by my experience. When I made that statement which the honourable member has quoted, I had no knowledge of the inner administration. When I got into the Cabinet I examined the whole situation and found that there was no alternative but to do what I have done." Perhaps this might be his answer. I do not know what answer he is going to give.

The Honourable the PRESIDENT: I hope the suggestion will be gratefully acknowledged.

Rao Bahadur D. R. PATIL: I will touch one more point and I have done. I refer to the policy of Government in the matter of the system of crop anna-valuation known as annewari. This system is very unsatisfactory and I submit to the Honourable the Revenue Member who is now sitting on the last bench—I am sure that my appeal will reach him and he will pay heed to what I say—that the present system of crop anna-valuation is most unsatisfactory. I may tell you how. The present system is this: the circle inspector goes with certain panchas who are generally illiterate persons, and examines one field in each village and says that the anna-valuation is 8 or 10 annas; and that valuation is made applicable to all the fields in that village. I do not know whether all the circle inspectors go to the fields, but even if they go, that is the practice. Then the mamlatdar comes to the village and examines one or two fields. The Prant Officer examines some fields in his charge, but the Collector unfortunately has not sufficient time. When he comes on tour, he examines one or two fields here and there, and the anna-valuation is thus revised. Everybody in this House—especially every non-official—

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knows very well that this anna valuation system is most unsatisfactory. Therefore, with a view to improve this system I tabled a resolution that a committee of officials and non-officials should be appointed to go into this question thoroughly. I am sure that the Honourable the Revenue Member will be kind enough to look into this question and do what he thinks is necessary.

This year we approached our Collector and told him that suspensions should be given on a larger scale. He was very sympathetic and gave us a patient hearing. During the course of the conversation I told him that he must take into account the money valuation of the crop in order to determine the question of crop anna valuation. He said that, so far as the rules were concerned, he could not take this factor into consideration and unless the rules were modified he could not give the needed relief. He was perfectly right. I say that the true basis in assessing anna valuation is the money valuation of the crops and unless and until the rules are modified in that direction, I think the people will not have any relief by way of suspension. There are also many other factors which can be thoroughly investigated into if a committee is appointed by Government and I hope the Government will agree to it. With these remarks I resume my seat.

Rao Saheb B. G. DESAI (Kaira District): Sir, the budget that has been presented to us by the Honourable the Finance Member leaves us with a deficit of 73 lakhs. I do not for a moment dispute the fact that it is a candid exposition of the real financial situation of this Presidency, but all the same it cannot be called a sound and business-like financial proposition.

The deficit as has already been explained by the Honourable the Finance Member is due to fall in the revenue from land, stamps, irrigation, excise and forests, and in consequence of the worldwide trade depression and abnormal fall in prices of commodities and foodstuffs beyond the control of Government. This gap of 73 lakhs is sought to be made up partly by fresh measures of taxation and partly by borrowing loans. As far as the measures of taxation are concerned, I will reserve my remarks for the proper time. But, as far as the borrowing of loans is concerned, I would point out that our Presidency is already labouring under very heavy debts and we are unable to pay even the interest charges and in the circumstances, it would be a great risk to shoulder any further responsibility by borrowing loans.

Again, I would point out that it would be hardly good finance to borrow for current expenditure, and therefore I propose that the Government should attempt still further retrenchment, and I am confident that their efforts in this direction will not be in vain and will serve to solve the present financial stringency. On an examination of the statement embodying the recommendations of the Retrenchment Committee, I find that there are certain items which require still further consideration by Government, and I am sure that if further retrenchment is tried, the whole question will be satisfactorily solved.

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Regarding the general scheme of retrenchment adopted by Government, as I find from the statement which has been placed on the table, I beg to offer a few remarks. First of all, I consider that the huge cut that is laid on education, especially primary education, is not well thought of. If we curtail the expenditure on education, we practically give a death blow to the various activities of the nation-building departments and I would make a special request to the Honourable Minister for Education to try his level best to get these grants restored as early as possible. There is another direction in which the retrenchment effected by Government deserves some remarks. It is the withdrawal of the grants to veterinary dispensaries. These veterinary dispensaries are known to be a boon to the agriculturists and especially to the poor dumb cattle, and the small grants that the Government used to give to local bodies on this account have not been retrenched by 10 per cent. or something like that, but they have been withdrawn wholesale. This is really a very hard step that has been taken in the course of the general scheme of retrenchment. Then, Sir, another item which I would refer to, and which the Honourable Minister in charge of Agriculture has explained the other day, is the abolition of certain agricultural schools in the Northern Division on the plea of retrenchment. These schools fulfilled a great want, and their necessity is more than amply proved by the fact that they are allowed to remain in the Southern and Central Divisions. Only in the Northern Division, which is as much an agricultural country as the Central and Southern Divisions, the agricultural schools have been abolished, and no satisfactory reason is given for making such invidious distinctions between the various divisions of the Presidency.

The boring department is another direction where the cut has been wrongly applied. I complained against this cut last year, and this year again I have to complain about the policy adopted by Government with regard to the boring machines. These boring machines were distributed, as we are aware, amongst the district local boards, and the district local boards were working them, and they were lent to them on certain conditions, to which they agreed. But these machines were called back perhaps as a measure of retrenchment and were resumed by Government, and I hear that in spite of the various requests from local bodies, Government have been proposing to realise some moneys by selling them; but, after all, the proceeds that are going to be realised by the sale of these machines are going to be very insignificant. Therefore, it would be advisable that Government should hand over these boring machines to the local boards who are willing to work them on the same conditions on which they were lent to them previously. Any attempt to sell them for the sake of enhancing the income as a measure of retrenchment, would certainly be entirely inadvisable and inexpedient.

When we have been effecting retrenchment on one side, we find that there is an attempt to incur more expenditure on other new items. I refer to some of the items in appendices E and F of the Blue Book. However, instead of going through the details of all these items I will

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take the most typical of them, which requires the immediate attention of this House. It is item No. 19, on page 211 of the Blue Book, referring to the expansion of the Secondary Training College, Bombay. It has been suggested there that this expansion should be made by abolishing 14 classes at the Elphinstone High School, where 500 boys are taking training. It has been further shown that the abolition of these classes will cause a saving to Government of about Rs. 34,000, of which Rs. 22,000 are received as income on account of fees and the surplus that would remain to the extent of Rs. 16,000 would be utilised for the expansion of this institution. Now, Sir, the institution is at present training 60 students. I am told that since the last year it has admitted 75 students for training. It has been stated in the reasons for this extra expenditure that the University Reform Committee of 1924 recommended the admission of 100 graduate students annually to the college and it is for that reason that this scheme of expansion is undertaken after waiting for 7 long years and I am particularly surprised that Government should have selected a year of extreme financial stringency for putting into operation this scheme of expansion, when apparently enough it should not have been at all launched upon. It would appear further that this expansion is going to cost Government an annual, recurring expenditure of Rs. 17,000 and more, and this too for training only 25 students more, which seems to be obviously prodigal. It has been suggested in the remarks on this item that the percentage of trained teachers to the whole body of teachers is only 5·2 which is clearly inadequate, and it is in order to increase this percentage that this expansion of the secondary training college has been recommended. But, Sir, a study of the figures given on pages 37-38, paragraph 46 of the Report on Public Instruction for 1927-28 shows that the whole body of teachers amounts to 4,581, of which 987 teachers are trained. This gives a percentage of 21·5 and not 5·2 as has been shown in the remarks against the item. Out of this body of teachers, the Government teachers are 493, out of whom it is shown in the same table that 334 teachers are trained. That gives us a percentage of 67. I further quote paragraph 40 on page 27 of the same report, which shows percentage of 18 per cent.

The Honourable the PRESIDENT: The honourable member has two minutes more.

Rao Saheb B. G. DESAI: I would request that if the Honourable the President is pleased to give me five minutes more, I will try and complete within that time.

The Honourable the PRESIDENT: I cannot do it.

Rao Saheb B. G. DESAI: A further study of the figures at page 38, paragraph 38 of the Report on Public Instruction for 1928-29, shows that the percentage is not less than 17 per cent. and about 1,945 amongst the whole body of teachers are graduates of whom 833 are trained. Out of these graduate teachers 510 are Government

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teachers, of whom 328 are trained which comes to a percentage of 40·6.

Then, it is further stated that the savings available for expenditure by abolishing 14 classes and 19 teachers will not cause any hardship to the public. I would ask the Honourable Minister in charge, if these 500 students studying in the 14 classes sought to be abolished are to be sent away, where are they to go and seek admission? As is well known the other private institutions are charging higher fees. Again out of these 500 students there are a number of backward class and Mahomedan boys, of whom a large number are students who are studying as free students and some are even receiving scholarships. These freeships and scholarships are not given in private institutions. Under the circumstances, it would appear that the undertaking of such a scheme of expansion would be quite inadvisable from the point of view of public interest as well as objectionable in these days of financial stringency, especially in view of the misleading and unfounded savings that are shown in the remarks on page 211 of the Blue Book, which I am unable to discuss at present owing to very little time being now left at my disposal, but propose to discuss the same later on at a suitable opportunity during the present sessions.

Then, Sir, I would come to the most important question, land revenue, and I would seek the indulgence of the Chair that I should be granted five minutes more time to deal with the same.

The Honourable the PRESIDENT: Not half a minute more.

Rao Saheb B. G. DESAI: The collection of land revenue in the various districts in Gujarat has of course been satisfactory till now. But Government should not be under any delusion and believe that the people are quite able to pay or that they have earned sufficient income from their agricultural activities. On the contrary, the people have paid up the demands owing to the pressing activities of the Revenue authorities, to expedite the collections and in many cases even by incurring debts, and I would request the Honourable the Revenue Member to extend to the Gujarat districts also the same concessions as have been extended to several districts in the Central and Southern Divisions, and especially to the Matar and Mehmedabad talukas and the villages situated in the tract to the north of the Shedi River in the Nadiad taluka of the Kaira district, wherein the condition of the crops and that of the poor cultivators have always been far from satisfactory and too much straitened since the past few years.

[*Bell rung to indicate that the honourable member's time was up.*]

Mr. SHAIKH ABDUL AZIZ (Central Division): Sir, I also join in voicing the sentiments expressed in this House pertaining to this budget, that it is entirely unsatisfactory. The Honourable the Finance Member, in explaining in what way retrenchment has been effected, has shown that nearly Rs. 30 lakhs have been saved from the Education Department, and I am going to make a few remarks only on this retrenchment. Sir, every time, throughout the period of the past 10 years, in

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this honourable House the cry has been raised that education should be expanded. But, in spite of that, we see that quite the contrary has been done in this matter. When budgets were presented year after year in the past, practically at all times money bills have been brought forward in this House, and such money bills have been passed simply because of the fear that if they were not passed education would suffer; and to my mind at least all the money bills have been passed on this plea that the Education Department and the other nation-building departments should not suffer. We have passed bills for increased court-fees, for increased stamp duties, I may say even the *charas* bill, the bookies bill and so many other bills only on this understanding, that the nation-building departments should not suffer. But at the end of all that we have done, what is the result? Out of the cuts made in various departments, the one in the Education Department is the most drastic one. Sir, I will show what was the income and expenditure of the Education Department in 1921 and in 1932. The income of the department in 1921 was nearly Rs. 7,00,000, and in 1932 it is Rs. 14,00,000; in 10 years the income has risen from Rs. 7,00,000 to Rs. 14,00,000. But taking the expenditure side we see that in 1921 the expenditure was Rs. 1,71,00,000, practically the same amount as is budgeted for 1931-32, that is to say, Government has made profit in education department instead of any loss, which is certainly unjust and undeserving for the Government. I now only ask Government to give at least those few lakhs which they have collected more in the Educational Department. That they have not done. The expenditure in 1931-32 is the same and the revenue has increased by 7 lakhs. The Entertainment Tax was passed by this House on the understanding that the whole amount should be spent for education. Nothing has been done practically on that side and the expenditure remains the same.

Now, Sir, this year at least the B.A. and Science classes have been proposed to be opened in one of the colleges. Even though Government have now thought fit to do so, I was surprised to hear the remark of the honourable member Rao Bahadur Kale that as Government have retrenched in the Primary Education, they ought to have retrenched in the higher education also. He wants the Government at least to postpone the opening of those classes. My opinion is that any increase in any department of education is good for the people. We must not complain that the increase has been made in the primary education or secondary education. We should not grudge any grant for any kind of education or for any community. To my mind the person who opposes such a grant is an enemy to the country, because without education we would not be able to progress at all. We must ask the Government not to retrench in any of the educational departments, because it is an important department. Retrenchment has been effected in all the departments except perhaps in the Police and Jail Departments. Even in the Police Department a retrenchment of 7 lakhs has been made, but the Honourable the Finance Member said

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that this 7 lakhs also would be spent next year. We do not complain about the fact that no retrenchment has been made in the Police Department. We come here to co-operate with the Government and everybody in this House thinks that law and order should be maintained. For that they must have police. In the same way education also is necessary and that is why they should not make any retrenchment in that also.

Another remark I wish to make is about the observation of the honourable member Rao Bahadur Pradhan that the candidates from the Muslim and backward communities are recruited to services, even at the cost of efficiency for the mere fact that they belong to those communities. To this my humble reply is that either in this House or outside it, no leader of the Muslim community has made such a request to Government. Up to this time only efficient Mahomedans have been appointed and no inefficient Mussalman has been appointed in preference to an efficient man of any other community. I can further point out that many efficient and qualified Mahomedans have not been appointed and less efficient persons of other communities have been given the chance. I can quote some of the instances, i.e. the Public Prosecutor of Jalgaon district and many clerks and Sheristedar in the Nasik District Court. There are competent men, but still they have not been given the chance. I will ask the honourable member Rao Bahadur Pradhan as the head of the Nasik Municipality to give a chance to the competent Mussalmans in the Municipality. He knows that a chief officer is to be appointed and a qualified and competent Muslim has applied for the post. We have never asked Government that simply because a candidate is a Mahomedan he should be appointed at the cost of efficiency.

Now, Sir, a few words for money bills which are going to come in this House. We are prepared to help Government also, when we are satisfied that Government is sincere in the retrenchment. But every time the finance Bills are brought, the plea was that if those Bills are not passed, the nation-building departments will suffer. This time they have brought another reason for supporting the bill. Government say that the revenue from the Excise Department is dwindling and so we should pass those finance Bills. So far as the Excise Department is concerned, I think that they are not sincere. If Government is really for prohibition, I will ask them to help those persons who are trying to uphold the cause of prohibition by constitutional means. I do not want them to help those who are doing this work of prohibition by means which are not constitutional. But those persons who are doing this work constitutionally should be helped by Government. Last year the *charas* Bill was passed. Why was it passed? More border shops have been opened. If they are really for prohibition, they ought not to have done this. I think it is the duty of honourable members of this House that they should not be prepared to help this Department if Government is not sincere. I hope the Finance Member will give some reply to this at the time of his speech.

Mr. E. W. PERRY: Sir, the last speaker stated that the cut in the Education budget was about 30 lakhs. But the actual figure is 27 lakhs, of which 3½ lakhs are accounted for by the transfer of secondary education to the budget head Industries. That leaves 24 lakhs, of which 3½ lakhs are accounted for by the 10 per cent. cut in the salaries of the Government inspecting and professorial staff. The remaining 21 lakhs are principally accounted for by a 15 per cent. reduction in the grants for primary education and a 5 per cent. cut in those for secondary and college education. The cut of 15 per cent. on primary education is a very serious cut indeed. But it means that every local body in the Presidency must put its house in order, and cut the salaries of its servants to the extent to which Government have done. The school-masters must be paid a reduced salary and the head masters and first assistant masters must probably lose their allowances except perhaps in exceptional cases. Further, if there are any inefficient schools, they may have to be closed. We all know the criticisms of the Hartog Committee. The expansion of primary education has been so rapid in this Presidency that it may not be altogether disastrous to cry a halt. It is quite possible that the present situation will produce beneficial results. As there are a large number of representatives of local bodies here, I should like to suggest to them that they should go back to their constituencies and their local bodies and tell them that steps must immediately be taken to set the finances of the local bodies in order to meet this grave situation. If the local bodies will take time by the forelock, I do not think we need fear that this retrenchment will have any disastrous effects on education. It will certainly mean that the school-masters will have to live on smaller salaries for the time being.

As regards the criticism that in the year 1921-22 the expenditure on education was only three lakhs less than the budget allotment for 1932-33, it has to be pointed out to the House that the increase in expenditure on primary education is altogether out of proportion to the increase in expenditure on secondary and collegiate education. The actual expenditure on primary education in 1922-23 amounted to 99·8 lakhs and the actual expenditure that will be incurred in 1932-33 is 1,10 lakhs. So, the difference is an increase of 10·2 lakhs. The receipts from the Entertainments Duty are under 8 lakhs. Government therefore have not broken their undertaking to benefit primary education to the extent of the receipts from this tax.

As regards the criticism of the honourable member Rao Saheb Desai about the inopportuneness of incurring extra expenditure in the current year on the Secondary Training College, it should be pointed out to him that there is a saving of Rs. 16,000 accruing from the abolition of 14 classes in the Elphinstone high school. The reduction of the School and the expansion of the College are complementary parts of one scheme. The actual saving that will accrue from this extra expenditure of Rs. 17,000 is actually greater than Rs. 16,000. We shall have valuable accommodation available in the school building for other purposes besides those of training teachers. We shall also be able to take teacher into the secondary training college before they undertake their teaching career.

[Mr. E. W. Perry]

At present what happens is that many teachers are deputed to undergo training which means that their salary and deputation allowance have to be paid to them while they do no productive work. Owing to the increased accommodation that will now be provided in the Training College, it will be possible to give teachers training before they start their careers. They will undergo the training on a mere subsistence allowance. In the end we hope that this reform will bring considerable relief to the finances in addition to making trained teachers readily available. It has been recommended time and again that there should be an improvement in the training of the secondary teachers and Government hope that this House will approve this reform as some compensation for the set-back which is given to primary education in the present budget.

Rao Bahadur B. R. NAIK: On a point of information, Sir. May I know from the honourable member the Secretary for Education whether, in view of the statement made by him, it would not be advisable that Government should take back the control of primary education from the local bodies, in order to rescue them from the impasse in which they find themselves placed by the action of Government?

The Honourable the PRESIDENT: That is a matter of policy, and I suppose the honourable member the Secretary cannot answer.

Mr. V. N. JOG (Dharwar District): Sir, I quite sympathise with the embarrassed position of the Finance Member in the present state of the finances of the Presidency. I do not wish to dissect the past, but, as we have been asked, let us face facts. In doing so, the most important thing we have to consider is how best to set our house in order. The measures recommended by the Retrenchment Committee were only meant to be temporary; they were in the nature of emergency measures to relieve the current finances. Our task is to devise permanent measures which will not only enable us to make ends meet but also leave a surplus to be devoted to the material improvement and moral progress of the country. It has been stated from this side of the House, and I have stated it often, and even at the risk of repetition I say again that the only remedy is to cut down our salaries. There is no better remedy than that of cutting down the salaries of our establishment. It is admitted on all hands that the salaries bill is heavier in this province than in other provinces. On the last occasion, it was stated that for the year 1928-29 the salaries bill was 5,37 lakhs. Now, by a cut of 10 per cent. it has been reduced to 5 crores. Whether we take our revenue to be 14 crores and odd as it is shown to be in the ensuing budget, or 12 crores and odd as is given for the budget of next year according to revised classification, the salaries represent more than 35 per cent. of our revenue. Yesterday, the honourable member the Finance Secretary stated that when we are administering a province the major portion of the expenses should be salaries. That is how I understood him. He stated that in some of the departments the expenditure is only on salaries, the only function that those departments have to discharge is to employ certain servants and pay salaries to them. But we have to take into

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consideration the other matters which the province has to care for. I have summed them up in one phrase "moral progress and material improvement." Roads, medicine, education, future development and many other things we have to care for. I therefore submit, Sir, that we have to take into consideration the proportion we have to spend on establishment. No doubt a Reorganisation Expert Committee is contemplated in that connection, and that committee will go into the matter. But what I wish to impress upon the House is that when I read the speech of the Finance Member introducing the budget I am rather nervous about the attitude the public servants might take towards that committee. No doubt Government have tried their best to meet the situation by emergency measures, but if you read between the lines of the speech of the Honourable the Finance Member, you will see that he is trying to show that our Presidency is right in spending as much as it does over the services. He is arguing more as a lawyer defending the expenditure on services than as a man out to find how the budget can be balanced. He makes out that our Presidency has to spend more because it has a larger area. He gives also many other reasons to justify the present state of things. I submit, Sir, that Government servants should co-operate with us when we are finding ourselves in this embarrassed position. If they make up their minds to reduce our expenditure, I think they will find out a way. I was referring to the justification urged by the Honourable the Finance Member for our costly administrative machine. He tried to show that our Presidency has a large area and Madras has only a very small area with a dense population, and therefore the comparatively higher per capita expenditure in Bombay was justified. May I point out to him that if our area is large, it is composed of deserts, hills and forests, and therefore it is not necessary for us to keep public servants in those areas? I would suggest that Government should divest themselves of this mentality bent on justifying this high expenditure. It has been a standing complaint with us that the salaries in the various departments are very high. In this connection, I will just quote the figures with regard to education. The Hartog Committee went into it. For Bombay the average monthly salary per teacher is Rs. 47 per mensem which is most exceptionally high. The normal level in India is represented by the figures for the Punjab, Central Provinces and United Provinces which are Rs. 25-8-0, Rs. 24-8-0 and Rs. 18-8-0. The lowest average Rs. 8-6-0 is to be found in Bengal.

The Honourable Sir RAFIUDDIN AHMAD: Sir, may I interrupt the honourable member? Did not the honourable member himself plead for an increase in the salaries of teachers? He said that we could afford to pay more.

Mr. V. N. JOG: That was only with regard to the primary teachers, and not with regard to the teachers in secondary schools and colleges.

When we are to fix the pay of public servants, we should take into consideration the economic condition of the province also and then only

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we can have a balanced budget. It has been pointed out by the Honourable the Finance Member and also shown in the white book that Government have accepted the recommendations of the Retrenchment Committee with regard to the pay of the new entrants and given a cut of 2 annas in the rupee in their pay. With all respect to the Retrenchment Committee, I beg to submit, Sir, that the new scales which they have suggested for new entrants are too high: that is so especially at the top. I am not quarrelling with the lowest salaries they have given. But at the top I find they are heavy and they should be brought down in the case of many services, all-India, provincial and subordinate. I know that some of our Indian officers would not like that there should be a distinction between them and the Europeans in the service. But when the country needs it, even if the persons coming from outside will not co-operate with us or sympathise with us, I think as Indians we should be satisfied with smaller salaries. There may be a distinction between Indians and foreigners who are not willing to serve on the terms given to Indians. We shall try to do without the foreigners, but if that is not possible and we have to have them, I think as patriotic Indians they must reconcile themselves to receiving salaries which the country's resources will enable Government to pay.

The Honourable the PRESIDENT: There are only two minutes more.

Mr. V. N. JOG: That is the only point that I wanted to make. Therefore, when the committee meets, the public servants should fully co-operate and take into consideration the resources of the Presidency. We know as a matter of fact that the revenues of the Presidency cannot go up. The new scales should be fixed having regard to that fact.

I do not want to take any more time at this stage, because I shall have to refer to this point when we come to discuss the Finance Bill. At the time of discussing the Finance Bill we can go into the question whether new taxation is necessary or not.

A suggestion was made by His Excellency, when he addressed us the other day, that there should be co-operation from this side of the House in the retrenchment effected by Government by doing away with the second Poona session. Members on this side are not very reluctant to forego that. But we have to take into consideration—it may seem inconsistent with the idea of retrenchment—that retrenchment must be effected in the right direction. In this connection, I submit, Sir, that it is only in sessions in Poona that members on this side get a sufficient number of days to move private Bills, resolutions and other motions of public importance. In this session we generally get only 2 days, though by a change in the agenda a third day has been allotted this year to non-officials. There are a number of Bills and resolutions which are of public importance, and therefore, it is absolutely necessary that we should have two sessions in Poona, unless we have a very long session in July. Sometimes it is not possible for honourable members coming from the mofussil to spare time to stay for a long time and, therefore, two sessions

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would be most convenient. When private Bills are introduced, they are to be published and it takes one year before they come up for discussion in this House. It is necessary that such a long time should not elapse before they come up for discussion. The saving effected by this retrenchment is a few hundred rupees on account of travelling allowance. I therefore submit that this matter should be reconsidered by Government. Of course, the decision is not yet final, as His Excellency said that, if necessary, a third session would be called. This is the only time when Government members come into contact with outside problems through non-official members. With these words I resume my seat.

Mr. J. S. KADRI (Northern Division): Sir, there has already been a good deal of discussion over the budget, which has passed through a volley of criticism, and I believe it will come out polished and refined from the fire. The budget has not received the general approbation of this part of the House. Though it is barren, yet it is not quite disappointing and hopeless. There are some bright features about it and like my optimistic friend Dr. D'Souza, I see a silver lining in the clouds of its shadowy finance. A good deal of credit should go to Government as well as to this part of the House, which was instrumental in bringing into existence the Retrenchment Committee, for making cuts in the various departments of Government. It cannot be gainsaid that the Government has been rather prodigal, to quote the very term the Honourable the Finance Member used in 1924 in regard to its expenditure and there is good scope still for further retrenchment which would enable Government to make both ends meet. The deficit of 73 lakhs is not a very big deficit, compared to the deficits of the past and the current year. The gulf between the revenue and expenditure sides has been bridged by savings to the extent of over a crore of rupees and I do not think it will be difficult to fill the gap by effecting another saving of 73 lakhs from several departments which are like white elephants to Government, for example, the Improvement Trust, Back Bay, the Development Department——

The Honourable Sir GHULAM HUSSAIN: I may inform the honourable member that it has already been abolished. It is dead and gone.

Mr. J. S. KADRI: I am glad it has gone. There are some top-heavy departments which can safely undergo a little more pruning. A cut of 31 lakhs from civil works under the Public Works Department has already been made. But further cuts are possible in this and some other departments. If hey are made, I think there will not be any real necessity for further taxation. There is a limit to the tax-paying capacity of the public. This part of the House believes that this capacity has reached its maximum limit. Times are going from bad to worse; trade and commerce and the economic condition of the people are worsening day by day and there is little hope, at least so long as the civil disobedience movement continues, for peace and prosperity to

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return at an early date. But let us not be pessimistic. Let us hope that better times may soon return and peace and prosperity may speedily be restored, so that Government may be able to recoup its finances through increased income from its paying departments. The Revenue Department, I think, should congratulate itself on the large revenue collections which are pouring into the Government treasury from various districts. The Honourable the Revenue Member has been very considerate and sympathetic in giving further remissions to some districts of the Konkan side, but I would urge on his attention the necessity of being a little more kind and considerate towards Gujarat and particularly towards some talukas of the Kaira district which have fared very badly during the last few years. Matar taluka is the worst hit in the Kaira district and still I find that revenue collections for the past year are being made in that taluka, in spite of the assurance of the Honourable the Revenue Member. I do not understand why arrears are being collected——

The Honourable Mr. W. F. HUDSON: Is the honourable member aware that special concessions have been given to Matar taluka during the past two years and are being continued?

Mr. J. S. KADRI: I thank the Honourable Member for the information. I hope instructions will be issued to the authorities concerned not to recover arrears in this badly affected taluka at least——

The Honourable Mr. W. F. HUDSON: Authorised arrears will certainly not be collected. But unauthorised arrears which have been due to political contumacy will certainly be recovered, though I am not sure that there are any in that particular taluka.

Mr. J. S. KADRI: I think people have become sane by experience and they are abiding by the wishes of Government and I do not think there will be any deliberate contumacy this year, so far as the Kaira district is concerned.

Now, coming to the question of retrenchment in various departments, I think that the cut of 27 lakhs in the Educational Department is most deplorable and it should be restored as far as possible. In my opinion, education should be the last thing which should be retrenched, and particularly the primary education. Look at the present condition of primary education in the Presidency and you will find that it is most unsatisfactory, so far as its results are conerned. It is more costly, compared to its average cost in other provinces. The tremendous wastage which is the bane of education in this Presidency is a matter which calls for prompt consideration at the hands of the Honourable the Minister of Education as well as of the Government. We have been spending crores of rupees on education, but with what result? Eighty per cent. of the children in primary schools are not able to reach a higher standard than the fourth. The main object of Government is to break down illiteracy of the masses, by all possible means; but is that object achieved? Illiteracy is there, in spite of all the heavy expenditure incurred on education. Only those pupils who go to higher standards than the fourth, or who have at least passed the fourth vernacular standard, are considered

to be literate, but out of 100 pupils, 80 are not able to reach the fourth standard. I have facts and figures to show that. Only 10 per cent. of the boys and 3·7 per cent. of the girls under education are able to go up from the lower to the upper primary stage. That means that the literacy figure of the masses is very low. No efforts, no funds, no means should be spared to make primary education permeate the masses who are still mostly illiterate and ignorant. In the interests of public education, I strongly appeal to this House to restore the cut of Rs. 27 lakhs to the Educational Department. In case this is not possible, I would point out ways and means of finding money for recouping the cut in the primary education at least. Though I am advocating that no section of education should be curtailed—even secondary or higher,—I would press for the recognition of the vital necessity of wide extension of primary education among the masses and, therefore, for the sake of primary education, I would let the other sections, secondary and collegiate, undergo a little sacrifice. I find that there is room for curtailing expenditure from higher education for the sake of primary education. Even if some Arts colleges are closed down, there will be little harm. In this Presidency, there are enough colleges, both private and aided, to cater for the needs of the people. For instance, if the Elphinstone College at Bombay is closed down, I do not think it will inconvenience in any way the student world of Bombay, because there are several other colleges available to absorb the students of that college. There is room for curtailing expenditure under collegiate education. There is scope for reduction in the staff of Government colleges, as I can prove by facts and figures which I have gathered. I know of four or five professors for one subject in a College, some of whom can safely be done away with. There are at times superfluous professors—I will just give an instance. A professor who gets Rs. 1,000 per month in the Elphinstone College teaches only two students in Persian. I think it is sheer extravagance that for the sake of two students in the B.A. class, a professor on Rs. 1,000 should be maintained. I suggest another case for saving. When the Elphinstone High School is to be reduced in size by 14 classes, there will be no necessity for a Principal on a high salary to be maintained for it. The Principal of the Secondary Training College will be able to look after the Elphinstone High School very well, because it serves as a Practising School for the college, the Principal whereof can directly supervise it.

There has been some criticism about the Ismail College at Andheri. It is the only Muhammadan college in the whole Presidency and that college has been brought into existence through the munificence of the merchant prince, Sir Mahomed Yusuf, who gave a princely donation of Rs. 8 lakhs for it some 15 years ago. Muhammadans had a real grievance in not having this College earlier, but now that we have got it, this House should not grudge a little expense for its expansion and progress.

One honourable member remarked that efficiency should not be sacrificed, even if the Muhammadans and backward classes are to suffer.

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The Muhammadans and backward classes have already suffered much in point of education and Government should provide special facilities for these classes, in order to enable them to make up the leeway, by spending more money on their education. If we go into the figures given by the Director of Public Instruction in his annual report, we find that Muhammadans are still extremely backward, even in respect of primary education. The figures indicate that only a very small fraction of Muhammadan pupils are able to go to higher standards even in the lower primary stage and still lesser fraction goes to the upper stage, while in respect of secondary education, they are extremely backward. I find the plight of Sind Muhammadans most deplorable in point of education. If the Sind members take the trouble to go into the details of the report of the Director of Public Instruction, they will find that in collegiate education they are nowhere. There is a remark in the report that out of 24 lakhs and odd Muhammadans, there are only 97 students in Arts and special colleges. That gives the Muhammadans in Sind no percentage at all, while in secondary and primary education, they are also backward. The reasons are that Muhammadan schools are very much discouraged by the Educational Department. They are often poorly staffed, badly housed, and badly equipped, the percentage of trained teachers in them being low. The percentage of trained teachers in Urdu Schools is going down even below the prescribed minimum in many cases and Government should take care to see that Muhammadan education does not suffer for want of good teachers. Even in a city like Ahmedabad where I am a member of the Municipal school board, the percentage of Urdu trained teachers is only 40, while that of Gujarati trained teachers is 70. With 40 per cent. trained and 60 per cent. untrained and unqualified teachers, it is impossible to effect any improvement in the condition of Muhammadan education. The one-teacher schools for Muhammadans do no good, because a single teacher is not able to look after the education of a number of students under several classes learning two languages simultaneously. The Muslim children have to learn the vernacular of the district, in addition to Urdu, and that entails a great strain on them. It is physically impossible for one teacher to look after 3 or 4 classes with 30 or more pupils and to teach them two or three scripts.

The Honourable the PRESIDENT: The honourable member's time is up.

Mr. J. S. KADRI: I will conclude with a prayer that the educational uplift of Muhammadans needs a little more sympathetic consideration, not only on the part of the Government but also on the part of this House. Only one point more.

The Honourable the PRESIDENT: No more points.

Khan Bahadur ALLAHBAKSH (Sukkur District): Sir, I heard with much interest and great concern some of the remarks of my honourable friend Mr. Karbhari. When he said that the big zamindars as well as the small zamindars should not pay the same rate of assessment,

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I think he meant that we should have the system of income-tax. If I have understood him rightly, I for one would welcome it most. If the system of land revenue is converted into a form of income-tax, then I think every zamindar would welcome it, be he small or be he big. But if the object of my honourable friend was that by that means he was going to add something to the revenues of the Presidency he is entirely mistaken, because he will find that at present it is the zamindar who pays the greatest percentage towards the revenues of the Government by way of land assessment. In income-tax a man pays a tax varying from one pice to at the most 4 annas in the rupee; that is the maximum; a man who might be earning lakhs might be paying 4 annas in the rupee, whereas in the case of the zamindars, as the rates are at present, they have to pay more than 15 annas in the rupee out of their earnings by way of assessment to the Government. That is the minimum figure I would put with the present rates, but even when the prices were high, it was never less than 25 per cent. Sir, that is the position, and I know that the system of taxation is not properly distributed between the various classes of this Presidency.

I also heard some of the interesting remarks of the honourable member the Finance Secretary, when he said that the Sind Financial Enquiry Committee has remarked that there is some anomaly with regard to the water rate and the land revenue system in Sind. Quite true. When compared with the system in the Punjab and in the United Provinces, there is that anomaly. But the point is that in every country everybody is made to pay the taxes according to a certain capacity. Whether we divide the rates, that is water rate and land revenue, or whether we have the same system as at present, after all, it is a question what the zamindar should pay, whether it is taken in two ways or whether it is taken in one way. But I might say that there is no anomaly. If we compare the figures of the Punjab and the United Provinces with the figures in Sind, it will be seen that we pay more per acre than in the Punjab and the United Provinces. It has at times been stated by some honourable members, especially by my honourable friend Sir Charlton Harrison, who is not present here to-day, that the rate in Punjab is Rs. 8 and for certain crops Rs. 14, whereas in Sind the maximum is Rs. 6-10-0. That is true, but the question is, if in Sind a zamindar is paying Rs. 6-10-0 or Rs. 7 per acre, how much is that out of the earnings of the zamindar per acre, and when we hear that in the Punjab and the United Provinces they pay as much as Rs. 14 per acre for certain crops, what percentage is it out of the earnings of the zamindar in the Punjab and the United Provinces? That is the point which requires careful investigation and attention. It is no use saying that in the Punjab the rate is Rs. 14 per acre and in Sind it is Rs. 7. Why should we grudge it? The question is, what is the yield per acre? We would be quite prepared to pay a certain share, whatever Government or this House feels would be reasonable—20 per cent., 30 per cent., 40 per cent., 50 per cent., 60 per cent., or 70 per cent.; whatever is decided for the whole of the Presidency, Sind would be prepared to pay, or whatever portion of the yield is decided in other

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provinces, the United Provinces or the Punjab, Sind would be prepared to pay.

Mr. M. M. KARBHARI: From the actual cultivation, or from the income of the landlord?

Khan Bahadur ALLAHBAKSH: I would say, from whatever the zamindar gets after deducting his expenses; that is to say, after paying to the *haris* and after paying for silt clearance charges and the supervision charges, whatever they be, whatever goes to the zamindar, we would be prepared to pay any share of it to the coffers of Government, any share which is fixed by this House, on the principle that it will be applicable to the whole of the Presidency, because it is a question of the net assets which go to the zamindar. So, Sir, there is no objection to that.

Now, Sir, coming to some of the remarks which my honourable friend the Revenue Member made, he laid emphasis on the fact that it was a departure from the normal course, that in the past Government had never given remissions in the form in which they are giving them now. That is true. Moreover, he said that a settlement is a settlement, and therefore it is not desirable that he should leave to his successors such instances—that Government have given such sort of remissions in the past. In strict theory he is right. But, Sir, he cannot expect to get blood out of a stone, if I put it correctly. Sir, at present, as the rates are, I might say clearly what the position is. From 1,000 acres of land—rice land is the best land in Sind as is admitted—the maximum outturn would be 500 *kharas*, that is about 10,000 maunds of rice. The present price is Re. 1 per maund; that gives Rs. 10,000 for 10,000 maunds; that is the maximum I have taken for 1,000 acres and not the minimum. He gets 10,000 maunds of rice from 1,000 acres. The present price of rice is between Re. 1-6-0 and Re. 1-7-0, but Re. 1 per maund is the price which the zamindar gets after deduction of cartage, etc. Therefore, out of 1,000 acres he gets Rs. 10,000. Now, what has he to pay? The maximum assessment per acre is Rs. 6-10-0. The local cess would bring it to somewhere about Rs. 7-3-0. Then there are silt clearance and other charges.

The Honourable the PRESIDENT: Order, order. I should like to know from the honourable member as to how all this is strictly relevant to the general discussion on the budget. Probably, the remark made by the honourable member here meant without any danger to any system being tackled immediately or in the next year.

Khan Bahadur ALLAHBAKSH: Because, Sir, the question of revenue remissions in Sind as well as in the Presidency does affect the budget; it is not that it does not affect it. Therefore, it arises out of that that these remissions are necessary and are justified. Therefore, Sir, Rs. 7,000 will be the assessment; silt clearance and supervision charges will be about Rs. 2 per acre; that means a total expenditure of Rs. 9,000. That leaves practically no margin for the zamindar. The normal price of an acre of rice land—not in boom times, when prices were high, I do

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not want to quote boom figures—was about Rs. 400. So the price of 1,000 acres would be Rs. 4,00,000. Now, Sir, the interest on Rs. 4,00,000, even at 5 per cent. would be about Rs. 20,000. But the zamindar, owning 1,000 acres of rice land, after deducting the expenses of cultivation, has practically nothing to live upon. He does not get even a fair interest for his capital. Now, Sir, I ask my honourable friend the Revenue Member how long things can go on like this. We must change the system.

Then, Sir, another thing is that even if remissions are given in Sind, it is paid to the coffers of the Presidency in an indirect form. The remissions given last year were somewhere in the vicinity of Rs. 24,00,000. I might say that the fall in the prices of commodities has helped Government in an indirect form. From the figures which were supplied last year to the Sind Financial Enquiry Committee we find that the upkeep expenditure over the canals in Sind was somewhere in the vicinity of Rs. 70,00,000. On account of the fall in the prices of commodities Government have gained at least Rs. 30,00,000 as a result of the reduction in the cost of clearance of the canals. So, it is a question of only adjusting the system, because if Government are losing land revenue from Sind because of remissions, they are gaining in other forms. As I said, the rates for silt clearance and repairs to the canals have gone down. Therefore, if we put these two figures together, Government are not losers. Therefore, it cannot be said that the coffers of the Presidency, on account of the remissions in Sind, have been affected in any way. I heard some remarks of the honourable member Rao Bahadur Pradhan. He says that the people from the backward communities as well as Mussalmans have been recruited in the services at the cost of efficiency. I do not know where he brings that from.

Rao Bahadur G. V. PRADHAN: It is from the Government report to the Round Table Conference.

Khan Bahadur ALLAHBAKSH: It may be from the Government of Bombay in their despatch. But it has not been the intention of either the Mussalman or backward communities that Government should recruit from their communities at the cost of efficiency. Government can lay down the minimum qualification for every post, and if a man from any of these communities has not got that minimum qualification, he should not be appointed to that post. The Mahomedan community has received no encouragement at the hands of Government and this will be seen from the reply to a question asked by my honourable friend Khan Bahadur Ghulam Nabi Shah. Out of the 30 executive engineers in the Public Works Department in Sind, there is one Mahomedan. There are only five Mahomedans among the clerks and among others there is none. We will be able to supply to the Honourable General Member any number of Mahomedan candidates, provided he lays down the minimum qualifications. If he says, "Here are the posts and I want men from your community," then it becomes the duty of our community to supply the men with the required qualification.

The Honourable the PRESIDENT: I now reduce the time limit to ten minutes. The Honourable the Finance Member would require at least 45 minutes. There are two or three members who desire to speak. We can stop these speeches at 12-15. However, honourable members who desire to speak, I hope, will finish even within ten minutes, if they can.

The Honourable Sir GHULAM HUSSAIN: Sir, I had no mind to speak and I do not propose to make a long speech. I have been told by the honourable member who spoke last, that if I lay down the minimum qualification for these posts, he will produce people to take them up. I once again ask whether the honourable member can find out a single Mahomedan who is qualified and still has not been appointed in the Public Works Department in Sind. We have been distributing the appointments among all the communities, but we try to give preference to Mahomedans, if they are qualified. If there are no qualified Mahomedans, I cannot pick up any Mahomedan and put him as executive engineer. There is a paucity of Mahomedans as executive engineers because very few of them entered the All-India Services in the beginning. There is only one gentleman who entered, and he is an executive engineer. Taking the provincial services, I would refer the honourable member to the rules for recruitment to the provincial services where preference is given to the backward communities including Mahomedans. So, the honourable member will see that Government give every encouragement to the backward communities.

As regards the other appointments, the honourable member must realise that Mahomedans have taken to education very recently. Government have been trying their level best to give them preference in recruitment to appointments.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, it is indeed a gratifying circumstance to note that the departments under my charge have not this time been subjected to the usual severe criticism as in the past by honourable members opposite. I may safely conclude from this that the non-official section of this House is indeed convinced and satisfied about the efficient and economic administration of the departments concerned.

The honourable member from Kaira (Rao Saheb Desai) raised two points in his speech. One of them referred to the closing of certain agricultural schools in the Northern Division and the other related to the curtailment of the boring operations. With regard to these two questions, I may remind the honourable member that these two points formed the subject matter of questions which were put and answered in this very session. I may again remind the honourable member that the replies given to these questions were given after mature consideration of the points involved therein. With regard to the Boring Department, I may inform the honourable member that deep boring has been stopped entirely, but as regards shallow boring, its activities have been curtailed and confined to precarious tracts in the Deccan. With regard to the machines which have been lying idle,

[Dewan Bahadur S. T. Kambli]

I may inform him that after full consideration, it has been decided to sell them by public auction. If any of the local bodies deem it profitable to utilise any of these boring machines, they are welcome to be bidders at the public auction.

With regard to the closing of some of the agricultural schools, I have already given it in my reply to the question put in this very session that the Royal Commission on Agriculture have positively condemned the Loni type of schools and that the schools which have been abolished are of the Loni type. The Commission further observed that agricultural bias schools should be encouraged. Government are encouraging agricultural bias schools wherever they are. On account of retrenchment and in pursuance of this recommendation of the Royal Commission, some schools of the Loni type have been abolished, and not for any other reason. These were the points referred to by the honourable member from Kaira and no other honourable member has raised any criticism with regard to the activities of the other departments.

Mr. V. N. PATIL (East Khandesh District): Sir, I rise to offer a few remarks without going into the history of the financial position of this Presidency which has been dealt with by some senior members of this honourable House. There are three ways suggested by the Honourable the Finance Member to meet the deficit of 73 lakhs this year—taxation, retrenchment and further borrowing. With regard to the third method, no one who knows the financial position of this Presidency will advise Government to go in for fresh borrowing. No doubt, a large part of the debt is what Government calls "productive". All the same, we know that during the last two or three years, Government have been meeting the deficit by borrowing. The present Government have already done a great harm to the new Government to be constituted under the new reforms by saddling them with a heavy burden of debt. The future Finance Minister will have a very hard task to deal with and the fate of many a future ministry will depend on a vote on this very difficult problem of budget which has been made worse by deficit-budgets year after year for some years past. Therefore, the present Government should make no commitments in that direction and hold tight the hands of the future Government. The Honourable the Finance Member is aware that it is unsound finance to borrow for ordinary expenditure. He told us so in his speech last year. But at that time he justified it on the ground that every other possible means had been tried to avoid it. I do not know whether everything possible had really been done. Every time the question of retrenchment is agitated in this honourable House, we are told that retrenchment has reached its last limit and there is no scope for further retrenchment. This is what the Honourable the Finance Member said in his speech last year:

"The scope for retrenchment is most limited owing to continued pruning in past years. The retrenchment newly enforced has definitely resulted in the withdrawal of amenities and the curtailment to some extent of even the necessary functions of Government."

After that speech, we know that a retrenchment committee was appointed, some of their proposals accepted and given effect to, and now

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Government have come forward with a proposal to appoint an expert committee to overhaul the whole administrative machinery of this Presidency. This shows that the Government were not serious in effecting retrenchment. They took to it only when they were forced to do so by sheer circumstances. They have not approached the problem as a foresighted man would do. Now, Sir, I do not know why this expert committee is to be appointed. The whole matter has been exhaustively dealt with by the Retrenchment Committee. Perhaps some items of expenditure might not have been placed before them for consideration. All the same, I submit that the honourable member the Finance Secretary is a great expert and equally so the Honourable the Finance Member, who are in the know of the facts that are wanted in this connection and I think Government can formulate their own proposals without incurring any additional expenditure for another expert committee.

Then, the way in which retrenchment has been carried out calls for some criticism. The other day when I was at Jalgaon, I learnt that the services of many young clerks in the Revenue Department have been dispensed with. I must say that this is a cruel method of effecting retrenchment and, moreover, this is approaching the question from the wrong end. It would have been far better for Government to compulsorily retire the old men at the top rather than throw the youngsters in the streets. After all, the old man can live comfortably on his pension. It would have been a saving to Government if they had retired the old men drawing higher salary and replaced them by young men on less pay. When Government can maintain both the old and the young without any loss to themselves, I do not see any reason why young men should be thrown out of employment. That would unnecessarily add to the discontent that already exists in this country. If this is the attitude of Government, I am afraid the youngsters, if they are so inclined, will swell the ranks of those who participate in the civil disobedience movement. I request Government not to adopt this dangerous course. The injustice underlying this method of retrenchment is much more apparent when it comes to the dispensing of the services of young men from the backward communities who have taken to Government service only recently. I request Government to give their serious attention to this matter and withdraw the notices which have been already served on such young persons in the East Khandesh district, and in other districts as well, wherever they might have been so served.

There is another place where retrenchment would not be desirable. The other day there was in His Excellency's speech a reference to a proposal to reduce the size of the Cabinet to two Members and two Ministers. As far as the proposal relates to the reduction in the number of Members, we on this side have nothing to say, because under the new constitution those posts are to disappear. However, when it comes to reducing the number of Ministers, we certainly are against a proposal of this sort. Under the new constitution, the whole administration of this Presidency will be entrusted to the elected representatives of the

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people. It is, therefore, in the nature of things that the present Ministers who are the elected representatives of the people should be placed in such a position in the Cabinet at this time that they should be able to make their voice felt more effectively than perhaps they have been able to do so far.

There is another thing to which I would like to call the attention of the House, and that is the remark made by the honourable member representing the Bombay Chamber of Commerce (Mr. Winterbotham) the other day. He said something about decentralization. Attention has already been drawn to this matter by the honourable member from Poona (Mr. Kamat), but I would also like to refer to it. I do not understand what he means by decentralization. After all, if some posts in the Cabinet are abolished, those portfolios will be distributed among the remaining Members or Ministers as the case may be. I do not understand what he meant. If he meant by "decentralization" the transfer of powers from the Cabinet to the permanent heads of the Departments, we on this side of the House strongly oppose any such suggestion. We do not want the powers given to the elected representatives of the people to be given back to the permanent officials in the Services. That will be going back on the Reforms and will be a retrograde step.

The Honourable the PRESIDENT: Only one minute more.

Mr. V. N. PATIL: I have a lot more to say, and I think I had better stop here.

Mr. G. S. GANGOLI (Kanara District): Sir, much of what I wanted to say has already been covered by honourable members who have already spoken.

The Honourable the PRESIDENT: We are unable to follow the honourable member.

Mr. G. S. GANGOLI: The budget that is presented is not, after all, as dismal as it appears, as I shall show later on.

The Honourable the Finance Member says that the income is 12,60 lakhs and the expenditure is 13,20 lakhs. I would request the Honourable the Finance Member to see whether one crore of the expenditure on inams is a just entry. I think this one crore is only a paper figure. After deducting that one crore out of the 12 crores, only 11 crores will remain. Out of that again, 7 crores will go towards payment of interests, salaries and pensions. Whatever the members on this side of the House may say, I think there is an Act of Parliament and nothing can be done to reduce the salaries of the Civil Service. The interest charges on our debts we are bound to pay. So, we have to face hard facts, as stated by the honourable member the Finance Secretary. We have to see how to wipe out the debt. Out of the total land revenue of four crores, one crore is wiped out by inam lands and, after meeting the cost of collection, the rest goes towards payment of interest. I think that is a very bad state of affairs. I learnt yesterday that only 50 crores are the debts of this Presidency. I also learnt that there was a sinking fund.

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I would have liked to go into the details of this budget, but the budget was sent to me rather very late. I received a copy on the 12th evening and I had to start the very next day from home, so that I had no time to consult anybody. I would also like to point out one way how retrenchment is worked out. That affects this House. We were asked what periodical reports were required by us and to reply having an eye on retrenchment. I do sympathise with this move to curtail the supply of reports by supplying only those that are really required by members. I replied giving a list of those reports which I really required, and I was expecting to receive them. But as soon as I went home after the last session, I received a letter that in view of retrenchment no copies of these reports would be supplied individually to members, but that five copies would be placed on the Council table. To read those reports we will have to come here seven days or a fortnight earlier.

The Honourable the PRESIDENT: May I know from whom the honourable member received the intimation?

Mr. G. S. GANGOLI: I think from the Legal Department.

The Honourable the PRESIDENT: From the Legal Department?

Mr. G. S. GANGOLI: I think so. As soon as I received this Blue Book (Budget), I wanted to consult somebody, but there was only a short time left. Moreover, there was a label attached to it saying that it was confidential. I did not see the propriety of it, but, as it was so labelled, I could not disclose it to any other person. Further I wanted to study all these figures just as a boy going for an examination. But there was no index for the figures. Without any index it goes hard to know what is contained in what page.

I find that the watch-words of this session are reforms, remission and retrenchment. We hear so much of the reforms. Of course, nothing is so near the heart of the Civil Service as reform. Of remissions and retrenchment much has been said. I have tabled three resolutions about them.

I come now to justify my statement that the budget is not so dismal as it appears. The budget is framed on the basis of the actuals of the last year and the estimates of this year, which again are based on the actuals of the first nine months of this year. So far as abkari and excise revenue is concerned, we have reasons to believe that the estimates will be exceeded. After the first nine months there is a rise in the last three months of the year. The actual income was, I learn, 1,24 lakhs. In Bombay City alone we hear that seven lakhs more than the estimates have been realised during the last month. If this improvement is maintained, then there will be no deficit at all. I think that a deficit budget is presented so that we may not press for remission of land revenue and for more expenditure on education.

So far as agriculturists are concerned, they have been hit very hard. So far as my district is concerned, there is not a single inch of railway in the entire district. Not even the matriculation examination is held

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there. Our immediate problem is how to keep the wolf off the door. I specially come here to plead poverty. Our district is most neglected. The Honourable the Revenue Member has not held out any hope of remission to our district, where our income is from garden lands in forests. The cultivators do not get any return for the assessments they pay. The villager is erased altogether from the consideration of the Government.

We find so much in the cities. But how are the top-heavy administrations in big cities run? Not from the income from the cities, because income from income-tax, excise, railways, posts and telegraphs, and stamps goes to India Government. We poor agriculturists pay land revenue and at our cost big cities are provided with so much comfort and we the poor agriculturists and villagers are neglected. If the steady rise in the revenue from abkari and excise is taken into consideration, there will be no deficit at all, and with a view that we may not press for remission we are presented with a muddled deficit budget.

Khan Bahadur A. E. PATEL (Northern Division): Mr. President, I only want to refer to the remarks of the Honourable the Revenue Member on paragraph 22 of Statement No. II in the report on the action taken by Government on the Retrenchment Committee's recommendations. I was particularly interested in that item, namely, "Amalgamation of Bombay and Bombay Suburban District, and abolition of Kolaba and Broach districts, etc." I am glad to hear that the matter is under consideration and that the Revenue Member thinks that this is a piece of retrenchment which is very unpopular with the masses. I hope that further consideration of the subject will convince the Honourable the Revenue Member of the futility of the attempt at amalgamation of certain districts and the amalgamation of certain talukas with other neighbouring talukas. The Government have not been able to show what saving it is going to make, but I understand that, after all, it is only a question of a few thousands. The saving of a few thousands does not at all justify this action on the part of the Government, as it will put the ryots and poor agriculturists to a great hardship. A centre of authority has got a powerful educative influence on the life of the people, and any change in it, though it sounds very simple and innocent, very vitally affects the interests of the district as a whole, socially, economically and commercially. The question of the abolition of collectorates also involves many other changes in the administration of the district. It will involve the reconstitution of the district local boards and various other matters connected with the units of administration amalgamated. So far as the Broach district is concerned, I would assure the Honourable the Revenue Member that although, in point of area, it is a small district, in the matter of revenue and even of population, it ranks higher than most of the districts in the Presidency, while the percentage of expenditure is comparatively very low. A district which pays the greatest amount of revenue ought not to be deprived of the ordinary facilities which are now given to it, and ought not to be made to

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suffer for the benefit of others. The district has stood as a unit of administration from a very long time, probably for more than a century, and I want to emphasise that it has got an individuality and importance of its own. Sir, formerly the civil administration was for some time joined to Surat. But after further consideration and experience, Government decided to establish Broach district as an independent unit. I do not think it would be in the interests of efficiency and in the interests of general convenience, both to the public and the Government, to join Broach district with Panch Mahals, because Panch Mahals is altogether separate territorially from Broach. As there is Gaikwar's territory coming between these two districts, it will be very difficult to maintain close touch with either of the districts, for their efficient management and administration. Take the case of police, for instance. In the case of a murder, immediate information has to be given to the District Superintendent of Police. If the Superintendent is in the interior of Vaghra taluka, it will take nearly four or five days for that information to be received from the distant part of Kalol in the Panch Mahals district. So administratively it will be impossible for the Government to carry on, without materially impairing its efficiency. Moreover, the people of the district and the citizens of Broach have their special grievances in this matter. The Broach people had thereupon convened a meeting to protest against the proposed change in the administration and a deputation was to wait upon His Excellency in connection with this question. But I am sorry His Excellency was of opinion that as the matter was yet under consideration, he did not think it would serve any useful purpose to hear the deputation at that stage. That being so, it remains for me to voice the feelings and ventilate the grievances of Broach district in this behalf on the floor of this House, in the hope that due importance will be attached to this question before any final decision is taken.

Then again, the question of amalgamation of Vaghra and Amod talukas. It is a question of only a few rupees, as has been pointed out by the deputation which waited upon His Excellency. A saving of about Rs. 6,000 does not help Government very much in the matter of retrenchment when a deficit to the tune of crores is in question. There is another suggestion for the amalgamation of Hansot and Ankleshwar talukas with a novel arrangement that Ankleshwar and Hansot should be joined to Surat. This again will create a very difficult position. Ankleshwar and Hansot have been very long joined to Broach district, I think from the time of the Nawab regime, and the people have many things in common with the Broach district rather than with the Surat district, and by joining Ankleshwar and Hansot to Surat it will be most inconvenient for people of that area to go a long distance to Surat for the redress of their ordinary grievances, and cut off all their interests and connections with the Broach district which is nearer home.

Similarly I have received a memorandum from the people of the Pardi taluka which is sought to be abolished and joined to Bulsar taluka. If that change is brought about, the people of Pardi taluka will have to

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go a long distance to Bulsar for even petty revenue work. The agriculturist ryots pay all sorts of taxation, both direct and indirect. In the matter of revenue almost all the burden falls on the poor agriculturist population which is, after all, the bulk of the population and which also forms the bulk of consumers. Such consumers who bear the whole burden of taxation ought not to be denied the ordinary facilities for a mere saving of a few thousands. When a taluka *kuchery* is abolished, the taluka loses all its importance and many other changes take place in the matter of local boards, etc. The taluka which has smaller representation on the local board also loses its importance as a separate unit and is merged in the bigger taluka where its interests, both economic and educational, are altogether neglected.

The Honourable the PRESIDENT: The honourable member's time is up.

Khan Bahadur A. E. PATEL: I will finish, Sir. I have spoken about the abolition of districts and talukas because I am more particularly concerned in this question, and more so because no other member has yet referred to it though it is rather a serious question for the ryots. So I want to bring to the notice of the Honourable the Revenue Member the advisability of dropping all these little items because they will not help Government in any way in the matter of retrenchment. Although no figures have been given, the saving, as I said, will not be more than a few thousands. Sir, such permanent administrative changes of a far reaching character which touch the inner life of masses at every point, are not justifiable at all, when we remember that the deficit budget is only a passing phase. Bombay is not going to be an insolvent Province for all time to come. In the meantime, the people of Vaghra taluka had suggested another way of meeting the temporary difficulty, namely, that if the Government did not deprive them of their ordinary facilities, they would be prepared to bear additional burdens, to meet the balance of the ordinary expenditure of the taluka if that was feasible.

[*Bell rung to indicate that the honourable member's time was up.*]

The Honourable the PRESIDENT: Only one speaker, and I shall allow five minutes.

Dr. P. G. SOLANKI: Sir, I congratulate the Honourable the Finance Member for placing the budget in our hands with frankness and without concealing any facts. At the same time I sympathise with him because he had considerable trouble in making both ends meet. But the odds being against him, he could not help placing a deficit budget in our hands.

Coming to particular points, I wish to touch education, medical and water supply. As regards education, I would like to reply to my honourable friend Rao Bahadur Pradhan. He has made a charge that the backward classes and Muhammadans are inefficient. That charge has always been levelled against these classes. It is a misfortune that the backward classes and Muhammadans are coming forward so very late.

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Perhaps it was owing to the apathy of the advanced class Hindus towards them. But now as they are coming forward, opportunities are being given to them. They take advantage of the educational facilities and come up to the service requirements. But wherever they are employed, in the Secretariat or in some other Government Departments, it is the advanced class brethren who are the advisers of the "steel frame" and it is the high class brethren who always select their own men, for whom they have a liking. Sir, the backward classes and Muhammadans have been hit hard in point of education. I will just put a comparative table before you. Look at the percentage of population of different communities: the advanced classes constitute 9 per cent. intermediate 57 per cent., backward 23 per cent. and Muhammadans 11 per cent. Out of these, the three latter constitute 91 per cent. and the amount of money spent on education is about 2 crores. If you take proportionately the expenditure incurred upon primary education and upon higher and university education, every soberminded person would find out that the lion's share of this expenditure goes for the education of the advanced classes. The Muhammadans and backward classes are starved. It is a great misfortune that though the Honourable Minister of Education is a Muhammadan, he could not help primary education when the axe of retrenchment fell upon it. A sum of 27 lakhs is cut down from education and 20 per cent. falls upon primary education. The Muhammadans and the backward classes and some of the intermediate classes are the hardest hit. Under these circumstances, how are we to have the most efficient men from amongst these people to compete with the advanced classes and the servants who are already in service for years together? They had the advantage of 150 years in education. They have reached the top and we are just trying to climb the hill, while the intermediate classes have reached half way. It is the Muhammadans and backward classes who are trying to climb, and these people who have reached the top of the mountain are crying halt. They say, "Here the question of efficiency comes in." Even the "steel frame" is siding with the advanced classes. They do not show sympathy for the Muhammadans and backward classes though they know they are hard hit. I appeal to my advanced class brethren that they ought to sympathise with these people and help them. When a candidate is appointed in an office, the poor fellow is made to sit in his chair and nobody goes to his help. The result is inefficiency. This policy of the Government and of advanced classes, the depressed and backward classes and Muhammadans resent.

The Honourable Sir GOVINDRAO PRADHAN: Mr. President, during the last three days, several names have been given to the budget which I have presented to this House. Most of the honourable members have said that this is a very disappointing budget, that this is a deficit budget and that the Government have been presenting deficit budgets year after year. Some members characterised the budget as prodigal. Two statements about the debt position were also made. As the time at my disposal is short, I will reply to some of the salient points which were made in this debate.

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The first grievance of some of my honourable friends has already been replied to by the honourable member the Finance Secretary. That grievance is that we purposely prepare the budget in such a way as to create confusion in the minds of honourable members. That charge has been repeated even to-day; I am sorry to hear that. The Finance Department tries to make the Blue Book as easy as possible. Every conceivable information is given there. As regards the changes which have been made, I may say that they have been brought about according to the orders of the Auditor General. The Blue Book tries to give as lucid notes as it possibly can, and yet we are charged with having something at the back of our mind which makes us prepare this budget in such a way that honourable members cannot understand it. Far from it. Those senior members who are present here will, I think, corroborate me when I say that we have, during the last half a dozen years or more, been trying to make the Blue Book as lucid as possible.

The second charge is that we are not sending the books early enough for honourable members to study them. Honourable members have got to remember that we have to present to them the estimates of the current year and also prepare the estimates of the next year, and on the day that I get my own Blue Book, the Blue Books and the White Books are despatched to the honourable members. It is impossible for us to prepare these books earlier than we are now doing. It is not true that we purposely delay sending these books. We try to prepare them as early as possible and despatch them as soon as they are ready.

The honourable member the Finance Secretary tried to clear the debt position. I must also do that again. I have said repeatedly, and I have got to din it into the ears of honourable members, that the debt position as put forward by certain honourable members is not correct. Because I alluded to it, because I explained it, it does not follow—please do not misunderstand me—that I want to minimise it; but I want to express it in as clear words as I possibly can. There are two statements given in the Blue Book, statements C and D. These statements clearly explain as to what was the pre-Reform debt, as to what is the loan which is given to the three local bodies in Bombay, and what is the loan which is given out of the Development loan to these bodies, and what is also the amount which is in the Provincial Loans and Advances Account. Oftentimes a confusion is made between the Provincial Loans Fund and the Provincial Loans and Advances Account. The Provincial Loans and Advances account is a fund which pays its own way, out of which money is advanced to the agriculturists for improvements to lands and for other purposes. That loan is a self-supporting loan. Now this loan, when the Reforms came in, was about more than Rs. 3,00,00,000; I think it was about Rs. 3,27,00,000 or so. Honourable members know that we were to pay this off in 12 years, and the actual amount which remains to be paid is Rs. 15,66,000. That is also shown there. From statement D you clearly see what is the amount which was borrowed by this Government after the Reforms came in. There is the pre-Reform debt, which is mentioned there

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clearly, which is a funded debt, for which we merely pay the interest charges, because the rate of interest is very low. The option to pay the principal is with us. So, that is the pre-Reform Irrigation debt. There was also a debt for the Provincial Loans and Advances Account, which we had very nearly cleared off; the last instalment we have not paid this year. Then there is the debt shown for the Lloyd Barrage and the Bombay Development Scheme, and there are headings 3 and 4 for irrigation works and other purposes. My honourable friend Rao Bahadur Chitale, who is a senior member of this House and who knows the Blue Book probably from the beginning to the end, now demurs to this statement and says, here is a Government which has sunk fifteen crores after the Reforms, that is, during the period of the last 10 years, in residential buildings alone. I repudiate it entirely; it is absolutely incorrect. He says that this Government is indebted to the extent of Rs. 71,00,00,000. I repudiate that charge; it is not correct. Now, what are the figures?

Rao Bahadur G. K. CHITALE: May I give a personal explanation, Sir?

The Honourable Sir GOVINDRAO PRADHAN: He may do it, but the time at my disposal is very short.

Rao Bahadur G. K. CHITALE: If the English of the Accountant General is wrong, I am wrong. On page 9 of the Report of the Accountant General on the Appropriation Accounts of the Government of Bombay for the year 1929-30, the Accountant General has made certain remarks. I wish my honourable friend the Finance Member would read it.

The Honourable Sir GOVINDRAO PRADHAN: I have read it; it was also read out by the honourable member the Finance Secretary, and the explanation was given.

Rao Bahadur G. K. CHITALE: The Accountant General there, as against Rs. 40 crores of debts which he shows, says:

"As against this, the book value of the Irrigation and Navigation estate of Government was Rs. 2,803 lakhs and of residential and other buildings Rs. 1,582 lakhs."

"As against this" means, as against Rs. 40 crores that is the only asset.

The Honourable Sir GOVINDRAO PRADHAN: I submit, Sir, the honourable member has the Blue Book, and he has in his hands even the book which I have in my hands. What is the state of things? I am merely giving figures up to 31st March 1932. Now, the figure of Rs. 71 crores is there, out of which Rs. 20,88,00,000 are given out to these local bodies; deduct that, and you get the figure of Rs. 50,00,00,000. Out of that you have got to deduct Rs. 20,27,00,000 for the Lloyd Barrage, because that is a work which is yet to be completed; that is a work which, today at any rate, we consider as a productive work. We are not paying out of revenue the interest charges on this work. So, we have got to deduct that, and that leaves a sum of Rs. 29,94,00,000. Out of that for the present I am deducting the Development loan for

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purposes which I shall explain; that is Rs. 12,66,00,000, leaving a margin of Rs. 17,00,00,000 and odd. Out of that Rs. 8,90,00,000 is the pre-Reform debt. Then there is a debt of Rs. 2,30,00,000 in the Provincial Loans and Advances Account, which pays its own way. Now, for the present leave aside the Development debt. If this Government has borrowed about seven, or eight or nine crores of rupees during the period of the last 10 years, and out of which two or three crores are spent for productive purposes, then what is that which you call unproductive? A road, a bridge, a central jail, judicial buildings at Poona and Karachi—all these are called unproductive works; then there is the Council Hall in which we are holding the session to-day. I have examined all the Public Works Department budgets from 1921 up to now, and what are the works under 60-Civil Works? Now this Council Hall has cost Rs. 7,00,000. The Kasheli bridge which joins two roads cost Rs. 30,00,000. There is the Central Jail at Nasik; the judicial buildings at Karachi cost Rs. 33,00,000; then Rs. 21,00,000 or Rs. 22,00,000 was the cost of the judicial buildings at Poona. All these works are called unproductive works. We are constructing roads in the Konkan; we are bridging rivers; we are bridging the Tapti; all these are unproductive. But are they not necessary? Is there any one who says that a civilised Government should not have roads, that a civilised Governmen should not bridge rivers, that it should hold its courts and offices under trees or in an open maidan? Is that the idea? If we have borrowed only a part of the money for such works, and if according to classification it is called unproductive debt, is it really unproductive? Will you not be obliged to rent a building for holding your courts? Will you not be obliged to house your prisoners, and how are you going to do it without jails? All these are technically unproductive; really they are not. We have built main trunk roads; we have bridged the Bombay-Agra road; those works may be unproductive, but they are absolutely necessary. The only residential buildings, so far as I know—there may be some others—which have been built during all these years are the ones at Khopri in the Thana district for the officers who did not have them, and they cost 11 or 12 lakhs of rupees. So, my submission to this honourable House is, please do not be carried away with the idea that this Government has spent Rs.15,00,00,000 during the space of 10 years in housing their officers. We are not such high personages who are being lodged in luxurious palaces like that. Fifteen crores of rupees during the period of 10 years for housing the officers!! I was actually taken aback. Now, Sir, the figures of debt of the various provinces were quoted; it was stated that the Madras Government had borrowed so much, the Punjab Government had borrowed so much, the Assam Government had borrowed so much, the United Provinces Government had borrowed so much, and so on. Now, there is the unfortunate mistake of the Back Bay, which is nearly a dead loss—I freely admit it; but as the honourable member the Finance Secretary pointed out, where is the good of harping upon it repeatedly? You have got to pay off that debt; then there is only a very small amount left; and for every debt that we have incurred,

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leaving aside the Back Bay debt and the Lloyd Barrage debt, we are actually paying interest charges and also making equated payments. We are paying off unproductive debts by equated payments spread over 30 years, and we are paying off productive debts by equated payments spread over 60 years. So, my submission to this honourable House is that if they study statements C and D, just take care to read them, they will know what the debt position of this Government is. If they care to see what works are carried out under 60-Civil Works, they will know what is an unproductive work, and what works are constructed out of some of the moneys which have been borrowed. I have got in my hand a statement of expenditure, and I will read it out for the information of the House. Forest Capital outlay Rs. 7,84,000, during the past 10 years. You want forest roads, don't you? Otherwise you cannot cut your forests. Then, Capital outlay on Public Health, i.e., Water Works and Drainage: Poona Water Works, Kirkee Water Works and Drainage Scheme, Rs. 44,56,000. I have shown what this capital outlay on civil works is. Even part of the expenditure on the Gateway of India is debited to these works. The amount is Rs. 3,95,37,000; that is the total amount, including roads, jails, public buildings, and everything. Then, Excise, Rs. 20,56,000, out of which nearly fifteen or sixteen lakhs were spent in purchasing the acetone factory, which is a paying proposition. Then 56-A (Reserved), Rs. 29,78,000. That is for the artillery maidan at Karachi. We are buying that maidan and paying to the military; so their buildings have been demolished, and we have been paying for that part of the amount. Then, Commuted Value of Pensions——

Rao Bahadur G. K. CHITALE: Under which head are the court buildings which cost Rs. 60 lakhs?

The Honourable Sir GOVINDRAO PRADHAN: They are under 60-Capital Outlay on Civil Works, Rs. 3,95,37,000. Under that are included the Central Jail, court buildings, bridges, roads, and everything.

Then, I was referring to the payment of commuted value of pensions. Is not that the policy of Government, that there should be a commutation of pension? Does anybody want Government to go back upon it, or is it not in the interest of the Government servants that we should allow commutation of pension? In order that we should not plead want of funds, this policy has been adopted, viz., that we borrow and we make these payments; and we repay the debt by instalments in 15 years. Can it be said that the amount which we have borrowed is borrowed by a prodigal Government? As I said, I make an exception of the Back Bay scheme. I do not take into consideration the Lloyd Barrage, because it has yet to be completed and we also consider it as a productive work. So, barring the Bombay Development scheme, there is absolutely no reason to stamp or dub this Government as a prodigal or reckless Government.

Then, Sir, the cry of the House was retrenchment, retrenchment and retrenchment. Everybody said, "retrenchment," and to that cry was

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added, "'Well, you have not yet sufficiently retrenched. There is a committee which is going to be appointed, and unless we know the result of that committee's work, we shall not vote for your Finance Bills." Now, Sir, if I remember aright, last year, when I brought forward my first taxation Bill, I was told, "You are not going to appoint a Retrenchment Committee; unless you appoint a Retrenchment Committee and that committee examines your expenditure, we shall not vote for this Bill." All right; we did appoint a Retrenchment Committee. In November last year, when I came forward with the Succession Duty Bill, I was told, "Well, you have not told us what action you have taken on the Retrenchment Committee's recommendations." I said that on that day I got the report of the committee. But they said, "All the same, as Government are not in a position to tell us as to what action is taken on the Retrenchment Committee's report, we are not going to pass the Succession Duty Bill." Now, I have come forward and said that not only the Retrenchment Committee's cut has been accepted, but over and above that we have gone a step further; when that committee wanted a cut of Rs. 120 lakhs, we have taken a cut of Rs. 136 lakhs. I further said that we are ready to appoint another expert committee; we are not going to stop at what we have done so far. That expert committee will re-organize the departments if they like. And now honourable members say, "Let the result of the expert committee's work be known, and we will then vote for fresh taxation." So, I submit, Sir, that I have tried to meet them in every possible way. The Retrenchment Committee was appointed, its report was considered and not only their recommendations were accepted, but we went one step further. We want that there should be a further examination. According to our ideas we have retrenched to the utmost. What is the idea of the opposition benches when they say that there is still room for retrenchment? At the same time they say, "Do not cut education, do not cut medical relief, do not cut veterinary." The honourable member Mr. Patel says, "Do not abolish the Broach District." Do not amalgamate this taluka or that taluka, they say. Wherever we try to effect retrenchment, they say, "No". What other retrenchment can we effect? The interest charges have to be paid, the amount for appropriation and avoidance of debt has got to be paid and the commuted value of pension has to be paid. As regards Police and Jails, if there is the civil disobedience movement, the police must be there and the jails must be there. Not only that, the expenditure will have to be increased. If you take a total of all this, the balance is about 10 crores. Medical relief and veterinary should not be touched. There remains a balance of 9 crores. This 9 crores includes the sundry departments which take away about Rs. 1,35,00,000. Out of this 9 crores, two crores is for education. There remains 7 crores. Where is the margin out of which economies can be effected? Even if all the tall poppies are cut, even then it is not possible to retrench to the tune you want us to do. Even assuming that there is scope for retrenchment, do you not want additional money for education, do you not want additional money for the Agricultural Department? If there is the slightest margin, I am prepared to admit

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it. The land revenue will go down. The Honourable the Revenue Member has given remission of 3 annas in Thana, Kolaba and Ratnagiri districts and 4 annas in parts of Kanara and Belgaum districts. The honourable member from Kolaba was not present it seems——

Mr. N. N. PATIL: There is no remission for Kolaba.

The Honourable Sir GOVINDRAO PRADHAN: There is a remission of 2 annas for Kolaba. All this remission means loss of revenue. The revenue that is estimated will not be realised, and yet the honourable member Dr. Dixit says from his experience of the Surat District, "Why should we not push up the figure under land revenue; why should we not push up the figure under Excise?" Because we realised in Bombay some 7 lakhs more, he wants us to push up the figure under Excise. Year after year our bitter experience has been that we have been more optimistic. We have been putting down revenues which we never realised. Assuming that the honourable member Dr. Dixit is correct and we get some more revenue, have we not got expenditure for that amount? We have to restore the cut in the salaries. Some honourable member said that the emergency cut on roads and building repairs should be restored. The total of all this comes to 50 lakhs. These are emergency cuts which will have to be restored, if more revenue comes in. Is that any reason for not balancing our budget? How will you fill in the gap of 96 lakhs?

Some honourable members thought that we ought not to take a pessimistic view of our revenues. I have taken the revenue for nine years from the year 1921. I have calculated the average which comes to 14·4 crores. I have taken the average also for the next three years which comes to Rs. 12,49,00,000. There is a difference of Rs. 1,55,00,000. How is this gap to be filled up? The revenue has fallen and I have already sounded a note of warning. Unless there are fresh sources of revenue, even in normal times this Presidency will have to meet deficit more and more. We do not know whether new sources of revenue will come to us. Are we to go on borrowing for current expenses? One honourable member quoted my speech which was made last year to show that I was against borrowing, for current expenses. I am against borrowing, and the necessity we were put to for borrowing has entailed an additional charge of 15 lakhs by way of interest. Some honourable member suggested that we can borrow for current expenses. Can we do it? In the same breath they say that this Government has piled up the debts and this Government is prodigal. Do you want to see this Government sink deeper and deeper into the mire of debt? We can borrow for productive purposes and we can borrow for unproductive works as I have described. We should not borrow for current expenses. We have done our level best and we are going to have an experienced officer, Sir Frederic Gauntlett, who knows the working of all the presidencies. Let him show us the way. The honourable member Mr. Patil asked whether we cannot do it. A doctor does not usually treat his own child because he takes an exaggerated view of the illness. It is a father's affection for his children. We have done our best and we

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find we cannot go further. Let him tell us that we are wrong. If we are convinced that we are wrong, we shall remedy that. I am sorry to see honourable members opposing the finance Bills, even before hearing my speech on the subject. Even before they begin to discuss the merits or demerits of the Bills, they are anxious to tell the Government that they have come prepared to vote against them. I must tell them that it is a most unreasonable attitude. This money we are raising for your ultimate good. You will not be justified in piling up debts by borrowing for current expenses throwing the burden on the future generation. One honourable member stated that the Finance Department of this Government has made the position of future Minister for Finance so difficult that he would find it very difficult to make both ends meet. Do you want that that position should be made worse by borrowing for current expenses ?

Mr. V. N. PATIL: There was a reference that the deficit should be met by borrowing. I said that there should be no further borrowing.

The Honourable Sir GOVINDRAO PRADHAN: If the sources are pointed out to me, I will not borrow one farthing.

Mr. B. S. KAMAT: May I point out one source ? I have told this House on a former occasion that the increased cost of the establishment since the Reforms is something like Rs. 1,25,00,000. Government have retrenched to the extent of 37 lakhs by the 10 per cent. cut. There still remain, therefore, a possible 88 lakhs by way of enhanced cost of establishment. Even after allowing a margin for the higher cost of living in recent years, I believe there is evidently still room for retrenching cost of establishment.

The Honourable Sir GOVINDRAO PRADHAN: There is a special statement given of expenditure under the different departments, so that honourable members may compare the expenditure under the different departments. They will find that the expenditure has mostly grown up in the transferred departments. My honourable friend from Ahmednagar (Rao Bahadur Chitale) shakes his head.

The honourable member Mr. Surve is at a loss to understand why we are giving a sort of contribution to Inamdars by way of a crore of rupees. That is not so. If he will refer to page 116 of the White Book, he will find that there is a sum of Rs. 83,00,000 by way of *Warshasans, Devasthans,* and so on. The bulk of this one crore cannot be called expenditure. If you look at that page, the total comes to 96 lakhs, but I do not take into consideration the amount spent for the village services, useful to the community and useful to the Government. There is a sum of 83 or 84 lakhs which is for inams, which is shown as expenditure but which is not an expenditure. It is payment to the inamdars. The honourable member Mr. Kamat said that in Madras also they give 24 lakhs as inams. The honourable member the Finance Secretary looked into the matter. That is a sum which is given as remuneration to the village servants for the service they render.

Rao Bahadur B. R. NAIK: Is this amount to be paid in cash? They are alienated lands.

The Honourable Sir GOVINDRAO PRADHAN: They are *Warshasans, saranjams, devasthans,* and so on, which are payments from the treasury—some of them cash and some of them inam lands. They are shown in the budget as expenditure.

Rao Bahadur B. R. NAIK: Does it not include alienated inam villages? Do you include the revenue villages which are enjoyed by inamdars?

The Honourable Sir GOVINDRAO PRADHAN: A corresponding entry is not made.

Mr. V. N. JOG: May I know whether it is credited to revenue and a double entry made?

The Honourable Sir GOVINDRAO PRADHAN: It is a double entry; the entry on one side is balanced more or less by the entry on the other side. Although you call it an item of expenditure, it is not an item of expenditure as such. Government gets no services in return for the 83 lakhs given. Eighty-three or eighty-four lakhs are paid out of the treasury for which Government gets no services in return.

Rao Bahadur B. R. NAIK: The amounts of the income from alienated villages are included on the revenue side.

The Honourable Sir GOVINDRAO PRADHAN: The inamees merely pay the *judi*. The whole revenue amount is shown as expenditure.

Rao Bahadur B. R. NAIK: It is also shown on the credit side.

The Honourable Sir GOVINDRAO PRADHAN: I have already explained that. There are only five minutes more. As regards those works which are completed, the repair and maintenance charges cannot be charged to capital. Therefore, the charges incurred on those canals which are completed are debited to the revenues.

Now, as regards my honourable friend Mr. Jog, the revised figures of salaries show a reduction varying from 12½ to 33⅓ per cent. These figures are published. So, it is not correct to say that we are paying the new entrants the old salaries. That is also a reply to my honourable friend Rao Bahadur Kale. All the new entrants are being paid the new scales; but, where new scales have not been framed, there is a cut of two annas in the rupee. As regards all-India services, there is published a scale of future salaries.

There are some minor points made out. One relates to the recruitment of I. M. S. officers. Now, some I. M. S. officers have got to be taken up on the Civil List when there is no war. There is a certain scale fixed and, according to that, certain officers have to be provided with civil employment. That is why they are with us.

As regards the abolition of two posts of district deputy collectors, I do not know what circumstances there are in the district of the honourable member who proposed it. I do not understand why he does not want a single district deputy collector for his district, when in several

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other districts there are three district deputy collectors. If there is any reason for abolishing them, he should make a representation to the Honourable the Revenue Member.

As regards the complaint about the cut on Education, I can say that it is a *pro rata* cut, and perhaps less than a *pro rata* cut. If the local bodies are handicapped by the reduction, they have to take into consideration the cut in salaries and cut in establishment that Government have effected and reduce their expenditure. When we make an all round cut, necessarily that cut will fall upon the local bodies also.

The Honourable the PRESIDENT: I think the point raised by Rao Bahadur Naik and pursued by some honourable members was met by the Honourable the Finance Member. But there are certain entries in the White Book, which might be explained, if the Honourable the Finance Member has no objection, by the honourable member the Finance Secretary.

Mr. G. WILES: I thank you, Sir, for giving me this opportunity. There seems to be some misapprehension about these inam lands. The fact is the whole assessment of these inam lands is shown as revenue. On the other side——

Rao Bahadur B. R. NAIK: We know it is credited and debited.

Mr. G. WILES: Let me speak. The whole of the *nuksan* is shown on the expenditure side. So that the revenue side is unduly swelled by revenue which we do not get and the expenditure side is also swelled by expenditure which we do not incur. That is the whole point. In other provinces there is nothing similar to this, and, therefore, there can be no comparison.

Mr. A. N. SURVE: At page 166 of the White Book a sum of 65 lakhs and odd is shown against the name of inamdars. What I said was that these inamdars have not been giving any revenue to our Government.

The Honourable Sir GOVINDRAO PRADHAN: We cannot forfeit the inams. [*Interruption.*]

The Honourable the PRESIDENT: Order, order.

Rao Bahadur B. R. NAIK: Sir, on a point of information. The Honourable the Finance Member said that the cut in Education was *pro rata* and perhaps even less. May I know from him how he has arrived at that conclusion? In General Administration he says the cut is 19 lakhs. That is out of a total of 2,25 lakhs. The total under Education is only 1,99 lakhs, but there is a cut of 27 lakhs.

The Honourable Sir GOVINDRAO PRADHAN: It is really not 27, because part of the Education grant is shown under Industries. As I said, 10 crores is the expenditure that can be retrenched—deducting interest and other necessary charges. Two crores is one-fifth of ten crores. If you divide 1,35 lakhs by 5, you will get 27 lakhs.

Rao Bahadur B. R. NAIK: You have cut it *pro rata*. But have you done the same with General Administration?

The Honourable Sir GOVINDRAO PRADHAN: You will please deduct out of the figure for General Administration the figure for inam lands. The eighty-three lakhs for inams is shown under General Administration.

Rao Bahadur B. R. NAIK: General Administration is 2,25 lakhs. There is a grave mistake. [*Interruption.*]

The Honourable the PRESIDENT: Order, order. There seems to be no agreement on this point.

The Honourable Sir GHULAM HUSSAIN: Those honourable members who are not satisfied with the reply can see the Honourable the Finance Member or the honourable member the Finance Secretary.

The Honourable the PRESIDENT: The House is now adjourned to 2 p.m., on Monday, the 22nd February 1932.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS

Monday, the 22nd February 1932.

The Council re-assembled at the Council Hall, Bombay, on Monday, the 22nd February 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOVER RORA, Mr.
HADDOW, Mr. R. R.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.

KHUHRO, Khan Bahadur M. A.
KIRKE-SMITH, Mr. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACKIE, Mr. A. W. W.
MATCHESWALLA, Mr. G. E.
MCELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MODI, Sardar DAVAR T. K.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. C. N.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SPENCER, Mr. A. B.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.

VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WADKE, Mr. B. P.
WILES, Mr. G.
WINTERBOTHAM, Mr. G. L.

STARRED QUESTIONS AND ANSWERS

EDUCATION DEPARTMENT: CONFIRMATION OF ACTING CLERKS.

*Rao Saheb B. G. DESAI (Kaira District): (1) How many acting clerks are working on the staff connected with the offices of the Deputy Educational Inspectors and Educational Inspectors in the Presidency?

(2) Will Government be pleased to state the length of service of each of them?

(3) (*i*) When do Government intend to confirm them in service?

(*ii*) Will Government be pleased to state reasons why they are not confirmed as yet?

(4) (*i*) How many such clerks were confirmed since the year 1924?

(*ii*) Will Government be pleased to state particulars as to their full names, qualifications, dates of joining service and confirmation as well as their present appointment and duties?

The Honourable Sir RAFIUDDIN AHMAD: (1) 30 on 1st October 1931.

(2) Their length of service ranged from one month to nearly twelve years.

(3) (*i*) and (*ii*) The clerks have not been confirmed because there are still some District Local Boards in the Northern Division which have not taken over control of primary education. The question of their confirmation is at present under consideration.

(4) (*i*) 3.

(*ii*) Government do not propose to collect this information.

Rao Saheb B. G. DESAI: The answer to question (4) (i) is that three clerks were confirmed since the year 1924. May I know whether these clerks were senior to those who were not confirmed?

The Honourable Sir RAFIUDDIN AHMAD: I cannot say; they might be.

VISUAL INSPECTOR.

*Rao Saheb B. G. DESAI (Kaira District): (1) When was the post of Visual Inspector created?

(2) What is the cost of maintenance of this post and of the staff attached to it?

(3) What are the duties of the Visual Inspector?

(4) How many Deputy Educational Inspectors in each district in the Presidency are provided with magic lanterns?

(5) Are they successfully worked with the assistance of the subordinate staff?

(6) Is it a fact that almost all Government high schools are supplied with magic lanterns and that they are successfully worked by competent assistant teachers ?

The Honourable Sir RAFIUDDIN AHMAD : (1) In November 1920.

(2) Rs. 10,756 in 1930-31.

(3) The attention of the Honourable Member is invited to paragraph 128 of the Report on Public Instruction in the Bombay Presidency for the year 1920-21 for the information.

(4) The Senior Assistant Deputy Educational Inspector or Deputy Educational Inspector in each district is provided with a lantern.

(5) and (6) Yes.

EDUCATIONAL DEPARTMENT, INSPECTING STAFF : EXPENDITURE.

*Rao Saheb B. G. DESAI (Kaira District) : (1) What was the net total expenditure on account of the inspecting staff of the Educational Department in the Presidency in the years 1910, 1920 and 1930, respectively ?

(2) What was the number of boys studying in the various primary and secondary schools in the Presidency in the years 1910, 1920 and 1930, respectively ?

The Honourable Sir RAFIUDDIN AHMAD : (1) and (2) The required information is given below :—

	Expenditure on Inspecting Staff.		Number of pupils in Primary and Secondary schools.		
	Government Funds.	Total.	Boys.	Girls.	Total.
1	2	3	4	5	6
	Rs.	Rs.			
1910 ..	3,73,429	4,75,384	644,717	116,170	760,887
1920 ..	8,86,750	8,93,633	674,048	168,447	842,495
1930 ..	11,02,787	15,07,123†	947,797	250,262	1,198,059

†Inclusive of the Inspecting staff transferred to or appointed by the Local Authorities.

GOVERNMENT HOSPITAL, KARACHI : FOOD.

*Mr. GOVER RORA (Karachi City) : Will Government be pleased to state—

(*a*) whether it is a fact that the Karachi Government Hospital authorities require poor indoor patients to provide their own food ;

(*b*) if so, since when it is being done ;

(*c*) what are the reasons therefor ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL : From the middle of last year, in view of the retrenchment in the grant for diets, those patients who could afford to bring their own food were asked to do so ; but no patients who could not afford to do so were asked to bring their own food.

LOCAL BOARD, POONA: KHADAKWASLA-SINHGAR ROAD.

*Mr. G. M. KALBHOR (Poona District): Will Government be pleased to state—

(*a*) whether the income from the three forest kurans of Dharjai from Ghera Sinhgar is being credited to the District Local Board, Poona, to meet the charges of repair and maintenance of the road from Khadakwasla to Sinhgar Fort;

(*b*) if not, why not;

(*c*) how do Government intend to compensate the Board for the money spent by it over the road?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) No.

(*b*) Because the Kurans are in charge of the Forest Department.

(*c*) Since 1905 Government have been making liberal grants to District Local Boards for local works. In the Central Division every local board gets a grant equal to 50 per cent. of the expenditure incurred by the Board on roads during the previous year plus Rs. 200 per mile of *metalled* roads maintained by it, in addition to grants for original works and special repairs. Thus there is no reason why Government should give any sum for this particular road in addition to what the District Local Board, Poona, gets for road maintenance.

BRIDGE OVER KUKADI AT PIMPALVANDI.

*Rao Saheb P. D. KULKARNI (Poona District): Will Government be pleased to state—

(*a*) whether they are aware that the public travelling on Poona-Nasik road are much inconvenienced owing to the absence of adequate means of crossing the river Kukadi at Pimpalvandi;

(*b*) whether the plans and the estimates of the bridge in question are ready; if so, whether they are sanctioned and provision of the amount for the work has been made from the fund which is now at the disposal of the Government;

(*c*) whether they intend to take up the work of constructing the bridge across the said river before the forthcoming Sinhastha Fair begins; if not, the probable date of making a beginning in the work of construction?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) No. They are under preparation.

(*c*) The work will be taken in hand after the plans and estimates are sanctioned and funds allotted.

Rao Saheb P. D. KULKARNI: In what year did the engineer take the preparation of the plans in hand and when will the plans and estimates of the scheme be completed?

The Honourable Dewan Bahadur S. T. KAMBLI: The plans and estimates are under preparation and are expected to be completed in due course.

Rao Saheb P. D. KULKARNI: But in what year did the engineer take the preparation of the plans and estimates in hand?

The Honourable Dewan Bahadur S. T. KAMBLI: If the honourable member gives me notice, I will find it out for him.

Mr. G. M. KALBHOR: Can it be started this year?

The Honourable Dewan Bahadur S. T. KAMBLI: No, it cannot be started this year.

Mr. G. M. KALBHOR: When is the construction likely to start?

The Honourable Dewan Bahadur S. T. KAMBLI: The answer to (*c*) is quite clear. It will be taken in hand after the plans and estimates are sanctioned and funds are allotted.

Rao Saheb P. D. KULKARNI: Is it a fact that the plans and estimates of the bridge of full height were ready, but the idea of having that construction being abandoned the scheme of constructing the causeway in its place has been taken in hand and for that purpose the separate plans and estimates are being prepared now?

The Honourable Dewan Bahadur S. T. KAMBLI: The answer to (*b*) is clear. The plans and estimates are under preparation.

Rao Saheb P. D. KULKARNI: What plans and estimates are under preparation? Plans of the bridge or the causeway?

The Honourable Dewan Bahadur S. T. KAMBLI: It is an answer to the original question put by the honourable member.

Rao Saheb P. D. KULKARNI: When will the work of preparing plans be finished?

The Honourable Dewan Bahadur S. T. KAMBLI: It is a new question altogether. I would require notice of the same.

PUBLIC WORKS DEPARTMENT: ASSISTANT ENGINEERS.

*Rao Saheb P. D. KULKARNI (Poona District): (1) Will Government be pleased to state how many assistant engineers are attached to the office for doing office work in each circle of the Public Works Department?

(2) How many Sub-divisional charges are held by (*a*) temporary assistant engineers, (*b*) temporary supervisors, and (*c*) temporary overseers in each circle?

(3) Why are sub-divisional charges held by temporary men not given to permanent assistant engineers or to suitable permanent overseers in pursuance of the policy laid down by Government?

(4) Is it a fact that temporary supervisors accept the post of permanent supervisors on a reduced scale of pay?

The Honourable Sir GHULAM HUSSAIN:

(1) Chief Engineer, Lloyd Barrage and Canals Construction and the Superintending Engineers under him.	6 including one temporary Assistant Engineer.
Chief Engineer in Sind and the Superintending Engineers under him.	3
Northern Circle	3

Central Circle	3
Deccan Irrigation Circle	1
Irrigation Development and Research Circle	4
Southern Circle	1
Public Health Circle	2
(2) (*a*) Chief Engineer, Lloyd Barrage and Canals Construction and the Superintending Engineers under him	35
Chief Engineer in Sind and the Superintending Engineers under him	1
Northern Circle	2
Deccan Irrigation Circle	1
Irrigation Development and Research Circle	1
Electrical Engineer	2
(*b*) Chief Engineer, Lloyd Barrage and Canals Construction and the Superintending Engineers under him	24
Public Health Circle	4

(*c*) *Nil.*

(3) Government have not laid down any definite policy in this respect. Permanent Assistant Engineers are intended for the charge of Sub-divisions and Temporary Assistant Engineers are given Sub-divisional charges only when suitable permanent officers of that class are not available. Only in exceptional cases, when permanent or temporary Assistant Engineers or Supervisors are not available, are permanent Overseers given Sub-divisional charges.

(4) Permanent Supervisors belong to the old Upper Subordinate establishment, to which recruitment has already been stopped. There can, therefore, be no occasion for temporary Supervisors to accept posts of permanent Supervisors even on reduced pay. Temporary Supervisors desirous of joining the Bombay Subordinate Engineering Service can, however, be appointed as permanent Overseers with a reduction of their existing pay on temporary establishment.

Mr. S. S. TOLANI: From the reply to 2 (*b*) I find there are 28 temporary supervisors who are in charge of sub-divisions. There are many permanent overseers who are senior in service and who are more experienced than the temporary supervisors and they have been acting as sub-divisional officers for many years, but they are not given charge of sub-divisions now after the amalgamation of the Barrage with the Public Works Department. Why has preference been given to the temporary supervisors?

The Honourable Sir GHULAM HUSSAIN: If the honourable member reads the whole reply, he will find out the reason.

Mr. S. S. TOLANI: The reply is not very clear.

Rao Saheb P. D. KULKARNI: How many assistant engineers are attached to the Superintending Engineer's office, and how many to the offices of the Executive Engineers?

The Honourable Sir GHULAM HUSSAIN: If the honourable member gives notice, I shall find out.

Rao Saheb P. D. KULKARNI: It seems in the Public Health Circle two assistant engineers are attached to the Superintending Engineer's office. Is there any necessity for their being attached to the office instead of their being put in charge of some sub-division in his charge ?

The Honourable Sir GHULAM HUSSAIN: The Public Health Department is under the charge of the Honourable Minister, but as a matter of courtesy, I have answered the question.

The Honourable the PRESIDENT: Is the Honourable Minister prepared to answer the question ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: I have not followed the question, Sir.

Rao Saheb P. D. KULKARNI: There are two assistant engineers attached to the office of the Superintending Engineer, Public Health Department, and my question is whether there is any necessity for two hands ? One assistant engineer is generally sufficient for carrying on the office work of the Superintending Engineer.

The Honourable Sir GHULAM HUSSAIN: I was in charge of this portfolio for some time, and as far as I remember, one man is doing the work of preparing plans of the various schemes that are being designed with regard to drainage and other things. The other attends to the office work and helps the Superintending Engineer. He more or less acts as his personal assistant.

Rao Saheb P. D. KULKARNI: Is it a fact that there is a separate engineer for preparing projects under the Superintending Engineer, Public Health Department, and if the post be taken into account, there would be three engineers attached to his office in all ?

The Honourable Sir GHULAM HUSSAIN: I am speaking from memory. I have given what explanation I could.

Rao Saheb P. D. KULKARNI: Also there are four temporary supervisors holding sub-divisional charges and getting Rs. 50 per month extra allowance for this duty. If so, is it not necessary to give this post in these days of financial stringency to the assistant engineers or overseers attached to the office ?

The Honourable Sir GHULAM HUSSAIN: The question is not clear, Sir.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: These are all matters of detail, and if the honourable member gives me notice I promise to furnish him with all the information that he requires.

Mr. S. S. TOLANI: With regard to part 4, may I know when and why recruitment under permanent supervisors was stopped ?

The Honourable Sir GHULAM HUSSAIN: Because we now have the Subordinate Engineering Service and the Bombay Engineering Service, we have a sufficient number of officers in these services.

Mr. S. S. TOLANI: Then why did they have temporary supervisors ?

The Honourable Sir GHULAM HUSSAIN : They might be old hands continuing in that grade.

Dr. M. K. DIXIT : Do they all have enough work to do ?

The Honourable Sir GHULAM HUSSAIN : They must have ; otherwise, they would not be employed.

LAND EROSIONS IN SIND.

*Mr. SHAIKH ABDUL MAJID (Karachi District) : Will Government be pleased to state—

(*a*) whether it is a fact that lands in Karachi District and also in some other districts of Sind are eroded by the river year after year ;

(*b*) whether it is a fact that those very lands are in certain cases thrown out by the river after a certain period ;

(*c*) whether it is a fact that lands so thrown out are not returned to their original owners ;

(*d*) whether it is the intention of Government to return the lands so thrown out during the last five years to the original owners of these lands ;

(*e*) if not, the reasons therefor ?

The Honourable Mr. W. F. HUDSON : (*a*) Yes.

(*b*) Yes.

(*c*) and (*d*) When the land thrown out by the river is identifiable it is returned to the original owners. When it is not identifiable it is given to such of the zamindars in the neighbourhood as have suffered by erosion according to their respective claims, unless their *daryakhurdi* claims have been otherwise satisfied.

(*e*) Does not arise.

Mr. SHAIKH ABDUL MAJID : May I know since how long this practice has been in force ?

The Honourable Mr. W. F. HUDSON : Longer than I can remember.

BARSI LIGHT RAILWAY : TAX AT BRIDGE OVER BHIMA RIVER.

*Mr. J. G. MORE (Sholapur District) : Will Government be pleased to state—

(*a*) whether they are aware that the Barsi Light Railway is recovering a tax of 6 pies per head per crossing from the agriculturists using the side footpaths of the Railway Bridge on the Bhima River near Pandharpur ;

(*b*) whether it is a fact that the whole cost of the bridge incurred by the Railway Company has been recovered from the extra railway fare levied on the passengers ?

The Honourable Mr. W. F. HUDSON : (*a*) Yes.

(*b*) Yes. The total amount recovered by the Barsi Light Railway by way of pontage charges has exceeded the cost of the bridge.

Mr. J. G. MORE : When the cost of the bridge was recovered from the public, may I know why this special additional tax was imposed by the Barsi Light Railway Company on the foot-path passers ? Is it fair ?

The Honourable Mr. W. F. HUDSON: I assume that this bridge requires a good deal of money spent on annual repairs. I suspect that is probably the reason why the Barsi Light Railway Company still charge this small fee on the foot passengers.

Mr. J. G. MORE: Has he made enquiries regarding this?

The Honourable Mr. W. F. HUDSON: No.

Mr. J. G. MORE: Are the Government going to make any enquiries?

The Honourable Mr. W. F. HUDSON: I do not think so. It is a perfectly reasonable proposition.

Mr. J. G. MORE: I have heard that no tax has been gathered in one month.

The Honourable Mr. W. F. HUDSON: I understand quite well what the honourable member wants. I suggest that he should address his representations to the Company.

Mr. M. M. KARBHARI: May I know what kind of agreement has been entered into by the said company with the Government for levying this tax of six pies?

The Honourable Mr. W. F. HUDSON: The agreement was that they should be allowed to levy a tax of six pies per head.

Mr. J. G. MORE: Till what period?

The Honourable Mr. W. F. HUDSON: I think there was no time limit. But if the honourable member wants to be perfectly certain about that, he must put a separate question.

"AT-HOME" TO COLLECTOR OF SHOLAPUR.

*Mr. J. G. MORE (Sholapur District): Will Government be pleased to state—

(*a*) whether they are aware that the Managing Committee of the Urban Co-operative Credit Bank, Pandharpur, offered an "At Home" to the Collector of Sholapur, Mr. H. F. Knight, I.C.S., in the month of January last;

(*b*) whether the expenditure of the "At Home" was from the funds of the Bank;

(*c*) if so, whether such expenditure out of the shareholders' money without their consent is approved by Government?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) The Bank was "At Home" to a number of guests on the occasion of the opening by the Collector of the Bank's godowns.

(*b*) Yes.

(*c*) Government cannot give their opinion as the matter is *sub judice*.

Mr. J. G. MORE: With regard to (*a*), does the Honourable Minister mean to reply that at the At-Home offered to the Collector there were many other guests?

The Honourable Dewan Bahadur S. T. KAMBLI: Certainly.

Mr. J. G. MORE : Then it must be that the At-Home must have been offered by the Bank to the Collector. Is it not so ?

The Honourable Dewan Bahadur S. T. KAMBLI : A number of guests were invited along with the Collector.

Mr. J. G. MORE : My question is whether the At-Home was specifically offered to the Collector.

The Honourable Dewan Bahadur S. T. KAMBLI : I think my answer is quite clear on the point.

Mr. J. G. MORE : When an At-Home is offered to a distinguished guest, there are other guests or friends invited. I want to know whether this At-Home was specifically offered to the Collector by the Bank.

The Honourable Dewan Bahadur S. T. KAMBLI : I repeat that my answer is quite clear, and I do not think it necessary to add anything to it.

Mr. J. G. MORE : I beg to submit, Sir, that the answer is not clear.

DISTRICT LOCAL BOARD, SHOLAPUR : LOCAL FUND CESS.

*Mr. J. G. MORE (Sholapur District) : Will Government be pleased to state—

(*a*) whether it is a fact that the District Local Board of Sholapur in 1923 raised the local fund cess from one anna to two annas on the ground that the additional taxes proposed by the Board on trade, professions and other callings were not sufficient to meet the expenditure incurred on account of primary education ;

(*b*) if so, whether the District Local Board levied taxes on trade, professions and other callings ;

(*c*) whether it is a fact that this additional levy of local fund cess of one anna was to be spent in addition to what the Board used to spend for primary education ;

(*d*) whether it is a fact that the Board spent 16 pies out of this two-anna local fund cess from 1925 to 1928 ;

(*e*) whether it is a fact that the District Collector of Sholapur as head of the District Local Board during supersession period reduced this primary education expenditure from 16 pies to 12 pies ;

(*f*) if so, for what purposes the balance was spent ;

(*g*) what is the exact amount so spent ;

(*h*) whether it was found to be an unauthorised expenditure ;

(*i*) whether Government disapproved of this ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL : (*a*) Yes.

(*b*) No.

(*c*) It was not intended that the whole of the proceeds from the increased cess should be used only on primary education in addition to what the Board used to spend on that account.

(*d*) The District Local Board paid 16 pies to the School Board, but the whole amount was not actually spent by the School Board.

(*e*) Yes, as a very large balance was lying idle with the School Board and the budget of the Local Board was not sufficient to meet the other

obligatory demands on the Board, as a tentative measure only 12 pies out of 24 pies of cess were paid to the School Board.

(*f*) The amount was spent on the objects which are obligatory on the Board, i.e. dispensaries, veterinary dispensaries, vaccination, cholera, roads, water supply, etc.

(*g*) No separate account for the balance has been maintained and it was merged in the general balance of the Board for every year and the whole general balance of the Board was budgeted for the above subjects.

(*h*) No.

(*i*) No.

Mr. J. G. MORE: With regard to (*a*), I wish to know whether the reply given by the Honourable Minister is to a part of the question or to the whole question.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: I do not follow the honourable member. The reply is very clear. There were only two alternatives placed by the board: one was to levy a profession tax, and the other was to increase the local fund cess from one anna to two annas. The board decided to drop the former proposal and put up only the latter. So the former was not at all considered by Government.

Mr. J. G. MORE: With reference to (*a*), to the question whether the cess was raised from one anna to two annas for the purpose of meeting the expenditure on primary education, the answer is in the affirmative. In part (*c*), the question asked is "whether it is a fact that this additional levy of local fund cess of one anna was to be spent in addition to what the Board used to spend for primary education;" and the reply to that is, "It was not intended that the whole of the proceeds from the increased cess should be used only on primary education in addition to what the board used to spend on that account." When he replies to part (*a*) of the question in the affirmative, how is it possible that this increased cess was not intended exclusively for purposes of primary education?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: It was not intended that the whole of the tax realised by the difference of the additional one anna should be spent on education. That is not intended by my reply to part (*a*). Moreover, the school board has money available, more than it requires, whereas the district local board has not got enough money to meet its obligatory expenses, and therefore it is but proper that the money that is required for the regular, daily expenses should be first provided. I should like to know whether the honourable member means to say that the school board is not given enough money. Is that the point?

Mr. J. G. MORE: My point is this. The board passed a specific resolution in 1923 that this extra cess was to be spent exclusively on primary education. That was the resolution of the board. The board had given the people to understand that this extra cess of one anna would be spent exclusively for primary education purposes.

The Honourable the PRESIDENT: Where is that here? That is probably the honourable member's private information or knowledge.

Mr. J. G. MORE: I think the Honourable Minister must have got this information from the District Local Board. What I mean to say is that this extra cess ought to be spent primarily for education purposes as per resolution of the Board, but it is being spent by the district local board for other purposes.

The Honourable the PRESIDENT: I do not see the inconsistency between (*a*) and (*c*). In part (*a*) the honourable member asked whether this tax was raised from one anna to two annas because the board were not in a position specially to meet the expenditure incurred on primary education, and the reply is, yes. In part (*c*) the honourable member has asked whether it is a fact that this additional levy of local fund cess of one anna was to be spent in addition to what the Board used to spend for primary education, and the reply is, "It was not intended that the whole of the proceeds from the increased cess should be used only on primary education.". It appears from the reply that there was an insufficiency of funds, and they adopted the method of raising the local cess from one anna to two annas. Out of that the expenses were met. Probably there was a little surplus and out of that other expenses were also met. There is no inconsistency between (*a*) and (*c*) to pursue the supplementary question at all.

Mr. J. G. MORE: When the board passed the resolution——

The Honourable the PRESIDENT: That is not before us.

Mr. J. G. MORE: When the cess was raised, was sanction given to the board to raise the cess?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: If the sanction had not been given, the cess would not have been raised.

Mr. J. G. MORE: When the money was spent for other purposes, was there any sanction from Government?

The Honourable the PRESIDENT: The honourable member's question is: What was the sanction for and why was the cess increased?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: The cess was increased with a view to meet the additional expenditure incurred on education. It does not mean that every farthing that is realised out of the tax must be spent for education, if no funds were necessary.

Mr. J. G. MORE: The sanction is required.

The Honourable the PRESIDENT: The second question the honourable member wishes to ask is whether any sanction is necessary to use any amount out of that cess for any other purpose?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: What year does he refer to? He is perhaps referring to the period during which the board was under supersession and the Collector was in charge. It is presumed he must have got the sanction. I will not be able to say now without reference to papers.

Rao Bahadur S. N. ANGADI: About the year 1925, Government have issued a Government Resolution in which they have made it permissible to spend this amount also on communications.

Mr. R. B. SHINDE: I want to know whether Government have given special sanction to the district local board to raise the cess from one anna to two annas specifically for using the proceeds on education? Is it not wrong if this money has been used on non-educational purposes?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: My reply is in the negative.

Mr. M. M. KARBHARI: If this additional one anna cess has been sanctioned by Government specially on the district local board asking the Government that this should be utilised for educational purposes, will the board be justified in diverting——

The Honourable the PRESIDENT: This question has been asked in another form and there was no reply.

LAND REVENUE COLLECTION, MADHA TALUKA.

*Mr. J. G. MORE (Sholapur District): Will Government be pleased to state—

(*a*) whether it is a fact that in Madha Taluka, district Sholapur, the Mamlatdar has collected revenue arrears of past years from certain villages;

(*b*) if so, from what and how many villages;

(*c*) why the Mamlatdar did so?

The Honourable Mr. W. F. HUDSON: (*a*) Yes.

(*b*)

Name of village.	Amount collected. Rs. a. p.
Tandulwadi	177 1 0
Nandgaon	16 10 0

(*c*) The above collections were made by the Mamlatdar before receipt of Government orders regarding resuspension of suspended arrears. No collections were made after receipt of the Government orders. Rs. 92-9-0 were refunded to cultivators of Tandulvadi; the remaining amounts were credited against last year's and the current year's demands.

Mr. J. G. MORE: The order was issued by the Collector to the Mamlatdar. When was it received by the Mamlatdar?

The Honourable Mr. W. F. HUDSON: I must ask for notice. I cannot carry all these details in my head.

Mr. J. G. MORE: May I know why the rest of the money has not been refunded?

The Honourable Mr. W. F. HUDSON: Because they did not apply. Any one who applied, received the money back. In the case of those who do not apply the money is credited to the last year's revenue or to this year's revenue. That is the ordinary procedure.

JAMALPUR TOWN PLANNING SCHEME: AHMEDABAD.

*Mr. A. K. RESALDAR (Ahmedabad and Surat Cities): Will Government be pleased to state—

(*a*) whether it is a fact that the Ahmedabad Municipality (being the local authority in the Jamalpur Town Planning Scheme, Ahmed-

abad, No. 1) permitted the Hume Pipe Factory to construct its workshop and to carry on its business in Final Plot No. 14 in contravention of Regulation No. 1 of the said scheme;

(*b*) whether it is a fact that stables and godowns for storing grass have been permitted to be constructed by the Local Authority in Final Plot No. 13, which is reserved for commercial purposes only and whether only 15 feet margin has been kept in constructing the buildings in this plot in contravention of rule 6 of the scheme;

(*c*) whether it is a fact that the Ahmedabad Municipality, i.e. the Local Authority, has decided to construct its own workshop in Final Plot No. 38 of the scheme which is reserved for horses' stables only;

(*d*) whether any alterations in buildings in Final Plot No. 75 have been made, and, if so, whether the permission therefor was obtained from the Local Authority;

(*e*) if replies to (*a*) to (*d*) above are in the affirmative, whether it is their intention to take action under section 43 (3) of the Bombay Town Planning Act, 1915?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: (*a*) Yes, for a temporary use only: Such user is not considered by the Municipality to be in contravention of regulation No. I of the Scheme.

(*b*) Yes; as regards the latter part of the question the Municipality is taking necessary action against the owner to enforce compliance with regulation No. 6.

(*c*) Yes, on a part of the plot only as the whole area of the plot is more than necessary for horses' stables.

(*d*) and (*e*) No.

Mr. A. K. RESALDAR: The Honourable Minister answers in the affirmative regarding the points I have raised in my question. The arbitrator of the said scheme also expressed the opinion that the scheme has proved a failure. According to the municipal——

The Honourable the PRESIDENT: What is the question?

Mr. A. K. RESALDAR: In view of the reply given by the Honourable Minister, does he propose to revoke the scheme under section 46 (2) of the Town Planning Act to remedy the grievances of the people?

The Honourable the PRESIDENT: That is a suggestion for action.

EDUCATIONAL DEPARTMENT, NORTHERN DIVISION: CONFIRMATION OF CLERKS.

*Mr. A. K. RESALDAR (Ahmedabad and Surat Cities): Will Government be pleased to state—

(*a*) the names of acting clerks in the offices of the Educational Department in the Northern Division, with their pay, qualifications and period of service;

(*b*) the number of clear vacancies in those offices;

(*c*) whether it is a fact that clerks with more than ten years' service are still acting;

(*d*) whether there are any departments under the Bombay Government where clerks of such long standing are still acting, and if so, in what departments;

(*e*) if not, why such clerks in this department are still not confirmed;

(*f*) whether Government are aware that because such clerks are not confirmed they do not get leave on full pay;

(*g*) the names, qualifications and period of service of clerks either confirmed or made probationers during the last three years with reasons for their confirmation;

(*h*) whether Government intend to take up the question of confirming the clerks?

The Honourable Sir RAFIUDDIN AHMAD: (*a*), (*b*), (*c*), (*e*), (*g*) and (*h*) The attention of the honourable member is invited to the reply given to-day to a similar question asked by Rao Saheb B. G. Desai.

(*d*) Information is not readily available.

(*f*) The clerks receive leave on full pay if the grant of leave does not involve extra expense to Government.

WAKF ACT: EXEMPTIONS.

*Mr. A. K. RESALDAR (Ahmedabad and Surat Cities): (*a*) Will Government be pleased to state whether it is a fact that they have classified Wakf properties as *Khas* and *Am*?

(*b*) How many big Wakf property holders of malki wakf have been exempted from the Wakf Act in the Northern Division and in the city of Bombay?

(*c*) How did Government ascertain that those exempted properties were Malki Wakf?

(*d*) Are Government aware that the donors entrusted those properties to them believing them to be reliable men to maintain *Madressas* and *Yatimkhanas*, and not for their private and indirect enjoyment?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) No.

(*b*) No wakf property is now exempt from the operation of the Act.

(*c*) and (*d*) Do not arise.

Mr. A. K. RESALDAR: Will the Honourable Minister state whether the property of the Kwaja community and the property of Pir Mahomed are under the operation of the Wakf Act?

The Honourable Sir RAFIUDDIN AHMAD: I want notice of that question.

LIQUOR LICENSE: RACE COURSE SECOND ENCLOSURE.

*Mr. A. N. SURVE (Bombay City, North): With reference to the following statements made by the Honourable the Minister for Excise and reported at page 1038 of Volume XXXI of the Official Report of the Bombay Legislative Council Debates—

(*i*) "This license has been granted for the last 14 or 15 years."

(*ii*) "As you know, Sir, there were bookies before."

(*iii*) "At that time also this license was given,"

(*a*) Is it a fact that the bookies were done away with in or about the year 1912, i.e., about 19 years ago, and the license has been given for the last 14 or 15 years as stated above?

(*b*) Will the Honourable Minister kindly explain how the bookies and license could have existed simultaneously?

The Honourable Sir RAFIUDDIN AHMAD: My statement is perfectly accurate regarding the Bombay Race Course, and as the honourable member points out it is inaccurate regarding the Poona Race Course.

Mr. A. N. SURVE: With regard to the statement marked (i) it is stated that the license has been granted for the last 14 or 15 years. Is that statement accurate or correct?

The Honourable Sir RAFIUDDIN AHMAD: I have stated that my statement with regard to Bombay is quite accurate but not so with regard to Poona.

Mr. A. N. SURVE: My point is this. The bookies were done away with in the year 1912. Therefore the contradiction arises in the case of Bombay also. If the bookies were done away with in 1912, and the license was granted to the Bombay Race Course only 14 or 15 years ago—say it was granted about 1915 or 1916. Then, at that time there were no bookies; they being done away with in 1912. It is assumed, according to the statement made, that the license to the Bombay Race Course was given in 1915. Therefore, at least for two or three years the licence and the bookies could not have co-existed. Thus the inaccuracy arises even in the case of the Bombay Race Course.

The Honourable Sir RAFIUDDIN AHMAD: I have nothing more to add. It is correct so far as Bombay is concerned but not with regard to Poona. I have distinctly said so.

Poona Suburban Municipality: Clerks' Dismissals.

*Rao Bahadur S. K. BOLE for Mr. SYED MUNAWAR: Will Government be pleased to state—

(*a*) whether they are aware that two clerks of the Poona Suburban Municipality, namely Messrs. Waingankar and Sheikh Husain Patel, were forced to leave the Municipal service without any decision having been taken by the Municipal Board in the matter and without any notice of discharge having been served on them;

(*b*) whether Government are aware that one of the two clerks, Mr. Waingankar, refused to resign and was thereupon summarily dismissed by the Board; and that the other clerk, Mr. Sheikh Husain Patel, who had rendered a service of 34 years, resigned under pressure from the Board;

(*c*) whether the gratuity to which Mr. Sheikh Husain Patel is entitled will be paid by the Municipal Board;

(*d*) if not, who is responsible for the loss of his gratuity?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: Government have no information on the subject.

Labour Commission Recommendations: Licence to Supply Seamen.

*Rao Bahadur S. K. BOLE for Mr. SYED MUNAWAR: Will Government be pleased to state—

(*a*) whether their attention has been drawn to the Labour Commission's recommendation No. 158, contained in Appendix I,

page 506 of their Report that "the licences granted under section 24 of the Indian Merchant Shipping Act should not be renewed;"

(*b*) the date on which the licence granted by the local Government to the present shipping brokers for supply of seamen in Bombay under the above section expires;

(*c*) the arrangements that the Government propose to make after the termination of the present period of the licence;

(*d*) whether Government propose to move the Government of India to so amend section 24 of the above Act as to give suitable effect to the above recommendation?

The Honourable Sir GHULAM HUSSAIN: (*a*) Government have seen the recommendation referred to.

(*b*) to (*d*) The matter is no longer within the cognizance of the Local Government.

POONA SUBURBAN MUNICIPALITY: ELECTORAL ROLL.

Rao Bahadur S. K. BOLE for Mr. SYED MUNAWAR: Will Government be pleased to state—

(*a*) whether it is a fact that Mr. S. B. Medhekar, the present President of the Poona Suburban Municipality, is not a rate payer;

(*b*) if so, how his name appeared in the electoral roll of that borough twice as employer and employee;

(*c*) whether it is fact that the said Mr. Medhekar is being prosecuted by a clerk of the said Municipality under section 500, Indian Penal Code, for defamation;

(*d*) if so, on what grounds?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: (*a*) Yes.

(*b*) His name is entered only once in the Municipal Electoral Roll. He is qualified both under section 11 (1) of the Bombay Municipal Boroughs Act and under rule 8 of the Poona Suburban Municipal Election rules as the Manager of a property paying annual rental of not less than Rs. 12.

(*c*) Yes.

(*d*) On the ground that certain words, appearing in an order dismissing the clerk in question which order was signed by the President, are defamatory.

CIVIL DISOBEDIENCE MOVEMENT: INDIAN BANKS AND INSURANCE COMPANIES.

*Mr. S. S. TOLANI (Western Sind): (*a*) Has the attention of Government been drawn to the speech made by Sir Purshotamdas Thakurdas at the Federal Committee at London on the 19th November 1931 in which he has said that the Government of Bombay had issued a circular against Indian Banks and Insurance Companies during the Civil Disobedience Movement?

(*b*) Is it a fact that they had issued such a circular?

(*c*) If the reply to (*b*) be in the affirmative, will Government be pleased to place a copy of the same on the Council table?

The Honourable Mr. G. A. THOMAS: (*a*) Yes.
(*b*) No.
(*c*) Does not arise.

Mr. J. B. PETIT: Have the Government inquired of Sir Purshotamdas if he ever made such a statement at the Round Table Conference?

The Honourable Mr. G. A. THOMAS: No.

Mr. J. B. PETIT: Did the Government issue such instructions in the form of a leaflet or in any other form if not in the shape of a circular?

The Honourable Mr. G. A. THOMAS: There was a leaflet issued by the Director of Information called "Boycott of British Goods" in June 1930, and questions were asked about that book in the July sessions of 1930 by Mr. Hooseinbhoy A. Lalljee and Rao Bahadur Govindbhai Desai and replies were given to them. I invite the honourable member's attention to the replies given on that occasion.

RETRENCHMENT: BACKWARD AND DEPRESSED CLASSES.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) the number, designation and pay of employees of the Maratha and allied castes, the Mahomedan community and depressed classes in the Revenue, Police, Judicial, Educational, Excise, Agricultural and Co-operative Departments who will be affected by the retrenchment that will be put into force on account of the inquiry of the Retrenchment Committee;

(*b*) whether they are aware that all members from the backward communities were taken into service since the issue of Finance Department Circular No. 3840 of 23rd July 1925, on account of the decision of Government to fill up 50 per cent. of the posts by appointing persons belonging to the backward and Mahomedan classes?

The Honourable Sir GOVINDRAO PRADHAN: (*a*) and (*b*), "The time and labour involved in compiling the information required in clause (*a*) of the question is incommensurate with the public interest involved and Government do not propose to collect it. Government have laid down for the guidance of their officers, that retrenchment should be so carried out in each office or Department that the ratio between the backward and advanced communities represented by their present numbers in each category of Government servants is maintained to the nearest practicable figure."

Mr. N. E. NAVLE: May I ask the Honourable Member whether he is aware that in view of this blank cheque given to heads of various departments notices of discharge from service have been given mostly to members of backward classes?

The Honourable Sir GOVINDRAO PRADHAN: Government have not issued a blank cheque: Government have issued specific instructions as to the way retrenchment has to be carried out. That is what I have stated. It is incorrect to say that Government have given a blank cheque to the officers.

Mr. N. E. NAVLE: I used blank cheque in this sense: that although the proportion is fixed by Government, that proportion is not adhered to by the various heads of departments. For example, in the Office of the Registrar of Co-operative Societies and in the offices of officers working under him, discharge notices have been served mostly on the backward class servants.

The Honourable Sir GOVINDRAO PRADHAN: May I know what the question is?

The Honourable the PRESIDENT: In spite of the instructions issued by Government, why is it that the proportion is not maintained in the case of the backward classes?

The Honourable Sir GOVINDRAO PRADHAN: Government have not got any information that the instructions have not been adhered to.

Mr. N. E. NAVLE: I have given an example.

The Honourable Sir GOVINDRAO PRADHAN: If any information is given, Government will look into that.

LOCAL BODIES: FINANCIAL AID.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) whether they have appointed any committee to consider (1) the question of financial aid to local boards, (2) the question of the future of Village Panchayats, (3) the question of the transfer of provincial roads and buildings to district local boards for maintenance, and (4) the question of the transfer of control of medical, vaccination and veterinary staff to district local boards and the reorganization of the Public Health Department;

(*b*) if so, with what result?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: (*a*) The Committee referred to under (3) was not a Committee appointed by Government but was a Conference of certain gentlemen called by Sir Ghulam Hussain Hidayatallah, the then Minister for Local Self-Government, to consider the question. In pursuance of a resolution passed by this Conference Government appointed a Special Officer to investigate the question and submit a report to Government. As regards the other Committees the reply is in the affirmative.

(*b*) The reports of the Special Officer and the Committees referred to have been received and the position as regards these reports is explained below:—

(*i*) The report of the Committee appointed by Government to consider the question of the financial aid to local boards has been filed, as it is financially impossible for Government, for the present at least, to consider any increase in the grants made by Government to local boards.

(*ii*) The recommendations of the Village Panchayat Committee have been considered by Government and a self-contained Village

Panchayat Bill embodying such recommendations of the Committee as have been approved by Government is at present under consideration of Government.

(*iii*) The reports of the Special Officer appointed by Government to consider the question of the transfer of provincial roads, etc., to District Local Boards were received, but the Road Board recommended that before transferring the provincial roads and buildings to the District Local Boards, a provincial cadre of the District Local Board Engineers should be formed. This recommendation is under the consideration of Government.

(*iv*) (*a*) As regards the transfer of control of veterinary staff the Committee recommended that present arrangements should continue and that Government grants for the maintenance of veterinary dispensaries should be increased. Government considered, however, that no action on their part was necessary since grants-in-aid are given, according to the needs of each case, up to one-half of the total cost of maintenance incurred by a District Local Board or Municipality. In view of the present financial stringency it will not be possible to increase these grants any further. (*b*) The Committee's recommendation for increased grants to District Local Boards on account of the transfer of the control of medical, etc., staffs to them has not been approved by Government in view of financial stringency. (*c*) Orders with reference to the Committee's recommendation for the transfer of control of vaccination to the District Local Boards have already been issued by Government. (*d*) Proposals for the transfer of the control of the Medical Staff to local bodies are still under consideration. (*e*) The Committee's recommendations for the reorganisation of the Public Health Department, involving the appointment of District Health Officers cannot be accepted owing to financial stringency.

Rao Bahadur B. R. NAIK: With reference to clauses (*a*) and (*b*) of para. (*b*) (*iv*) of the reply, which says that in view of the financial stringency it will not be possible to increase these grants any further, is the Honourable Minister for Local Self-Government aware that the grants which have hitherto been paid to the local boards for the maintenance of veterinary dispensaries have been totally stopped by Government?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: In some cases they may have been.

Rao Bahadur B. R. NAIK: There are orders issued by the Local Government that not a single rupee of grant will be paid to local boards for veterinary dispensaries. Is the Honourable Minister aware of it? I mean for the ensuing year, from the 1st of April 1932.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: They have been paid this year.

Rao Bahadur B. R. NAIK: I know that they have been paid this year. Have orders been issued to the various district local boards

that these grants which have hitherto been paid to district local boards for the maintenance of veterinary dispensaries will be totally discontinued from the 1st of April 1932 ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL : My honourable colleague to my right (The Honourable Dewan Bahadur S. T. Kambli) will be able to answer that question, because that is not my department.

Rao Bahadur B. R. NAIK : The answer is put down in the name of the Honourable Minister for Local Self-Government. I want a reply to my question, so that I may put further supplementary questions.

The Honourable Dewan Bahadur S. T. KAMBLI : Probably some of the district local boards may have been given such notice ; not all.

Rao Bahadur B. R. NAIK : Does the Honourable Minister say that some of the district local boards have already been served with such notice ?

The Honourable Dewan Bahadur S. T. KAMBLI : It is probable that they may have been served with such notice.

Rao Bahadur B. R. NAIK : I take it that some local boards have been served.

The Honourable Dewan Bahadur S. T. KAMBLI : You may take it in that way.

The Honourable the PRESIDENT : What is the reply ? Have they been served or not ?

The Honourable Dewan Bahadur S. T. KAMBLI : Some of the district local boards may have received such a notice ; not all of them, Sir.

Rao Bahadur B. R. NAIK : The question is whether they have been.

The Honourable Dewan Bahadur S. T. KAMBLI : If I am given notice, I shall find it out for the honourable member.

Rao Bahadur B. R. NAIK : Sir, I have got the notice served with me.

Dr. M. K. DIXIT : May I know why an invidious distinction has been made between certain local boards and others ?

The Honourable the PRESIDENT : The information supplied by the Honourable Minister is very indefinite.

Dr. M. K. DIXIT : I want to know the reason why a distinction has been made.

The Honourable Dewan Bahadur S. T. KAMBLI : If notice is given, I shall find it out.

Dr. M. K. DIXIT : I want to know why a distinction has been made.

The Honourable Dewan Bahadur S. T. KAMBLI : I repeat, Sir, that if the honourable member gives me notice, I shall find it out for him.

GRAZING AREA, ASHEWADI.

*Rao Saheb R. V. VANDEKAR (Nasik District) : (*a*) Will Government be pleased to state whether there is any reserved forest

between the village of Ashewadi in Dindori Taluka, Nasik District, and the grazing area of Ashewadi ?

(*b*) If so, are there any other villages in the Dindori, Kalwan, Baglan and Igatpuri talukas, where there is a reserve forest between a village and its grazing area ?

(*c*) Are they aware that such an arrangement causes trouble and annoyance to the agriculturists of such villages ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) There is such reserved forest but it is open to grazing.

(*b*) There are a few villages in the Kalwan Taluka where there is closed forest between the village site and the open forest available for grazing. There are no such villages in other talukas.

(*c*) In all cases where there is closed forest between the village site and the grazing area the villagers are allowed a way through the closed area. Moreover, no forest is closed to grazing within a quarter of a mile of a village. No trouble or annoyance is therefore caused to the agriculturists.

WATER SUPPLY, NASIK.

*Rao Saheb R. V. VANDEKAR (Nasik District): (*a*) Will Government be pleased to state whether they are aware that the people of Nasik City suffer great hardship owing to scarcity of water, especially in the hot season, and that their suffering will be greater during Sinhast Fair ?

(*b*) If so, do Government intend to take any steps for the removal of this grievance ?

(*c*) Has the city municipality submitted any scheme to Government for approval and has it approached them for any help ?

(*d*) If so, what is the result thereof ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: (*a*) Yes.

(*b*) It is for the Nasik Municipality to take the requisite steps in the matter. Expert advice is given by Government whenever it is asked for.

(*c*) The Municipality has recently requested the Superintending Engineer, Public Health, to undertake the work of raising the Anandwalli Weir on the river Godawari by 2 feet in order to store additional quantity of water. The Municipality also requested Government to sanction a loan for making the necessary sanitary and water supply arrangements during the Sinhast Fair.

(*d*) The work of raising the Anandwalli Weir will be taken in hand by the Superintending Engineer, Public Health, as soon as the water level over the Weir is sufficiently lowered, that is, in January 1932. Government have recently sanctioned a loan of Rs. 75,000 to the Nasik Municipality for the improvement of water supply and general sanitation required in connection with the Sinhast Fair.

STATE TECHNICAL SCHOLARSHIPS: INTERMEDIATE AND BACKWARD HINDUS.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) to whom the Government of Bombay State technical scholarships were awarded during the last three years;

(*b*) the number of such scholarships that were advertised, and the number that were awarded, and if fewer were awarded than advertised, the reasons therefor;

(*c*) how many applications were received from the Hindu intermediate and backward classes, with the names and qualifications of the applicants;

(*d*) the reasons why none of these scholarships was awarded to any of the applicants mentioned in (*c*) above?

The Honourable Sir RAFIUDDIN AHMAD: (*a*), (*b*), (*c*) and (*d*) Owing to financial stringency no State Technical Scholarships (by which it is understood is meant technical scholarships tenable abroad for higher technical training) were advertised during the last three years. One special scholarship was, however, awarded in 1929 to a Backward class candidate.

LAND IMPROVEMENT LOANS, CENTRAL DIVISION.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state the amount of money allotted to each district of the Central Division for the improvement of land under Act XX of 1883 (Land Improvement Loans Act) in the year ending 31st March 1931?

The Honourable Mr. W. F. HUDSON: No separate allotments are made to the Divisional Commissioners under the Land Improvement Loans Act and the Agriculturists Loans Act for the grant of advances to cultivators, but a lump sum is provided for loans under both the Acts. The Registrar of Co-operative Societies is, however, provided with an allotment to be utilised solely for advances to co-operative societies under the Land Improvement Loans Act. The information regarding the amounts distributed by the Commissioner, C. D., under both the Acts and the Registrar of Co-operative Societies under the Land Improvement Loans Act is furnished below:—

Name of District.	Amount sanctioned by the Commissioner.	Amount sanctioned by the Registrar.
	Rs.	Rs.
East Khandesh	25,000	3,700
West Khandesh	32,660	23,425
Nasik	10,000	500
Ahmednagar	40,000	4,700
Poona	20,000	...
Sholapur	8,000	500
Satara	10,000	3,700
	1,45,660	36,525

PUBLIC WORKS : TRANSFER TO MINISTER.

*Rao Saheb R. V. VANDEKAR (Nasik District) : Will Government be pleased to state—

(*a*) whether the control and recruitment of the transferred half of the Public Works Department is fully handed over to the Minister as in the case of Madras and other provinces ;

(*b*) whether it is a fact that the Government of India had asked the Government of Bombay several times to do so ;

(*c*) the reasons for not having transferred them to the Minister ;

(*d*) whether it is a fact that the question of separating the Roads and Buildings Branch from the Irrigation Branch is under consideration of Government while the question of retrenchment is before them ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) The Minister has full control over the transferred branch, but as the Roads and Buildings and Irrigation Branches are not separated the cadres of the two Branches are still common and recruitment thereto, so far as this is in the hands of the local Government, is made with the joint approval of the Honourable Minister in charge of the transferred Branch and the Honourable Member in charge of the reserved Branch. The position in Madras is the same as in this Presidency.

(*b*) No.

(*c*) In view of the reply to (*a*) above, this does not arise.

(*d*) No.

LAND REVENUE COLLECTION : 1930-31.

*Rao Saheb R. V. VANDEKAR (Nasik District) : Will Government be pleased to state—

(*a*) whether they had issued any circular under Government Resolution, No. 5710-28 of 7th March 1931 informing agriculturists that they are not to pay the arrears of past land revenue but only the current year's revenue, that the arrears of revenue from a khatedar, if recovered, will be deemed to be revenue payment for the next year and that those who wish to obtain a refund of the arrears so collected may do so by applying for the same ;

(*b*) whether wide publicity was given to such instructions and a copy of the same was put at the *chavdi* of each village in the district ?

The Honourable Mr. W. F. HUDSON : (*a*) The Government Resolution referred to by the honourable member was addressed to officers of Government.

(*b*) Yes, except that in a few talukas of the Ahmednagar District copies were not put up at the *chavdis*. In these talukas, however, the orders were nevertheless carried out.

CURRENCY POLICY : EFFECT ON BOMBAY.

*Rao Saheb R. V. VANDEKAR (Nasik District) : Will Government be pleased to state—

(*a*) whether after the announcement of the Secretary of State for India on the 21st September last that the rupee will be maintained

on the sterling basis and the issuing of the Viceroy's Ordinance temporarily relieving the Government of India from the obligation under the Currency Act, 1927, to sell sterling, there was a rise in the prices of the agricultural produce in the Presidency;

(*b*) what has been the effect of this policy on the Bombay trade and industry and in the general position?

The Honourable Sir GOVINDRAO PRADHAN: (*a*) The honourable member is referred to the monthly and fortnightly returns of prices current in the Bombay Presidency published in the *Bombay Government Gazette*.

(*b*) This subject pertains to the Central Government to whom the honourable member may apply for further information.

SATARA-PANDHARPUR ROAD: REPAIRS.

*Mr. B. P. WADKE (Bombay City, South): (*a*) Are Government aware of the unsatisfactory condition of the road from Satara to Pandharpur via Koregaon?

(*b*) Will Government be pleased to state if it is their intention to repair that road, and if so, when?

(*c*) Are they aware that there is heavy motor traffic on that road especially due to a large number of visitors to Pandharpur?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) The length of the road is 88 miles. All that could be done with the funds available, viz. (Rs. 19,878), for current repairs is being done. Special repairs on a large scale cannot be undertaken on account of the acute financial stringency.

(*c*) Yes.

BOMBAY ISLAND AND THE DEVELOPMENT DEPARTMENT.

*Mr. B. P. WADKE (Bombay City, South): (*a*) Will Government be pleased to state what is the total area of the Island of Bombay?

(*b*) How much out of the said area is in the possession of the Bombay Municipality, the City Improvement Trust, the Bombay Port Trust, the B. B. and C. I. Railway, the G. I. P. Railway, Government, and the Development Department?

(*c*) What is the total developed area of the Back Bay Reclamation scheme on 31st July 1931?

(*d*) How much of the said area will be available for the public for building purposes, how much will be for military purposes, and how much will remain in the possession of Government?

(*e*) What rate do Government expect from the public per square yard when the land is available for disposal?

The Honourable Mr. W. F. HUDSON: (*a*) 24 square miles, 117 acres and 4,773 square yards.

(*b*) The approximate areas are as follows :—

Bombay Municipality	689	acres, exclusive of the land absorbed in roads and streets.
City Improvement Trust	2,451	acres.
Bombay Port Trust	1,813	acres.
B. B. and C. I. Railway Company	737	acres.
G. I. P. Railway	690	acres.
Government—		
(*a*) Vacant lands in charge of the Collector of Bombay.	45	acres.
(*b*) Reclaimed area in Back Bay ..	433	acres.
(*c*) Public open spaces, and sites occupied by Government buildings.	Not ascertained.	

The Development Department ceased to exist as a separate department of Government from 1st March 1930.

(*c*) The reclaimed area is 433 acres. None of it is developed.

(*d*) 94 acres, 235 acres and 104 acres, respectively.

(*e*) The honourable member is referred to page 675 of Volume XIX, Legislative Council Debates, February-March 1927, from which it will be seen that average valuations of Rs. 70 per square yard for Block No. 1 and Rs. 50 per square yard for Block No. 2 were announced in March 1927. The dry-filling of Block No. 7 has been stopped. Owing to the recent fall in values, Government have now under consideration the revaluation of the assets of the scheme.

Mr. B. P. WADKE : As regards (*d*). My question is "How much of the said area will be available for the public for building purposes, how much will be for military purposes, and how much will remain in the possession of Government ? " and the reply is " 94 acres, 235 acres and 104 acres respectively." When the scheme was taken in hand, were the public given to understand that these would be the areas which would be left in the hands of the public, the military and the Government ?

The Honourable Mr. W. F. HUDSON : I do not know. I must ask for notice of that question.

Mr. B. P. WADKE : As regards the rates given in (*e*), Rs. 70 and Rs. 50, is it a fact that when the scheme was taken in hand the public were given to understand that land would be available at the rate of Rs. 11 per square yard ?

The Honourable Mr. W. F. HUDSON : I do not think so, but if the honourable member puts the question in writing, I will try to discover where he gathered that impression.

UNSTARRED QUESTIONS AND ANSWERS

SATARA-KOREGAON RAILWAY.

Khan Bahadur D. B. COOPER (Satara District) : (1) Will Government be pleased to state—

(*a*) the total estimated cost of the Satara-Koregaon Railway project as finally revised ;

(*b*) the amount spent by Government up till now on the construction of the line during the famine of 1918-19, showing the value of land acquired for the line and the amount spent on the work separately;

(*c*) the value of the work done during famine, at normal rates as provided in the estimate;

(*d*) the total area of land acquired for the railway line, showing the different villages out of which land was acquired and the area acquired out of each village?

(2) Will Government be pleased to lay the whole project of the Satara-Koregaon Railway on the Council table?

The Honourable Mr. W. F. HUDSON: (1) (*a*) The total estimated cost of the project as prepared by the Madras and Southern Mahratta Railway in 1928 is Rs. 7,97,202.

(*b*) The amount spent is Rs. 1,92,154-10-7 made up as under:—

	Rs.	a.	p.
Value of land acquired, i.e. compensation etc. (1919)	69,630	5	6
Special establishment charges (1919) ..	954	10	2
Value of land acquired, i.e. compensation, etc. (1926)	2,305	7	0
	72,890	6	8
Amount spent on the work	1,19,264	3	11
	1,92,154	10	7

(*c*) Rs. 36,168.

(*d*) The total area acquired is 302 acres 19½ gunthas made up as under:—

In the year 1919.

Koregaon Taluka.

Name of village.	A.	g.
1. Koregaon	24	33½
2. Lhasurne	10	15½
3. Shirdhon	36	25½
4. Manglapur	10	35½
5. Tandulwadi	45	1
Satara Taluka.		
6. Chinchner	35	34½
7. Mahagaon	30	33½
8. Mahuli	17	31
9. Khed	53	4½
10. Karanje	32	27
	298	½

In the year 1926 (for realignment).

Satara Taluka.

Name of village.	A.	g.
Karanje	3	20
Khed	0	39
	302	19½

Out of this area land measuring 13 acres 13 gunthas was relinquished by the Railway as under :—

Satara Taluka.

Name of village.	A.	g.
Karanje	7	33
Khed	5	20
	13	13

(2) A copy of the traffic survey report and estimates of the Satara-Koregaon Railway project as prepared by the Madras and Southern Mahratta Railway Administration in 1928 is available for inspection by the honourable member in the Public Works Department, Secretariat, during office hours.

TELEPHONE COMMUNICATIONS : POONA-BOMBAY.

Khan Bahadur D. B. COOPER (Satara District) :—

(*a*) Will Government be pleased to state whether it is a fact that the people of Poona have been very gravely inconvenienced during the past few weeks as a result of the continual failures of telephone communication with Bombay ?

(*b*) Are Government aware that the present telephonic facilities are totally inadequate for the amount of business done between Poona and Bombay ?

(*c*) Are Government aware that business people are additionally handicapped on account of the fact that when some lines are out of order Government calls without any time limit are given preference ?

(*d*) If the answers to any of the above questions are in the affirmative will Government be pleased to state what action it is proposed to take in the matter ?

The Honourable Mr. W. F. HUDSON.: (*a*) and (*b*) No.

(*c*) Although it is a fact that Government calls are given priority, Government have ascertained that no appreciable delay occurs in the transmission of private calls.

(*d*) Does not arise.

GOVERNMENT PUBLICATIONS : FREE SUPPLY TO LIBRARIES.

Khan Bahadur A. E. PATEL (Northern Division): (*a*) Will Government kindly state the amount of savings effected by retrenching

the supply of Administration Reports of different Provincial Departments, Reports of committees and commissions of the Governments of Bombay and India and of the Scientific and Historical Survey and Research publication of the Government, to the registered libraries of the presidency and newspapers of the Bombay Presidency ?

(*b*) What would be the annual cost of supplying free all Government publications to only one registered library in each district of the Presidency ?

(*c*) Are Government aware that people are quite ignorant of the work done by Government for the welfare of the people through its different Departments ?

(*d*) Have Government considered whether it would be advisable to arrange with one public library in each district of the presidency to preserve all important Government publications for public use and reference ?

(*e*) Is it a fact that important scientific, economic and historical publications of the Governments of Bombay and India become out of print immediately after publication, because they are purchased in large numbers outside India ?

(*f*) Have Government considered whether it would be advisable to preserve at least one copy each of all *such* publications in each district at a library ?

The Honourable Sir GHULAM HUSSAIN : (*a*) The amount of savings effected by retrenchment in the supply of the Administration Reports, reports of the Committees and Commissions and Scientific and Historical Survey and Research publications issued by the Government of Bombay to the registered libraries and newspapers in the Bombay Presidency is about Rs. 28,740. The information regarding the Administration Reports, etc., of the Government of India cannot be furnished by Government as their supply is regulated by the orders of the Government of India.

(*b*) The annual cost of supplying all the publications mentioned under (*a*) free of charge to one registered library in each district would be about Rs. 1,250.

(*c*) and (*e*) No.

(*d*) Yes.

(*f*) No.

NOTIFIED AREA COMMITTEE : TALEGAON-DABHADE.

Mr. SHANKARRAO JAYARAMRAO ZUNZARRAO (Thana and Bombay Suburban Districts) : Will Government be pleased to state—

(*a*) how the notified area committee of Talegaon-Dabhade is functioning ;

(*b*) whether the said committee has done anything to improve the condition of the notified area ;

(*c*) whether the said committee was established against the wishes of the people there ;

(*d*) whether an application was made by the people to abolish the said committee?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: (*a*) and (*b*) Although no serious defects in the administration of the Notified Area Committee have been noticed, it is true, to a certain extent, that the Notified Area Committee has not been able to do much good to the local residents. This being so, new members who were among the signatories to the application, referred to in clause (*d*), have been appointed on the Committee and they have been given a chance to improve the conditions in the Notified Area. The Collector has been asked to submit a report in the matter by June 1932.

(*c*) No.

(*d*) Yes, an application was made to the Commissioner.

Khan Bahadur A. E. PATEL: Sir, I want to put my question.

The Honourable the PRESIDENT: That cannot be allowed now.

ADJOURNMENT MOTION re: LATHI CHARGE AT AHMEDNAGAR.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, I beg to move for leave to move the following motion:

"That the House do adjourn to consider a definite matter of urgent public importance namely, the recent lathi charge by the police on an unarmed, defenceless, unprovocative gathering on the evening and night of the 4th February 1932 at Ahmednagar, resulting in causing injuries to a considerable number of men, women and children."

The Honourable Mr. G. A. THOMAS: Sir, I object to this motion. May I state the grounds on which I object?

The Honourable the PRESIDENT: No.

Question put, and leave granted.

The Honourable the PRESIDENT: The honourable member has the leave of the House. The House will adjourn for the consideration of the motion at 4 o'clock to-day. We shall rise for tea at half-past three.

PETITION FROM THE EAST INDIA COTTON ASSOCIATION.

Major W. ELLIS JONES: Sir, on behalf of the East India Cotton Association, I have to present a petition with regard to the levy of stamp duty on "forward" contracts proposed to be instituted under the present finance bill. I request that it may be placed on the Table. Copies of the petition are being circulated to honourable members.

BILL No. IX OF 1931 (A BILL FURTHER TO AMEND THE INDIAN STAMP ACT, 1899, IN ITS APPLICATION TO THE PRESIDENCY OF BOMBAY).

The Honourable Sir GOVINDRAO PRADHAN: Sir, I withdraw Bill No. IX of 1931.

BILL No. I OF 1932 (A BILL TO PROVIDE FOR THE LEVY OF A DUTY ON CONSUMPTION OF ELECTRICAL ENERGY IN THE PRESIDENCY OF BOMBAY AND TO AMEND THE COURT-FEES ACT, 1870, AND THE INDIAN STAMP ACT, 1899, IN THEIR APPLICATION TO THE SAID PRESIDENCY).

The Honourable Sir GOVINDRAO PRADHAN: Mr. President, I introduce Bill No. I of 1932* (A Bill to provide for the levy of a duty on consumption of electrical energy in the Presidency of Bombay and to amend the Court-fees Act, 1870, and the Indian Stamp Act, 1899, in their application to the said Presidency).

The Honourable the PRESIDENT: The Bill is introduced.

First reading.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I move the first reading of Bill No. I of 1932 (to be called the Bombay Finance Act, 1932).

In my budget speech I have conclusively shown how with every endeavour at retrenchment Government are not able to balance the budget and even with fresh taxation which is intended to be raised by the present Bill, as well as the Bill to amend the Indian Succession Act, it is expected that there would still be a gap between the revenue and expenditure of 45 lakhs. In order to bridge over a part of the gap these measures are sought to be introduced, and in choosing the measures care has been taken to see that as far as possible the burden should fall on broad shoulders, should be easy of collection and that much additional cost should not be involved in the agency of collection. The object of bringing a consolidated Bill in the shape of a Finance Bill is that it gives an opportunity to the Honourable House to examine at one time the proposed adjustment of taxation to meet the demands of Government for grants for required expenditure. On this occasion all additions except those in Part V are, in view of the unsettled conditions of the country, proposed for one year only. This will enable the House in the Finance Bill of next year to take fresh stock of the financial position, and of the effect on the economic situation of the increased duties.

The amendment to the Indian Succession Act has not been incorporated in the Finance Bill as, though it is expected to bring in some revenue, it is really a matter of procedure, and seeks to amend permanently a Government of India Act. That is why it is presented in the form of a separate Bill.

The present Bill consists of four parts: Part I relates to the levying of a small surcharge on electricity, on the units of energy consumed. Part II relates to the amendment of the Court-fees Act. Part III relates to the amendment of the Stamp Act; and Part IV provides for the extension of the provisions of the Transfer of Property Act, which is already in force in Bombay, to the three cities, Poona, Ahmedabad and Karachi.

In the Electricity Bill provision is made for the levying of a surcharge on the actual consumption of electrical energy used for lights and fans. The licensee or the supplier of energy is charged with the duty of collecting

* Appendix 1.

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this surcharge. He will be called upon to maintain accounts in the prescribed form which will be open to inspection by specified Government officers. Power is given to the licensee to collect this surcharge from the consumer and he is also authorised to cut off supply in the case of refusal to pay this duty. Government themselves take authority to collect the surcharge through a civil court or as an arrear of land revenue, but it is hoped that this somewhat cumbrous procedure will not be required. It has from the first been the intention of Government to exempt the power supplied to industrial concerns, and to exempt the use, for their own purposes, of energy by local authorities and certain utility companies. For convenience of drafting, the Bill provides for giving authority to Government to grant exemptions, and it is the intention to issue a notification, after the passing of the Bill, exempting industrial power, tramway companies, railways, and local authorities. Exemption will also be given to hospitals forthwith. A surcharge on the cost of electrical energy is a novel expedient, as its opponents have not been slow to point out. But as the House is well aware, the sources of revenue open to Provincial Governments are much restricted, and Government are convinced that this small duty will be readily paid, and that the apprehended effect on the consumption of electrical energy and upon the extension of electrical enterprise will not be appreciable. Its effect, however, will be carefully watched, and the House will have a further opportunity, after one year's experience, of examining its incidence. The estimate of revenue from this duty is 12 lakhs.

Part II amends the Court-fees Act of 1870 and follows the lines of the Bill presented to this honourable House in 1926. The principal changes which the Bill introduces in the Act at present in force, which expires at the end of March, are these:—

The duty on suits of the value of more than Rs. 1,000 is enhanced by raising the *ad valorem* rate between Rs. 1,000 and Rs. 5,000 to Rs. 7-8-0 from Rs. 5; and on suits between Rs. 5,000 and Rs. 10,000 from Rs. 12-8-0 to Rs. 15. The maximum percentage for probate duties will rise as in the Act which was in force during the year 1922-23 to 7 per cent. by graduated stages, and provision has been made for raising the valuation of the land for purposes of the proviso to section 7 of the Court-fees Act. The proportions of the survey assessment which were fixed as long ago as 1870 are now, as has long been recognised, completely out of date.

As regards suits for injunction or other consequential relief, or for a declaratory decree and consequential relief, or suits the value of which is left to the option of the plaintiff, the maximum stamp duty leviable is fixed at Rs. 15. The honourable members are aware that suits in the nature of easements or account suits or suits for declaration of injunction are mostly of a very complicated nature and take a long time of the court and oftentimes such suits are tried to be fought out on a stamp of six annas. It is intended to remedy this inadequacy.

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Part III of the Bill amends the Stamp Act of 1889. The Indian Stamp (Bombay Amendment) Act of 1922 will expire on 31st of March next. Experience of the last 10 years has amply proved the necessity for its retention. The Act having been amended from time to time in the past, and as the present Bill proposes to make further changes, it has been considered desirable from the legal point of view to allow the Act of 1922 to expire and to be re-enacted in an up-to-date form. I am afraid this has led to some misapprehension on the part of some of our critics, and it seems necessary to remind the House that the present Bill amends the Act of 1889, and merely repeats many of the changes introduced in 1922 and in force to-day. In revising the law, opportunity has been taken to bring the rates of duty leviable on a bond, bottomry bond, conveyance, lease and reconveyance of mortgaged property to a certain extent in line with those in force in Bengal and elsewhere. In particular, the duties on long leases have now, as in a majority of the other provinces, been graduated, those on perpetual leases being reduced and on those exceeding ten years raised.

The most important changes now introduced relate to the stamping of what are known as "forward" transactions in various commodity markets and in the stock exchanges. The taxing of these transactions has often been recommended, and most recently by the Committee that sat to consider measures of revenue which could replace the loss of excise duties. The estimates of revenue, however, which have been made in the past have generally been grossly excessive and are based on a misapprehension of the actual course of procedure in the forward markets. The present measures provide for a small stamp duty on every transaction, that is to say, every sale and purchase of, what is the usual unit in the commodity market concerned. Thus the usual unit in the cotton market for forward contracts is 50 bales, and the by-laws which regulate conduct of forward business in this market recognise this unit as the lowest which will be recognised in the periodical clearings of forward contracts. In the same way in the wheat market the unit is 25 tons; and similarly for other markets the usually accepted unit is given in the Bill amending the schedule. Contracts for forward delivery, on the other hand, may or may not conform to this unit, but will pay the same small proportionate duty. Transactions in the Stock Exchange cannot be treated in exactly the same way, and provision has been made for raising the duty on agreements to buy or sell securities from the present rate of 2 annas for every Rs. 10,000 or part thereof to 1 anna for every Rs. 1,000 or part thereof. Transactions in Government securities have been exempted from the increase, in order not to place Bombay in this respect at a disadvantage as compared with other provinces.

It has been provided that a memorandum of such contracts shall not be admissible in evidence unless duly stamped. The stamping of these accounts, although, as I say, has often been proposed on various occasions, is again something of a novelty, and its practical effect on the course of business in some of the markets is still a matter open to some doubt, to judge from the criticisms which have been submitted by

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commercial associations. It is obviously impossible to consult associations beforehand as to the details of a measure of this kind, and I agree that they should now be given full opportunity of placing their recommendations for amendment before a select committee of the House.

The estimate of additional revenue from Part III of the Bill amounts to Rs. 2,50,000.

Part V of the Bill extends the provisions of Act II of 1926, which at present applies only to the City of Bombay, to Ahmedabad, Poona and Karachi. The opportunity has been taken of applying the same duties as on conveyances to transfers of leases by way of assignment. The reason for this is that a large proportion of the properties in the city of Bombay are held on very long term leases. All those, for instance, constructed on the estates of the Bombay Improvement Trust and the Port Trust escape the enhanced duty. The duty on instruments, generally known as equitable mortgages, has also been brought into line with the duty imposed in other provinces. There is also an increasing tendency for wealthy parties to resort to instruments of settlement in order to avoid payment of probate duties after death. As recommended by the Taxation Enquiry Committee, therefore, provision has been made for raising the duty on instruments of settlement to the same duty as on conveyances.

I referred in the beginning of my speech to the object of incorporating these measures into one Finance Bill. Some of the criticisms which have been published of the individual measures entirely ignore the factor on which I have laid stress, that we must regard the taxation measures as a whole. As I said in my budget speech, the field for taxation open to Provinces is so restricted that it is impossible for a Provincial Government to adjust their taxation entirely in accordance with theoretical considerations, and in considering the incidence of taxation it should, strictly speaking, be necessary to bring under review all taxation, whether central, provincial or local. But, without going so far as this, it is obviously unfair to select any particular item of taxation and condemn it because it affects only a small proportion of the population. It is a misstatement of the principle to say, for instance, as has been said about the proposed Electricity Duty Bill, that it violates the fundamental principle of scientific taxation, that it should be equally borne by all sections of the community. Hardly any single tax can be equally borne by all sections of the community, and in the additional taxation measures which we are now proposing we have not ignored this fundamental principle, but have endeavoured to spread the increases as equitably as we can over the whole population. In regard to the electricity duty in particular, we have deliberately excluded from its incidence electrical energy used for industry, in order to avoid any discrimination against Bombay industries.

As I have said, it is our intention, if the first reading is agreed to, to refer this Bill to a select committee, and after critical examination there to bring it up for the second and third readings at a later stage of the present session.

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Sir, I must bring to your notice that I have tabled two amendments. In my humble opinion, they are amendments of detail and not amendments of principle. It is for you, Sir, to decide whether any of them is an amendment of principle, so that if I have to move it, I must move it at the first reading. If you decide that they are amendments of detail, they can be moved at a later stage.

Question proposed.

The Honourable the PRESIDENT: There was something which the honourable member Mr. More wanted to say. Was it a point of order?

Mr. J. G. MORE: I wanted to ask whether the Honourable the Finance Member is entitled to read his speech, when we are not entitled to do so.

The Honourable the PRESIDENT: It is usual that statements coming from Government should be very precise. They are, therefore, permitted to be read out.

Now, I have to point out a few things before we proceed, and one of them was referred to by the Honourable the Finance Member himself in the concluding part of his speech, with regard to the principles of this Bill. I hold that there are three principles of this Bill. The first and the foremost is whether taxation in this particular form, in so many parts, be levied or not. That is the first—whether taxation under this form is one of the pressing needs of the Presidency, or whether it is not a necessity. That would be the first point on which honourable members may dwell. The second principle is the period for which this Bill is to continue. The third principle is the scope or the jurisdiction of the Bill—whether the whole of the Presidency should be affected by it, or certain portions are to be excluded.

There is an amendment tabled by the Honourable the Finance Member as follows:

"In Part II—Electricity Duty—to clause 4 (c) *add* the words "and includes any person who has obtained the sanction of the Local Government under section 28 of that Act."

Now, I should like to have an explanation as to what is aimed at—what sort of persons are thought of to be included in it, who were not contemplated at first in the Bill. The question of the exclusion of certain bodies becomes an important part and parcel of the Bill, and therefore has all the appearance of a principle of the Bill. Similarly, the question of the inclusion of certain sections or certain persons may become a question of principle. I, therefore, hold that both the amendments of the Honourable the Finance Member are amendments of principle, unless an explanation is given as to which body of persons has been thought of. If the explanation makes it clear that it is a matter of detail, then I would rule that the amendment is one of detail.

The Honourable Sir GOVINDRAO PRADHAN: Sir, under section 28 of the Indian Electricity Act (IX of 1910) Government is

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authorised to issue licences to some persons other than a licensee. Section 28 says:

"No person other than a licensee shall engage in the business of supplying energy except with the previous sanction of the local Government and in accordance with such conditions as the local Government may fix in this behalf, and any agreement to the contrary....."

There are some persons who are called permit holders; that is, they supply the energy for a time just to feel their way. So, those persons are really in the position of licensees. They are technically called permit-holders, because they have not been issued a licence. In order that persons who really supply energy should be brought under the Bill that amendment has been tabled. That is why I said it makes the matter clearer.

The Honourable the PRESIDENT: I might take that as an amendment of principle, which might be disposed of at the first reading. That will make it easy for honourable members. Now I hope it is clear as to which are the principles of the Bill which should be discussed at the first reading.

Mr. G. L. WINTERBOTHAM (Bombay Chamber of Commerce): Sir, on a point of information, I am not clear on the question of the first principle of the Bill. Is the question of principle whether new taxation is necessary, or whether new taxation of this particular nature is necessary, and if the latter, does that mean that the details of the Bill will come in for discussion at this stage?

The Honourable the PRESIDENT: Whether new taxation in this particular form is necessary, is the issue here. The necessity for taxation, of course, has been discussed very widely during the general discussion of the budget. Now, a Finance Bill has been brought up to levy taxation in this particular form. Whether taxation in this particular detail or in this form, in these four parts, is the necessity of the day or not is the first principle, and while discussing that principle the general aspects of each part may be discussed without going into the details. Is that clear?

Mr. G. L. WINTERBOTHAM: I am afraid, Sir, it is not clear to me. Take, for instance, the question of taxing the consumption of electrical energy or of stamping forward contracts. We may approve of the principle of taxing forward contracts. But we may heartily disapprove of the methods adopted in this particular Bill. I should have said myself that all my objections to part IV of the Bill, the details of which are many and complicated, are such as would properly be put forward in select committee.

The Honourable Sir GOVINDRAO PRADHAN: Quite so.

Mr. G. L. WINTERBOTHAM: If we do not now comment on the obnoxious features,—the method adopted by Government to give effect to their intentions,—we may be told when the Bill comes back from the select committee that those obnoxious methods still in it were its principles and that we have missed our chance of commenting upon them.

The Honourable the PRESIDENT: The instance the honourable member has quoted can very well go as an instance of the details of that part of the Bill. Any comment on the obnoxious, as the honourable

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member puts it, nature of the particular feature of the Bill certainly can be discussed on the first reading while discussing the general principle.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, is it not one of the principles of this Bill that it is introduced in the shape of the Bombay Finance Bill, having several Acts under its purview? I notice for the first time since this Council has come into existence that this kind of legislation, embracing several Acts which are in existence already, is brought forward as a finance measure, and it is just possible to argue that this mode of bringing in taxation proposals is not a proper mode.

The Honourable the PRESIDENT: I do not know where the difficulty is at all created. The honourable member can very well discuss whether taxation in this particular form, by this particular method, is necessary or not.

Rao Bahadur G. K. CHITALE: The Chair has not appreciated my point. Suppose, for instance, there were several Bills of taxation, say, Scheduled Taxes, Entertainment Tax, Betting Tax and other taxes; supposing a consolidated Bill of this nature is brought forward, it certainly throws this part of the House into confusion, and it detracts from the consideration of the merits, because we have only an allotted time in which we can speak, and we cannot speak in more detail.

The Honourable the PRESIDENT: That is hardly a point to be raised now.

Rao Bahadur G. K. CHITALE: Under the Government of India Act, are Government allowed to bring a number of Bills together?

The Honourable the PRESIDENT: This is again hardly a point of order, because it is within the powers of Government to bring a Bill in this form.

Mr. J. B. PETIT: If we once accept the principle of this Bill, I take it that we cannot go back upon it in the select committee. What is then the position of an honourable member who may wish to vote for certain proposals contained in the Bill and not for others?

The Honourable the PRESIDENT: That is the risk which Government have chosen to take upon themselves.

Mr. J. B. PETIT (Bombay Millowners' Association): Sir, speaking on the Finance Bill on its merits, it is rather difficult for members of this honourable House to vote either for or against it. Their position has been rendered more difficult still, owing to the fact that the Government are unable to amend the principle of this Bill, in view of the ruling given by you. It is, at the same time, not possible for them to split up the Bill for the convenience of the House into three separate parts, at this stage, even if they wish to do so. Under these circumstances, those honourable members who are against one part of the Bill will be compelled to vote against the entire measure even if they happen at the same time to be in favour of one or two other parts, as some honourable members are. On the other hand, those honourable members who are in favour of one or two parts of the Bill and have an open mind on the others, will be forced to vote either for or against all the parts, because

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the different parts will not be voted upon separately. In either case, the voting is likely to be against the interests and requirements of the Government. I consider the innovation of consolidating all the requirements of the Government in one comprehensive Bill, a most undesirable one from more points of view than one. Such a system leaves no option to members to vote separately on the different parts of the Bill on their merits, but compels them to vote either for or against the entire measure. It is an unfortunate position in which the Government have placed themselves, for it will make it impossible for members to support them to a limited extent even if they wish to do so. As far as the proposed additional taxation itself is concerned, I cannot help saying that we are all against it, both this House and the public outside. But, we realise the desperate position of the Government and wish to pass the first reading thereof, provided that the measure is to be for one year only and provided further that the Government expedite the appointment of the reconstruction committee which they promised two days ago. On these two conditions, I am prepared to support the first reading of this Bill, as a special case, and would advise the House to do likewise. If this measure is ultimately referred to a Select Committee, I wish to draw the attention of the Government to the proposal which I made two days ago in my budget speech, regarding the Electricity Bill. I hope the Government will consider the suggestion and give it the support it deserves. The proposal is by no means impracticable, and I do not think that it would be impossible for the Government to give effect to it if they only wished to do so.

As regards the other suggestions that I have made, I have an open mind; and I for one shall be quite prepared to refer the entire matter to a Select Committee for further consideration.

With these reservations, Sir, I beg to support the first reading of the Bill.

Mr. G. WILES: Sir, I should have thought that since there are still two other readings even after the select committee, in which members will have an opportunity of rejecting any part of the Bill if they wish to, this would have been sufficient. But, if it is not, I venture to make another suggestion. If there is any part of the Bill which the majority of the House is anxious not to refer to select committee and to reject forthwith, it is open to any member to move an amendment that that part be excluded from the Bill. A vote can be taken on that.

The Honourable the PRESIDENT: If the amendment is allowed at this stage.

Mr. G. WILES: If the President allows the amendment.

Rao Bahadur R. R. KALE: No such amendment has been tabled.

The Honourable Sir GOVINDRAO PRADHAN: If honourable members find that they are opposed to any part of the Bill, they can table an amendment to exclude it. This can be done even at the second reading.

The Honourable the PRESIDENT: The Honourable the Finance Member emphatically stated in some portion of his speech on the first

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reading that the Bill must be taken as a whole. The Bill as it has come before the House can only be taken as a whole. The difficulty which now appears to Government benches cannot be said to be a difficulty which has suddenly cropped up. It should have been anticipated before this. It stands to reason that a certain section of the House may be agreeable to support the Bill in one or two parts and others oppose some other parts. This could have been easily anticipated. The Government could have chosen to bring this Bill in any other form. I realised this difficulty when the Bill came to my hands. The Honourable Mover himself said that the Bill can be taken only as a whole. If honourable members speak on the principles of the Bill and if they agree that these four parts are necessitated by the present situation, they will accept the four parts. Then, the four parts can go to the select committee and each part altered as the committee thinks fit. After the first reading, no honourable member would be entitled to say, "I do not want this part."

The Honourable Sir GOVINDRAO PRADHAN: You ruled that the first principle of the Bill was whether the taxation in a particular form should be levied or not. There are four different forms incorporated in the Bill. Any honourable member is entitled to say that any part of the Bill may not be accepted and to table an amendment to that effect. That is what the honourable member the Finance Secretary stated.

Dr. M. K. DIXIT: Will the Honourable the President allow an amendment at this stage? He has often disallowed such amendments.

The Honourable Sir GOVINDRAO PRADHAN: You have got the power, Sir.

The Honourable the PRESIDENT: I would have suspended the Standing Order and accepted some such amendment. But when I see that the whole House is divided into so many opinions, as pointed out by the honourable member Mr. Petit, is it fair for the President to accept an amendment at this stage? The honourable member Mr. Winterbotham, who is speaking for the European section, or the honourable member Mr. Petit could have tabled an amendment before this. It would not be fair on my part to force an amendment on this House in such circumstances.

Mr. G. L. WINTERBOTHAM: Sir, as you have specifically mentioned my name, I should explain that as soon as the Bill came into my hands, I made enquiries, possibly not in the proper quarters, but in well-informed quarters, how it was going to be dealt with by Government. From the answer I received, somewhat foolishly perhaps I thought that the principle of the Bill would be the necessity for fresh taxation.

The Honourable the PRESIDENT: The principle is the necessity for taxation "in this particular form". Whoever gave that advice must have followed it up with that proviso. The necessity for taxation is nothing new at all. If the honourable member had put the question to any responsible member of Government, he would have said that "taxation in this particular form" is the principle of the Bill.

Mr. B. S. KAMAT: There is one point. We are told that this Bill is framed more on the analogy of the Legislative Assembly. As far as

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I know, the Finance Bills in the Assembly only deal with questions of tariffs or customs duties on articles and commodities like sugar or motor cars or various other articles, whereas this Bill comprises such diverse principles as stamp duty, court-fees and so on. I do not know whether the analogy is quite correct.

The Honourable the PRESIDENT: Even in the Assembly they are considered at the second reading.

Mr. G. L. WINTERBOTHAM: I refer you, Sir, to page 233 of the Manual, paragraph 4, sub-section (2):

"At the first reading of a Bill, the principle of the Bill....."

(In the singular).

"and its general provisions may be discussed."

How can a Bill have more than one principle? If there is only one principle, what is that?

The Honourable the PRESIDENT: The honourable member is perfectly right. If it suits him, I will leave aside the question of period and jurisdiction for his purposes. I can show it to him that there is only one principle involved and that is taxation in this particular form. The honourable member seems to challenge my ruling.

Mr. G. L. WINTERBOTHAM: The last thing I should wish would be to give the impression that I am challenging your ruling. I am asking on a point of information. How can a Finance Bill have more than one principle under the section I quoted?

The Honourable the PRESIDENT: The principle is taxation in this particular form.

Mr. G. L. WINTERBOTHAM: One for each part of the Bill.

The Honourable the PRESIDENT: Yes, it would come to that practically. Then there are amendments tabled by honourable members and there is an amendment tabled even by the Honourable the Finance Member that the Bill shall continue for one year. If the honourable member has read the Bill carefully, he will find that the Bill as proposed is intended to be a permanent measure. When that amendment is to be taken up, is a question which the President has to decide.

In order that no amendment of principle may be ruled out at the first reading, I pointed out that the period for which the Bill will be in operation was a matter of principle, as also the area to which the Bill is made applicable. Honourable members have tabled amendments to exclude certain areas from the operation of the Bill. Those amendments can be discussed at the first reading. Therefore, the principle is a multiple principle.

Mr. G. L. WINTERBOTHAM: I am afraid I do not quite understand. I was referring mainly to the first of the four principles which you enunciated, and that is the principle of taxation, and your ruling was that the principle was taxation in the present form. In the present form, there are four principles, because there are four

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proposals of taxation. I say, with due deference, Sir, that I cannot reconcile your ruling under that head with that section of the Standing Orders which I have quoted, because there can be only one principle.

The Honourable the PRESIDENT: The short cut to all this is that while the honourable member cannot reconcile, I can. Further, my attention has just been drawn to one of the principles of law, namely, that singular includes plural.

(*After recess*)

ADJOURNMENT MOTION re: LATHI CHARGE AT AHMEDNAGAR

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, I beg to move—

That the House do adjourn to consider a definite matter of urgent public importance, namely, the recent lathi charge by the police on an unarmed, defenceless, unprovocative gathering on the evening and night of the 4th February 1932 at Ahmednagar, resulting in causing injuries to a considerable number of men, women and children.

Mr. President, it is with very great reluctance indeed that I put forward this motion for adjournment, but I think it is my duty to do so. I do this not so much with a view to get redress as to emphasize certain principles which should be applied in the working of the ordinances so long as the ordinance *raj* exists. In the address that he delivered to this Council, His Excellency very rightly enunciated the principle of government; His Excellency said that a Government which allows this sort of thing to go on unchecked is failing in its most elementary duty, the protection of the liberty of the subject. Therefore, Sir, His Excellency along with the members of his Council must respect this dictum, that the protection of the liberty of the subject is the first essential in carrying out any executive laws. The honourable member representing the Bombay Chamber of Commerce enunciated another principle that will commend itself to the acceptance of everybody in this Presidency, namely, peace. He had his mind on the future and he emphasized the necessity of peace. Having regard to these two principles, I would like to put the facts before this House and ask it to form its own judgment on them. I hope I shall not be carried away by any passion or make any statement which may be in the nature of overstatement. I will try my best to be perfectly within limits and try to make a statement which will be an understatement rather than an overstatement.

It was this time last year, when the civil disobedience movement was at its height, when I myself, in my capacity as a councillor eulogised the services of the officers, both police and magisterial, as far as my district was concerned. I said it was a great day for me on that occasion to point out that the authorities had been acting in a manner worthy of their offices. It is, therefore, with great reluctance that I have now to go against that and in fact to put before this House another picture. It is necessary, however, to point out that in those days, namely, last

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year, we had senior officers in our district. Unfortunately, at the time I am complaining of, we had junior officers who were foreign to the district and had taken up their duties only a few months ago, and, in the case of the District Magistrate, only a few days ago. That may be a point in their favour which I wish to state at the outset. I may state also for the information of this House that last year we had many more militant activities than now, and yet the district authorities behaved in a manner which was worthy of their prestige and their office. If I were to compare the present movement with that of last year—I hope the Government authorities will agree with me—the movement now is much more peaceful than it was last year. It is only general principles that matter now, as I know there are other methods of getting remedy for individual complaints. The position was this: that the district authorities thought it proper to declare as unlawful one Seva Dal Association and take possession of the building in which the members of that association met. The grounds on which they met did not belong to the Seva Dal but belonged to another institution of which some of the members of the Seva Dal were members. There was a flagstaff on which the national flag used to be flown. But since the signing of the armistice the meetings were seldom held there and the flag was seldom hoisted there. There is a road which leads from the station to the fort, and that has to be crossed to go to that place where the flagstaff was. As far as I know—I was at Ahmednagar then—no public procession, at least not 90 per cent. of the processions, ever passed along the road leading from the station to the fort. Perhaps on occasions they crossed the road to reach the other side. I have no quarrel with the fact that the district authorities thought it proper to ban any processions through this road. But I must submit that it was an unnecessary provocation, because I may here state that those people would have found no room for disobedience if that road was not banned for public processions. I must say to the credit both of the local authorities and of the people who are carrying on those activities, that they came to a mutual understanding. That understanding was that in order that the law may not be broken in so many places, as they could have done it—there are dozens of places where, if they wished, they could have kept the police at bay—they came to a reasonable compromise that at a particular place, that is in front of the cotton market, those processions would go and volunteers that wanted to disobey would stand out of the crowd and then try to trespass, and that before they did so they would offer themselves for arrest and be arrested. You will see further that the public meetings or processions were not banned. The authorities had taken no steps whatsoever to tell the people that the meetings and processions would be banned. They allowed them to hold the public meetings, they allowed them to parade through the streets. I say that, to the credit of both the people and the authorities, they had agreed upon one plan, that this *satyagraha* was to be offered only on two days in a week, namely, on Monday and on Thursday evening. And the

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pact on both sides was kept in letter and in spirit. Not only that, but I have myself seen the police authorities taking steps to keep the crowd in a very comfortable mood.

I now come to the unhappy incident on the 4th February. There had been processions from the 9th January to 4th February, the police co-operating. The people offering themselves for arrest were tried the next day and sentenced as usual without the slightest murmur either on the part of the people or the police. On this fateful day, namely, the 4th February—I call it fateful because all this understanding between the authorities and the people was suddenly given the go-by without the slightest notice—on this fateful day the people gathered as usual, went in a procession as usual without the least molestation or warning that the procession would be banned. Those of you—and I see some of the members are here—who know Ahmednagar well, will see that this road from the city to the fort is outside the city. The Fergusson road which leads to the cotton market is a broad road which meets it just in front of the cotton market. Unfortunately, this road has warehouses on both sides of it,—a matter which will have to be looked into later on more carefully. As usual, on the understanding that no ban had been placed upon them the people started *satyagraha* exactly at 6·20. The people came over there and watched the procession and two or four people who called themselves volunteers and had distinguishing marks stepped out on the road and offered themselves for arrest. Up to this time the District Superintendent of Police was not at the station. That is what I am told.

The Honourable Mr. G. A. THOMAS: He was not at the station?

Rao Bahadur G. K. CHITALE: He was not at the station at Ahmednagar. That is what I am told. It appears he had to come from a place where he was touring. I myself do not vouch for that information. But it does appear to me that he came from some place outside the station. He came to the place, got out of the motor car with a hunter and a revolver. As soon as he came in front of that place he loaded his revolver and he asked the police inspector also to load his. And to the great dismay and astonishment of the people gathered there, he gave a cut with his hunter to the first volunteer on his left eye. This was a signal for the lathi charge.

Rao Bahadur D. R. PATIL: Were you present there?

Rao Bahadur G. K. CHITALE: I am not going to answer any question now. A lathi charge was made on the people. I am bound to say that the lathi charge was not so serious, neither did it lead to any serious injuries except in about a dozen cases. But the gathering was cooped up and they could not move about or recede back on account of a large crowd of people running pell mell. Some of them fell in ditches or over the wires and some got hit with lathis.

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Three principles, therefore, come out so far as the subject matter of this discussion is concerned. I have read the ordinances. I understand a bit of law. I have seen it administered in judicial courts. Leaving aside the question whether the police are justified in beating people—for the sake of argument I will admit they are—they should have some show of reason in using force in proper circumstances. When you allow, by your own conduct, conduct going on for several weeks, people to assemble in that particular fashion to see the volunteers surrendering themselves to the police, is it proper that suddenly you should change your mind without the least provocation and beat those people? That is one.

The second is: should the District Superintendent of Police take it into his head to use his hunter first and injure the volunteer in his eye, and after such conduct hold his revolver in readiness as if the whole crowd was menacing and was intent on doing some mischief? That is another method in which these ordinances are being administered. My humble submission to this House is that apart from the question whether you can check unlawful actions in that particular manner or not, it is necessary for the peace and goodwill that is to come, if not now later on, that the authorities themselves should help to keep peace and goodwill as much as possible. You should not try to destroy it because in that case the feelings of the public are so much hurt that those who have no sympathy with the movement will develop a tendency in favour of the movement. You will be creating many more people inimical to yourself against their own wishes. This is a phase which ought to be avoided as far as possible.

The next event, the lathi charge, took place at about 11 o'clock at night. That was in the Gandhi Maidan. That again is a cooped up place. The maidan is in front of a school house and close to a theatre, and compound walls are being built around it, and trenches and stones are spread all over the place. As I said, the agreement between the authorities and the people was that after the procession and handing over of the volunteers, the people used to meet in a public meeting there at 9 o'clock. The dictator came forward and announced his name. He was arrested and taken away by the police and the meeting quietly dispersed. On this particular day what happened was that the meeting did take place as usual at 9 o'clock. The dictator came forward and everything went on as usual. The police authorities were there. They did not interdict or ban the meeting. The meeting went on till half-past ten——

The Honourable Mr. G. A. THOMAS: The honourable member said that it started at 11.

Rao Bahadur G. K. CHITALE: I am stating the facts. I am narrating the events as they took place.

Then it appears that some one out of the meeting came forward with his programme of salt making. That was outside the programme of the

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meeting. A boy came out with his programme of making salt. He declared so—he had not brought any water from the sea coast, very probably he had brought water and common salt—he wanted to parade and say that he was disobeying the laws. As soon as that was started—and that was at 11 o'clock—the police hemmed in. They were in the school building and also on the theatre side. The compound wall was being built on the eastern side and stones and bricks were spread over, and the police party came out only by one entrance which is about 10 feet wide and they began to belabour the people without the least provocation or warning. The fact that emerges is that many people were injured in this melee. As a matter of fact, as far as my information goes, they were not given the usual warning or enough time to disperse. My grievance is that in all these cases, if you have this power of using lathis, by all means do it, but be as moderate as possible and give the people enough warning and enough time to disperse before you use these lathis on a crowd which has been peaceful for a number of days and given no cause for complaint. I should think that the administration of the ordinances on those two occasions was such as could not be defended from any point of view. I do maintain, Sir, that these are difficult times for both the Government and the governed. It is too true, indeed, that it is very necessary that every one of us should keep his head cool and administer these obnoxious laws with the least possible friction. And I think I am perfectly within my limits in pointing out that if you do not do it, then one result is certain. The amity, the peace and the goodwill of the people will disappear. You must not alienate the sympathies of the people and it would be very difficult if the day comes which, according to my view, is not very distant, and when peace and goodwill will have to be established in spite of yourself. Then you will make the conditions and circumstances more difficult for the peacemakers. With that view I commend my resolution to the acceptance of the House.

The Honourable Sir GHULAM HUSSAIN: May I enquire if the honourable member was an eye-witness of the alleged events or if he depends upon hearsay?

Rao Bahadur G. K. CHITALE: I was not myself present. But I have got it from two eye-witnesses who are quite reliable and who are not members of this movement.

The Honourable Mr. G. A. THOMAS: Sir, when the honourable member Rao Bahadur Chitale stated this morning that he wanted to move this adjournment motion, I objected to it, and I wanted to state the reasons; but the Chair, according to tradition I suppose, declined to give me that opportunity. I was only going to say in a few words why I objected to this motion. The first reason was that I think that on behalf of the House one has a right to object to the time of this House being wasted, particularly in a budget session, when we have a very important Finance Bill placed before this House to discuss and a very

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heavy agenda to get through, by an adjournment motion being moved. I doubt whether even half a dozen members on the other side had heard a word about it before the honourable member Rao Bahadur Chitale gave notice of his motion. I may say that I heard more than one honourable member of this House sitting on the benches in front of me saying "What is this *lathi* charge ? We have never heard of it. We have not even seen it in the papers." I think if there had been a *lathi* charge of such urgent public importance as to justify an adjournment motion to be moved in this House, it is a most extraordinary thing that not a single newspaper has made any reference to it, and my experience for the last four weeks has been that most newspapers never miss a single opportunity to give full publicity and more than full publicity to any incidents of this kind.

Rao Bahadur G. K. CHITALE : That is not a fact, because the *lathi* charge is reported in the papers.

The Honourable Mr. G. A. THOMAS : It may have been reported in the newspapers, but in so inconspicuous a position that no one saw it. But I was really surprised to find the honourable Rao Bahadur taking this opportunity to discredit some district officers because they happened to be juniors and some of the other district officers because they were not present at the station.

The second reason why I was going to object to this motion being moved was that an adjournment motion is in the nature of a vote of censure. On whom does the honourable Rao Bahadur wish to pass a vote of censure ? On Government ? How can Government be connected with, or held responsible for, an incident that occurred in Ahmednagar ? Therefore, his vote of censure is to be passed upon an officer of Government, and it is clear from what he says that this vote of censure is to be passed on Mr. Maxwell-Gumbleton, the District Superintendent of Police of Ahmednagar. Mr. Maxwell-Gumbleton is not here to be heard in his defence, and I submit to this House that it is entirely contrary to the British sense of justice that a man should be accused and condemned unheard, and until to-day I thought it was also contrary to the Indian sense of justice. I regret I have made a mistake.

The honourable Rao Bahadur started off and ended up with talk about the ordinances. The ordinances have nothing whatsoever to do with this case. The action taken by the police on this occasion had nothing to do with the ordinances. It would have been taken if ordinances had not existed. There was a procession, there was a crowd which, rightly or wrongly, the District Superintendent of Police thought was likely to cause a disturbance of the peace, and he dispersed it. He did it under the ordinary processes of law, in the interest of law and order ; he did not act under any section of the ordinances.

I do not wish to refer at length to the preliminary remarks which the honourable Rao Bahadur made before he led up to the actual narrative of the incidents which occurred on the 4th of February. But I must

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contradict him on the fact when he says that there was an understanding between the authorities and the people that processions should be allowed on certain days of the week. That is not a fact. It is true that on two days in the week processions had taken place, but they were small processions, they were peaceful processions, and when two or three people had been arrested, the processions dispersed. But on this occasion, as the House will see from the report of the District Superintendent of Police of Ahmednagar, which I will shortly read, the procession was a much larger one than on the two previous occasions and of a much less peaceful character than in the past.

Then there is another remark of the honourable member which I think I must contradict. He said that he got information—he is very careful to say that he cannot vouch for the information, because he knows that his information is open to suspicion—that the District Superintendent of Police did not come into Ahmednagar until late in the afternoon, apparently when the procession was taking place. He says that the District Superintendent of Police got out of his car on arrival at the place, seized his "hunter," and hit the first volunteer with it on the left eye. That is the most extraordinary story I have ever heard. Then, he says a *lathi* charge was made and the crowd dispersed. How many were injured? The honourable member did not say how many people, how many men, women and children were injured, how many were taken to the hospital, what happened to them. Surely, evidence would have been produced to prove the nature of the injuries and the number of people injured. But he dismisses it by merely saying that they were injured. Then he says that in the evening a second meeting was held in the maidan, and as soon as the crowd came into the maidan—where incidentally he says a boy came forward to make salt, which the honourable member treats as a joke—the police began to belabour the people without the least warning. Now, Sir, I propose to read the report which I have received from the District Magistrate forwarding the report of the District Superintendent of Police. It is a report of four or five pages, and I propose to read it out in detail. In passing, I do not know whether the honourable member Rao Bahadur Chitale has ever had the honour of meeting Mr. Maxwell-Gumbleton. If he has not, I can only say he has missed the opportunity of meeting one of the finest types of Englishmen that I know, one of the finest types of British officers in India. Some day I hope the honourable member will meet him and recognise that he has made a mistake in trying to pass a vote of condemnation against him. Personally, I have known this officer for 10 years. To my mind he is the soul and embodiment of honour, sincerity and truth. I will now read his report. He says:

"Before the 4th of February....."

that is the day on which this incident occurred,

"..... processions were being taken twice a week along the Fergusson Road to the Station Road."

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That bears out what the honourable Rao Bahadur says.

"On getting to within 100-200 yards of the Station Road the main procession would halt and volunteers varying in numbers from 6 to 4 would walk out singing songs and would attempt to go along the Station Road. Large crowds always collected to watch them and cheer them when they were arrested."

There was no understanding as the Rao Bahadur says. The police had not made any attempt to disperse these crowds and processions up to the 4th of February. They simply arrested two or three people that came forward. In that sense, from what the Rao Bahadur says it might be said that there might have been some kind of tacit understanding between the authorities and the people.

"On the 4th of February, it was announced that 100 people were going to court arrest."

It was a definite departure from the previous procedure. Formerly, two or three people only had come forward and been arrested. But on the 4th of February as many as 100 people were going to court arrest. So, the situation was altered.

"Up to that date the people arrested had been nonentities. As these large crowds of spectators afforded them a great advertisement, it appeared to me to be undesirable to continue to arrest these nonentities. I, therefore, in consultation with the District Magistrate, decided on a change of tactics."

I emphasise the words "in consultation with the District Magistrate" because this entirely disproves the statement made by the honourable member Rao Bahadur Chitale on his information that the District Superintendent of Police had not been present in Ahmednagar at the time, but came at a late hour that afternoon. The report goes on to say:

"On arriving at the place where the procession would come on the forbidden road, I found, as I expected, a large crowd. One section of it was immediately behind, and only about 2 yards from, the armed police. There was no time to disperse this crowd except by a determined lathi charge, which, as they were merely harmless spectators, was clearly undesirable."

The District Superintendent of Police is not the blood-thirsty monster the Rao Bahadur makes him out to be, because he felt that a number of harmless spectators might be injured by a *lathi* charge. Therefore, he deliberately refrained from a *lathi* charge on that occasion. The report says further:

"At the same time they could not be allowed to remain so close to the armed police. I accordingly ordered them to move back into the public garden near by, and remain behind the walls of the garden. They could be easily kept there by a few police.

The crowd was reluctant to move, so they were pushed back and a few people were struck with light canes."

There were no *lathi* charges that afternoon; there was no *lathi* used there.

Rao Bahadur G. K. CHITALE: I cannot agree.

The Honourable Mr. G. A. THOMAS: The report goes on to say:

"This had the desired effect and they moved into the garden.

Both sides of Fergusson Road were lined by large crowds and after disposing of the crowd behind the armed police I moved the crowd on the East of Fergusson Road further away from the armed police who were drawn up on the Station Road. The crowd on the West of Station Road had a large proportion of women in it, so I did not move them then."

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The Superintendent of Police did not make war upon women. The report then says :

" Before the crowd on the East of Fergusson Road had dispersed, the procession arrived. I stopped the people (3 in number) who had come to court arrest and told them to disperse. They refused; so were pushed back on to the head of the procession with which the crowds from both sides of the road had amalgamated. I then ordered the crowd to disperse, and warned them that I would disperse them by force if they disobeyed. They showed no signs of dispersing, so I ordered the police who were armed with light canes (not with lathis) to disperse them by force. They did so and the police also drove back the crowds who were mingling with the main procession on both sides of the road. I had previously warned the police not to hit women."

Consider the forethought and kindly thought of the District Superintendent of Police. The report goes on to say :

" The first charge drove the crowd back about 200 yards and they were dispersing when I saw a group of women gathering round a large Congress Flag. It looked as if they were about to form a procession and advance. I accordingly arrested the ringleader and the remainder dispersed. The arrested woman was subsequently released on her promise to take no further part in the C. D. movement. This new attraction had stopped the dispersal of the crowd. I accordingly warned them again and again charged."

The Rao Bahadur says that no warning was given.

" This time they were driven back to beyond the Fergusson Gate and started dispersing gradually.

It has been stated that I gave the crowd no time to disperse before using force. To a certain extent this is a true allegation."

The District Superintendent of Police says it is a true allegation, and I repeat it because it shows he does not want to conceal anything. He says :

" I did however give them ample time to start dispersing had they wished to do so, and force was not used until it was obvious that the crowds would not disperse without its use. I could not wait for long as it was getting dark. It was also Ramzan, and many of the police on duty were Mahomedans who had no food or drink since before sunrise and who would be wanted again to deal with the meeting to be held that night."

Again, the District Superintendent of Police shows his humanity and kindliness of heart.

" Practically all the police used on this occasion were armed with light canes. A few, with heavy lathis, were used to push the crowd back and occasionally no doubt they struck a man with these lathis. The Deputy Superintendent of Police, the Home Inspector, the Sub-Inspector, Head Quarters, and myself were on the lookout to stop the police using heavy lathis vigorously.

The only person I saw at all damaged, except with canes, was a little boy of about 8 years old who had been knocked down by the first speedy retreat of the crowds..... "

I wonder whether the Rao Bahadur has not heard of this little boy of eight years old who had been knocked down not by the lathis of the police, but by the crowds. The report says further :

" I picked him up myself..... "

Here is this atrocious monster of a policeman pausing in the act of dispersal of a crowd picking up a little boy, acting the good Samaritan.

" He appeared rather dazed and his nose was bleeding slightly, but he was not even crying, so I do not think he was badly hurt. I handed him over to a youth of about 20 who said he was his brother and sent them through the police cordon."

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Another kindly act.

"Since then I have heard nothing of him, so I presume he was uninjured. One policeman was struck by a shoe thrown from the crowd, but was not hurt.

While returning to the police station after the crowd had dispersed, a police Jamadar was hit on the right eye by a stone. He was treated at the Civil Hospital."

That closes the incidents of the early evening, or late afternoon. Now comes the second incident referred to by the Rao Bahadur. The report says :

"It had been announced that salt was to be made at the meeting to be held on Gandhi Maidan that evening."

That is quite a different story from the one that the Rao Bahadur gave us of a small boy coming out with his programme of salt making in the earlier meeting. It had been announced that salt was to be made at the meeting. Now, the manufacture of salt is not a lawful act, and any person pursuing that unlawful act, or a big crowd which assembles to witness that act becomes an unlawful crowd and must be prepared to take the consequences. They must be aware what the consequences may be. An announcement was made that salt was to be prepared at the meeting.

"I therefore kept the police in readiness to disperse the meeting. On hearing that they had started to make salt, I went to Gandhi Maidan with the police. As soon as the crowd, about 1,000, saw the police they fled. I arrested the President and two people who were making salt. One was subsequently released, as he was only a boy."

The honourable member said that—

Rao Bahadur G. K. CHITALE : Was "salt maker" arrested on the spot ?

The Honourable Mr. G. A. THOMAS : I choose to believe the report of the District Superintendent of Police.

"While I was waiting for a lorry to arrive to remove the prisoners, the crowd started to reassemble on both sides. I told the police to drive them back and as soon as the police moved to obey they retreated about 40 yards without any force being used."

See what happened subsequently.

"About two minutes later a sepoy came up to me and reported that he had been hit by a stone. I went to the place and found a crowd of about 22 standing some 20 yards from the police cordon. As I passed through the cordon another sepoy called out that he had been hit ;"

The Police Superintendent was himself hit by a stone.

"and as I got in front I was hit on the left elbow by what felt like a fair sized stone. I accordingly charged the crowd from which the stones were coming and dispersed them. I ordered the sepoys to charge any crowd that reassembled on that side and went to the other side."

The honourable member said that there was no stone-throwing.

"The situation there was the same. The police said they were being stoned and there was a slightly smaller crowd there about 20 yards from the cordon. I accordingly charged and dispersed them and gave the same orders.

Meanwhile the prisoners were removed. Another crowd started to collect but dispersed on seeing the police advance towards them.

In dispersing these crowds canes and heavy lathis were used."

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The Police Superintendent has to maintain law and order. The honourable member said that many people were injured.

"I do not think many people were hurt, though because, as soon as they saw the police meant business, they ran for their lives.

I reported on 5th morning that 2 or 3 sepoys had been hit by stones as I had personal knowledge of them. Subsequent enquiries show that 10 were hit. None were seriously injured.

Only one member of the public was admitted into or attended the civil hospital as a result of injuries received on 4th February. He arrived there on 5th morning with a fractured forearm which he said was caused by falling into a gutter near the Gandhi Maidan on 4th evening. His name is Meghraj Motirmal, age 45, merchant by trade."

The honourable member said that many women and children were hurt as a result of the injuries.

"No women or children were treated at the hospital.

I did not see any women or children (except the boy arrested for making salt) in the crowd on the Gandhi Maidan. No one was found lying on the ground after any of the charges by the police on the 4th, and I am certain that no woman or child was injured by the police."

Rao Bahadur G. K. CHITALE: Was not a child injured and a girl arrested?

The Honourable Mr. G. A. THOMAS: I think the District Superintendent of Police is the best person to say what happened.

I am perfectly certain, after having heard the statement made by the District Superintendent of Police, the principal actor in the drama, any honourable member will come to the conclusion that the honourable member Rao Bahadur Chitale has made out no case to pass a vote of censure on him, particularly in his absence, when he cannot be heard in his defence. I will conclude by reading the report of the District Magistrate who was not at the place, but he says:

"All I have to add to the account given by the Superintendent is that I had enquiry made at the civil hospital about Meghraj Motirmal. I am informed that he only attended the hospital once as an outdoor patient on the 5th February when they put his forearm in splints, but since then he has not returned to the hospital. Nothing seems to have been said at meetings about him since then.

From the facts detailed by the Superintendent it is plain that the police force behaved with discretion and resolution. The fact that both on that and subsequent occasions they preserved the order forbidding processions on the Station Road from being broken has had the good effect of subsequently reducing the general agitation, since people began to realise that there was no intention of giving way to hostile demonstrations near the road, and so abandoned the project from the 15th February."

Question, "That the House do adjourn," put, and negatived.

DISCUSSION ON THE BOMBAY FINANCE BILL—(*resumed*).

The Honourable the PRESIDENT: The consideration of the motion that the Bill be read a first time is before the House now. I once more bring it to the notice of honourable members that we have gone back to the item of business which we had before the House this morning—the consideration of Bill No. I of 1932 for first reading. Does any honourable member wish to speak? [*Honourable Members: "To-morrow."*]

Rao Bahadur S. N. ANGADI: I find that the general sense of the House is that as there are too many composite Bills the discussion should be postponed till tomorrow, as there was not sufficient time to study these provisions and give our clear views.

The Honourable the PRESIDENT: No. The Bill has been before the House for some considerable time. They should have considered it.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, after the statement of the Honourable the Home Member, I was inclined not to take any part for more reasons than one.

The Honourable the PRESIDENT: Is the honourable member criticising the speech?

Rao Bahadur G. K. CHITALE: I am not criticising the speech. I think this Bill deserves to be spoken upon, and should not be allowed to pass in silence. As I said at an earlier stage, the form in which it has been presented to us is confusing. This Finance Bill which comprises four Bills is so confusing that it is not possible to allow of opinion being rightly and honestly divided. But it has pleased Government Benches to move it in that form, not with a view to certifying the Bill later on as a Finance Bill, in case this House throws out this Bill, but in view of the fate of the last Bill, in order that certification may be brought into force. I hope that there is no such desire on the part of the House to come under the bludgeon clause of certification against its wishes. I combat the view that there is any necessity for further taxation. I combat the view that unless this 30 lakhs is found within the next 12 months, Government will not be able to function. I will not dissect the carcass nor flog the dead horse. But we will accept facts as they are. As regards the facts they are there.

I speak subject to correction, but I think this Blue Book does not give the information. I find that the income from salt is Rs. 20,000. That is not shown as income anywhere. [*Interruption*]. My point is that the salt duty has lately been increased. Proportionately our share of the revenue also must have increased. This revenue has not been brought into account. It is very unbusinesslike to do so. However, Government themselves have retrenched a lot and propose to retrench more if the examination of the expert committee convince them that there is enough room for using that method. Unless the Local Government were satisfied that there was such room, I do not think that they would have gone to the length of appointing an expert committee: I believe that the Local Government themselves are sanguine enough that this examination by the experts will reveal enough scope and show where and when to retrench. That being so, I should think that for one year at least they should not bring forward any proposals of taxation, any proposals of taxation in the form in which they have brought them.

In the first place, as I said, after all, these proposals are not intended to bring in a very big revenue. I should think, Sir, that if the budget

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is to be balanced for ever, as the Government of India did balance their budget for the next eighteen months, that would be something. But this is all patch-work, patch-work in the sense that they themselves admit that the retrenchment effected this year to the extent of one crore will be effective only for this year and that it will have to be made good in the next year. The proposals they have made in this particular form are very inadequate. If they had come forward with courageous proposals which would once for all balance the budget and enable Government to hand over a balanced budget to the powers that may come hereafter, then that might have been acceptable to the House. But this is all patch-work. Moreover, they have not the heart; they are afraid of displeasing this section, that section or the other section; and therefore comes in the exemption clause and the clause reserving to themselves the powers to increase the number of exemptees. For instance, take the Electricity Bill. I wish, Sir, speaking candidly, that if they had the courage of their own convictions then, the whole of the amount needed could have been found by adequate taxation. But they want only to strangle the growth of this enterprise in the mofussil; they want to keep the vested interests untouched and to let them go without the least taxation. The levy that they wish to make is disproportionate, because the rate at which a unit is charged in different places differs so much that the percentage will never be equal, it will always be disproportionate. That is not one of the best methods of taxation. It is claimed that this proposal is justifiable on the general grounds that the tax is easy to collect, that it falls equitably on all persons and taxes the persons who are most able to bear it. Examining the Bill on these grounds one is bound to say that it offends against all of them. For instance, the Bombay Tramway Company, I forget the exact name—the company which enjoys the monopoly of electric supply in the Bombay City—it does hold the monopoly—is making pretty good profit. They are buying their energy at present from another company at a much less cost than what they estimated when they went in for this enterprise. The Bill proposes that the Tramway Company should escape the burden; it is not taxed at all. The Tramway Company is at present paying a handsome dividend. What would it matter to them if that dividend was lowered by, say, one per cent.? They have declared those dividends in past years and solidified their position. They have got some advantages which they had not when they first started their enterprise. Then, take the mill industry. That also is not intended to be hit the least. Some of my honourable friends will look at me and ask me whether it is proper to tax the industry. Well, I ask, Why not? At present Government is in a parlous position as regards its finances, and the more money comes from the pockets of the leisured and moneyed classes the better. It was stated by the honourable member the Finance Secretary that while the average tax paid by an inhabitant of Bombay City to the Government of India and the Municipality is Rs. 45, the average tax paid by him to the coffers of the local Government is only five annas. If that is the case, that is not a very desirable state of things. How can you call it desirable?

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Bombay City does not pay anything by way of land revenue. If the Bombay inhabitant pays only five annas to the local Government, it is only reasonable and logical to say that some method must be devised by which he can be made to pay more to the local Government's coffers. The point of view that I wish to put before the House is that there is no case made out why the tramway companies and other commercial concerns should be allowed to be on the free list. I do say, Sir, emphatically that if a poor man, a man who lives in a one room tenement, has to contribute to the local Government four annas or six annas—whatever the amount—there is a case to treat that man with more sympathy than the richer man. Even a small sum of six annas is to a poor man more valuable than whole rupees to a richer man. By "richer man" I mean the shareholder either in the tramway company or in a mill or other concerns. It was stated that the rate these people are charged for electrical energy for power and lighting purposes is very small, less than an anna or two per unit. Therefore, there is no reason why Government should be very sympathetic towards them. Then, again, these electric concerns are rising up in many of the mofussil towns. Take, for instance, the backward and famine-stricken district of Ahmednagar. A company has just come there and obtained a licence. It wants to charge six annas a unit. If in addition to the six annas charged by a struggling industry to the poor people in the town of Ahmednagar a surcharge is to be levied, what reason is there to exempt richer concerns in richer areas? I hear that in Dhulia also they are going to start an electricity company. Thus, there are many places in the mofussil which are now getting the benefit of electricity, which is certainly a matter for congratulation. Then, I may be told that this is a good tax and, after all, they are trying to get only 12 lakhs. My opposition to the Bill is that it tries to take only 12 lakhs. If you are able to get the whole of your requirements, namely 26 lakhs or 28 lakhs, then, by all means, collect it by this one measure, and let go the poorer people, namely, the agriculturists, by keeping out the Court-fees and Stamp Bills. I believe Government will earn the better opinion of the poorer people if they accept that view.

As regards the Court-fees Bill and the Stamp Bill, although they are considered to be only temporary measures, we find that they have been on our statute book from year to year. I have been watching the temper of this House today. During the last session my honourable friends here spoke very eloquently and very emphatically for lowering the scale of pleader's fees of lawyers from 5 per cent. to 3 per cent. Now, the increase in Court-fees and Stamp duties will hit mainly the agriculturist and make litigation more difficult and much dearer than it is. The House will remember that on all occasions, when Court-fee was sought to be increased for any amounts below Rs. 5,000 it had shown itself against it; and though it was tried almost every year, Government in the nick of time came forward with a proposal exempting suits below this amount. I think Government has got up in their sleeves an idea of appeasing us and getting our support in that way after some struggle.

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But I submit that no case has been made out for increasing the tax all round. The Honourable the Finance Member must not forget the law of diminishing returns. The diminishing return rule is so wholesome, that he will himself find at the end of the life of this Bill, namely, one year, that the circumstances are wholly against him. If he gets the figures of the institution of suits or appeals either in the mofussil or district sessions or even the High Court, he will find that the number is decreasing rapidly even now. If, therefore, you put more taxation by way of Court-fees, I am certain that you will not only not make up the amount that you want, but you will unnecessarily get a bad name. You will get a bad name because this is the time when you can make a wholesome and welcome gesture to the poorer people who are harassed in various ways. There is no doubt about it. Though the crops may be good, the prices that they can get or hope to get in the near future are so small that it is not possible to recover even the cost of cultivation. That is my complaint with respect to the Court-fees clause of the Bill.

As regards the Stamp Act, again, I think it is a very good measure so far as it wants to cover the forward transactions, but I am sure that the Honourable the Finance Member will find that the vested interests, at least so far as the bigger cities of Karachi, Poona and Bombay are concerned, are very difficult to "*samjao.*" No amount of argument or reasonableness will convince the commercial body as a whole, because it has to be recognised that trading concerns have been hit very badly both by way of incometax and supertax and the parlous condition in which the present trade finds itself. Apart from what I have stated, it is indeed too true that the plight of the tradespeople is such as to deserve our heartfelt sympathies, and it is just possible that there also the law of diminishing returns will come into force and Government will get a bad name without being able to fill their coffers. In smaller things also the Stamp Act is intended to be used in such a way as to touch the poorer classes. It is no use passing legislation against the wishes of the people. After all, you are finding almost two-thirds of the amount of deficit from loan funds. It is only for a very paltry sum that you are seeking the aid of this House in passing this taxation proposal. I do not think, Sir, that it is a proposal which would be acceptable to this House.

Then, again, as I have said, the form in which you bring this proposal is very objectionable. You want a whole vote which we are unable to divide. Either we must say "Yes" or "No." Just as we lawyers are in the habit of putting a question, so also I am afraid that the Honourable the Finance Member expects us either to say "Yes" or "No." I am afraid the Finance Member has called upon himself a predicament. I do not know how he would extricate himself from it. I know he will extricate himself from it somehow. But I am of opinion that the proposition before us is such that it cannot commend itself to this part of the House.

The Honourable the PRESIDENT: Order, order. There seems to be some confusion, I am told, in the minds of many honourable members

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about the voting on this Bill. I personally see no difficulty at all. I have made it perfectly clear, and I would like to make it more clear, if possible. The Bill has been brought forward in one whole form with five parts in it. I want honourable members to follow me closely, because they know the gravity of the situation. It has already been pointed out on the floor of this House, during the last few days, that the financial position of the Presidency is very serious. To meet that situation, this is one of the methods Government have thought of. It is for this House, representing the Presidency, to decide once for all whether they would come to the help of Government by passing the taxation measure in this form. It is not for me or any section of this House to dictate terms to the other sections.

Now, the Bill must be taken as a whole. It has been suggested that I should accept amendments to delete certain portions of it. I cannot make up my mind to accept an amendment of that kind. The whole House should decide whether taxation must be voted in this particular form, but it is going too far to request me, as the President, that I should play one section of the House against another. [Hear, hear.] Order, order. The suggestion boils down practically to nothing else than this, that I accept an amendment from one section of the House which has vested interests in Part I, to the effect that that Part be deleted. In fairness, therefore, I shall have to accept an amendment from another section of the House seeking to delete, say, Part II, in which that section is interested. Another section will seek to delete Part III, and so on. What is the practical result? The result is the deletion of the whole Bill. Honourable members should make up their own mind one way or the other. Deletion of this clause or that clause or the other is really not the method, as each part is an important part and parcel of the Bill, and involves an important principle. If I admit an amendment that the clause relating to the duty on consumption of electrical energy should be deleted, it means that the section seeking its deletion will vote in favour of the rest of the Bill. When the time is reached, they would probably join together and group *A* would say to group *B*, "I will help you in getting rid of the electricity clause if you will help me in getting rid of the clause which affects my interests." This is ridiculous. I cannot allow that. I am anxious, I am in a mood to help the House, but the House as a whole, and not any particular section of it. I was anxious to see what procedure was followed in the Legislative Assembly in similar cases. It has been brought to my notice that in the Assembly when the finance bill was brought, amendments were accepted to change certain figures, say from 10 to 5, from 5 to 2 and so on.

Another question was put to me privately by an honourable member on the Government bench, whether honourable members can, in the second reading or at a later stage, come forward and table an amendment deleting a certain clause. Certainly, they can do that, provided that the attempt on their part is not an attempt to delete a whole part. For instance, in Part II, there are several clauses. Amendments coming

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in at a later stage would seek to delete clause 1, clause 2 and so on, with the result that the whole part relating to electricity will be deleted. That would be going back upon the principle of the Bill. The honourable House must make up its mind whether it is prepared to vote for taxation in this particular form or not. If it is, then in the committee stage the whole Bill can be amended as best as it can be.

Having explained the position, I must repeat that I cannot help any one section of the House in this matter. It would be very unfair to call upon the President, who has got to see that all sections in the House are equally treated; and if I treat all sections of the House equally by accepting all their amendments, the result is, so far as this Bill is concerned, that the whole Bill is nullified. I therefore would urge honourable members now to proceed to speak on the principle of the Bill.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I submit that when amendments are tabled, several members do not put their heads together and arrive at a common understanding. It may happen that in the second reading one honourable member may table an amendment deleting clause 1 and another deleting clause 2, and so on. The effect of those amendments would be that the whole part would be deleted. But when you, Sir, rule that you will not allow amendments the effect of which is that the whole part is deleted, that means all the honourable members moving amendments must act together and put in an amendment which will not delete the whole part. Secondly, I submit with great deference that in the Legislative Assembly they did not want the whole duty on salt to be removed. They simply wanted to reduce the duty and gave amendments reducing the figure of duty. In the finance bill which was moved in the Assembly, all subjects like paper currency, income-tax, salt, postal rates, tariffs, all these different things are jumbled up together, as I have done. It is not a novelty. That is done in the House of Commons. In the Assembly in 1925 there was a similar Bill. In such cases there is an amendment to remove, say, entry 1 from Schedule II to Part I; there is an amendment to reduce the salt duty from Re. 1-4-0 to annas 12. There was nothing to prevent any member moving for the removal of the salt duty altogether. How can an honourable member be prevented from moving an amendment the effect of which would be to delete a particular form of tax, because the Bill contains several forms of taxation? An amendment may be moved which will have the effect of not granting to Government the right to levy a duty on the consumption of electricity. There may be another amendment—several honourable members may differ from one another—the effect of which would be to reduce the court-fees to the original level. So, I submit there is nothing to prevent such a thing happening. So, when it is ruled that no amendment will be allowed the total effect of which would be to delete a particular part, then it means that it is assumed that the persons moving the amendments must have put their heads together, and it is said "If you move this you cannot move the other. Let us have some loophole, so that one clause at least remains." In the

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Assembly there is nothing to prevent anybody from moving that a particular tax be reduced.

The Honourable the PRESIDENT : I am sorry the misunderstanding still continues. I fully realise, according to the instances which the Honourable the Finance Member has pointed out, that the Honourable Member himself, or Government, or any section of this House is entitled to follow methods which suit each one's purpose. I am not sure whether such manoeuvres could, however, be countenanced by the Chair. In fact, a motion to delete a clause is not in order. You can vote against it; you cannot have a motion to delete it. I think we have fully dealt with this matter now, and the principle of the Bill may be discussed in the way I have indicated.

The Honourable Sir GOVINDRAO PRADHAN : Would you, Sir, agree to keep it open to us to show whether such a procedure has been followed or not ? Because, when I say parts I, II, III, IV and V, I mean these different duties. What is there to prevent anybody from saying that x should not be the charge, but y should be the charge ?

Rao Bahadur R. R. KALE : I rise to a point of order. Is the Honourable the Finance Member entitled to speak thrice and four times on this ?

The Honourable the PRESIDENT : He is doing it with my permission. I would like to hear anything that reasonably could be pointed out to make me accede to the request that amendments of the nature I have indicated can be allowed.

The Honourable Sir GOVINDRAO PRADHAN : I could not understand my honourable friend's point of order. I was not making a speech upon the merits of the Bill. I was merely making a few observations, with your permission, Sir, as regards your ruling, and you have assured me that you would keep it open to us to show whether such a procedure has been followed or not. I pointed out (*a*), (*b*), (*c*), (*d*) and (*e*) duties. There is nothing to prevent anybody from saying that duty (*a*), duty (*b*) or any other duty should not be charged.

Mr. G. WILES : Sir, may I be permitted to say just one word on a difficulty that will arise owing to your ruling ? Certain honourable members, I understand, wish to commit the whole Bill to a select committee, on the understanding that they will still have the opportunity of rejecting any part of the Bill when it comes back at the second reading. But, obviously, it will not be open to any honourable member, under your ruling, at the second reading, to move for rejection of a clause, which would have the effect of offending against the principle of the Bill. It would be impracticable, obviously, for any honourable member who objects to any particular tax to attack that tax in the second reading, so that the attack must be made at the first reading. That is the difficulty to which honourable members are put. Now, it was not the intention of Government, in bringing forward this Finance Bill, to raise any such difficult problem. A Finance Bill in this form was a matter of convenience not only to Government but, as we thought, to

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this House—that the whole of the taxation proposals might take up one debate, and not 4 or 5 debates one after the other. But, owing to this misunderstanding which has arisen, honourable members, I understand, have not tabled amendments, which they would otherwise have tabled, for the rejection of particular clauses. For instance, my honourable friend Mr. Winterbotham or Mr. Petit would presumably have tabled an amendment to omit clause 5, which says :

"There shall be levied and paid to the Government of Bombay, on the units of energy consumed, excluding losses of energy in transmission and transformation, a duty..... at the rates specified in the schedule to this Part."

The effect of moving that amendment would be, if it were carried, to exclude the electricity duty. Honourable members have not understood that they ought to have tabled amendments in that form beforehand, and if you could permit honourable members to move them now by using your discretion under the Standing Orders, I think the House would be very satisfied.

Rao Bahadur R. R. KALE (Bombay University) : Sir, what I wish to point out is that the difficulty in this case about moving amendments of principle at a late stage must be apparent to the honourable members on that side of the House. Also, if amendments omitting certain parts only were to be tabled, it was quite open, as you have ruled, for honourable members, to do so. But now all that is sought to be done is to seek your help in getting permission to move amendments of principle now, and you have very rightly ruled that they cannot be moved at this stage. All that was sought by the Honourable the Finance Member and by the Finance Secretary was that an amendment of principle could be moved in the second reading. As you have ruled, as there have been no amendments of that nature tabled so far, no permission is to be given to move them hereafter, and very rightly, because it is such an important question. Honourable members on this side have not come prepared for dealing with amendments of principle in the various parts now, because there is no amendment before them for the deletion of any part. Certainly, it would not be the right thing for you, Sir, as the President of this House to be now in a position to allow amendments of principle at this late stage.

The Honourable the PRESIDENT : As I have said, at the second reading, a clause may be opposed and thrown out, if the House shows a tendency to do so. But it is really wrong on the part of any section of the House to demand from the President to allow amendments which would suit the convenience of particular sections, and those sections, when they are relieved of their anxiety, to be in a position to help Government against the wishes of the other sections. The Chair cannot be a party to it. I still adhere to my ruling.

Dr. M. K. DIXIT : I hope it will not be discussed as it has been discussed up till now.

The Honourable the PRESIDENT : If anything is brought up to convince me to change my opinion, I will be open to hear it.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, the reformed Councils have been working for the last 10 or 11 years. I do not suppose that the fact that the reformed Councils are composed of so many different interests, perhaps antagonistic to one another, has not dawned upon the House as a whole in such glaring light until to-day. The problem has now been put forward in a nutshell. Several sorts of taxes are proposed in one Bill, and now it dawns upon the House, that, if one portion of the Bill was before us, then one section would have supported it, but not otherwise; and if another portion of the Bill was before us, another section would have supported it, and not otherwise; and so on.

We find, and we have been told so many times, that the resources of the Presidency, or rather the revenues of the Presidency, have hit hard and very hard upon the agriculturists and upon the mofussil areas. The resources of the towns have no doubt been tackled, but tackled comparatively to a very small extent. It had been stated by the Honourable the Finance Member in his reply to the budget debate that this Council has come in a mood perhaps to sanction no extra taxation. I beg to differ from him. From the very beginning of this new Council, from the year 1921, even the Honourable the Finance Member has known that this Council has sanctioned taxes of a miniature nature, but taxes which do bring him revenue to a certain extent. First of all, there was the introduction of *charas*. It was he who put up the proposal; it was he who saw that the proposal was gone through in the House. The second proposal was the introduction of bookmakers. Bookmakers were allowed, and it has brought him, according to his estimates, a sum of Rs. 3,00,000, although the Honourable the Revenue Member said last year that it was too modest a figure, and in his opinion it would bring the Government Rs. 6,00,000 or Rs. 8,00,000.

Sir, the position is clearly this. The position is, are we going to sanction the taxes that have been put in the present Finance Bill, and are the taxes shown in that Bill really necessary? If the question had simply been whether we have to meet the deficit in the budget or not, the answer would have been only one. The answer would have been that we have to meet the deficit. But the next question is more serious. The question is, how are we to meet the deficit? I made it clear in the course of my remarks on the general discussion of the budget that the deficit could be met only by a cut in salaries and staff. Now, we have been asked to make up the deficit up to a certain portion, say about Rs. 30,00,000 by fresh taxation. The Honourable the Finance Member remarked on Saturday that fresh taxation had been postponed from time to time by this honourable House on the plea that a retrenchment committee had not been appointed, or on the plea that the retrenchment committee had not sent in its report, and on the plea that the retrenchment committee's recommendations had not been given effect to by Government, and that now we want to await the result of the expert committee's work. Yes. We are entitled to say that, so long as Government have not convincingly shown that the utmost limit has been reached, that every possible effort has been made to see that the

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deficits are covered, and until we are satisfied to that extent, no fresh taxation would be sanctioned, not only by this House but by any House. The proposal for the appointment of a special expert committee has not come up from this side. It has come from the other side. It has come up from the Government benches, and as the Government benches have put up this proposal, this side is entitled to say that perhaps it is an eye-wash. Several proposals of the retrenchment committee, which could have reduced the expenditure by lakhs of rupees, have been left out, and left out with a remark that they are being considered by Government, or that they will be placed before the expert committee, in order to have their decision. What this means is that so long as the expert committee has not given its opinion, all these expenses will go on and go on increasing.

Now, coming to the question whether, if any taxes are to be imposed, the present taxes are the proper ones, I, as representing the rural classes, would say that Part II imposing a charge on the consumption of electricity and Part IV imposing a stamp duty on forward contracts, may be passed if necessary. These taxes may be imposed not only in the proportion proposed in the Bill but even in a higher proportion. On the contrary, the increased stamp duties for mortgages, sales, leases and kabulayats of an every day nature as well as the court-fees, and the court-fees in particular, would seriously affect ultimately the agricultural classes. But now, a situation has been created which is difficult. The question is, am I or am I not entitled to vote in this way? If I am not entitled to vote in this way, then I must say emphatically that I am not going to vote for any taxation whatever. That would not be the mistake of the House, but that would be the mistake of the Honourable the Finance Member in putting together so many taxes in one Bill in such a way that the whole House would be opposed to those taxes.

Mr. C. N. PATEL (Kaira District): Sir, I rise to oppose the first reading of this Finance Bill. The first objection I have against this Bill is that there is no necessity for any further taxation; and, secondly, the taxable capacity of the people has already been reached. Whichever part of the Finance Bill you take, I am in a position to show that the persons on whom this Finance Bill will fall are not in a position to bear the burden. People coming from the mofussil may not be in a position to know the burden the second part of the Bill, namely, the electricity Bill, will entail on the people who reside in cities and towns. There are a large number of middle class people who are out of employment. So, this tax will work very heavily and adversely on such people residing in cities and towns. We expect Government to promote the use of electricity among people as an amenity of life by reducing the charges. For instance, in Mysore various attempts are being made to popularise the use of electricity amongst their subjects. If my information is correct, there the rate per unit is 2 annas per unit for fan and lighting purposes. Here it is 5 annas or 6 annas and Government want to have over and above this a surcharge of half an anna. The result will be that people will have to revert to their oil lamps. It is not a luxury in the case of people

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living in cities and towns. They have become accustomed to using it all these years, and they cannot be expected to give it up at short notice. The alternative suggested by the honourable member Mr. Petit that if really Government want money, they can tax the company itself—is quite proper. He referred to section 28 or 24 of the Electricity Act and stated that Government can force the company to lower down the rates and Government can take the difference. If the company is charging five annas per unit, you can ask them to reduce the scale and to charge 4 annas or 4½ annas and you can take the difference. It is within your power to do it. I am quite sure you can do it, if you have a mind to do it. The rates fixed by the company are not permanent. They are liable to revision at set intervals and I think this set interval has already come. But Government do not choose to exercise their right. If they do not choose to exercise their right, this is not the right way of trying to collect money.

As regards the court-fees, the increase is out of all proportion and particularly the increase in the *ad valorem* fees is very heavy. To-day the court-fee for Rs. 5,000 is Rs. 275 and Government propose to raise it to Rs. 375. They also intend to propose a higher scale as the amount goes up. The reason that is given is that the money value has gone down. As the money that goes into the pocket of Government is less in value, they require more money. But the claims also have lost their money value. If Government were to calculate the benefits that they are giving in return for the fees they charge, I submit there is a case more for reduction of court-fees than for an increase. Government do not consider the heavy cost of the litigant who has to pay for the various services. To begin with, he pays court-fees, he is fleeced by the bailiff, he has to pay the process fees. In recent years there has been an increase in the copying charges. For a single half-sheet of paper 3 or 6 pies are charged; the comparing fees and other fees have been increased. On the top of this comes the increase in court-fees. As the court-fees to-day stand, they are heavy and should not be increased. In the High Court, there is a complaint that Gujarati and other vernacular papers have to be translated into English at a huge cost. There is no end to the expenses that the poor litigant has to undergo in the different stages of litigation. Ultimately this heavy burden is going to fall on the poor agriculturist. I do not see any reason why this increase should be sanctioned by this House.

As regards the stamp duty, every one knows the condition of the trader. He is in no way better than the other classes. This increase, I think, would even be an impediment to trade. We know quite well what happened originally when the stamp duty on promissory note was increased. Thousands of claims for want of legal knowledge, were thrown out, because the stamps were not properly affixed. Under the stringent provisions that are sought to be made, many valid claims will be lost. Under the present circumstances, parts 4 and 5 of the Bill will

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adversely affect the traders in the towns and also people in the mofussil, and as such they should be thrown out.

Again, this Finance Bill proposes to raise something like 30 lakhs of rupees, but still the trouble of Government does not end there. They will be borrowing for the remaining deficit. I wish that rather than pass the Finance Bill we should leave Government to borrow 30 lakhs more. Especially this is not the time for any further taxation. Government have gone on borrowing and they can borrow 30 lakhs more. The new constitution that is coming must have some avenues left for them for taxation. Leave some avenues for them for fresh taxation. I would request the House to throw out the Bill *in toto*.

The Honourable the PRESIDENT: The amendments which I ruled as amendments of principle have to be moved at the first reading. Any honourable member who has to move an amendment may speak generally on the Bill and move his amendment also.

Khan Bahadur M. A. KHUHRO (Larkana District): Sir, this is the first time in the history of this provincial legislature that a Finance Bill in this form has been brought. For the last eight years I have been in this Council, when we always have had separate Bills for the different kinds of taxation. In the present case, when I got the copy of the Bill I was myself surprised as to what course I should adopt when there are objections to different clauses of the different Bills, which have been jumbled into one. It certainly produced the greatest confusion to several honourable members of this House to send in amendments. This confusion was manifested at the earlier hours of the day. That is on account of the form in which the Finance Bill has been brought. We know that that is the procedure in the Legislative Assembly, but in this Council this is the first time it is introduced in that form. Though you have laid down by your ruling the principle of the Bill, honourable members who are in favour of certain parts of the Bill will find it very difficult to express their opinion and vote upon it as a whole. Anyway I must say that the Government have really, as you rightly stated, taken a grave responsibility on themselves in introducing the Bill in this form. It obviously looks that many members will be in a difficult position either to oppose it or to support it.

Speaking generally, the question I want to touch upon at first is with regard to retrenchment. The Honourable the Finance Member has shown in his speech that he has been able to retrench to the tune of Rs. 1,36,00,000 and as compared with the expenditure of last year, he said that he has been able to save Rs. 1,16,00,000. But, Sir, the Blue Book indicates that of the last five years the year 1929-30 was the most prosperous. That was the year which was immune from calamities like floods and failure of rains which affect agriculture. In that year the expenditure of this Presidency was also the highest, it being in round figures 15,86 lakhs. The budget estimates for the next year show the expenditure to be 15,08 lakhs. Consequently, Sir, there has been retrenchment only to the

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extent of about 78 lakhs. The explanation of the Honourable the Finance Member is that certain new items have been added to the expenditure side, thus swelling the total figures of expenditure. However, the figures show only a retrenchment of 78 lakhs. A large section of the non-official members are not one with the Honourable the Finance Member, because the retrenchments effected have hit the transferred departments harder than the reserved departments.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I do not want to interrupt the honourable member, but his speech looks something like a budget speech. There are no arguments either in favour of or against the principle of the Bill.

Khan Bahadur M. A. KHUHRO: Retrenchment is closely connected with the question of taxation. I started with that argument. Retrenchment will be relevant as we are discussing the question of fresh taxation.

I was pointing out that the retrenchment effected was not sufficient, as the Honourable Member had tried to make out that it was sufficient. I have taken the totals of the retrenchments effected in the reserved and transferred departments separately—I do not consider it necessary to detail the exact figures of saving effected in each and every department and take thereby much time of the House. The totals are: Reserved departments, Rs. 33,13,000 and Transferred departments, Rs. 45,00,000. Under Education alone 31 lakhs have been retrenched since 1929-30. Of all the departments of Government, Education has suffered the most: no other department has been cut to the extent that Education has been cut. By this 15 per cent. reduction in expenditure, primary education will suffer a great deal. As against it, take Police. There has been practically no retrenchment under Police on the expenditure of 1929-30. On the contrary, there is an excess of Rs. 5,78,000 over the figures of 1929-30. This is a time when the Government of Bombay should realise that questions of prestige, efficiency and standard of living should not be taken into consideration, as has been mentioned in the last paragraph of the Honourable the Finance Member's speech. Government must think more of balancing the budget than of anything else. For this reason, the maintenance of efficiency of administration, for which this Presidency is said to be noted in India, is really immaterial and should not be considered.

Sir, I am also very much opposed to borrowing. It is bad finance and it leaves a bad legacy for the Government that will succeed. That Government when it takes over the administration will find itself handicapped, as it will have to impose heavy taxation to meet the interest charges. The suggestion of the Honourable the Finance Member that the finances of the Presidency should be re-examined and placed on a sound footing is a very good one, and I do hope that he will take early steps to obtain the services of experts to overhaul the finances of this Presidency.

[Khan Bahadur M. A. Khuhro]

As regards the Finance Bill itself, I admit that I have not been able to go into the minute details of it clause by clause. But there are four sections of the Bill. I will take first the section which deals with electricity. The proviso to clause 5 of that section excludes the tramway company, the railways and Government from the operations of the Bill. By excluding these big concerns, Government are giving up a very large income. The tramway company and the railways must bear their share of taxation as anybody else. The rich and the poor of the population are going to bear it. It may be argued that the railways are Government concerns. But I find that the B. B. & C. I. Railway is a private concern. Even as regards the other railway (G. I. P. Railway), it belongs to the Government of India. There is no reason why the Central Government should not pay to the local Government a tax which the local Government has the power to impose. One of the honourable members has already said that the tramway company in Bombay is making large profits, and there is no justification to exclude that company from the operations of the Bill.

The Honourable the PRESIDENT: These are details of the Bill.

Khan Bahadur M. A. KHUHRO: This is a fundamental point. I have not been able to send in amendments owing to the difficulty I have explained. I did not know whether the amendments would be accepted at the first reading. This applies to the scope of the Bill, and your ruling is that the scope of the Bill is one of the principles.

The Honourable the PRESIDENT: Yes, but the question whether the tramway company or any other company should be excluded is a matter of detail which may be discussed later on. The question now is whether consumption of electricity should be taxed.

Khan Bahadur M. A. KHUHRO: I bow to your ruling, Sir. I understand that of the four principles that you laid down, one was the scope and the jurisdiction of the Bill. By the deletion of this proviso the scope of the Bill will be widened by bringing in other concerns that are exempted.

As regards court-fees and stamps, I must say that the ability to bear taxation has certain limits. If taxation is enhanced beyond a certain point, people will refrain from going to courts for litigation or seeking the help of law in civil courts, and then the revenue side will deteriorate very much and the expectations of Government will not be realised. In imposing any tax, the first thing that Government should consider is whether the people have got the capacity to pay that tax. This point needs close attention.

The other difficulty that I find about this Bill is that the Honourable the Finance Member has not been able to say how much he expects out of court-fees and stamps. I only find from his speech that he expects in all 28 lakhs out of the five Bills. If I understood him aright, he said that from the duty on electricity he expected 12 lakhs; that means,

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from the remaining four taxation Bills he expects only 16 lakhs. Even if all the money Bills are carried through, there will still remain a deficit of 35 lakhs of rupees.

The Honourable Sir GOVINDRAO PRADHAN : Forty-five lakhs.

Khan Bahadur M. A. KHUHRO : So, Sir, anyway the budget will not be balanced even if all the money Bills are carried through. Besides it has not been worked out how much each Finance Bill will yield to Government in the course of the next twelve months. There is a good deal to be said with regard to the details of the Bill, but I do not consider it necessary to go into them at this stage. I must again bring to the notice of the Honourable the Finance Member that these proposals need very minute consideration. I do not know whether in the form in which they have been brought forward they will help him to realise his expectations or whether on the contrary people will refuse to take advantage of the courts, and consequently the stamp duty will as a result diminish all round.

Mr. V. N. JOG (Dharwar District) : Sir, I want to say a few words as regards the necessity of further taxation at this stage. The deficit which has been shown in the budget is 73 lakhs, and by means of these taxation measures it is sought to recover about 28 lakhs, leaving the rest to be borrowed, except only 6 lakhs. If we are compelled to borrow, I ask why not borrow the whole amount ? As we are now in a difficult position and all the adjustments which have been contemplated have not taken place, we can, for the moment, adjust our finances by borrowing. When financial adjustments have taken place, if we find that we cannot balance our budget in spite of the adjustment, then only can we put forward these proposals. According to the Honourable the Finance Member himself, he is going to the Government of India to press his claim for income tax which we have lost. There we have got a grievance that we have been unjustifiably deprived of a source of revenue which is expanding. As stated by the Honourable the Finance Member, steps have already been taken to put the case of the Bombay Government frankly before the Federal Finance Committee. I submit that it will be rather impolitic at this stage to show to the Government of India that we have got additional sources of revenue. They would say that the Presidency has been sanctioning fresh sources of taxation and thereby the capacity of the people to bear further taxation has not yet been exhausted, and therefore they would not give us the whole of the income tax which we are claiming. I therefore say that it is rather impolitic to sanction this legislation. Unless we convince the Government of India or the Federal Finance Committee that the resources of this province cannot bear further taxation, we cannot expect to get the revenue of which we have been deprived by the Government of India. Before Government approach the Government of India with any proposals, they should show by their own conduct that the people are incapable of bearing this taxation. Pressing for further taxation will show that the Province is able to bear further taxation.

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The second point is, our position would not be worse by borrowing to the extent of making up the deficit for one year. We can make further retrenchments in salaries and adjust ourselves. The Honourable the Finance Member himself wants these measures by way of adjustment for one year. Similarly I say, by way of adjustment, Government can borrow money. The Finance Member means to borrow to make up the deficit of 1,11 lakhs of last year. In order to do this he has postponed the payment of annual equated instalments of pre-reform debt. I refer to the sum of 29 lakhs of rupees which is an equated payment for the sinking of that debt.

It was explained to us that the debt position of our Presidency is not so very hopeless, because, after all, the debt which we have to pay by the end of the year will be only 54 crores. Out of that I am taking out the sum of 9 crores which we are not required to repay. It is irredeemable. The interest charge is very small. But including the amount which we are going to borrow, the capital debt may be Rs. 44 crores odd. As has been pointed out by the Finance Member, against this debt burden we have got property, the book value of the Irrigation and Navigation estate of Government of Rs. 28·03 lakhs and of residential and other buildings Rs. 15·82 lakhs and we shall not be much worse. I do not advocate the principle that we should go on borrowing for current year's expenses. But simply as a *via media* for the present, our Presidency would not be worse off if we borrow this amount. When the expert committee goes into the matter, if fortunately they show us the way by which our expenses can be reduced, then we shall find that we have unnecessarily taxed the people to that extent. We have been seeing instances of temporary taxation becoming permanent. I may quote the instances of the Court-fees Act and the Stamp Act. Every year they are sought to be temporarily revived. These temporary measures have a tendency of becoming permanently temporary. That is what we have been seeing since the year 1922. Sometimes they were brought for four years; sometimes attempts were made to bring them permanently on the statute book, but when signs were discovered that the Bill would be lost, temporary life was advocated. Therefore, unless we are quite sure that we cannot make both ends meet even after the expert committee has made its recommendations, we cannot see our way to accept further taxation. I for one believe that retrenchment in salaries is still possible.

These are very bad times. There is trade depression in the country. It is, therefore, very inopportune to come forward with finance bills when people are suffering. Agriculturists are suffering; their income has dwindled down because they are not getting proper prices for the produce they grow. Landlords are not getting their rent. The amount which has been lent by moneylenders cannot be repaid. It is bad policy to bring forward fresh taxation proposals at this time of depression all round.

With regard to the Bills themselves, I am not going to speak on the details. But I can say that with regard to the Court-fees Bill and the

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Stamp Bill, Government should find out what income they are going to get by enhancing the fees. If they go closely into the details for the last ten years, they will find that the law of diminishing returns has come into force. They expect a certain revenue to be received, but ultimately at the end of the year they find that the revenue which was expected has not come in. If the court-fee is raised, the Government's expectations will never be realised, because diminishing returns will set in. People will effect compromises among themselves rather than go to courts. They will give remissions. Even now, landlords and other creditors are satisfied with 70 or 60 per cent. of the debts. They will remit the balance rather than fight out their case in courts by paying high court fees, lawyers' fees, wait for getting the money through legal process. Therefore, if they pass this measure, they will not get the revenue which they expect. If you take into consideration the real incidence of this taxation, you will find that it ultimately falls on the poor agriculturists, in whatever way you consider it. When the creditor goes to the court to recover his money, no doubt initially he pays the stamp fees, but mostly in such cases, the debtor has no substantial defence. His plea will be one of inability to pay the instalments for repayment. Ultimately there would be a decree and the costs will be recovered from the debtor. If the claim is a true claim, then the court naturally allows the cost to fall upon the debtor, and the debtor, who is in most cases the agriculturist and poor has to pay the cost. So the real burden of the taxation will fall upon the poor people, especially agriculturists. I do not want to go into all the details. There are so many items for which the court-fee is proposed to be enhanced, even for application and receipts. In this connection, I submit, Sir, that really the person who is poor will have to bear this burden.

With respect to the tax proposed on the consumption of electricity, I submit that up to this time it was only in Bombay that we had the benefit and pleasure of electrical energy. But since recently electricity supply companies are being floated in the mofussil, and this industry is in its infancy. It is only recently that people have been venturing on this industry, and they are investing their capital in it. If at such a time a burden is placed upon such an industry, I submit that the industry in its infancy will be crippled. Therefore, from whatever point of view we consider the Finance Bill, I think this is not the right time for it, and there is not the capacity in the people to bear this additional burden. Taking all these circumstances into consideration, I think the best course for Government would be to continue with the deficit. A deficit of a few lakhs more, as I said in the beginning of my remarks, will not make our position very much worse. Therefore, Government should not press for this Bill.

Mr. G. L. WINTERBOTHAM (Bombay Chamber of Commerce): Sir, I rise to support the first reading of this Bill, not because I think it is a good Bill, nor because I think Government have been in any way clever in lumping together in one Finance Bill increases in existing taxation

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and new taxation. I believe that that portion of the Finance Bill before the House which represents new taxation should have been in the form of separate Bills, which could then have been circulated for opinion in the ordinary way. However, as I made it plain, I hope, the other day, my attitude in regard to this taxation generally is that, in view of the fact that it has been made abundantly plain that there is an unbridgable deficit in the budget for the coming year, and as everything possible by way of retrenchment has been done, and as schemes are on foot for examining the re-organisation and reconstruction of the whole administrative machine, Government have done what is in their power to do to bridge that gulf without extra taxation. Therefore, I do not think that it befits this honourable House to deny to Government any new taxation.

As regards the principles of the various parts of the Bill, I desire to make it clear that in normal times, if the financial situation of the Presidency was not what it is to-day, I should oppose the second part, the electricity tax. I believe it is a bad tax, because it is a tax on progress. At the same time, I doubt if it is a worse tax on progress than many other taxes that are already in existence. Is it any worse than the excise duty on petrol or the excise duty on kerosene? I very much doubt it. At any rate, it will be very much lighter in its incidence than the excise duties on petrol and kerosene are. We have to consider what the actual effect of the tax will be. I am unfortunate enough, at the moment, to live in a bungalow whose rent I cannot afford. My average monthly bill for electric lights and fans is, say, Rs. 25. Other people may pay more; I happen to be an economical man. Even if it were Rs. 40 or Rs. 50, you cannot say that 8 or 10 or 12½ per cent. on that monthly bill is in any way excessive as an emergency measure of taxation, and I hope that the Honourable the Finance Member will take note of this—as an emergency measure of taxation, I am reluctantly compelled to support this tax in so far as it is one of the parts of the Finance Bill generally. But I do not think that it will be sufficient for the Honourable the Finance Member to say that the Bill will automatically come up for revision after one year. It will. But the question is, what is the intention of Government? Is it the intention of Government to regard this as emergency taxation, or is it the intention of Government to regard it as taxation which, year after year, will very easily be passed by this House?

As regards the third part of the Bill, court-fees, the principle of that tax is already approved, because it is already in existence. The only part of the Bill which affects me personally is the increase in probate duties. That will not affect me until I am dead, and it is almost certain that I shall not have saved sufficient before I die to cause me to trouble myself about a higher rate of probate duty. Therefore, it is with a light heart that I contemplate the increase of probate duties.

Coming to the fourth and the most important section in my opinion, that of stamp duties, this section endeavours in a Finance Bill to give effect to a proposal which has been before the country, not only before

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this Presidency for many years—the taxation of forward contracts, what are commonly known as "futures". I am not prepared to say that I object to the principle of the taxation of forward contracts and futures. I am, however, exceedingly doubtful whether the clauses of the Bill which are intended to give effect to Government's intention,—which, in spite of what I consider to be an exceedingly disingenuous clause of explanation, I understand is to tax what might be deemed gambling transactions in commodities,—I am not at all sure whether the net result of the Government's proposals will not be to turn into forward contracts a very large portion of every day business transactions of every day life. I will very briefly explain my meaning. Possibly this is a question for the select committee, but who knows whether this Bill will get as far as the select committee? Therefore, I would like to put my point of view before Government. Under clause 15 (1) (*a*), proposed new clause (12A), forward delivery is defined as follows:

"'forward delivery' means, in relation to any transaction for the purchase or sale of any goods, merchandise or other thing, that no immediate delivery of the goods, merchandise or other thing purchased or sold is contemplated."

The effect of that, unless the word "immediate" in that definition is defined or modified, is to turn into a forward transaction everything which is not bought or sold for immediate delivery from stock on the spot. That, as a plain business man, is my interpretation of it. The authors of this masterly draft may say that if you would look to page 19, you would find that there are only 8 classes of goods which will come under the definition of forward sales. That is all very well. That is Government's present intention, but I would call the attention of the House to the provision that "in transactions in merchandise such unit as the Governor in Council may by notification in the Bombay Government Gazette fix in this behalf." Not the honourable House on whom should devolve the duty of deciding what goods or commodities should be taxed, but an executive order in Council, and the principle would be the same——

Mr. G. WILES: May I point out that the honourable member is misinterpreting the Bill? It is only the unit which is to be fixed by the Governor in Council.

Mr. G. L. WINTERBOTHAM: In view of the Finance Secretary's explanation, I am more fogged than I was, and I pass on to the next part of the Bill, on which I have no comments to make.

I would in all seriousness make an appeal to the House not to deny Government any further taxation, as they will if they vote against the first reading of the Bill. We none of us like taxation, and this is not the time when either individuals, or corporations or companies can afford extra taxation. But we have first and foremost to think of our own credit and the credit of our Presidency, and in spite of the fact that the taxation proposals in the Bill may be bad, are we in a position to put forward any proposals in substitution? And if we are not, I submit that it is our bounden duty anyhow to go as far as giving a first reading

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to the Bill, so that Government's proposals, whatever they may be, may be subject to criticism and fire in the select committee.

Mr. SHAIKH ABDUL MAJID (Karachi City): Sir, I rise to oppose the first reading of the Bill. I will try not to tread the ground which has already been trodden or to repeat arguments that have been already advanced by my honourable colleagues against this measure. If I were to put in a nutshell the object of the measure, it seems to me it aims at taxing light, air and justice. I think a Government that resorts to these measures must be necessarily in a very pitiable condition. I wish I could help Government out of this plight. There is one danger I see in the taxation of electric fans. One day perhaps even those persons who get sufficient amount of air through the windows may also be taxed. Government by taxing the air have set their foot in a domain in which they can find unlimited sources of a fresh income.

It has been stated by some of my honourable friends that a part of the taxation will ultimately fall upon the shoulders of the agriculturists. Now, coming from a province which is mainly agricultural, I may say that the taxable capacity of those people has been reached and there is no further room for taxation. If Government have looked carefully into the reports of the Banking Enquiry Committee, they must have known that the agriculturists in Sind are already involved in debts to the extent of 17 crores, upon which they have to pay the annual interest which comes to 4½ crores. Not only that, various witnesses have stated before that committee that for current expenditure also the agriculturists have to borrow money between 4 to 8 crores and pay back the borrowed money along with interest from their produce which comes to nearly 5 to 9 crores. When such is the condition of the people, I wonder why Government should resort to measures which affect that class which is already over-taxed. If they had come with a proposal to levy some sort of taxation upon non-agriculturists or upon those who make their wealth out of dealings with agriculturists, I would have certainly supported the Government. But at present I think there should be no increase in court-fees and that part of the measure should have been brought separately as well as other measures, so that the honourable members should have given their opinion on all questions on their intrinsic merits. It has been suggested that even what will be realised from these new money Bills will not be much and that Government will have to borrow for current ordinary administration. I agree with my honourable colleague Khan Bahadur Khuhro that it is a bad finance principle to borrow money for current administrative expenses. With these few remarks I oppose the first reading of this Bill.

The Honourable Sir GHULAM HUSSAIN: Sir, I had no mind to speak on this Bill at this late hour of the day, but I have been tempted to do so after hearing the last speaker. I know that he is a real representative of the rural areas who, like myself, lives in cities. Therefore, I would request him to consider the Bill on its merits without bringing in any personal or extraneous consideration. No doubt, many honourable

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members in this House are representatives of the rural areas, but I know most of them have left their villages and migrated to the big cities. Therefore, they are opposed to the Electricity Bill, but I would request them to reflect the real opinion of their constituencies in regard to the Electricity Bill. I was amused to hear the last speaker when he said that the Electricity Bill will affect his constituency, the agriculturists——

Mr. SHAIKH ABDUL MAJID : I did not say that. I made a reservation that if the court fees had been brought separately, I would have given my opinion on the intrinsic merits.

The Honourable Sir GHULAM HUSSAIN : The honourable member started with saying that Government were taxing air and light. No doubt, as I said, it will affect him and me, because we happen to live in big cities. But I am afraid, if he were to consult his constituency, they would surely vote for this tax. The last speaker has not realised that his constituents, the villagers, are using dim oil lamps. They would not oppose a tax on electric lights which are used in big cities. If he were to consult his constituency which is mostly agricultural, they would most willingly ask him to vote for a surcharge on electricity.

Now, Sir, I see a good deal of agitation about the levying of the surcharge on electricity by electric corporations, their directors and their shareholders. That is quite natural. They are afraid of losing their good dividends. Now, there was a suggestion by one of the honourable members not to levy the surcharge on the consumer, but to charge the company. I have not been able to follow him properly. If he means that we should have a surcharge on their income, then the Government of India will not allow it. He made another suggestion that we should reduce the maximum rates. Suppose the companies are levying a charge of 6 annas per unit. You ask them to levy 4 annas and tell Government to take the difference. He does not realise that we have given licences to various companies which are to run for a number of years and on certain conditions. Unless they come again for renewal, we cannot have recourse to that method at all. But this money is wanted for this year. Otherwise we would have willingly considered the suggestion.

Mr. G. L. WINTERBOTHAM : I hope not, Sir.

The Honourable Sir GHULAM HUSSAIN : The opinion in this House is so divided. One honourable member says, "Charge the company." Another honourable member says, "Let the consumer pay." Rao Bahadur Chitale suggested that Government should not have the power of exempting any one. He says that the mill industry should have been taxed. He says that the tramways should have been charged, and so also the railways. We have heard the honourable member representing the millowners saying that we are killing that industry.

Then, there is another suggestion that Government have not done enough in the way of retrenchment. Well, I have been hearing that argument for some years. Government last year appointed a

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committee of the representatives of this House to go into the question of retrenchment—they did not appoint any one of their own officers. [*An Honourable Member*: "Nominated."] I am afraid by election a better committee could not have been appointed. What are the recommendations? The emergency cuts proposed by that committee amount to Rs. 1,21,00,000, and Government have reduced the expenditure by Rs. 1,37,00,000. I think, therefore, Government deserve well of this honourable House. They have not only given effect to the recommendation of the representatives of the House, but they have gone a step further. But I am sorry honourable members of this House, in spite of whatever Government may do, are never pleased. See the *bona fides* of Government. They are appointing an expert committee and the honourable members are not giving credit to Government for being in right earnest in appointing a committee. My appeal to the House is that we want this money this year. Otherwise we would have waited. Had we not been in right earnest, we would never have appointed or thought of appointing that committee. Our *bona fides* is clear. Honourable members must realise that Government are in right earnest. For this expert committee was not suggested by this House or by any one else. It occurred to Government themselves. That is an additional feather in the cap of Government. They have given effect to the recommendations of the Retrenchment Committee. That means that Government are prepared to carry out every recommendation of the representatives of this House. [*An Honourable Member*: "Not every."]

A suggestion was made that we must make up this deficit by borrowing. Only a few days ago, on the floor of this very House, every member got up and condemned the policy of Government borrowing for current expenditure. But now, when it suits honourable members, they say, "All right, borrow this time."

Rao Bahadur G. K. CHITALE: You are already borrowing; borrow more.

The Honourable Sir GHULAM HUSSAIN: They condemned the policy of borrowing for current expenditure as bad in principle. Knowing, therefore, that it is a bad principle, they still say, "Borrow and make up the deficit."

Now, as regards the Electricity Bill, it was stated that Government should not have the power to exempt. These are matters of detail. The Bill is going to be referred to a select committee, and the members of the select committee are at liberty——

The Honourable the PRESIDENT: Order, order; I find that an honourable member is reading a newspaper, which is not allowed.

The Honourable Sir GHULAM HUSSAIN: The members of the select committee are at liberty to remove the exemption given to utility companies, mills or anybody else.

Now, as regards the other Bills. Take the Court-fees Bill. There, too, the rates have been in existence for a long time. The principle has been

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accepted, not only by Bombay but by every other province. If there are any rates which ought to be reduced, it will be left to the select committee to reduce them. Similarly, as regards the Stamp Bill, that will go before the select committee, and they can make any changes they like in the rates.

I submit, Sir, that these are only emergency measures which will be in operation only for one year. They are going to be referred to a select committee. With regard to the difficulty of some of my honourable friends as to how they are to vote upon these four principles that are put under one Bill, the whole Bill will go to a select committee, and they can make any changes they like. Each clause of the Bill will then be put before this House, and they can vote against any clause they wish to.

The Honourable the PRESIDENT: Vote against it.

The Honourable Sir GHULAM HUSSAIN: Yes, they can vote against it. They can ask for the deletion of any clause. [*An Honourable Member*: "Not, if it defeats the principle of the Bill."] They can throw it out clause by clause or even as a whole.

The Honourable the PRESIDENT: The House is now adjourned to 2 p.m., to-morrow, Tuesday, the 23rd February 1932.

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Tuesday, the 23rd February 1932.

The Council re-assembled at the Council Hall, Bombay, on Tuesday, the 23rd February 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOVER RORA, Mr.
HADDOW, Mr. R. R.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN.
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.

KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACKIE, Mr. A. W. W.
MATCHESWALLA, Mr. G. E.
McELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MODI, Sardar DAVAR T. K.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. C. N.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SPENCER, Mr. A. B.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI

THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WADKE, Mr. B. P.
WILES, Mr. G.

STARRED QUESTIONS AND ANSWERS.

MAGISTRATE, KURLA: ORDER UNDER SECTION 144, CRIMINAL PROCEDURE CODE.

*Rao Bahadur G. K. CHITALE for Mr. R. R. BAKHALE: Will Government be pleased to state whether it is a fact that the order issued under section 144 of the Criminal Procedure Code by the Resident First Class Magistrate of Kurla on November 3, 1931, was kept ready before the expiry of the month of October and that it was promulgated on November 3, after making the necessary changes of dates, etc. on the typed copy?

The Honourable Mr. G. A. THOMAS: Yes.

INDUSTRIAL DISPUTES: SPEECHES AND PROCESSIONS.

*Rao Bahadur G. K. CHITALE for Mr. R. R. BAKHALE: Will Government be pleased to state—

(*a*) whether it is a fact that the order issued under section 144 of the Criminal Procedure Code by the Resident First Class Magistrate of Kurla on November 3, 1931, contained the following words, viz. "and that any attempt on the part of the mill authorities to start the mill again, has resulted in acts of rowdyism and violence on the part of the strikers, who were trying their level best to stop workers from going to the mill for work by holding meetings and making speeches and holding processions";

(*b*) if the answer to (*a*) be in the affirmative, whether holding meetings and making speeches and holding processions in an industrial dispute have been held to be illegal and to constitute an offence under section 144 of the Criminal Procedure Code?

The Honourable Mr. G. A. THOMAS: (*a*) Yes.

(*b*) This section does not deal with offences but the prevention of offences. The legality of meetings etc. in an industrial dispute has nothing to do with section 144 of the Criminal Procedure Code.

MAGISTRATE, KURLA: ORDERS UNDER SECTION 144, CRIMINAL PROCEDURE CODE.

*Rao Bahadur G. K. CHITALE for Mr. R. R. BAKHALE: Will Government be pleased to state—

(*a*) whether it is a fact that the order under section 144 of the Criminal Procedure Code issued by the Resident First Class

Magistrate of Kurla on November 3, 1931, was to have remained in operation till the end of November 10, 1931, and that another order under the same section by the same Magistrate was issued on November 4, 1931;

(*b*) if so, the reasons why the first order was superseded by the second within twenty-four hours of the former's promulgation;

(*c*) whether it is a fact that on the expiry of the order under section 144 of the Criminal Procedure Code issued on November 4, 1931, by the Resident First Class Magistrate, Kurla, another order under the same section by the same Magistrate was issued on November 12, 1931, for a period of three weeks;

(*d*) if so, whether the two orders were identical in their scope and application; if not, on what grounds the order was widened?

The Honourable Mr. G. A. THOMAS: (*a*) Yes.

(*b*) As the order of the 3rd November 1931 was considered to be too wide, a modified order was issued on the 4th November.

(*c*) Yes.

(*d*) The only difference in the two orders was that the order of 12th November was also made applicable to the open places adjoining the Bombay Mill Workers' Union Offices at Kurla where the strikers and their sympathisers were most likely to collect together.

ANGLO-URDU HIGH SCHOOL, HUBLI: BUILDING.

*Mr. A. J. BANGI (Southern Division): (*a*) Will Government be pleased to state what steps they have taken to provide the Anglo-Urdu High School, Hubli, with a building of its own?

(*b*) Are they aware of the unsuitability of the present building?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) In view of the continued financial stringency, Government have not so far been able to provide the Anglo-Urdu High School, Hubli, with a building of its own, but fresh enquiries are going on to see whether a piece of Government land which local Muhammadans have asked for can be made available for a new building.

(*b*) Yes.

Mr. A. J. BANGI: May I know what piece of land is referred to?

The Honourable Sir RAFIUDDIN AHMAD: I think it is the site on which the Dak Bungalow is situated.

S. T. COLLEGE, BOMBAY: SANSKRIT AND PERSIAN.

*Mr. A. J. BANGI (Southern Division): Will Government be pleased to state—

(*a*) whether it is a fact that they have made provision for training teachers in Sanskrit in the S. T. College, Bombay?

(*b*) If so, why similar provision has not been made for training in Persian?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) One of the lecturers in the S. T. College happens to be interested in the teaching of Sanskrit

by the direct method. The teaching of Sanskrit by the method was therefore introduced in the College experimentally five years ago. It involved no cost to Government.

(*b*) The number of students in the College with the knowledge of Persian is always very small. Possibly, now that Government have decided to expand the College, there may be enough Persian-knowing students to give rise to a demand for training in Persian teaching. If so, Government would consider if similar arrangements could not be made for Persian.

ANGLO-URDU HIGH SCHOOLS, POONA AND HUBLI: ADMISSIONS.

*Mr. A. J. BANGI (Southern Division): (*a*) Will Government be pleased to give the number of students who applied for admission to the Anglo-Urdu High Schools at Poona and Hubli during the last 5 years and how many of them were refused admission and why?

(*b*) What steps do Government intend taking for the English education of the rejected applicants?

(*c*) Are Government aware that there are no other Anglo-Urdu schools whether private or aided, in the said places?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) The following statement gives the information desired by the honourable member:—

—	1927-28.	1928-29.	1929-30.	1930-31.	1931-32.	
Anglo-Urdu High School, Poona.						
Number of pupils who applied for admission.	..	63	60	61	55	
Number of pupils who were not admitted.	..	32	30	31	18	Not admitted for want of room in Standard I.
Anglo-Urdu High School, Hubli.						
Number of pupils who applied for admission.	55	54	54	55	85	
Number of pupils who were not admitted.	25	24	24	25	37	Not admitted for want of room.

(*b*) In view of the present financial situation, it is difficult for Government to undertake further direct liabilities. If, however, English classes are attached to local Urdu schools, Government will be prepared to recognise them and admit them to registration for grant-in-aid, subject to funds being available.

(*c*) Yes.

WELL BORING OPERATIONS: EXPERT COMMITTEE.

*Khan Bahadur D. B. COOPER (Satara District): (*a*) Will Government be pleased to state whether any action has been taken on the following resolution passed by the Provincial Board of Agriculture

at the meeting held at Poona on 26th and 27th September 1927—*vide* page 43 of the proceedings, Resolution No. 5 :—

"The question of what part should be taken by various Departments and public bodies, the Agricultural Department, the Revenue Department, or the District Local Boards, in the organisation of the boring work should be considered by a small committee to be appointed by Government. This Committee might also consider the best expert agency to carry on the actual boring operations" ?

(*b*) If the reply is in the affirmative, will Government be pleased to place the Report of the Committee on the Council table ?

(*c*) If the reply is in the negative, what was the reason for not carrying out the work recommended by the Provincial Board ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*), (*b*) and (*c*) No such committee was appointed. Government decided that their policy in connection with water boring operations, both those financed from the Famine Relief Fund and those financed from the general revenues, should be thoroughly examined with a view to determining whether there were good grounds for their continuance. After an examination of past results, they directed in August 1931 that these operations should be reorganised and continued on a restricted scale in the precarious tracts of the Deccan only.

IRRIGATION : CANALS.

* Rao Saheb B. G. DESAI (Kaira District): (1) How many canals, bundhs and dams have been constructed by Government for irrigation purposes in each of the three divisions and in Sind till now ?

(2) At what total cost each of these works was constructed ?

(3) What are the maintenance charges for each such work ?

(4) What income was derived from each such work last year ?

(5) Is the construction of any more irrigational works—canals, bundhs, dams—under the contemplation of Government at present ?

(6) How far has the proposed scheme of the Mahi Irrigation Canal Project progressed ?

(7) Will Government be pleased to lay a copy of the correspondence and plans of the Mahi Irrigation Canal Project on the Council table ?

(8) Are any schemes in progress with regard to the Khari, Meshwa, Watrak and Shedhi rivers in Gujarat ?

(9) If so, what are they ?

The Honourable Sir GHULAM HUSSAIN : (1) to (4) The honourable member is referred to the Irrigation Administration Report which is issued every year and gives all such information about the irrigation works throughout the Presidency as is required by the honourable member.

(5) Yes.

(6) The Project has been prepared and is under the scrutiny of the local officers.

(7) An index map† showing the scheme in general is placed on the Council table. The relevant correspondence will be printed in the preamble of the Government Resolution, which will issue in due course disposing of the scheme.

(8) and (9) There are schemes under contemplation with regard to the Khari, Meshwa and the Watrak rivers. The schemes are (*a*) the Meshwa Canal project which also provides for improving irrigation on the Khari river and (*b*) the Watrak river project. There is no scheme for the Khari river as such, nor for the Shedhi river.

EDUCATIONAL DEPARTMENT: INSPECTING STAFF: COST.

* Rao Saheb B. G. DESAI (Kaira District): (1) What was the total annual expenditure on account of the inspecting staff of the Educational Department in the Presidency in the years 1910 and 1920 and what is the expenditure incurred at present?

(2) How many primary schools were maintained by Government, and what was the total number of boys attending the same in the years 1910, 1920 and 1930?

(3) How many primary schools are maintained (not aided) by local bodies from their own funds and what is the total number of boys and girls attending the same?

(4) How many primary schools are yet maintained by Government, and what is the total number of pupils attending them?

The Honourable Sir RAFIUDDIN AHMAD: (1) The attention of the honourable member is invited to the reply given to clause (1) of a similar question put by him and answered in this session.

(2) and (3) The accompanying statement gives the information required.

(4) The attention of the honourable member is invited to the figures mentioned against the year 1930 in columns 2 and 3 of the statement referred to in the reply to parts (2) and (3) above.

—	Number of Primary schools maintained by Government.		Number of Primary schools administered (not aided) by local bodies.	
	Schools.	Pupils.	Schools.	Pupils.
1	2	3	4	5
1910	18	2,000	6,839	430,354
1920	34	4,163	9,801	622,245
1930	33	4,091	11,999	926,057

† Kept in Secretary's office.

REPORT OF THE COMMITTEE FOR INVESTIGATING THE COMPLAINTS OF RELEASED PRISONERS.

*Mr. G. S. GANGOLI (Kanara District): Will Government be pleased to state—

(*a*) whether their attention has been drawn to the Report of the committee appointed in 1931 for investigating the complaints of released prisoners under the chairmanship of Dewan Bahadur K. M. Jhaveri;

(*b*) if so, whether the remarks printed at page 8 thereof that the vegetables growing in the jail gardens go to the jail officials or the jail visitors are correct;

(*c*) whether they intend to take any steps to enquire into the matter;

(*d*) whether they intend to enquire into the allegations and recommendations contained in the report?

The Honourable Mr. G. A. THOMAS: (*a*) Yes.
(*b*) No.
(*c*) The question does not arise.
(*d*) No.

Mr. G. S. GANGOLI: May I know whether the allegations are false or whether it is not so printed?

The Honourable Mr. G. A. THOMAS: The question was: "If so, whether the remarks printed at page 8 thereof that the vegetables growing in the jail gardens go to the jail officials or the jail visitors are correct" and the answer is that they are not correct.

Mr. G. S. GANGOLI: The remarks have been made by some responsible men against the jail administration. Will they be hauled up?

The Honourable the PRESIDENT: That is asking for opinion.

Mr. G. S. GANGOLI: My submission is: it is reported by Dewan Bahadur K. M. Jhaveri and Sir Lalubhai Samaldas and some members of this Council that such things are carried on in the jails and it has been brought to the notice of Government. Government say that the allegations are incorrect. What is the remedy? Will they be hauled up if they are false?

PRISONERS VISHNU SHARMA AND MANILAL VYAS: TRANSFER.

*Mr. GOVER RORA (Karachi City): Will Government be pleased to state—

(1) whether Mr. Vishnu Sharma and Mr. Manilal Vyas have been transferred from the Karachi district jail to the presidency jails;

(2) if so, the reasons for such transfers;

(3) the amount of expenses Government had to incur to carry these prisoners from one jail to another;

(4) whether the attention of Government has been drawn to the recommendation of the Government of India to give all facilities to A and B class prisoners by locating them at one central place?

The Honourable Mr. G. A. THOMAS: (1) Yes.

(2) Administrative convenience.

(3) Rs. 109-8-0.

(4) If the honourable member will quote the recommendation referred to and say in what publication it appears, an endeavour will be made to answer this question.

Mr. S. S. TOLANI: May I know what administrative inconvenience would have been caused if the prisoners had been allowed to remain in the Karachi district jail?

The Honourable Mr. G. A. THOMAS: I am not prepared to add to the answer.

ZAMINDARS, THAR PARKAR DISTRICT: INDEBTEDNESS.

*Khan Bahadur GHULAM NABI SHAH (Thar Parkar District): Will Government be pleased to state the amount of arrears due by the zamindars of Thar Parkar District—

(1) on account of Land Revenue;

(2) on account of Taccavi (*a*) for building of houses, (*b*) for other purposes;

(3) to the Mirpurkhas Zamindari Co-operative Bank, Limited;

(4) to the Mirpurkhas District Central Co-operative Bank, Limited?

	Rs.
The Honourable Mr. W. F. HUDSON:	
(1) Arrears of land revenue.. ..	5,51,615
(2) Arrears of takavi—	
(*a*) for building houses	4,82,473
(*b*) for other purposes	18,13,213
(3) Amount due to the Mirpurkhas Zamindari Co-opertive Bank, Limited	5,34,274
(4) Amount due to the Mirpurkhas District Central Co-operative Bank, Limited	7,79,715

Figures in clauses (1) and (2) represent arrears at the close of the revenue year 1930-31 and figures in clauses (3) and (4) represent arrears at the close of the financial year 1930-31.

Khan Bahadur M. A. KHUHRO: What arrangements have Government been pleased to make with regard to the fixing of instalments for recovery?

The Honourable Mr. W. F. HUDSON: Instalments for recovery of what?

Khan Bahadur M. A. KHUHRO: Have Government decided to make this debt recoverable by instalments?

The Honourable Mr. W. F. HUDSON: Taccavi is nearly always recovered by instalments. Does the honourable member refer to the debt due to the Mirpurkhas Zamindari Co-operative Bank, or land revenue arrears or taccavi arrears?

Khan Bahadur M. A. KHUHRO: Land revenue arrears.

The Honourable Mr. W. F. HUDSON: No arrangements for payment by instalments have been made with regard to that.

Khan Bahadur M. A. KHUHRO: Does the Honourable Member think it is possible for the zamindars to pay the arrears in one lump sum?

The Honourable Mr. W. F. HUDSON: I am not prepared to express an opinion about that.

GOVERNMENT CENTRAL PRESS, BOMBAY: CANDIDATE CLERKS.

*Mr. HAJI IBRAHIM JITEKAR (Southern Division): Will Government be pleased to state—

(*a*) the number and names of candidate clerks engaged in the Government Central Press during the last three years;

(*b*) whether it is a fact that one of the candidate clerks is serving as a despatcher and that there is not enough work for him;

(*c*) whether they are aware that in spite of Government circular, F. D., No. 9084, dated the 10th August 1931, not to fill up any acting vacancies but to discharge fresh temporary hands and to distribute the work among the permanent hands, some new hands have been temporarily engaged or retained on Rs. 60 per month as against Rs. 50 provided by the G. R.;

(*d*) whether it is a fact that contrary to G. R., F. D., No. 5708, dated 20th July 1931, candidate clerk Phulgaonkar has been retained;

(*e*) the reasons why backward class men are not taken as candidate clerks;

(*f*) whether several Muslim graduates and under-graduates have applied for candidate clerks' places in the Press;

(*g*) the number of Muslim clerks in the Press out of the 30 clerks serving there?

The Honourable Sir GHULAM HUSSAIN:

(*a*) (1) Mr. G. D. Kasar.
(2) „ P. A. Chinchankar.
(3) „ S. V. Vanjare.
(4) „ H. M. Kazi.
(5) „ R. S. Phulgaonkar.
(6) „ W. J. Gavande.

(*b*) One of the candidates is at present working as telephone and despatch clerk. He has enough work to keep him fully occupied.

(*c*) and (*d*) I have satisfied myself that there has been no contravention of any Government orders in the making of these appointments.

(*e*) The two candidate clerks now officiating on the clerical establishment belong to the Backward Class.

(*f*) No. In 1930, a typist clerk was needed at the Press and a Muhammadan candidate was appointed.

(*g*) One.

GOVERNMENT CENTRAL PRESS, BOMBAY: SUPERANNUATED EMPLOYEES.

*Mr. HAJI IBRAHIM JITEKAR (Southern Division): Will Government be pleased to state—

(*a*) the number and names of employees in the Government Central Press working for over thirty years;

(*b*) whether it is a fact that the Foreman Printer who has put in more than 30 years' service is to be granted an extension;

(*c*) whether, consistent with their policy of retrenchment, Government contemplate retiring such superannuated employees;

(*d*) if so, whether any instructions to that effect have been issued or are proposed to be issued to the Superintendent of the Press?

The Honourable Sir GHULAM HUSSAIN: (*a*) There are 30 such employees. It is not considered necessary to state their names.

(*b*) There are two foremen printers in the Government Central Press who have put in over 30 years of service, but only one is under extension. This has been granted by the Superintendent, Government Printing and Stationery, under the authority vested in him.

(*c*) and (*d*) The view of Government is that it is a waste of public money to pension an officer still capable of useful service. It would, therefore, be inconsistent with the policy of retrenchment to pension such officers, unless it is intended at the same time to abolish their posts.

GOVERNMENT CENTRAL PRESS: READING DEPARTMENT.

*Mr. HAJI IBRAHIM JITEKAR (Southern Division): Will Government be pleased to state—

(*a*) the number of men in the reading department of the Government Central Press;

(*b*) the number of them that are qualified;

(*c*) whether it is a fact that about 40 men are non-qualified;

(*d*) whether it is a fact that about 20 appointments were made in this section during the last three years and that not a single Muslim was taken;

(*e*) if so, the reasons therefor?

The Honourable Sir GHULAM HUSSAIN: (*a*) 37 readers and 32 reading boys.

(*b*) and (*c*) No qualifications are prescribed for these posts.

(*d*) and (*e*) About 20 appointments were made. The only Muslim who applied for an appointment, was given one.

WILD ELEPHANTS IN KANARA.

*Mr. V. N. JOG (Dharwar District): (1) Has the attention of Government been drawn to an article in the *Karmavir Kannad* Weekly Journal of Dharwar dated 15th May 1931, in which the havoc played by wild elephants in Kanara District is described?

(2) What is the procedure adopted by Government to assess the loss caused by wild elephants and what is the relief usually granted ?

(3) Is a *panchnama* made in every case of loss caused by elephants ?

(4) Have Government officers made *panchnamas* in the Islur and Targod Centres where according to the estimate of the ryots during February, March and April, the following destruction was caused :—

48 betel nut trees in Islur.
157 plantain trees in Islur.
29 pepper creepers in Islur.
587 betel nut trees in Targod.
1,180 plantain trees in Targod.
90 cardamom plants in Targod.
170 pepper creepers in Targod ?

(5) What has been the compensation or remission given ?

(6) What steps and precautions have Government taken to prevent such havoc ?

(7) What is the number of hunters appointed by Government to kill elephants ?

(8) Have Government supplied powerful guns to ryots to enable them to kill the elephants ?

(9) Has the attention of Government been drawn to the remedies suggested in the *Karmavir Kannad* Weekly paper of Dharwar dated 15th May 1931 to counteract the havoc caused by elephants ; and, if so, what steps have they taken in view of the suggestion ?

(10) Is it a fact that there was only one elephant hunter in that part ?

(11) Was he sent home at the beginning of April ?

(12) Why was another not appointed in his place before he was relieved ?

(13) Was the gun supplied to him (elephant hunter) powerful enough to kill elephants ?

The Honourable Dewan Bahadur S. T. KAMBLI : (1) Yes.

(2) The village officers are required to visit the lands damaged by the wild elephants with *panchas*. *Panchnamas* are made regarding the loss which is verified by the Circle Inspectors and the Mamlatdars by personal inspection. The relief usually granted is the remission of land revenue equal to one-half of the damage caused by the wild elephants.

(3) Yes.

(4) Yes. The losses as estimated by the local officers were as follows :—

Village.	Betel nut trees and plants.	Plantain trees.	Estimated loss in money. Rs. a. p.
Sadashivalli (Targod)	53	42	8 5 6
Islur	29	102	9 8 0

(5) Remission was granted to the following extent :—

	Rs. a. p.
Sadashivalli (Targod)	4 2 9
Islur	3 4 0

(6) and (7) Four Shikaris have been entertained for the destruction of wild elephants. They have been provided with suitable rifles and ammunition. Government officers of the various Departments and

the local bodies have been asked to report the movements of the animals to enable the Shikaris to deal with them.

(8) No.

(9) Yes. The suggestion for the liberal grant of gun licenses is not practicable as wild elephants cannot be killed except by rifles of high velocity. Licenses for such rifles will be granted by the District Magistrate to big landholders if they apply for them. Beating the forests with a view to driving out the elephants from Kanara is a difficult and expensive task.

(10) Yes.

(11) and (12) His services have not been dispensed with, but his remuneration was reduced as it was not justified by results.

(13) Yes.

Mr. V. N. JOG: With regard to (9) has such licence for rifles of high velocity been given to any landholders?

The Honourable Dewan Bahadur S. T. KAMBLI: If the honourable member gives me notice, I shall find out.

Mr. G. S. GANGOLI: With regard to (4), who estimated the loss and how?

The Honourable Dewan Bahadur S. T. KAMBLI: The *panchas* appointed by Government.

Mr. G. S. GANGOLI: Non-officials?

The Honourable Dewan Bahadur S. T. KAMBLI: If the honourable member gives me notice, I shall find out.

Mr. V. N. JOG: With regard to (2), why has only half remission been given?

The Honourable Dewan Bahadur S. T. KAMBLI: That is the rule made by Government.

Mr. G. S. GANGOLI: With regard to (11), why were his services dispensed with?

The Honourable Dewan Bahadur S. T. KAMBLI: His services have not been dispensed with.

Mr. G. S. GANGOLI: What was his remuneration?

The Honourable Dewan Bahadur S. T. KAMBLI: He was paid Rs. 10 per month.

Mr. G. S. GANGOLI: The shikari was employed for killing wild elephants. He was paid Rs. 10. To what amount has it been reduced?

The Honourable Dewan Bahadur S. T. KAMBLI: I require notice.

ANCIENT MOSQUE: AHMEDABAD CITY.

*Mr. J. S. KADRI (Northern Division): Will Government be pleased to state—

(a) whether they are aware of the existence of an ancient mosque by the side of Gaekwar's Haveli near Raikhed river gate in the city of Ahmedabad;

(*b*) whether the mosque has been noted as a public mosque in official records;

(*c*) whether it is a fact that there are several tombs existing in the open court-yard of this mosque;

(*d*) if so, whether one of these tombs has been covered over by the verandah of a bungalow of a police inspector;

(*e*) whether the mosque had an ingress from outside the Haveli;

(*f*) whether the mosque was being used for prayers by Mussalmans until 1928;

(*g*) whether it is a fact that the District Superintendent of Police, Ahmedabad, had accorded written permission to the Mussalmans to use the mosque and have ingress to it through the Raikhed gate of the Gaekwar's Haveli;

(*h*) what steps they intend to take to meet the demand of the Mussalmans for a free access to the mosque to offer their prayers?

The Honourable Mr. G. A. THOMAS: (*a*) Yes.
(*b*) No.
(*c*) Yes.
(*d*) Yes, since 1905.
(*e*) No.
(*f*) No.
(*g*) Some petitioners were offered the use of the mosque on certain conditions in 1927, but they did not accept the conditions.
(*h*) Government do not propose to take any steps.

Mr. J. S. KADRI: The answer to part (*b*) is, no. Do Government mean to say that it is not a public mosque?

The Honourable Mr. G. A. THOMAS: It is not a public mosque.

Mr. J. S. KADRI: The answer to part (*g*) is, "Some petitioners were offered the use of the mosque on certain conditions in 1927, but they did not accept the conditions. May I know what those conditions were?

The Honourable Mr. G. A. THOMAS: One condition was that ingress should be only through the Raikhed gate, and the second was that they should not be in the mosque after 9 o'clock at night.

Mr. J. S. KADRI: Are Government prepared to allow the use of this mosque on those conditions now?

The Honourable Mr. G. A. THOMAS: I must ask for notice of that.

Sardar BHASAHEB RAISINHJI (Thakor of Kerwada): The Honourable Member says it is not a public mosque. May I know from him whether in the Government records this mosque appears as the property of any individual or anybody?

The Honourable Mr. G. A. THOMAS: I said that it was not a public mosque, because the question asked was whether it has been noted as a public mosque in official records. Perhaps, the honourable member who put the question will tell us what he means by "public mosque."

Mr. J. S. KADRI: By "public mosque" I mean a mosque for the use of the Mussalman community.

The Honourable Mr. G. A. THOMAS: The answer then is, no.

Mr. SHAIKH ABDUL AZIZ: If it is not meant for use by the Mussalman public, then for whom is it meant?

The Honourable Mr. G. A. THOMAS: It is not used as a mosque. It has not been used as a mosque for the last generation.

Khan Bahadur M. A. KHUHRO: It was allowed to be used up to 1927. How can it be said that it was not used as a mosque? Were they not using it?

The Honourable Mr. G. A. THOMAS: No, they were not using it as a mosque. In 1927 they asked whether they could use it as a mosque, and they were told that on certain conditions they could. They did not accept those conditions. If the request is repeated, it will have to be considered. I cannot guarantee that it will be allowed to be used as a mosque, without reference to the local authorities.

Mr. B. P. WADKE: Are there any architectural features about the mosque? A portion of the mosque is occupied by a bungalow. Why was it occupied by a bungalow?

The Honourable Mr. G. A. THOMAS: I do not think this question arises.

ENGINEERING COLLEGE, POONA: PROFESSOR OF APPLIED MECHANICS.

*Mr. J. S. KADRI (Northern Division): Will Government be pleased to state—

(1) how many candidates applied for the post of Professor of Applied Mechanics in the College of Engineering, Poona;

(2) how many of them held foreign degrees;

(3) whether there was any Muhammadan candidate possessing the English degree of M.Sc. and other qualifications;

(4) what were the age, caste and qualification of the candidate selected for the post;

(5) the reasons why the claims of a candidate with an M.Sc. degree were overlooked in favour of a candidate with a lower degree?

The Honourable Sir RAFIUDDIN AHMAD: (1) 58.

(2) 41.

(3) Yes.

(4) Age—27 years.

Caste—Parsi.

Qualifications—B.Sc. Hons. (Bom.) with Physics and Mathematics.
B.Sc. (1st Class Honours) in Civil Engineering (Edin.).
A.M.I.Struct.E. (Lond.).
A.M.I.C.E. (Lond.)

(5) The appointment was made in accordance with the recommendation of the Selection Committee.

Mr. J. S. KADRI: Did the selection committee assign any reasons for selecting a man with lesser qualifications than an M.Sc.?

The Honourable Sir RAFIUDDIN AHMAD: They have given their final opinion, and that is quite enough.

Sardar BHASAHEB RAISINHJI (Thakor of Kerwada): Is not the selection committee supposed to select the best candidate having all the merits for the post for which he is required? Then why did they select a man of inferior merits?

The Honourable Sir RAFIUDDIN AHMAD: He is not at all a man with inferior merits. They have selected the best man.

Khan Bahadur M. A. KHUHRO: Is it not a fact that there were Mussalmans with superior qualifications available for the post?

The Honourable Sir RAFIUDDIN AHMAD: No, Sir.

INDUSTRIAL ENGINEER.

*Rao Bahadur R. R. KALE (Bombay University): (1) Will Government be pleased to place on the Council table a copy of the advertisement given in 1929 by the Director of Industries inviting applications for the post of Industrial Engineer?

(2) Will Government be pleased to state—

(*a*) the number of applications received for the above post;

(*b*) the names of the candidates who had applied for the post, with their qualifications;

(*c*) the names of those who were selected by the Director of Industries together with his recommendations;

(*d*) the qualifications of the candidate finally appointed by Government together with the recommendation of the Director of Industries as regards him;

(*e*) where he was employed before and what pay he used to draw in such employment and for how long?

The Honourable Sir RAFIUDDIN AHMAD: (1) The Honourable Member's attention is invited to the advertisement at page 3 of the *Times of India* dated the 30th September 1929.

(2) (*a*) Twenty-nine.

(*b*) Government do not think it desirable to publish this information;

(*c*) Government are not prepared to give the names of the candidates who were selected by the Director of Industries nor to state what recommendations were made by him. The qualifications of candidates recommended by the Director of Industries are stated in the accompanying statement;

(*d*) The attention of the Honourable Member is invited to entry No. 3 in the statement appended;

(*e*) Immediately before joining the Industries Department the candidate finally selected was for eight years with Messrs. Dharamsi Morarji and Morarji Gocouldas as their Superintending Engineer on Rs. 800 per month. Before that he was for two years with the English Electric Company on Rs. 750 per month and for two years with Calico Mills, Ahmedabad, on Rs. 800 per month.

Statement giving the qualifications of the candidates recommended by the Director of Industries.

No.	Qualifications.
1	B.Sc. in Mech. Engineering and B.Sc. in Electrical Engineering of Purdue University, U. S. A. He was in U. S. A. for eight years where he acquired practical experience in different branches of mechanical engineering. Four years of this period he passed in College and four years in Works.
2	The Honours Diploma of the V. J. T. I., Bombay, in Mechanical Engineering in 1914. For four years in the Technische Hochschule, Berlin, 1923–27. He did not complete the course. He worked in Khatau Makanji Cotton Mills, Bombay, Shri Sayaji Cotton Mills, Baroda, Tata Hydro-Electric Power Company's Distributing Station, Bombay, Bijapur Mahaluxmi Oil Mills and Ginning Factory, Shahu Chatrapati Cotton Mills, Kolhapur, Indo-Aden Salt Works at Aden, C. P. Engineering Co. Ltd., Nagpur, and Birla Jute Mills, Birlapur.
3	Diploma Course in Mechanical Engineering, at the Poona College of Engineering. He has 17 years' experience of the Engineering side in cotton and woollen textiles, chemicals, leather cloths, cement, etc., and has designed and erected complete modern power plant in these industries as Erecting Engineer of the English Electric Company. He was also Superintending Engineer for the mills and factories for which Morarji Gokuldas and Dharamsi Morarjee are Agents.
4	B.E. (Bombay), B.Sc., Engineering (Glasgow), C.P.E. He has had practical work with Messrs. Hyde-Park and Govanbank Foundry Co. Ltd., for 6½ months and Messrs. Wm. McPhail & Sons for one month. Worked as Assistant Inspector of Factories, Bombay, from February 1925 to June 1926 on a salary of Rs. 450 per month. Since 1926 in charge of Engineering Works of Messrs. Chuckerbutty and Sons, Ajmer & Cawnpore (Engineers and Contractors).

Rao Bahadur R. R. KALE: In part (*d*) the question was, what were the qualifications of the candidate finally appointed by Government together with the recommendation of the Director of Industries as regards him. The answer is, the attention of the honourable member is invited to entry No. 3 in the statement appended. May I know whether the Director of Industries recommended the candidates in the order in which they are shown here?

The Honourable Sir RAFIUDDIN AHMAD: He had recommended several candidates. One was selected. I do not know what the honourable member wants.

Rao Bahadur R. R. KALE: There were 25 candidates, out of whom apparently, I take it, these 4 were recommended. I had asked what were the recommendations of the Director of Industries? There is no reference to the names of the candidates or the recommendations; only the qualifications are given. My question is whether the recommendations were in the order in which the qualifications are given here.

The Honourable Sir RAFIUDDIN AHMAD: I fear I cannot say offhand. Four candidates were selected by him, of whom one was appointed.

Rao Bahadur R. R. KALE: My point is that Government have selected No. 3. Were there any recommendations one by one—first this man, failing him this man, and failing him this man, and so on?

The Honourable Sir RAFIUDDIN AHMAD: No, Sir.

Rao Bahadur R. R. KALE: Am I to understand that the recommendations were all equal?

The Honourable Sir RAFIUDDIN AHMAD: Four candidates' names were given to select from.

Rao Bahadur R. R. KALE: I want to know the order in which the different candidates were recommended.

The Honourable Sir RAFIUDDIN AHMAD: I am not prepared to say.

RETRENCHMENT: ACTION ON COMMITTEE'S REPORT.

*Mr. B. S. KAMAT: With reference to the *ad interim* report, submitted to Government in July last by the Retrenchment Committee, will Government be pleased to state what action, if any, has been taken with regard to the following recommendations contained in the report:—

(1) *Paragraph 12.*—Postponement of certain works aggregating Rs. 1,54,300;

(2) *Paragraph 14.*—Reduction in repairs grants for buildings;

(3) *Paragraph 23.*—Home Department: Rates of batta to witnesses;

(4) *Paragraph 25.*—Peshwa's Daftar;

(5) *Paragraph 29.*—Reductions in grants to secondary schools and colleges: Has the majority or the minority view been accepted by Government?

(6) *Paragraphs 31, 32 and 33.*—Public Services: Temporary reductions in salaries from top to bottom:—

(*a*) which of the several proposals has been accepted by Government?

(*b*) Are the statutory difficulties being taken up and dealt with?

The Honourable Sir GOVINDRAO PRADHAN: Action taken by Government on the recommendations contained in the various paragraphs of the *ad interim* Report of the Retrenchment Committee referred to in the question is as follows:—

(1) *Paragraph 12.*—The works referred to by the Committee have been postponed, but the saving effected is Rs. 1,53,600 instead of Rs. 1,54,300, as a sum of Rs. 700 was required to meet the liability already incurred in connection with "Surat Quarters for 12 constables."

(2) *Paragraph 14.*—Against the total saving of Rs. 2,63,000 in the grants for repairs to buildings recommended by the Committee, total savings in the repairs grants, already reported to Government, amount to Rs. 1,26,268 and local officers have been asked to curtail their expenditure so as to make up the balance (viz. Rs. 1,36,732) of the savings required.

(3) *Paragraph 23.*—Rates of diet allowances and travelling allowances to witnesses have already been reduced as recommended by the Committee.

(4) *Paragraph 25.*—Attention of the honourable member is invited to the answer given to Mr. L. R. Gokhale's supplementary question in the July 1931 session of the Legislative Council printed at page 487 of the Bombay Legislative Council Debates, Volume XXXI, Part VII. Government have since decided to carry on the work to the end of February 1932. No provision for this work has been made in the next year's budget.

(5) *Paragraph 29.*—The minority view has been accepted by Government.

(6) *Paragraph 31.*—Revised scales have now for the most part been introduced for new entrants. Where they have not, the recommendation of the Committee to reduce present scales by 2 annas in the rupee has been accepted.

(7) *Paragraphs 32 and 33.*—As the M.L.C. is aware, a temporary uniform cut of 10 per cent. has now been imposed on the salaries of all Government servants excepting those under Rs. 50 in Bombay, and Rs. 40 elsewhere.

Mr. B. S. KAMAT: These questions were sent up, I think, for the September-October session. Two sessions have passed. May I please know whether the little delay of six months in giving answers is due to the fact that the Finance Department was very busy with the deficit budget, or whether the questions were not sent on from the Secretary's office at all?

The Honourable Sir GOVINDRAO PRADHAN: The question must have been sent up. Probably final action must not have been taken for

some time. After all, only one session intervened. But some action must have been taken; I cannot say offhand what it was. If the honourable member gives me notice, I will find out when the question was sent and when action was taken.

The Honourable the PRESIDENT: There is one thing about the November session that must be borne in mind. It came to an abrupt ending. In some cases although the answers were received, they could not be printed and placed on the Council table. I do not know whether that is what happened in this case.

Rao Bahadur R. R. KALE: The answers were probably forwarded in time. But I thought as the session came to an abrupt end the answers were to be sent to honourable members.

The Honourable Sir GOVINDRAO PRADHAN: I do not think there was any such undertaking given.

TRAINING INSTITUTIONS: STIPENDIARY AND NON-STIPENDIARY STUDENTS.

*Rao Saheb P. D. KULKARNI (Poona District): (*a*) Will Government be pleased to state the total number of stipendiary students in all training institutions maintained by Government in each Division of the Presidency with the amount of cost to Government for the payment of these stipends?

(*b*) What is the rate per month of each stipend?

(*c*) How many applications were received by the Educational Inspector, Central Division, for admission to the various Government training institutions on a non-stipendiary basis in the years 1928-29 and 1929-30?

(*d*) How many of these applicants were admitted during these years on a non-stipendiary basis?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) The attached statement gives the required information.

(*b*) The rate of stipends in Government Training Institutions for Men in the Presidency proper is Rs. 12½ per mensem and for women Rs. 15 per mensem. In Sind the rate of stipends is Rs. 15 per mensem both for men and women. As a measure of economy Government have directed that with effect from the next academic year the rate of stipends in the Training Institutions for Men only in the Presidency including Sind should be reduced by Rs. 2½ per mensem.

(*c*) 25 applications in 1928-29 and 78 in 1929-30.

(*d*) 6 in 1928-29 and 12 in 1929-30.

Statement showing the total number of stipendiary students in all Training Institutions maintained by Government in each Division of the Presidency, with the amount of cost to Government for the payment of these stipends.

Division.	Number of stipendiary students (1930-31)			Cost to Government (1930-31).		
	Provincial stipendiaries	Local Authority Municipal stipendiaries	Total	Provincial stipendiaries	Local Authority Municipal stipendiaries at one-half rate	Total.
1	2	3	4	5	6	7
				Rs. a. p.	Rs.	Rs. a. p.
I—Government Training Institutions for Men.						
Bombay Division	31	..	31	4,076 0 0	..	4,076 0 0
Central ,, ..	280	24	304	36,083 14 0	2,064	38,147 14 0
Northern ,, ..	21	14	35	2,618 0 0	1,309	3,927 0 0
Southern ,, ..	11	..	11	1,422 0 0	..	1,422 0 0
Sind ..	33	10	43	4,308 0 0	172	4,480 0 0
Total I ..	376	48	424	48,507 14 0	3,545	52,052 14 0
II—Government Training Institutions for Women.						
Bombay Division ..	..	..	....	....	..	....
Central ,, ..	64	14	78	9,343 13 0	1,036	10,379 13 0
Northern ,, ..	12	5	17	1,860 0 0	479	2,339 0 0
Southern ,, ..	19	..	19	3,598 8 0	..	3,598 8 0
Sind ..	19	7	26	2,846 0 0	518	3,364 0 0
Total II ..	114	26	140	17,648 5 0	2,033	19,681 5 0
Grand Total I and II ..	490	74	564	66,156 3 0	5,578	71,734 3 0

Rao Saheb P. D. KULKARNI: As regards (*b*), in view of the present financial stringency, when there is such a large number of non-stipendiary students coming forward to seek admission, is it not advisable to stop these stipends so far as the training schools are concerned, and thus save Rs. 16,000?

The Honourable Sir RAFIUDDIN AHMAD: That is a suggestion for action.

THE NASIK ELECTRIC COMPANY.

*Mr. A. C. OWEN (Presidency): Will Government be pleased to state—

(*a*) whether they propose to allow the Nasik Electric Company to supply electric energy to the Government Distillery at Nasik Road;

(*b*) if so, what they intend to do with the electric installation now at the Distillery;

(*c*) at what rate the distillery makes its own current at present;
(*d*) at what rate the Electric Company will supply current—
(*i*) to the public;
(*ii*) to the Distillery?

The Honourable Mr. W. F. HUDSON: (*a*) Yes.
(*b*) The question has not yet been decided.
(*c*) It has not yet been possible to arrive at an exact figure as it varies, as it must, according to the quantity of electricity generated and the prices of coal ruling at a particular moment, and also as the plant and establishment connected with the generation of electricity are employed for other purposes as well.
(*d*) The honourable member is referred to clause 9 of the Nasik and Deolali Electric License, 1930, a copy† of which is placed on the Council table.

Mr. A. C. OWEN: Do Government know whether they are effecting any economy by giving the contract to this Company?

The Honourable Mr. W. F. HUDSON: No. It is extremely difficult to say whether we are effecting any economies at the present moment, but we undoubtedly shall in future, because it is unquestionably more economical to have one distributing centre than a number of small installations. What precise economy we will be able to effect it is impossible to say, because we cannot say what the cost of generating our electricity was under the old conditions. I have no doubt that ultimately economy will be arrived at, as well as general economy in management.

"FARI MEASURE"—STANDARDIZATION: KOLABA DISTRICT.

*Mr. N. N. PATIL (Kolaba District): Will Government be pleased to state what progress they have made since the last year in the standardization of "Fari measure" in the district of Kolaba?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: The draft of a Bill for the standardization of weights and measures in the Bombay Presidency is under the consideration of Government.

Mr. N. N. PATIL: May I take it from the reply given that the Bill for the standardisation of weights and measures will be introduced in the July or October session?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: It is under the consideration of Government and it is hoped that it will be introduced in the August session.

Rao Bahadur R. R. KALE: Was not this question mooted some six months ago and the reply was that it would be introduced in this session?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: As a rule, in the budget session these Bills are not introduced, but the earliest that we could do so will be in August. We are trying to expedite matters and, as far as possible, I am hoping to introduce it in the August session.

† Kept in the Secretary's office.

SCHOOL BUILDING FUND, NASIK.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) in how many cases during the last fifteen years before the transfer of control of primary schools to the local authorities they had promised the construction of school buildings in the villages in the Nasik District provided the villagers contributed their share of the cost;

(*b*) in how many cases the school houses have been constructed;

(*c*) in how many cases they have not been built although the villagers had contributed their share of the cost;

(*d*) what are the reasons for not having built them;

(*e*) whether the district school boards have been asked to fulfil the promise of Government;

(*f*) whether they are aware that the contribution made by the different villages for the construction of school buildings was not sufficient to erect such school houses of the Government standard type;

(*g*) what is the total amount of such building contribution fund lying with the District School Board, Nasik;

(*h*) how Government intend to fulfil their obligation to the villagers who contributed to the school building fund?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) 13.

(*b*) 4.

(*c*) and (*d*) In three cases the contributions were returned to the villagers. In six cases buildings have so far not been constructed for want of sufficient funds.

(*f*) Yes.

(*g*) Rs. 2,595-11-0.

(*e*) and (*h*) If additional adequate contributions are forthcoming or money is otherwise available buildings will be erected. Otherwise existing contributions will have eventually to be refunded.

UNSTARRED QUESTIONS AND ANSWERS.

DISTRICT SUPERINTENDENT OF POLICE'S HEAD CLERK, NAWABSHAH DISTRICT.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City): (1) Is it a fact that the head clerk, Mr. Jethmal, of the District Superintendent of Police, Nawabshah District, has remained in his post there for over six years?

(2) Is it against the policy of Government to keep the same man in the same place for a long period?

(3) Do Government intend to transfer Mr. Jethmal from his present place?

The Honourable Mr. G. A. THOMAS: (1) No.

(2) No.

(3) No.

POLICE HARASSMENT: TALUKA MORI.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City): Will Government be pleased to state—

(1) whether it is a fact that an application was made to the police against Mohram Jamadar of Mori and his brother and that as a result of it their houses were searched, their ornaments taken on suspicion and they were challaned in court;

(2) the name of the officer who issued orders for searches;

(3) the name of the applicant in the case;

(4) whether that applicant's statement was taken before the issue of orders for searches;

(5) whether it is a fact that the police had enmity with these men, and that this fact was proved in the court of the sub-divisional magistrate, Naoshero Division;

(6) whether it is a fact that the officer in charge of police, knowing all these facts, issued orders for searches;

(7) whether it is a fact that the trying magistrate has returned all the property of the above persons;

(8) if so, what action, if any, has been taken by Government against the police officers;

(9) whether Government are aware that on the strength of the same kind of application the police went to a Pir of Dung, taluka Sukrand, and harassed him;

(10) whether it is a fact that the police left him after taking some money from him;

(11) if so, what action, if any, Government propose to take against the police officers of Sukrand?

The Honourable Mr. G. A. THOMAS: (1) An application was made against their sons, as a result of which their houses were searched for stolen property and unlicensed firearms. Some property which could not be accounted for was attached, but as it was not identified they were not prosecuted.

(2) Sub-Inspector Partabrai.

(3) Mewomal.

(4) No.

(5) and (6) No.

(7) Yes.

(8) There are no reasons for taking any action against the police.

(9) A petition was received from the Pir's wife complaining that her husband was keeping her in wrongful confinement and that her life was in danger. On enquiry the allegations were found to be false.

(10) No.

(11) Does not arise.

MUNICIPALITIES AND MUNICIPAL BOROUGHS: ARREARS OF TAXES.

Mr. SHANKARRAO JAYARAMRAO ZUNZARRAO (Thana and Bombay Suburban Districts): Will Government be pleased to state—

(*a*) whether it is a fact that of recent years large arrears of taxes have been accumulating to be recovered in many municipalities and

municipal boroughs and that the extent of these arrears is increasing every year;

(*b*) the reasons for such large arrears;

(*c*) whether they intend to take any action in the matter with a view to prevent such arrears of taxes;

(*d*) whether they have received any suggestions in the matter;

(*e*) whether they have called for any suggestions;

(*f*) whether any rules as mentioned in the last part of sub-clause (2) of section 106 of Bombay Act No. XVIII of 1925 have been sanctioned by them so far for any municipal borough;

(*g*) whether they have under their consideration drafts of any such rules submitted to them by any municipal borough;

(*h*) if the answer to the above be in the affirmative will they be pleased to give in a tabular form the information concerning them on the following points:

(*i*) names of the municipal boroughs that have submitted the drafts of rules;

(*ii*) dates of receipt of drafts by Government;

(*iii*) reasons, if any, for delay in sanctioning the rules?

The Honourable Sardar Sir RUSTOM JEHANGIR VAKIL: (*a*) Yes.

(*b*) The principal reasons are—

(*i*) failure to take coercive measures as provided in the Municipal Act,

(*ii*) the bad example set by the Municipal councillors themselves in not paying their taxes in time,

(*iii*) failure to prepare assessment registers on due dates as prescribed in the municipal rules,

(*iv*) lack of supervision over the work of collection staff.

(*c*), (*d*) and (*e*) Persons in arrears with their taxes have been disfranchised. Government also continually bring the unsatisfactory state of affairs to the notice of the local bodies concerned but with little effect. A suggestion of the Local Audit Department that notice and warrant fees should be raised and vary in amount in proportion to the amount of the arrears, as is the case in Poona City Municipality, so as to make them deterrent has been brought to the notice of municipalities by Commissioners. The names of defaulting councillors are moreover usually published in municipal administration reports.

(*f*) Rules under this section have been framed by six municipalities and sanctioned by Government.

(*g*) and (*h*) The municipal boroughs of Thana, Nasik, Satara City, Lonavla and Belgaum have submitted draft rules, but their consideration has been postponed pending publication of model rules and bye-laws by Government.

BOMBAY FINANCE BILL.

Question again proposed:

"*That the Bombay Finance Bill be read a first time.*"

The Honourable Sir GOVINDRAO PRADHAN: Sir, there are amendments of principle which the honourable member the Finance Secretary may be permitted to move.

The Honourable the PRESIDENT: As the Honourable Member himself has not done it, I will allow the honourable member the Finance Secretary to move it.

The Honourable Sir GHULAM HUSSAIN: Sir, yesterday, I informed honourable members that these money Bills were emergency measures for one year only. All these Bills will be referred to a select committee, and it is left to honourable members to alter any part of them which they consider objectionable. These Bills will be read a second time, and honourable members can then vote against any clause of the Bill.

Now, Sir, the honourable member from Larkana (Khan Bahadur Khuhro) complained that the cut on education and other nation-building departments was very severe. I am sorry that at the time the General Secretary made a reply to that criticism, the honourable member was not here. I may tell him that the cut was only 20 lakhs. Besides that, the cut includes 10 per cent. cut on the salaries of the establishment. Honourable members of this House are aware that our school masters are getting more than double the salary received by the school masters in Bengal. When the salaries of other servants are reduced by 10 per cent., I do not see any reason why the school masters also should not bear a cut in their salaries. If you look into the cut in the Educational Department, you will see that primary education will not be affected at all. Besides, I cannot distinguish which is and which is not a nation-building department. I have given great consideration to it, and it appears to me that almost every department is a nation-building department. Take the Irrigation Department under my charge. Is it not a nation-building department? Take the Medical Department. Is that too not a nation-building department? Even the Police Department is a nation-building department, because the Police Department protects the lives and properties of the people, and allows them to carry on their daily affairs.

Honourable members will bear with me for a while. I will show them presently that none of the taxes that are proposed will adversely affect the agriculturists whose name has been dragged in here unnecessarily. First of all, take the surcharge on electricity. Honourable members are aware that the poor agriculturists living in their cottages use oil lamps and not electricity. So, it is not the case that the surcharge on electricity will affect them. [*Interruption.*] I have never known of any company supplying electricity in villages. How then will a villager be affected? [*An Honourable Member:* Villagers living in cities which are small consume electricity.] There are no agriculturists living in cities. Most of them are big zamindars who have migrated to big cities. Who is affected by the surcharge on electricity? It is the rich man who lavishly illuminates his palace and turns night into day. Some of the extravagant clubs in Bombay use electric lights profusely. I went last Sunday to a club. Even though the sun was up as it was not even 6 o'clock, the lights were burning. I drew the attention of the Mayor of Bombay who was sitting by my side. This surcharge will be a very small sum to Bombay where the clubs are illuminated even before 6 o'clock. Out of the 12 lakhs which the taxation on electricity is

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expected to bring, not a single farthing will be paid by the real agriculturists whose cause the honourable members opposite are advocating. Take the poor men of Bombay. Often a single tenement is occupied by three or four labourers, and a single light is burnt. The surcharge on one light will not be more than 2 annas a month. If you divide this among three or four labourers, the share which each will have to bear is very insignificant. Therefore, we should not be taken in by this boggy of harm to the poor.

Coming to the court-fees, it is paid both by agriculturists and non-agriculturists. The total revenue that the increased rates will bring in is 5 lakhs. I make a liberal estimate in the case of the agriculturists. They may be affected to the extent of 2½ lakhs. But most of this taxation will affect the rich. The honourable member from Ahmednagar very eloquently advocated the cause of the agriculturists. He knows it and I know it. We all plead the cause of the poor agriculturists so long as it does not affect our pockets. When it comes to a question of vakil's fees, we squeeze the last drop of blood. We do not feel pity for the poor agriculturists then. Not only that, but even our clerks feel no pity for the agriculturists when they have to charge them for writing anything. When compared with the exaction of lawyers, this tax is a very insignificant amount. All my friends who represent the agriculturists will bear me out.

Rao Bahadur G. K. CHITALE: I protest against these remarks.

The Honourable Sir GHULAM HUSSAIN: We know it as a fact.

Rao Bahadur G. K. CHITALE: You are out of it for the last 10 years.

The Honourable Sir GHULAM HUSSAIN: Another objection was that if we increase the court-fees, there will be a diminishing return. That means less litigation. Who goes generally to the civil courts? It is the money-lender and not the poor agriculturist. If there is less litigation, I think the representatives of the agriculturists should congratulate Government for bringing this measure. If there is less litigation, that means that the poor agriculturist will be dragged into the courts less often than now. [*An Honourable Member:* But you want money.] I do want money. But if you say that there will be diminishing returns, then I say that Government will be happy if the poor agriculturist is saved from being dragged into the civil courts every now and then. The representatives of the agriculturists should, therefore, ask not for the throwing out of this bill, but for further enhancement of the court-fees.

Having dealt with the court-fees bill, I now come to the stamp duty bill. A small stamp duty is to be levied—on what?—on cash transactions, forward and *badli* transactions. Who indulges in these transactions? It is not the poor agriculturist; it is the rich man who speculates—I won't call it gambling—speculates heavily and loses or wins in each transaction thousands of rupees. That man should not grumble if he has to pay a small stamp duty. So, it is not the poor agriculturist who will be affected by the stamp duty.

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Then, Sir, take the Transfer of Property Act, which is already applicable to the city of Bombay. It is to be extended to Ahmedabad, Poona and Karachi. There too, the poor agriculturist does not come in. We will get out of the stamp duty on forward and other transactions about 2½ lakhs. It won't affect the poor agriculturist. Five lakhs is estimated as income from the extension of the Transfer of Property Act. The poor agriculturist is not affected by that also.

Now, Sir, 12 lakhs out of electricity;—there the poor agriculturist is not affected. Two and a half lakhs out of court-fees. That too won't affect him. If at all it is feared that it will affect the agriculturists, we are going to refer the bill to a select committee, and there the representatives of the agriculturists can press for the necessary amendments, and I am sure the Honourable the Finance Member will not be so hard-hearted as not to take into consideration the plight of the agriculturists. That means, out of the 14½ lakhs, not a single pie is to be taken out of the agriculturist. Then, we come to the *badli* and forward transactions. Two and a half lakhs is the income expected from the duty on these transactions. The agriculturist is not affected by this. Then 5 lakhs are expected to be realised by the extension of the Transfer of Property Act. The agriculturist is not affected by that. So that, out of 25 lakhs, 22½ lakhs will be paid by the non-agriculturists, and I think they ought to contribute fairly to the provincial revenues. It may be that they are paying income-tax and taxes to the local bodies, but they contribute very little to the provincial funds. These proposals of taxation are, therefore, very fair.

In these hard times, it is neither the doctor nor the lawyer who helps the poor agriculturists, who have been suffering for the last two or three years. I say, Sir, it is Government who have helped them. I will read out to honourable members a few figures from the Honourable the Finance Member's speech. In 1930-31 Government made concessions of 48 lakhs in the shape of remissions and suspensions to the agriculturists. In 1931-32, suspensions and remissions of land revenue amounted to 19 lakhs, and the fall in irrigation receipts due to suspensions and reductions in the water-rates is expected to be no less than 35 lakhs.

Rao Bahadur S. N. ANGADI: May I know how much is by way of remissions and how much by way of suspensions?

The Honourable Sir GHULAM HUSSAIN: I am coming to that. It is 54 lakhs in 1931-32 and 48 lakhs in 1930-31. That means, Government have made concession to the agriculturists to the tune of over a crore of rupees.

Rao Bahadur S. N. ANGADI: How much of it is remissions and how much suspensions?

The Honourable Sir GHULAM HUSSAIN: Sir, even after these liberal concessions, my honourable colleague the Revenue Member and I are pestered with applications for reduction of water-rates and remissions and suspensions, and the case of my friends from Sind in

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regard to remissions and suspensions is under the consideration of the Honourable the Revenue Member. I might repeat to them a portion of his speech as most of them were not here on that occasion. He said that he had a very soft corner in his heart for the Sindhis and he was considering their case sympathetically. Honourable members should realise that unless we get money from somewhere we cannot go on making concessions. I will put before the honourable members who are representatives of the agriculturists one consideration. Let them take the vote of their constituents on these two alternatives, whether they will agree to these taxation bills, which do not affect them, or whether they will forgo the remissions and suspensions, and I am sure the verdict of the agriculturist voters would be in favour of this taxation.

Before I sit down, I appeal to my honourable friend Shaikh Abdul Majid, who is a representative of the agriculturists, to vote with me. I have proved to his satisfaction that his constituents are not going to be affected by this taxation Bill. I hope for the first time to find him in our lobby, although he has invariably been against us, because I know he is a conscientious man and he has at heart the interests of the poor agriculturists. He will see that the money that will be realised by these taxation Bills will not be taken from the poor agriculturists.

Rao Bahadur B. R. NAIK (Surat District): Mr. President, I had no desire to take part in the discussion on the Finance Bill; but after listening to the Honourable the Leader of the House who informed this side of the House that concessions have been given to the agriculturists, not in thousands and lakhs but in crores during the last two years, I feel it my duty to speak. If this Bill does not affect the agriculturists or the rural classes at all, as stated by the Honourable the Leader, I ask, where was the necessity of consolidating these three separate measures of taxation into one Bill? I must confess that it has created a great deal of confusion in the minds of honourable members, at any rate on this side of the House. The object of the Bill, Sir, is to meet a part of the deficit which is anticipated, of 73 lakhs, in the ensuing year. The anticipated revenue from the Finance Bill is about 30 lakhs, and the remaining amount of deficit is to be met by borrowing. The Honourable the Finance Member has informed us that so far as retrenchment is concerned, Government have done their level best and gone to extremes. Now they think that there is no scope for any further retrenchment. That was the statement made by the Honourable the Finance Member in winding up the budget debate. At the same time the Government of Bombay come forward and say that they have decided to appoint an expert committee to overhaul the whole administration of the Presidency with a view to bring about some savings in the expenditure. Mr. President, I submit that these two views cannot reconcile themselves. If the Government of Bombay are firmly convinced that there is no scope for further retrenchment, where was the necessity of appointing this expert committee with such large expenditure? Are we to take it that it is a camouflage? If they think there is some scope for retrenchment, is it not rather premature

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to come before this House with this taxation bill ? I for one am prepared to support Government in a time of emergency. But I submit that when they have decided to appoint an expert committee, they must be in the know, though not this side of the House. There must be some loopholes, some sources, still open to make retrenchment possible. Where is then the harm to wait till the report of the expert committee is submitted to Government ? Government can then come forward with a bill of this nature. If it is said that the expert committee will perhaps go into the details and there will not be large savings, then again I say that looking to the cost of the proposed expert committee, the saving will not be commensurate with the expense incurred after the committee. I therefore feel that although honourable members are prepared to support Government in their time of emergency, this is not the proper time for bringing in a measure of this kind. Government could have waited till the report of the committee was out and then come forward with this measure.

It has been said that this emergency measure has been necessitated on account of the trade depression, which is not confined to this Presidency but has spread all over the world. Governments everywhere have reached such a plight that they are unable to make both ends meet. Therefore, it is their right, I admit, to come to the people for further taxation in order to balance the budget. I also admit that in order to preserve the credit and reputation of the Presidency, the budget must be balanced. But I ask : does the depression affect only the Government of this Presidency ? Does it not affect the people also ? If the depression affects Government, it equally, or perhaps to a greater extent, affects the people in general, except perhaps the Government officers, who also have had to submit themselves to a 10 per cent. cut recently. Now I want to take up another argument. Even if Government have a right to ask the people for further taxes, and it is the duty of the people to help Government in a time of emergency, in this case the question is whether the taxable capacity of this Presidency has been reached or not and whether the people are able to bear further burdens. This question has been debated on the floor of this House on several occasions, I may say times without number. Only yesterday it was touched upon by several members who said that the taxable capacity of the people had been reached and in spite of their desire to help Government, they are not in a position to do so.

Moreover, if we follow the arguments of the Honourable the Finance Member and the Honourable the Leader of the House, I do not see how they would be able to realise 30 lakhs which they anticipate from this Finance Bill. The Honourable the Finance Member stated that we could delete clause after clause in the select committee. The same argument has been repeated by the Honourable the Leader of the House. This might be perhaps to induce this side of the House to accept the principle of the Bill. The object of the Honourable Member in coming forward with the Finance Bill is to get about 30 lakhs and this will not be realised if the procedure which they have suggested is adopted—which is likely

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to be adopted—in the select committee. I am afraid this 30 lakhs will be reduced to about 12 lakhs or so.

I see that Government are prepared to borrow the remaining amount to make up the deficit. There will be no harm if they are to borrow this amount also. That is my contention.

Now I come to the general question of the taxable capacity of the people, and with your permission and indulgence, Sir, I will give relevant figures in support of my argument. I will give figures of 50 years in order to convince the other side of the House that not only has the taxable capacity of the people been reached now, but it was reached years ago. I will take the year 1880. Honourable members are aware that a Famine Commission was appointed in 1880 and they tried to make out the average income per head of the population of this country, but there was some flaw in their calculation and it was Sir David Barber who undertook this hazardous task and carried it out with great care and caution. In his report submitted to the Government of India, he estimated the average income per head of the population of this country at Rs. 27. But here we are not concerned with the average income of the population of the whole country. We are only concerned with the average income per head of the population of the Presidency of Bombay and mainly of the agriculturists and middle class population of the Presidency of Bombay. Therefore, I will quote relevant figures so far as these classes are concerned. In the year 1881 the total agricultural and agricultural labour population of this Presidency was 16,446,000; and the total food crop area was 215 lakhs; and 55 lakhs was non-food crop area, namely, cotton, grass and something else. The total gross value was Rs. 36,92,80,000 at the rate of Rs. 50 per ton for food-grains and at the rate of Rs. 30 per acre for non-food crops. This comes to about Rs. 22-8-0 per head. I am only giving you the figures so far as the agricultural and agricultural labour population of Bombay Presidency is concerned. Again, in the year 1901, no less a person than Lord Curzon admitted that the average annual revenue per head of the population of this country was Rs. 30 per head and the latest figure for 1924-25 is Rs. 50 per head as announced by the Honourable Sir H. Cooke in the Council of State. There are also compiled figures of the average income of three periods which I will read for the information of this House. The average annual income per head of all classes, industrial, commercial, and other classes including Executive Councillors was Rs. 36 during the period 1900-14, Rs. 58-8-0 during the period 1914-22 and Rs. 44-8-0 during the period 1910-22. These are the figures not only of the agricultural population but the rest of the population also. I think some of the honourable members might be knowing these figures. I will now give you the figures of the minimum and maximum cost of subsistence of an agricultural and lower class family in this Presidency. The figures have been taken from Government records. The object with which I am giving these figures is that they should be compared with the figures of income——

Sardar Davar T. K. MODI: May I ask whether it is relevant to the discussion of the Bill?

Rao Bahadur B. R. NAIK: This is a taxation Bill and this is, in my opinion, quite relevant. In the year 1887 the Government of India asked all the provincial governments to make thorough and exhaustive inquiries and find out the cost of subsistence of the agricultural and lower classes, and the Bombay Government undertook this inquiry in the year 1887-88. I will give the figures of cost of subsistence of agricultural and lower class families of this Presidency by districts with the mean between the minimum and maximum——

The Honourable Sir RAFIUDDIN AHMAD: May I ask from what he is reading?

The Honourable the PRESIDENT: I hope the honourable member is not going over too wide a range.

Rao Bahadur B. R. NAIK: I want to show, Sir, with your permission, that the cost of living is more than the income per head of the population so far as the agricultural and labour population is concerned. Here is the annual charge for living for an adult male (minimum and maximum) and I give the mean. This excludes the cost of dwelling and other expenditure and includes food, stimulants and dress—

	Rs.	a.	p.
Ahmedabad	41	0	0
Kaira	50	0	0
Broach	42	0	0
Surat	61	0	0
Panch Mahals, West	37	8	0
Panch Mahals, East	50	0	0
Khandesh	48	8	0
Nasik	48	8	0
Ahmednagar	42	0	0
Poona	34	8	0
Satara	61	8	0
Sholapur	55	0	0
Belgaum	47	0	0
Dharwar	24	8	0
Bijapur	38	0	0
Thana	58	8	0
Kolaba	62	0	0
Ratnagiri	50	0	0
Kanara	49	0	0
Karachi	44	0	0
Hyderabad	49	8	0
Shikarpur	28	8	0
Thar and Parkar	54	0	0
Upper Sind Frontier	41	8	0

The Honourable Sir RAFIUDDIN AHMAD: What are those figures?

Rao Bahadur S. K. BOLE: Ancient literature.

Rao Bahadur B. R. NAIK: They are authoritative figures.

Mr. G. WILES: Are they monthly or annual figures?

Rao Bahadur B. R. NAIK: They are annual. I have collected these figures from the records of Government. They are as authoritative as anything else. They were submitted by the Government of Bombay to the Government of India in 1887-88. These estimates, which are summarised, show that the average income per head comes to much below the average cost of subsistence for the agriculturist and the agricultural labourer. That was my point. But I may be told now, and perhaps I will be told again by the honourable members that these are all theoretical figures and very old figures, and therefore cannot be taken as authoritative figures. As a matter of fact, Sir, let me tell the honourable members that the cost of living has very much increased since 1890. Now let me take, for example, the current year, 1931-32, and I take one district, the district of Surat. I hope the Honourable the Revenue Member who was once the Collector of Surat and the honourable member Mr. Mackie, who was also once the Collector of Surat, will listen to what I have to say. I want to give figures of the total production of the district, the total revenue which the district pays and the surplus left to the agriculturist. I want to show to the Honourable the Finance Member what is the surplus left to the agriculturist. I take the district of Surat because it is considered the most fertile district of the Presidency and it pays the highest rate of land revenue. There are 7,00,000 acres of arable land in the district. It has about 2,25,000 acres under cotton, about 2,25,000 acres under jowar, about 1,00,000 acres under paddy and about 1,50,000 acres grazing and grass land. These are not my figures, but they are taken from official records. Taking the produce of cotton at 6 maunds per acre and the rate at Rs. 300 per khandi—because Surat cotton gets a premium above even Broach cotton,—it comes to about Rs. 67,00,000. The price of jowar from 2,25,000 acres, at the present market rate, I have calculated at Rs. 37,00,000. The value of paddy comes to about Rs. 30,00,000. Then comes grazing land, from which of course the grass is not being sold, because it is used for the cattle of the agriculturists; still I put the value at Rs. 30,00,000, because if they had to sell the total quantity—which they cannot—they could have got 30 lakhs in cash. Therefore, the total value of the agricultural produce of the district of Surat for this year, 1931-32, comes to about Rs. 1,64,00,000. You can add Rs. 5,00,000 to Rs. 8,00,000 for the mangoes and other trees like toddy and vegetables that are grown in the district. It will then come to Rs. 1,72,00,000. Now, let me deduct the tax which is being paid by the people of the district. I am only giving the population of Surat District excluding the city of Surat, Rander and Bulsar; I am giving the figures of the rural area of the district which is concerned mainly with agriculture.

The Honourable Dewan Bahadur S. T. KAMBLI: What about the milk and milk products?

Rao Bahadur B. R. NAIK: I am coming to that.

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You have to deduct out of the amount I have given Rs. 26,00,000 land revenue, Rs. 20,00,000 excise revenue of the district; Imperial taxation I am taking only at Rs. 2 per head—income-tax, duty on cloth, on salt and everything; it is Rs. 10,00,000 and Rs. 24,00,000 for interest on agricultural indebtedness. If you deduct these amounts, the balance that will remain is about Rs. 92,00,000. Now this has to be divided by 5,27,000 which I have taken as the population of the rural area. The total population of the district is 6,74,000, but if you were to exclude the population of the three cities, the balance will come to about 5,27,000. The result is that you get about Rs. 17 to 18 per head. Now, my honourable friend the Minister of Agriculture asks me, "What about the milk products?" But does he know that I have given these figures of product excluding the cost of labour, which I have not included? The Honourable the Minister of Agriculture is supposed to know the prices of cotton and jowar. Taking 2,25,000 as under cotton and the outturn at 6 maunds per acre, the value will come to about Rs. 67 lakhs at the rate of Rs. 5 per maund or Rs. 300 per khandi, which is a higher rate than for Broach cotton, which is Rs. 230 per khandi. Milk, ghee and everything else will cover only some portion of the cost of labour. Still, it is only Rs. 17 per head per annum that is left to the agriculturist. These are not my figures; the Government members can take them down if they like, and nobody will be more glad than myself if they are contradicted. I have given these figures to show that the taxable capacity of the people has been reached. Questions of retrenchment and the taxable capacity of the people are argued on the floor of this House, and it has been said that we make general and vague observations which Government are unable to follow. So, I say let Government make a thorough and exhaustive enquiry. An honourable member from behind tells me that these are old figures. But the prices which I have taken are not in any way more or less than the prices of commodities in 1890. The prices put down by Sir David Barbour correspond to the prices of to-day. I have taken Re. 1 as the price of a maund of jowar or bajri; I shall be very glad indeed if in any other district the price is more than Re. 1 per maund. Therefore, Sir, my contention is this, that it is no use saying that the taxable capacity of the people has not been fully reached and therefore they should be further taxed. I should have been very glad if the Honourable the Finance Member had come forward with only a few remarks. He might have said that Government know that the taxable capacity of the people has been reached, that the ryots are in a serious plight, worse than that of the Government, that the non-agricultural people are also in a serious plight, but that the Government, in order to maintain their credit and the credit of the Presidency, ask this House to support by any means further taxation. That was the proper course for him to follow and the proper line of argument to adopt. It is no use saying that the people of the Presidency can bear further taxation. I say they cannot bear it. Government ought to have reduced taxation long ago. Of course, I have tried the patience of some of my honourable friends with these figures. I have

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given them the figures of 1924-25 also; and I think they will be convinced that the average income per head in the year 1922-23 was only Rs. 44-8-0.

Rao Bahadur S. N. ANGADI: How do you reconcile it with the figures of Lord Curzon?

Rao Bahadur B. R. NAIK: My honourable friend is asking me how I reconcile it with the figures of Lord Curzon. I presume he means the figure of Rs. 17 or 18 I gave for the Surat district. Lord Curzon had given the gross income per head. I have given the gross income after deducting the taxation which the district pays, and that makes a difference. If only the gross income is taken, it will be about double the figure I have given. Sir, I forgot to mention one other interesting fact. As a result of the enquiries of the Banking Enquiry Committee, it has been ascertained that Surat District has got agricultural indebtedness of Rs. 4,00,00,000, and if you take the minimum rate of interest, i.e. 6 per cent., the interest charges come to Rs. 24,00,000, which I have put down.

Now, Sir, I come to the remarks of the Honourable the Leader of the House. He says that Government have given concessions to the extent of Rs. 1,00,00,000 during the last two years. He was asked by an honourable member on this side of the House as to what was the amount of remissions and what was the amount of suspensions. He could not give the figures. Personally, I fail to understand why you call suspensions a concession. Are you not going to collect this amount next year or the year after? Personally, it has been a puzzle to me. Since I entered this House, for the last six years, whenever they suspend land revenue for a year or two, they say they have given concessions. In my opinion, it is not a concession. On the contrary, it will worsen the condition of the agriculturists. It would be better if Government gave a remission of 2 annas in the rupee and be done with it. I would rather prefer small remissions than large suspensions. Suspension of revenue is a debt which the agriculturist has to pay sooner or later. You cannot call it a concession in the real sense of the term. But, have Government really given these concessions? No. They knew they could not collect the amount. If they knew that there was a scope for collecting the full amount, do you think they would have granted suspensions? No, Sir. Why was it not suspended in former years? The last two years were very bad years owing to the abnormal fall in the prices of agricultural produce. Therefore, even with all their processes they could not collect the full amount, as the agriculturists had nothing to give; so they had to suspend collections. It is really not suspension. If you look to the condition of the agriculturists, I maintain not only that the taxable capacity has been reached, but that there is scope for reduction in the present taxation.

Therefore, Sir, without taking up any more time of the House, I would repeat that though the State has a right to come to the people and ask for assistance in times of emergency, at the same time, the State should see whether those from whom they want assistance are in a position

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to assist, and if the State is convinced that they are not at all in such a position, then I submit that the State should adopt some other course open to it. Again, in view of the expert committee which is to sit very shortly and to report before next August, that is, before the termination of the ensuing financial year——

An Honourable MEMBER: Who told you it was to report before August?

Rao Bahadur B. R. NAIK: I was told that the committee was to sit and report in August next, that is, during the ensuing financial year. Therefore, I was going to say that before the termination of the ensuing financial year there is an opportunity for Government to come to this House with a taxation Bill, of whatever nature it may be, if there is no scope for retrenchment pointed out by the expert committee. Under the circumstances, I would advise the Honourable the Finance Member to keep this Bill in abeyance, rather than push it through this House.

Mr. JOHN HUMPHREY (Karachi Chamber of Commerce): Sir, it is my intention to vote in support of the first reading of the Bill that is now before the House, but I would like to make it perfectly clear that I am doing so simply because of the desperate straits in which Government find their finances, and also because the Bill is only for one year. There are portions of the bill which I consider thoroughly bad. The Honourable the Finance Member, when referring to that portion of the Bill which deals with the proposed electricity duty, described it as a new venture. I should go further than that and question whether it is a wise venture, and whether it is not a penny-wise pound-foolish venture. Bombay has always prided itself on being progressive and here we have a Bill which under no circumstances can be regarded as tending to the progress of this presidency. To my mind, the development of electricity is in its infancy and on that score alone I consider that any Bill that is likely to retard or impede this progress is not a sound Bill. India is making a tremendous effort to progress industrially and I consider electricity is not only one of the industries of to-day but that it is an industry which will, under ordinary circumstances, increase and develop and should be encouraged. The Punjab, the United Provinces and Madras are definitely encouraging the use of electricity. In England millions of pounds are being spent to make electricity more accessible to the public and more reasonable in price. But the attitude of Bombay Government, I admit through force of circumstances, is quite different. That is why I question whether the new taxation proposed is a wise and sound venture. What the effect of the new taxation will be it is impossible to foretell, but it seems to me very evident that it is bound to lead to a decrease in consumption. The small consumer will resent the infliction of even one or two annas per month which this Bill will mean and then he will either give up completely the use of electricity and use other methods of lighting the taxation on which will go to the Central Government or reduce his consumption so that his monthly bill in future does not exceed his monthly bill of the past. The same

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will apply in a great measure to the more affluent consumer. Then, there is also the danger that those who have been considering installing electric lights and fans in their houses, shops and offices may now hesitate before doing so. It is not as though electricity is not already taxed. Practically every electrical appliance and accessory and all materials connected with electricity have to pay a heavy duty, which has been increased very considerably during the last few months. That income of course goes to the Central Government and it again proves how very necessary it is that when the Federal Finance Committee consider their schemes for the future finances of this country, it should be pointed out to them how heavily this province is taxed without getting any assistance to the provincial funds and how every reasonable source of taxation is taken away from the Provinces. The Honourable the Leader of the House mentioned yesterday that there was an increased demand for licenses. This to my mind is not an argument in favour of the taxation being inflicted but rather against it, for it shows that the use of electricity is definitely making progress in this presidency. But with this new taxation will that progress continue and will those who are now prepared to launch new enterprises be still prepared to do so, if this new Bill comes into being? I have mentioned that I am prepared to support this Bill provided that it is for one year only. I say this because it so infrequently happens that when any Government have found a new form of taxation, even though the original intention is to limit it to a certain period, they eventually endeavour to carry it on indefinitely and not infrequently enhance the taxation rather than decrease it. Therefore, I think we must insist that this Bill should be for one year only, so that this honourable House can consider it at the end of that period as to whether or not it should be continued. In my opinion, it should not be allowed to continue for a moment longer. We were told that it is anticipated—I am referring to electricity—that this taxation is likely to produce 12 lakhs of revenue during the coming year and we know that even with this and the taxation under the other Bills there will still be a considerable deficit. It would encourage, I am certain, this honourable House to agree to the new form of taxation very considerably, if Government undertake that no item of unnecessary expenditure will continue. I am of course referring to the reduction of the Cabinet. I was filled with admiration of the example set and the public spirit shown by the seven Honourable Members and Ministers who occupy the Front Bench when His Excellency told us the other day that they had placed their appointments entirely in his hands so as not to delay any reduction in the Cabinet. But it was a definite disappointment to learn that, although schemes had been evolved for an immediate reduction in the Cabinet, it was intended to delay any reduction, until the inauguration of a new constitution. I maintain that, when Government come to this House for new taxation, it is not reasonable to inform them at the same time that the retrenchment of an expenditure of one and three-quarter lakhs per annum (I am quoting the *ad interim* report of the Retrenchment Committee) is being delayed, more particularly when we realise that by

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reducing the Cabinet now, the reduced body would be one of experienced Ministers and they could get over the experimental stage and re-organise the portfolios, so that when the new constitution is inaugurated, which we all hope will be shortly, the experiment of the smaller cabinet will have been made and tested, and instead of disorganisation taking place a satisfactory organisation will be there for them to take over. This, as I say, will be a definite saving to Government and would encourage us to support Government in their demand for new taxation.

There is another point about the electricity Bill which seems to me entirely wrong, that is, that the power to grant exemption will be left entirely in the hands of Government. They ask us to give them a mandate and at the same time demand a free hand in how they should exercise it. The exemptions, if any, should be declared or defined now. I would go further and say that Government offices should pay the tax, even though it be only a book entry, for it would not only give them first-hand knowledge as to what the additional cost would be, but it might induce them to save very considerably in their own electricity bill and thus, in a small way, help towards still further reducing the deficiency.

With regard to the Court-fees Bill, I shall certainly support that, but I cannot see that in the Stamp Duties Bill the proposed taxes on forward contracts are a reasonable or fair imposition on trade. If the clauses relating to the taxes on forward contracts are not withdrawn, I shall not be able to give the Bill my support. It is one thing to prepare a Bill, but one wonders whether in preparing this Bill Government have taken the trouble to ascertain what the extent of the infliction of the tax on forward contracts would be. I do not think that Government fully understand how the export trade is dependent on these options. In the export trade, of which I have a certain knowledge, in order to ship even small quantities of goods forward contracts in large numbers have to be made and, when not only the buyer and the seller but the broker on both sides have to stamp their contracts and the books, it can be easily realised how many stamps will be required for each contract put through. This is a point which I am sure will induce a great deal of opposition in this honourable House and I would urge Government to withdraw that portion of the Bill, in which case I will willingly support the Bill. Where one is inclined to be destructive in criticism, such criticism should be followed by suggestion of a constructive nature. I wonder if Government have considered the question of reverting to stamps on cheques as a possible means of raising further revenue. I must admit that I have not had time to go into this matter very carefully, nor have I consulted experts on the subject. I am aware that the Indian Central Banking Enquiry Committee consider that the abolition of stamp duty on cheques has resulted in a greater use of cheques throughout the country, but now that the population has been educated to use the cheque, I do not think that a temporary duty for one year would be found to reduce the use of cheques or to break the banking

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habit. I, therefore, put this suggestion forward for the consideration of Government.

The Honourable the PRESIDENT: The Honourable the Revenue Member.

The Honourable Mr. W. F. HUDSON: Mr. President, you have called on me by my usual official title, but it is really as Member for Electricity that I propose to address a few remarks to this House, since electricity is one of the side-shows in my portfolio. I observe, Sir, that most, or a great deal at any rate, of the opposition to this Bill centres around that part of it which concerns the proposed surcharge on electricity. Honourable members object, as we all object, to any form of increased taxation, but it seems to me that the opposition rather fixes itself on this part of the Bill, and that if it had not been included we should have had less trouble in getting our first reading through. Now, the suggestion is, I understand—I have seen it in the newspapers, I have seen it in various pamphlets that have been sent to us, and I think it has also been suggested by my honourable friend Mr. Humphrey—that electrical enterprise in this presidency is a miserable weakly infant just beginning to breathe and that Government are now about to practise a particularly objectionable form of infanticide.

Mr. JOHN HUMPHREY: I was speaking of electricity generally, not of this presidency only.

The Honourable Mr. W. F. HUDSON: Well, of this country as a whole.

Mr. JOHN HUMPHREY: In the world!

The Honourable Mr. W. F. HUDSON: Well, for the moment I cannot roam over the whole world, but, if the honourable member will allow me, I will confine myself to this presidency. Now, ten years, or only five years, ago that suggestion might, I think, have been put forward with some force, and had I been ten or five years ago in charge of this particular branch, I think I should have done my best to induce my honourable friend the Honourable the Finance Member to keep his fingers off electricity. But I cannot do so with a good conscience now, especially when his proposals are so extremely modest. I am doing my best in every way in my power to encourage the development of electricity in this presidency. And I wish to explain to this House the progress that has been made in the last few years, because I think it is quite possible that some honourable members hardly realise it. Up to the end of the year 1930 there were 42 licences or permits—permits are for all practical purposes the same thing as licences for the supply of electricity. There are at present under my consideration applications for the supply of electricity in no less than twelve places—not villages, but some of them are quite small places—which shows that this enterprise is now really making progress. During the past twelve months electricity has actually been started in seven places, Jalgaon, Dombivli, Larkana, Matheran, Panchgani, Pandharpur and Nasik. In the course

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of the next few months—I think I may say in the next few weeks—we hope that it will be started in Dhulia, Nadiad and Ahmednagar. Now, I think that shows very remarkable progress in the course of a very short time. I for one am quite certain that this proposed taxation is not going to retard the pace.

It has been said that this is a tax on progress. That is a charge which seems to me can be brought against every form of taxation, except possibly taxation of drink. Certainly income-tax is a tax on progress, and a very serious one. Certainly any form of taxation of motor vehicles is a tax on progress. I would add that the postage stamp is unquestionably a tax on progress, because it costs a man more to advertise his goods by post. I do not think it is a sufficient answer to any proposal made for further taxation, to say that it is a tax on progress. Nevertheless, I maintain that the effect that this particular tax is going to have will be inappreciable. I admit, of course, that this is only a guesswork on my part: my honourable friend there (Mr. Humphrey) is just as much entitled to hold the contrary view. But I would like to point out that this is a case in which the law of diminishing returns will very shortly show whether the tax is having the ill-effects which are prophesied for it. That is one of the advantages of making this tax a tax for one year. At the end of the year we shall be in a position to see whether, as is stated by some, the poor consumer will go back to his rush lights, and to his oil *butti*. Personally, I find it very difficult to believe that he will do anything of the kind; nor do I believe that any of the companies which have now applied to us for a license will write to Government and say "We do not wish to pursue our proposal any further." If they do so, if there is any stoppage of the progress which we have made in the last two years, we shall be able to see it at once, and I am quite sure that if I have to go to my honourable friend the Honourable the Finance Member and say that this tax has proved itself to be a real hindrance to progress, he will be quite prepared to reconsider the matter. As for the individual—after all, it is the individual who is going to be concerned in this matter—I would point out that, after all, the charge is a very small one. Like my honourable friend Mr. Winterbotham, I too live in a house the rent of which I cannot afford, but unlike Mr. Winterbotham I am too lazy or too busy to be able to economise in my consumption of electricity.

Rao Bahadur D. R. PATIL: What is the rent?

The Honourable Mr. W. F. HUDSON: I forget; but it is a very large amount. My bill for electricity—I think I am right in saying so—is considerably more than that of my honourable friend Mr. Winterbotham. I think in the month of March it comes to Rs. 35 or Rs. 40. The honourable member was very anxious that Government should pay the surcharge. Well, I am sure that the Members of Government will pay the surcharge all right even though Government will not. I should imagine that my monthly electricity bill will go up by five or six rupees. I do not like to pay it any more than anybody else, but I do not think it is going to make a serious difference to me, and I am quite sure that

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I am not going to disconnect my electric supply. If you work it out, a man whose bill is Rs. 10 a month will have to pay one rupee or something of that sort; Mr. Freke will tell us the exact amount. That is nothing very serious. I cannot believe myself that any single individual who has enjoyed the advantages of electric light is going to say, "Well, I cannot afford this extra ten, twelve or fourteen annas,"—or whatever it is—"I am going back to my oil lamp." Personally, I doubt very much whether he would find it economical. But even if he did, I am quite sure that no one who has enjoyed the great advantages of electricity is going to give it up. If I am wrong in this prophecy of mine, which I put forward with all modesty, we shall discover it within a very short time. If that is the case, as I say, this time next year we will reconsider it. The House, of course, will have the opportunity of reconsidering the matter, and, if I am here then, I shall supply them with facts and figures. At present we are only in the realms of speculation. So much for that particular part of the bill.

Then, I might be allowed as a member of Government to add just a word or two on the general question. I feel from the atmosphere in the House that the wiser heads amongst us are beginning to realise that, much as we dislike it, we must have emergent taxation. I think I said last November that the Government at home had balanced its budget by most strenuous measures. The Government of India has balanced its budget by the most strenuous measures. I saw in the papers this morning a gentleman wrote and said, "Why cannot the Bombay Government follow the example of the Government of India who are putting on no new tax this year?" He apparently did not observe that the Government of India had put on an enormous amount of taxation last year and so balanced its budget. That is the way that sometimes, I think, these public controversies are carried on. We, unfortunately, as I think, are not making any attempt, as the honourable House knows, to balance our budget this year. There is still that very large gap, which my honourable friend Rao Bahadur Naik seemed to think is going to be bridged by the efforts of the Reorganization Committee. If the Reorganization Committee can bridge a gap of 43 lakhs, they will be the most wonderful conjurors that the world has ever seen; and if the House is under the impression that they are going to bridge that gulf, I am afraid they are going to be seriously disappointed. Even if they do bridge that gap and we do not get this taxation, there will still be a gap of about 30 lakhs. Therefore, even if the Reorganization Committee can give us 40 lakhs by what is called "reconstruction" we still want our 30 lakhs from taxation, and even then we shall only just balance our budget.

It has been said by the honourable member Rao Bahadur Naik that the taxable capacity of this country has been reached. Sir, it is very easy to make these assertions; one sees these assertions made about every country in the world. But I think I am right in saying that this is a matter which no one can prove. I will only invite the attention of the House to a rather remarkable phenomenon which we have observed in the course of the last month or two, namely, that over 50 crores worth

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of gold have been exported from India in the last three or four months. This does seem to me to suggest that India is not quite so poor as some of our friends make it out to be. I do not wish to argue it in detail; and I am not going to controvert the honourable member Rao Bahadur Naik's figures. This assertion of his is as much proved as the other assertion that he once made that agricultural operations brought only loss, without explaining how it was that the people managed to carry on. But I think it is quite clear that the assertion that the taxable capacity of the people has been reached is one which is extremely difficult to prove. Here again, the law of diminishing returns is bound to operate, and if these taxes which we now propose, and which we hope the House is going to sanction, are beyond the capacity of the people to pay, then unquestionably we shall see the result in the course of the next year. And, therefore, I would appeal to the House at any rate to make the experiment. No very great harm can be done if we make the experiment for one year. And if next year our financial position is as bright as we hope it to be, there will be no necessity for the House to renew these taxes. Surely, Sir, we shall be guilty of grave dishonesty—I use those words advisedly—grave dishonesty if we do not make a deliberate attempt to bridge this gulf, and if we leave it to our miserable successors to bear the entire burden.

Dr. M. D. GILDER (Bombay City, North): Sir, in these finance bills the Honourable the Finance Member comes to us for further taxation. I have great sympathy with him in the position in which he is placed inasmuch as nobody likes new taxes. His taxation bill is divided into many parts, as you said; and as somebody else remarked yesterday, it touches vested interests in many places. I hope, in spite of the vested interests, that if the House is convinced that such taxation is necessary, it will act on the grounds of patriotism and the good of the country and not be misled by the consideration of these vested interests. But, Sir, have we been convinced that these taxes are necessary? First of all, as the Honourable the Revenue Member said, it is very difficult to prove that the taxable capacity of the people has been reached. The Honourable the Finance Member when he was on this side of the House seven years ago thought that it had been reached. His transference from here to the other side evidently has convinced him that it has not been reached. So it seems to me it is impossible to convince those benches that the taxable capacity of the people has been reached or ever will be reached.

The Honourable the Revenue Member referred to 50 crores of rupees worth of gold going out of India. Yes, Sir, it has gone out of India; but does he realise that the 50 crores are the lifelong savings of generations of poor people, that they are the savings which have been kept back for use on a rainy day and which they have been tempted to send out now owing to the high prices? You will see that the gold that is being sent out of India is not in bullion but in ornaments——

The Honourable Mr. W. F. HUDSON: What is the difference?

Dr. M. D. GILDER: That they are the savings of the people.

The Honourable Mr. W. F. HUDSON: But they had the savings, then——

Dr. M. D. GILDER:——of which Government wants to rob them.

The Honourable Mr. W. F. HUDSON: Not at all. They do not want to rob anybody.

Dr. M. D. GILDER: This Council, which has been called in some places the weakest of the provincial councils, showed its strength last year when it did not allow an increase of taxation as it was first brought in by the Honourable the Finance Member. Subsequently, the temptation was held out that a retrenchment committee would be appointed and that the taxes would not be raised but would be kept at the same level as before; and two taxation bills went through. But, Sir, let us for a moment look at the work of this retrenchment committee. The besetting sin of the governing classes in India is the apotheosis of efficiency—efficiency with a capital "E", and if we had only been living in the days of pagan Greece or Rome, we would have seen a new cult established. We would have seen temples of the goddess of efficiency established all over the country and the members of the I.C.S. acting at the altar as the high priests of worship and of sacrifice. My honourable friend the Revenue Member remarked only the other day in the budget discussion that the retrenchments that have already taken place have led to loss of efficiency. Of course, I would not say what passed through my mind—it was too personal to be related to this House. Retrenchment was opposed under the pretence of loss of efficiency, no head of the Government department co-operated wholeheartedly with the retrenchment committee, and where retrenchment seemed possible to be effected, the ground of loss of efficiency was pleaded, aided and abetted by the honourable member the Finance Secretary. The committee were treated as robbers of hen roosts, and they were offered small retrenchments here and small retrenchments there in order to take their attention away from the precious poultry hidden away in the hen-roosts. When the Finance Department had to come to this House for further taxation in November, it was realised that the poultry in the hen-roosts had been hidden away too effectively, and the poultry merchants therefore came to us with further retrenchment, retrenchment which they had effected beyond the retrenchment recommended by the committee. Sir, when Government could effect more retrenchment than the committee, why should they have wasted the time of these honourable members for months together telling them that no further retrenchment was possible? Last November when the finance bill was under discussion, there was a conspiracy of silence on the part of the opposition. If it had not occurred, the Honourable the Finance Member would have seen, as he pleaded so ardently to see, as the Honourable the Education Minister pleaded so ardently to see, the psychic reaction of the different parts of this House to this treatment of the retrenchment committee. Several of us thought that if the Government could make those retrenchments on their own, why should they have spent the money and wasted the time of the honourable members in telling them that no further retrenchments were possible?

[Dr. M. D. Gilder]

I am afraid, Sir, that we may have the same experience with this new committee. Do the Government honestly believe that by appointing this committee further retrenchments will be possible? If they honestly believe it, then why should they not indicate to the House now where the retrenchments are possible? But, from the Honourable the Revenue Member's speech I have grave doubts whether Government are again serious about this retrenchment and whether this is not another camouflage to show to the House that they want to retrench. And this time a more expensive reorganisation committee has therefore been put in. If the House is not satisfied with the expense that a committee of the members of this House cost them, let somebody else cost more and let him say that no retrenchment is possible, and then as the remedy is more expensive, the House might perhaps accept it.

Then, Sir, they say that they are not taxing the poor. In the Electricity Bill—I do not know whether it is an oversight—refrigerators or frigidaires, have escaped taxation. Lights and fans are taxed. Surely poor people use lights. Poor people do not use refrigerators in their houses. That in itself shows that the taxation has been aimed more at the poor than at the rich.

Then, Sir, look at the attitude of the Government, the way in which they have brought together all the various sections of the Bill. They have told the House that if they do not like any one section, they are at liberty to reject it. That means to say that the Government have got the means to get the revenue from somewhere, the money that will replace the loss caused by the part rejected by the House. Sir, I appeal to the Honourable the Finance Member, whom I regard still with respect and reverence as the man under whose guidance I took my first steps in this legislature, as the man who was the head of the party that I joined after my election, that he should assert himself, should rise out of his lethargy, to guide and advise his Secretary, and not be guided and advised by him. I hope still the Revenue Member will persuade his honourable colleague in the Finance Department to keep his hands off electricity, and I trust, Sir, that, if he fails, he will certainly see that the Honourable the Finance Member does not touch a live wire.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: Sir, I rise to repudiate the charge—I may say a very savage charge—which the honourable member Dr. Gilder has levelled against the Government officers. As Chairman of the Retrenchment Committee, I must say that we received all possible assistance from every officer of Government, right up from the Inspector General of Police, so far as the Police Department is concerned, to any other man, and in the same way from every head of department who came and gave evidence with great candour and stood the cross-examination—very searching cross-examination—of some of my colleagues, of whom one opposite to me (Mr. Kamat) is present here and also the honourable member Rao Bahadur Patil, who will bear me out. In fact, in a resolution which was proposed by Mr. Chikodi, who was considered and who really is a very capable man, a

[Sirdar Sir Rustom Jehangir Vakil]

man who has studied the budget from A to Z, he said in very clear terms that he received every possible assistance from the honourable member the Finance Secretary, without whose support the Retrenchment Committee would not have been able to do what little it has been able to do. And that resolution is on record and is a testimony of the very valuable assistance that the Committee received from time to time from the Secretariat and the Government officers.

Mr. N. E. NAVLE (Ahmednagar District): Sir, I rise to oppose the first reading of the Finance Bill of 1932. While doing so, I am not going to mumble, as I am reported to have done during my speech on the budget discussion, but I am going to thunder over the first reading of the Bill. I must enter an emphatic protest against the manner in which these three or four bills are jumbled together and brought forward in the form of the present Finance Bill. What has electricity to do with court-fees? Electricity is a subject which is diametrically opposed to anything like court-fees and stamps. But Government have purposely brought forward a measure which is the combination of these divergent bills with a view to divide this House and set up one side against another. I can prove this charge, Sir. Electricity affects Bombay mostly, and there is that power already reserved by section 5 of the Electricity Bill under which Government can exempt certain persons, corporations and bodies from this tax on electricity and that power Government can utilise in favour of anybody in Bombay and certain other places. This power will be utilised as a bait to induce members from Bombay to go against members from the mofussil. That is the trick Government have resorted to. If they really wanted this House to assist them in their difficulties, we would surely have considered the matter very seriously. We are responsible members elected by the public. We are also alive to the difficulties of Government and as representatives of the people we would have seen how far we should help Government in their deplorable plight. But they have alienated our sympathies by consolidating together matters which are quite opposed to each other and over which certainly the House is sure to be divided. It has been pointed out that electricity affects Bombay and big cities only and not the agriculturists. I say most humbly that electricity is permeating to smaller towns like Ahmednagar. Just now the Honourable the Finance Member said that there are actually 12 schemes of electrifying cities and smaller towns like Ahmednagar. It cannot therefore be said that only the richer part of society is going to be affected. Poorer people living in smaller towns also will be affected. It cannot be contended for a minute that small cities like Ahmednagar are inhabited by rich people only. The fact on the contrary is that the majority of the inhabitants in these smaller cities like Ahmednagar are comparatively poor people and to tax the use of electricity, is to deny these poor people the use of electric light which is but an ordinary amenity of every day use essential for both the rich and the poor alike.

It is said, Sir, that the principle of court fees and stamp duties is accepted by this House. I cannot understand how and to what extent

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the House has accepted the principle of enhancement of court fees and stamp duties. The old Acts are there. If Government really wanted to continue those Acts, they would have surely asked the House to do that. But instead of doing that, they have brought forward measures to enhance court fees and stamp duties, and they have combined these Bills with the Electricity Duty Bill. It cannot be said, Sir, that the stamp duties and the court fees do not affect the agriculturists. They affect the agriculturists primarily, and nobody else. I was very sorry to hear a very responsible member like the Honourable the Leader of the House saying that it is only the sowcars that are going to be affected by the court fees. No more fallacious argument than that could be advanced. I say it is common knowledge that though it is the sowcars who go to the Court first, still in the last instance, the costs are thrown on the shoulders of the defendants who are mostly agriculturists. So, it cannot be said that the enhanced court fees are not going to be thrown on the shoulders of the agriculturists or that the agriculturists are not going to be affected by them. It is said, Sir, that all this could be remedied in the select committee stage. I wonder how it could be done. As a member who has had the privilege of sitting in this honourable House for a number of years, I can see what can be done and what cannot be done at the select committee stage. I cannot see, as a member representing agriculturists, how the agricultural community can be excluded or exempted from the operation of the enhanced court fees or the enhanced stamp duties at the select committee stage. If that is the impression left on the minds of some of the honourable members in this House, that is entirely wrong, according to my humble opinion. It is said, Sir, that if this matter is taken over to the constituents of the honourable members of this House, they will surely ask the members of this House to vote in favour of this Bill. I am at a loss to understand this argument. On the contrary, Sir, I say that our constituents will condemn us if we vote in favour of this Bill. They will say, "After all, you are adding one burden after another on one section of the public or another, and thereby helping Government in dividing one section of the public against another, and allowing Government to set up one section of the public against another." That is the mischief which this Bill is going to cause. The tax on electricity, as I said, is going to affect Bombay, but if certain concessions are allowed to the Bombay people, they may vote in favour of the Bill. But the agriculturists are not going to get any concessions. The concession they want is complete exemption from enhanced court fees. If that is granted, I am prepared to vote in favour of this Bill. I say, Sir, let Government give a promise that the agriculturists will be completely exempted from the operation of the enhanced court fees and stamp duties; then, as a member of this House, I am prepared to vote in favour of this Bill. It is no use advancing fallacious arguments and misleading members who are newly returned to this House. They do not know what can be done and what cannot be done at the select committee stage.

[Mr. N. E. Navle]

Sir, I need not take up any more of the time of the House. The agriculturists are mostly affected by enhanced court-fees and stamp duties, and they are in a deplorable plight. This is not the time when Government should ask us to vote in favour of this Finance Bill. They should certainly withdraw this pernicious measure at this time, and wait for better times. The times will change, and when better times come we might see our way to vote in favour of one or the other of these Bills. But as the Bills are presented in the form of this Finance Bill in these hard times I do not think a member who has at heart the interests of the agriculturists and the labouring classes can see his way to vote in favour of this Bill. With these words, Sir, I oppose the first reading of the Bill.

Mr. G. WILES: Mr. President, I think the speech of the Honourable the Deputy President which he has just given us is the clearest proof of the desirability of combining these different measures into one Bill. What was the object of it? I would ask the honourable members who think there is something dark behind this procedure to remove suspicion from their minds and place themselves in our position, if that is possible. The object is merely to introduce a system whereby the financial needs of the Presidency can be reviewed at one time and in one measure, to enable this House to consider at one time and in one measure the effect of the taxation proposals for any one year in their relation to one another and to the needs of the province. The tendency of opinion of the Legislative Council has itself long been in this direction. Year after year, it has been the demand of this House that the taxation bills shall be for one year, that the Court-fees Bill and the Stamp Duty Bill shall be treated as taxation bills and granted for one year. The natural corollary of that desire of the House was to combine them into one measure, so that, instead of having debate after debate on different measures, all repeating the same arguments about the necessity of taxation, we should have one clear cut measure, in which to consider the whole question at once. It is no argument against this procedure to say that it is novel to us. The fact that it is novel to us does not mean that it is improper. It is followed in most of the legislative councils of the world, including the Legislative Assembly and the Mother of Parliaments.

An Honourable MEMBER: Where is it done in India?

Mr. G. WILES: In the Legislative Assembly in India.

I am at a complete loss to understand what the honourable member who has just spoken means by his argument that this Bill sets one section of the House against another. How can it? It is still open to the honourable members of this House to reject any part of this Bill at any time. At the second reading, when it comes up clause by clause, any section of it can be rejected. It has been said that Finance Bills elsewhere confine themselves to amendments of previous Finance Bills. That is not a fact. New measures can be consolidated in the Finance Bill just as any amendment of an Act which is already in force.

I will now, Sir, deal with the Bill in more detail. I will assume for the moment—I will return to it later—that the need for taxation is proved.

[Mr. G. Wiles]

Here I should like to ask you, Sir, whether I may move my amendments now, or after I conclude my speech.

The Honourable the PRESIDENT: Any time during the honourable member's speech.

Mr. G. WILES: Dealing with the Electricity Duty Bill, it would be convenient if I move my amendments now. But before going to the Electricity Duty Bill, I will move my amendment to the general clauses. I move the following amendments—

In Part I of the Bill, after sub-clause (2) of clause 2, insert the following:—

"(3) This section and sections 3 to 15 containing Parts II, III and IV shall remain in operation for one year from the date on which this Act comes into force."

I do not propose to say anything about that, because the Honourable Member has already referred to this intention in his speech. Coming to Part II, I move:

In Part II, to clause 4 (c) the following words shall be added:

"and includes any person who has obtained the sanction of the local Government under section 28 of that Act."

In sub-clause (2) of clause 6, for the word "him" where it occurs for the second time, the words "a licensee" shall be substituted.

The Honourable Member has explained his reason for this also. It is merely in order that a form of licensee who is called a permit-holder shall be treated as a licensee for the purposes of this Act.

Sir, there has been organised opposition to this part of the Bill. I do not intend to deal with it at any length, because the Honourable the Revenue Member who has just spoken has dealt with it. We have been supplied with a pamphlet which deals with every possible aspect of the objections that the opposition has been able to raise against this Bill. I will only say, as the Honourable the Finance Member said in his speech, that it is not proper criticism to take a single tax out of a system of taxation and apply to it the criticism that it fails to conform to some of the principles of taxation. Hardly any single tax in the world can conform to all the principles of taxation. That ought to be obvious. The fact that there are so many different opinions about different parts of this Taxation Bill is in itself one of the strongest arguments that we have, as the Honourable the Finance Member said, attempted to distribute the incidence of the taxation over as wide a field as possible. As the Honourable the Revenue Member said, we do not believe that this tax will reduce consumption, partly because electricity in Bombay City at any rate is so cheap that probably a reversion to the old and primitive methods would be more expensive than electric light. But, as has been said, its effect will be very carefully watched.

It has been argued that the method of levy of this tax is inequitable. But do the objectors really think that it would be more equitable if the proposed flat rate of duty were made proportionate to the unit charge? Surely, it would be more inequitable, less equitable, to charge more to the man who pays 6 annas a unit than to the man who pays 4 annas a unit.

[Mr. G. Wiles]

As for the exemption of the railway companies and tramway companies, the object has been to exclude all industrial concerns. We do not wish to place any industry that uses electricity as motive power at a disadvantage as compared with the other industries that do not use electricity. In regard to railways and tramways, it is quite obvious that any tax on them would be passed on. It is not a fair criticism to say that we are taxing the poor man and leaving out the rich company. Obviously the rich company is not going to pay the tax. It will be passed on in railway fares or tramway fares as the case may be. [*An Honourable Member:* Is lighting in stations charged ?] That point I have not considered. Lighting in mills is exempted. Exception has been taken to the power reserved by Government to give exemptions. It seems to me rather a curious misuse of the argument in this pamphlet to apply to this power the criticism of the Lord Chief Justice of England. The Lord Chief Justice of England was criticising the rule-making power of Government, but this is a power to give exemption from taxation. I think the Honourable the Finance Member has announced that hospitals and dispensaries will be exempted as soon as the Act comes into force.

In regard to the demand that has been made by several honourable members that, instead of taxing the consumer, we should tax the company, that is to say, the shareholders, it appears to me that the proposal is open to the theoretical objection, which has been raised in this pamphlet. By such a taxation, you would be absolutely discriminating against a certain section, who happen to hold shares in the company. It would be highly unfair that you should tax any company in this way. The further objection would be that such companies are already liable to income-tax. No provincial government would possibly levy a tax on a particular kind of company, which is already paying a similar kind of tax in the shape of income-tax to the Central Government.

I now come to Part III—court-fees. I do not pretend to be an expert in court-fees. I will only refer to one argument that has been used in respect of this section, that is, that the law of diminishing returns is certain to come into force. The law of diminishing returns is a law which is not far from the consideration of any finance department. But in this particular instance, you will notice that the chief increases in fees that are proposed in the Court-fees Act are all of fees which were fixed more than 60 years ago. It seems to me, therefore, that the argument that the law of diminishing returns will apply if we increase these rates which were fixed 60 years ago is probably false. Bombay as a matter of fact, if my information is correct, is the only province in India which has not raised these rates. The only other important change in the Court-fees Bill is the graduated increase on probate duty of fortunes in excess of 2½ lakhs. The rate of duty will be raised for such a fortune from 5 up to 7 per cent.

Part III of the Bill relates to the Stamp Act and in this section probably difficulties will be found. I have very little to comment on in this part, except the tax on futures. Forward transactions to most of us

[Mr. G. Wiles]

are a sealed book. We do not pretend to understand what it means. I have spent several years in control of the cotton trade and learnt something about it. I do not intend to go into details in explanation of what it means. But it will be necessary for the members of the select committee to study it in detail. I am going to give the reasons why this tax has been introduced. The committee appointed by this Council known as the Kay Committee recommended a tax on exchange transactions. They estimated the revenue from this source at over half a crore of rupees. That revenue was excessively estimated, as I think they did not understand what they intended to tax. The Indian Taxation Enquiry Committee also dealt with the question. They recommended that contract notes should be made compulsory in stock exchanges, and in regard to the commodity markets "produce exchanges" as they call them. They said:

"The better solution appears to be to continue action on the lines already initiated for repressing gambling transactions and giving statutory recognition to associations which undertake the control of legitimate business. If and when action on these lines has been taken, the question of requiring the issue of a contract note for each transaction and imposing a moderate stamp duty thereon might be considered."

The present proposals are an attempt to put into force these recommendations. Whether the form in which it has been put will be successful or not, it is for the select committee to consider. The principle of taxation is unexceptionable; whether the details will prove practicable or not is still to be considered. So much for the details of the Bill.

I am going to say a few words in general. I asked the other day that the House should be prepared to face facts. I find it astonishing that some members of the House are still so far removed from realities that they are actually prepared to discuss whether the reserved or the transferred side got the better of the retrenchment proposals. The Retrenchment Committee, in spite of the remarks of the honourable member who recently spoke (Dr. Gilder), took its functions seriously. Dr. Gilder must have his little joke; let us be content to leave it at that. The Retrenchment Committee took its functions more seriously than the honourable member Dr. Gilder takes this House. Not one single member raised the question of transferred or reserved departments in the Retrenchment Committee. Every department of Government came under equal scrutiny, whether reserved or transferred. We are to-day facing a situation when the revenue is nearly 2 crores less than it was when the constitution came in which established diarchy. That is the fact which we have to consider. We have to meet a deficit of 73 lakhs. At least 50 lakhs out of the retrenchment that has been effected will have to go back within the course of the next year or two. We have postponed the redemption of debt we owe to the Provincial Loans Fund. By no stretch of imagination are you going to be able to fill this gap by further retrenchment. I have studied the finances of this Presidency for 8 years. If there is any one of you who has any faith in my judgment (other than the honourable member Dr. Gilder), I ask him to believe that what I say is the truth—any one who still goes away with the idea that Government have not put their backs into retrenchment is living

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in a fool's paradise. There is only one issue left for us to-day, that is, whether you are going to live on borrowing to meet current expenditure or whether you are going to try to cover up the gap. Let us borrow just once again, says my honourable friend from Dharwar (Mr. Jog). I wonder if my friend knows the little story of the serving maid who produced a baby and asked for forgiveness, "because it was such a little thing." This little thing is going to cost us 15 lakhs annually debitable to future revenue. For further deficits, if you fail to cover them now, are going to cost something in addition, which may be as much as 10 lakhs for every additional budget. Where are you going to get it from? Whom is the rejection of this Bill going to benefit? Consider it again from that point of view. Is it going to benefit you to put this additional burden on the annual revenue? I little thought when I warned the House the other day against the danger of using economic expressions like "per capita incidence" and "taxable capacity," that we were going to have so early an illustration, in the fallacious way in which they have been used this evening by my honourable friend from Surat (Rao Bahadur B. R. Naik). It is dangerous—I say with all respect for the studies of my honourable friend—it is dangerous to apply per capita statistics in a way they were never meant to be applied. It may mean nothing at all. As I said the other day, "per capita income" may mean nothing at all where the conditions of the population vary so greatly. If "per capita income" means nothing, then "taxable capacity" in the same way may mean nothing. We are not proposing to tax a man who is living on the margin of subsistence.

I am sorry, Sir, if I have been depressing; I am not going on any longer. I only wish to ask the House to take themselves seriously and act, in what I may call, the way of a sensible man. We may, in fact we must, lay our hopes for future development on revision of the provincial settlement. But, in the meanwhile, we must, in my opinion, do our utmost, as I said the other day, to put our house in order and prevent the piling up of debt. Let us be sensible men and refer this taxation Bill to a select committee and discuss it in detail when it comes back.

The Honourable the PRESIDENT: The amendments moved are:

In Part I, after sub-clause (2) of clause 2, *insert* the following:—

"(3) This section and sections 3 to 15 containing Parts II, III and IV shall remain in operation for one year from the date on which this Act comes into force."

In Part II—Electricity Duty—to clause 4 (c) *add* the words "and includes any person who has obtained the sanction of the Local Government under section 28 of that Act."

The third is a consequential amendment, I suppose.

In Part II, in sub-clause (2) of clause 6, *for* the word "him" where it occurs for the second time, *substitute* the words "a licensee."

(*After recess.*)

Rao Bahadur S. N. ANGADI (Belgaum District): Sir, at the outset I must say that I have very carefully listened to the thunders of the honourable member the Deputy President. I only need tell this House

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that I have been in this House as many years as the honourable member the Deputy President. I hope I will not be springing any surprise on this House if I say that I am going to support the Bill. It is not because I am misled by honourable members on this side or by any member from the Government benches, but because I have got the courage of my convictions. It is not because I want to flatter this side or that side, but because I am quite competent to convince my constituents that this time at least Government have made out a case particularly for the present Finance Bill.

Sir, before I deal with the Bill, I want to make one or two preliminary observations. I found a particular kind of opposition, principally on the ground that the form given to the Finance Bill is rather misleading. I tried to find out what sort of opposition it must be. I have thought over it and I am compelled to say that I must characterise that kind of opposition as mean and self-seeking. When I say this, I should like to make myself clear. It must be in the minds of several honourable members that if the Court-fees Bill and the Stamp Bill had been brought forward separately, the Bombay members would have been only too glad to put them on the shoulders of the mofussil people. [*An Honourable Member:* "Not at all."] I have observed a tendency mostly on the part of the Bombay members to give support to the Finance Bill but for the inclusion of the Electricity Bill. Therefore, when objection is taken to the form of the Bill, I can only represent that opposition as mean and self-seeking. The Bombay people do not want to tax themselves—

Rao Bahadur R. R. KALE: Sir, I rise to a point of order. Can the honourable member call the opposition mean and self-seeking?

The Honourable the PRESIDENT: The words "mean and self-seeking" as applied to a particular section of the House are unparliamentary. The honourable member probably intends to refer to "selfish methods of legislation."

Rao Bahadur S. N. ANGADI: Yes, Sir.

Honourable MEMBERS: Withdraw!

Rao Bahadur S. N. ANGADI: I am quite prepared to bow to the ruling of the Chair. As those words are considered objectionable, I do withdraw them. What I wanted to convey to the House was this, that the opposition was not based on any practical grounds. On the contrary, I should like to thank the Honourable the Finance Member for bringing forward the Bill in this form—I hope no motives will be attributed to me—because I believe that it is the proper form in which any taxation Bill should be brought forward. I hope Government have no mean intention of setting one section of the House against another in giving this Finance Bill the present form. I take it as an approach to Parliamentary practice. I do not wish to have each and every Bill brought forward separately; my reason is that by this method we shall learn what is called sense of joint responsibility. The point on which

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we have, first of all, to make up our minds is whether we should vote further taxation for Government. We should not argue that if the first part was not there, we would have very gladly supported the other parts, or if the other parts were not there, we would have very willingly supported the first part. That is not the way in which a taxation Bill should be considered. It must be considered on its own merits. If we find that there is no necessity for voting fresh taxation we should be bold enough to make up our minds and say that we will reject the Finance Bill *in toto*. Therefore, I say, personally, so far as I am concerned, I have not the least objection to the form in which the Finance Bill has been brought forward. On the contrary, I do think that this is the proper form in which all taxation Bills should be brought forward in future, so that every section of the House will feel a sense of joint responsibility.

Sir, I have heard several objections against the Electricity Bill, mostly coming from the Bombay members. I have also read in the Press many objections raised against this Electricity Bill. One of the observations made by the *Times of India* is that it will go as a classical example of unjust impost. I do not know what it means. The language is striking enough, but it has no sense for me. When I read it for the first time, I did think to myself that this particular criticism must be regarded with the seriousness it deserved, and I thought that it was really a piece of disinterested criticism. But when I read in some papers that one of the staff connected with the *Times of India* was in the pay of some electric companies, when I got that information, I absolutely ceased to give any importance to that kind of criticism.

The second criticism is this, that this impost on electricity—if I may use that word—is inequitable, for the simple reason, it is said, that it singles out a particular class of persons for a levy. I do understand the force of that argument, but I must tell this House that if the system of taxation in India is closely examined, it will be found that each and every tax is inequitable in one sense or the other. It is exactly to remove that kind of inequity that I welcome this Electricity Bill.

Sir, it is suggested that if this tax is imposed on electrical energy there will be reversion to the use of kerosene oil. I consider this a ridiculous suggestion, and I do not know whether I should take it seriously at all. I do not know if I am accurate, but I think that so far as Bombay is concerned, the rate per unit of electrical energy is somewhere in the neighbourhood of four or five annas a unit. [*An Honourable Member* : "Four annas."] In other places like Gadag and Hubli the rate per unit is six annas.

Now, this is a duty imposed on the consumption of units. A Bombay consumer will pay, including this duty, 4½ annas per unit, whereas the Gadag consumer or the Hubli consumer will be paying 6½ annas. So the Bombay consumers have decidedly got an advantage over the Gadag or Hubli consumers. It is obvious enough to any man of sense. Are we, Sir, seriously to believe that because of the increase of half an anna per unit, the man living in the city will forgo the brilliant light of

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electricity? Are we to believe that as soon as he is required to pay this surcharge, he would be compelled to go in for the use of kerosene oil? I for one am not prepared to take any such statement seriously.

Now let us take the case of the poorer man. We shall not consider the case of the richer man. It is said that the electricity bill of the middle class man comes to somewhere between Rs. 4 and Rs. 5. That means he is consuming about 12 or 13 units, so that the addition to his domestic budget would be 6 annas per month. For the sake of this amount of 6 annas per month, I do not think there is any man in the city who would like to forgo the pleasure and beauty of the electric light. It was rightly pointed out by my honourable friend Mr. Winterbotham that the duty on kerosene oil is sufficiently high. The poorest of the poor living in the villages have got to pay this duty. They have not grumbled against this duty. I do not know why this kind of duty should be seriously objected to by Bombay members one after another in quick succession. I do not understand the significance of the objection at all, and particularly when it was coupled with the expression of view that if this part was not there, they would have seen their way to vote for the other parts. When I consider these two together, I do not take them seriously at all. They did not mean what they said.

It was suggested by my honourable friend Mr. Winterbotham that this tax is a tax on progress, meaning that this industry is in its infancy and that if this heavy duty is levied upon that industry, very probably the whole industry would be crushed. I challenge any honourable member to prove that this tax is going to kill the industry. Of course, the Honourable the Revenue Member was rather guarded in his speech, but I for one would challenge my honourable friend Mr. Winterbotham if he can show next year that this industry had been killed. I do not think that this duty of half an anna is going to kill the industry. I fail to understand how this can kill the industry. On the contrary, we are told that there are heaps of applications under the consideration of Government. I also know there is a good deal of competition. So many people want to start this industry in towns like Belgaum and other places. Not only that, but there is regular competition. If one man says that he is willing to supply electrical energy at 6 annas, another says he is willing to supply it at 5 annas. When this is the position, I do not think this argument that it is a tax on progress and therefore is going to kill the industry, is convincing at all.

We, Sir, who have been using smoky and dingy lamps are really paying a higher duty than the city people. They have all the comforts of beautiful light, and yet we do not grumble and there is no reason why the people of cities should grumble at this small tax. Again, you know, Sir, that the average earnings of a city man are decidedly greater than those of a village man——

Mr. HOOSENALLY M. RAHIMTOOLA: What about expenditure?

Rao Bahadur S. N. ANGADI: I do not know that. I have not inspected his domestic budget. I only know that the average earnings

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of the city man are greater than those of a village man. I do not think, therefore, that there is any case for grumbling on the part of Bombay citizens. I know the honourable members from Bombay are going to support this. All the same, the observations which they made were not satisfactory.

For these reasons I consider that the Electricity Bill is a satisfactory Bill. It is not that I try to discriminate against the interests of the people of the city. Not in the least. I have no such intention. I do not wish to draw invidious distinction between the interests of the villager and those of the city people. But I am trying to understand the whole question on its own merits, and therefore I do not in the least feel that there is any violation of the recognised canons of taxation, for this source has been rightly picked out for giving some revenue to Government.

Now, Sir, I come to speak about the necessity of this Finance Bill. When several honourable members spoke about its necessity, many of them pointed out that there was no necessity, that Government had already borrowed and might possibly borrow even hereafter. That was one of the arguments advanced to show that there was no necessity for bringing in this Finance Bill. The second objection was this. The honourable member the Finance Secretary is going to Delhi and a new settlement will be arrived at and that will solve the difficulties of the Government of Bombay. So far as borrowing is concerned, it was suggested that borrowing was bad policy to meet the current expenses of Government. Another honourable member suggested that if the Government had borrowed in the past, why should they not borrow this time also to meet the deficit? Of course, it is true that in the current year we had a large deficit of 111 lakhs and next year we are going to have a deficit of 73 lakhs. But Government have already borrowed a large part of this. But the argument against borrowing is this: we must decide whether it is desirable or advisable to go on borrowing and piling up debt. Is it desirable that our ordinary revenues should be burdened with interest charges? Is it desirable? It is true that a large part of the deficit is being met by borrowing. Now I put it the other way. Suppose Government had borrowed the whole amount, would it not have simply added to the interest charges? Of course, it is not that it is not known that borrowing is bad policy. Suppose Government had brought forward a finance bill to meet all their deficits amounting to 184 lakhs, by means of additional taxation. Would this House seriously believe that this kind of Bill would have been supported by us? Or is it possible for the people to bear that heavy taxation? When this is the position, I do see the force of the contention that a large portion of the deficit must be met by borrowing, but it is also reasonable that the whole deficit must not be met by borrowing, if we can possibly avoid it, for the simple reason that it is not a good policy, not a businesslike proposition, to go on adding to the interest charges. The honourable member the Finance Secretary told us that we have got to pay additional interest charges of 15 lakhs a year. That means that we are to pay this amount

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out of our ordinary revenue. This sum of 15 lakhs is not a small amount. Giving away this amount means that we should starve many of our departments, particularly the nation-building departments, because we are seriously told that there cannot be any reduction in the police department, and so on, and that is because the maintenance of law and order is necessary. The only cuts therefore would be in other departments, in which we do not want any reduction at all. Under these circumstances, I do not think it is wise policy to ask the Government to meet all their deficits by borrowing.

Another suggestion which strikes me is this. I do not know how the House will take it. We are on the eve of provincial autonomy and here is a finance Bill—of course it is objectionable in certain respects—I am for it with certain objectionable features taken out—here is a financial Bill which does not violate the recognised canons of taxation. The question is whether we should support it or not. I think it is far better to share the odium of this taxation with the Government rather than share it ourselves in the future constitution. It is better that the financial house of the Presidency is set in order as quickly as possible and that is in the best interests of the Bombay Presidency itself.

As regards the settlement, I do not know whether it can come into operation immediately as soon as the Finance Secretary goes to Delhi and puts forward the case. It will have to take shape. That means some time, and unless that settlement is brought into operation, our finances will not improve and we cannot wait till then. And so, I say, apart from the settlement—I hope it will be a very practical settlement—I hope our needs will be considered—that we should have additional taxation.

Again, it was pointed out that the attempt on the part of Government to exclude certain companies like the tramways is not good policy. I quite agree with that view. The honourable member the Finance Secretary has pointed out that it is no use levying any duty on tramways. I do not think that the duty is going to fall on the passengers. It was pointed out that this company is very much flourishing and is able to distribute good dividends among its shareholders, and there is no reason why particularly such companies should come under the operation of the exclusion clause.

I want to say a few words as regards the Court-fees and Stamp Acts. It was said that there was no attempt on the part of Government to put a burden on poor people, but that the attempt was to put burden on broad shoulders. I have not studied these two bills in all their details, but I think there must be some objectionable features which do affect the poor man. We are, however, told by Government that we are at liberty to take out all such objectionable features which would particularly hit the agriculturist, and with that pruning, I think we ought to be satisfied. If we do find that we have been imposing a burden upon weak shoulders, then of course we are at liberty to take it out at the stage of select committee.

An Honourable MEMBER: Is there any such assurance?

Rao Bahadur S. N. ANGADI: I am asked whether there is any such assurance on the part of Government. The Honourable the Leader of the House made it very clear, and I think the Finance Secretary also made it very clear, that such pruning could go on to any length. When Government have frankly said like this, I do not think we should seriously object to this Bill getting on to the stage of the select committee.

Once again I would like to say this, that the cut in the Educational Department, however much it may be justified, was not liked by this part of the House. I know it was pointed out by the Honourable the Leader of the House that the cut was only Rs. 20,00,000. It is a good deal more than that. For the next year it is going to be Rs. 27,00,000, but if that figure is compared with previous years' figures, the cut comes to a much larger figure than that. It is true that there has been a cut in the salaries of all departments. I do not know whether by this reduced grant Government wish that there should be a cut in the salaries of teachers of all grades. There are teachers getting Rs. 20, there are teachers getting Rs. 30, there are teachers getting Rs. 50 a month and so on. There are teachers of various grades. I do not know whether by this cut Government are compelling the local authorities to have a uniform cut in the salaries of all teachers irrespective of their pay. If that were done, it would really be a bad thing indeed. I can understand a cut being made in the salaries of teachers drawing more than Rs.40 per month. But if you make it a uniform rule, and if even a teacher getting Rs. 20 a month must have his salary cut, it would be a great hardship. That point has to be considered. Therefore, I say, supposing Government are fortunate enough to get this additional revenue of Rs. 28,00,000 or whatever it is, then I do want to put before Government whether they do not think it necessary to give a part of that to the Educational Department, a department particularly for which we feel very much, and a cut in which has pained most of us. Again, Sir, is it a wise policy to keep the masses in ignorance? Is it not in the interest both of the people as well as of the Government themselves that the masses should be educated? Do we want these riots and bloodshed? What are they due to? I ascribe them directly to the ignorance of the masses. Owing to their ignorance, religious animosities are easily roused, when any one tells them something particularly with regard to religion. Are you going to keep them in ignorance? I say it is a dangerous policy, and Government should not do it. I hope out of the additional revenue which Government may get, they will set apart a portion in order to meet the needs of education. With these remarks, I support the first reading of the Bill.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Sir, when the honourable member the Finance Secretary spoke last Friday on the budget and gave the figure of 5 annas as the contribution to the provincial revenues by the citizen of Bombay, I sincerely hoped that it was not his intention to set up the Presidency against Bombay city. I was afraid then, and I now realise that my fear was correct; that it has created a wrong impression on the minds of honourable members coming from the rest of the province that Bombay is not contributing enough to the coffers of the province. Sir, the honourable member the Finance Secretary said

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that a citizen of Bombay was paying Rs. 46-5-0 as annual taxation, out of which Rs. 15 went to the Government of India, only 5 annas to the Government of Bombay and Rs. 31 to the municipality. As regards the incidence of municipal taxation in the city of Bombay, I have got here the administration report of the municipality of Bombay for the year 1929-30, and it says that the incidence of taxation per head was about Rs. 21-5-0, and not Rs. 31 as my honourable friend the Finance Secretary mentioned the other day.

Now, Sir, what is Bombay contributing to the provincial revenues? In reply to a question asked in this House, the then Revenue Member, the Honourable Sir Louis Rieu, stated that the provincial revenue collected in the city of Bombay was Rs. 2,92,00,000. I am giving his official figure. Now, Sir, the population of Bombay is about 11,50,000. Therefore, the incidence of provincial taxation comes to over Rs. 25 per head, and not 5 annas. The population of the province is about 2,00,00,000, the revenue is Rs. 15,00,00,000; therefore the incidence of taxation per capita of the province as a whole comes to Rs. 7-8-0, whereas the incidence of provincial taxation in the city of Bombay comes to about Rs. 25. Sir, Prof. K. T. Shah, in his book on the Constitution, Functions and Finance of Indian Municipalities says that the per capita taxation for the citizen of Bombay comes to about Rs. 150, including central, provincial, and local, whereas in Calcutta it is only Rs. 50 and in Madras Rs. 25. Sir, this is what the citizen of Bombay pays to the State, and not so little as it is made out to be.

But Sir, what I strongly object to and what I strongly deprecate is the attempt to set up one part of the province against another, Bombay against the rest of the province, cities against districts, one community against another, Hindus against Mussalmans, Europeans against Indians, and so on. I most strongly deprecate this policy and most strongly deplore it. I hope every proposal that is brought before this House will be considered on its merits as affecting the whole of the province, and not any particular group or any particular part of the Presidency.

Sir, I am strongly of opinion that the Government of Bombay have not taken their financial position seriously. If they had been forewarned for the last few years, they would have tried to set their house in order, and not allowed the financial condition to drag on, as they have done up to now. Sir, there was nothing which the retrenchment committee suggested which could not have been done by the Government themselves, if they had seriously wanted to do it. They are only now going to effect retrenchment. For the current year and for the last year they have carried on with deficit budgets and borrowed money. Whatever was pointed out by the retrenchment committee could have been done by themselves. I say, Sir, again, if the Government had taken their position seriously, we would not have been in the sorry plight in which we are today. The 6 per cent. cut suggested by the retrenchment committee in the beginning of last year was not even given effect to by the Government departments. Now, of course, they are ready to effect larger cuts. But why could they not do it last year? The position of Government

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finances last year was very bad, and there were no good chances of improvement. The same was the condition the year before. Revenues were falling down, and still Government went on spending merrily without cutting down their expenses. The same thing is happening this year, and now, when their hands have been tied down, when this House has repeatedly refused to give them fresh taxation, they have come forward, and that also on the recommendation of the retrenchment committee, with cuts in the next year's budget.

Sir, coming to the bill, I am not looking at it either from the point of view of Bombay or from the point of view of the districts. I am looking at it from the point of view of the province as a whole. I consider the increases suggested in the court-fees bill to be high. It is said that these rates are prevailing in other provinces. I do not know. That may be so. But is that any reason why Bombay should raise its rates to this high extent, especially in these times of depression? As regards stamps, I do not want to go into the details of each and every item, but I may point out that in any forward transaction which takes place, when a sale and a purchase takes place—that is only one transaction—the Government duty has to be paid four times; between two brokers twice; then between broker and buyer; then between broker and seller. In one transaction of buying and selling the duty has to be paid four times. This is a new sort of taxation that is sought to be imposed.

I do not want to deal fully with the remarks of my honourable friend who preceded me, I mean Rao Bahadur Angadi. But I want to point out, as regards the duty on electricity, that it will fall in the city of Bombay on everybody, rich, middle class and poor. Even the poor are using electric light, and it would be a heavy burden on them, and it would be a burden especially in these hard times. May I point out that it will especially be a blow to new electric companies? The levying of this duty will check the spread of electricity into the districts. Some honourable member said that electricity is used only in the cities and not in the villages. It first started in Bombay. It has been in Bombay for the last quarter of a century. Gradually it has been spreading into the different districts of the province, and it will now go into the villages. Taxation of electricity at this stage will prevent electricity and the benefits of electric lights going into the villages.

Sir, the Honourable the Finance Member, by consolidating all the proposals into one bill, has put us in an awkward position. Some honourable members may be for refusing all taxation to Government; some may be for refusing only the increased taxation. Some may be in favour of one part, in a modified form; others may be in favour of other parts. But the whole thing being jumbled up together, the honourable members are placed in an awkward position.

Sir, I do not want to take much time of the House, because most of the arguments have already been used. But I would request the honourable House and each and every honourable member not to consider the proposals from their personal point of view, or from the point of view of the group which they represent and that point of view alone, but consider

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all the proposals from the point of view of the whole province and the whole province only.

Rao Bahadur D. R. PATIL (East Khandesh District): Mr. President, I have listened with great attention and interest to the various speeches delivered by the honourable members of this House. Sir, to accept taxation is an unpleasant task, and whenever a member has to give his consent or withhold the same for any taxation proposals brought forward by Government, naturally one is guided by the attitude of his constituency, and one feels that if we accept proposals of extra taxation, perhaps our voters will raise a hue and cry against us, and perhaps at the next election we shall not be returned. That is the fear of some honourable members of this House. It is not quite unnatural. My opinion is that when we want to give our opinions with regard to the taxation proposals we must really see whether by giving our consent for those proposals we are safeguarding the interests of our constituency. That should be the prominent consideration in the mind of each and every member. I am looking at these bills from that point of view. The honourable member Mr. Rahimtoola said that we must not only guard the interests of our constituency, but also we must look to the interests of all people living in villages as well as in towns. I entirely agree with him. When we look at this consolidated bill, I think it is the duty of every honourable member to see that the interests of all the people concerned are properly safeguarded. Take for instance the electricity bill. I know there are members from Bombay who have criticised certain provisions. I think these provisions must be carefully looked into and when we find that in certain provisions of the electricity bill the interests of the poor people in the city are not safeguarded and they are not in a position to bear the burden of taxation, it is the bounden duty of every honourable member to support that contention of the people coming from the city of Bombay.

When we come to the provisions of the court-fees and stamp duty bills, we have to see that the burden of this extra taxation does not fall on the poor people in such a way as to hit them hard. Take the case of the agriculturists. I may say that in the mofussil courts agriculturists are generally the defendants. I have got experience as pleader for the last 20 years. According to my experience, out of 100 cases in 80 cases the agriculturists happen to be defendants. I may say clearly that the provisions of the court-fees bill as they stand at present cannot be accepted in the interest of the agriculturists. My honourable friend the Leader of the House said that the provisions are such that the agriculturists would not suffer. To that my honourable friend the Deputy President replied and that reply is that the cost will fall upon the shoulders of the defendants who are in the majority of cases agriculturists. I agree with this view of the Deputy President. Sir, it is our duty to safeguard the interests of the agriculturists. In the same way, we should see what provisions in the stamp duty bill are detrimental to their interests. Before going into the clauses I should like to say that Government, as they said, have done their best in the matter of retrenchment and they are doing

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their best again in that direction. Now, Government have appointed an expert committee. [*An Honourable Member:* They are going to appoint.] I think Government will have necessarily to appoint that committee. The name of the chairman of the committee has been announced. Only the names of the members have to be announced. So far as I think, Government have done their best so far as retrenchment is concerned. When Government are seriously considering the question of retrenchment, our duty is to help Government after seeing that the taxes that are proposed are such as do not fall on the shoulders of the poor people. I think we have a duty to Government and also to the voters for whom we have come here. Government has said, "We want your co-operation." We say, "We are here for co-operation." May I submit to Government that when honourable members on this side extend their co-operation to Government as asked for, they must also in their turn consider the views of the honourable members in respect of certain provisions which will really be hard on the poor people? It has been said by the Honourable the Leader of the House and the Honourable the Finance Member that it is quite open to all members to attack any provisions in the bill at the select committee. When that is the position, if we find that certain provisions are harmful to the agriculturists or rather very hard in their interests, I think it is quite open to us honourable members of this House to oppose these particular clauses. Now, it has been stated by the honourable member the Deputy President that we must not be misled by certain statements made by certain honourable members and that we must understand the bill in its proper light. In that connection I agree with him, but I know that none made any statement that is misleading. If we find that the bill is not reformed by the select committee in such a way as to protect the interests of the agriculturists, we must oppose the bill tooth and nail at the second reading. My view is that we can safeguard the interests of the agriculturists by moving certain amendments to the bill in the select committee, when it goes to that committee; and even supposing that the select committee reform the bill in such a way that the interests of the agriculturists are not safeguarded, it is open to honourable members to oppose objectionable clauses at the second reading. My honourable friend the Deputy President knows it. He wants to safeguard the interests of the agriculturists. I also want to do the same. I am sorry to differ from his view that the interests of the people cannot be safeguarded by reforming the bill in respect of certain provisions. If we find that we cannot reform the bill as we desire, I think it will be quite open to us to oppose the bill even at the second reading. Government have given us an assurance that every opportunity will be given in the select committee to reform the various clauses. Government have also declared that if we do not approve of particular clauses as approved by the select committee, we can oppose those clauses. The Honourable the President has rightly said that it is open to all the members of the House to oppose and throw out any clause at the second reading. In this way we can neutralise the effect of the whole bill. Government want our co-operation and we want to give our co-operation. After

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extending our co-operation if we find that Government are unreasonable, then we can have our own way to safeguard the interests of the agriculturists. It seems to me that the attitude of Government is reasonable. It is, therefore, the duty of every honourable member at least to pass the first reading of this Bill.

Now, I may bring to the notice of the Honourable the Finance Member certain provisions. I do not want to deal with the various clauses, but I shall just bring to his notice one fact—one clause of the Court-fees Bill. According to the present law the court-fee up to Rs. 5,000 is Rs. 275. Now, that fee has been increased to Rs. 375. Sir, that is an increase by Rs. 100. I may say that in the mofussil courts there are so many suits up to Rs. 5,000. In these cases a very large majority of the defendants happen to be the agriculturists. We must give concessions to them up to a reasonable scale. Unless and until that relief is given, we shall not be willing to allow this Bill to be put on the statute book. There are other provisions which can be attacked, but I do not intend to refer to them now. When we find that the attitude of Government is reasonable, that every opportunity will be given in the select committee to amend the provisions, there is no other alternative except to support the first reading of this Bill.

Rao Bahadur R. R. KALE (Bombay University): Sir, we have been told that these are money Bills and the Government have this year adopted a novel but a legal procedure by consolidating all the proposals to raise the necessary amount of money into one Bill. This is on the analogy of the finance Bill in the Assembly and the House of Commons. But, Sir, may I just ask why the period of one year which has now been suggested by the amendment was not put in the Bill itself? If the intention from the beginning was to make this a merely finance Bill to make provisions for the next year's budget, the operation of the Bill ought to have been confined to one year only. It was stated by the honourable member the Finance Secretary that the House had been in the past observing the practice of allowing the Bill for one year and that this practice is followed this year. If we look back to the year 1922, a situation similar to the situation that has now arisen had come into existence. Government said that they were helpless and they could not make both ends meet. They wanted some breathing time. So, the Court-fees and the Stamp Amendment Bills were brought and sought to be put on the statute book permanently. It was this side of the House that insisted that they would not allow those provisions to remain on the statute book permanently, but they would be prepared to give breathing time provided they took steps to appoint a retrenchment committee and overhaul the whole administration and adjust their expenditure to their income. It was under these circumstances that the life of these two Bills came to be restricted from year to year. But, what was the result? Has any attempt been made to effect retrenchment permanently? All kinds of recommendations made by the recent retrenchment committee were confined to one year and when they wanted to continue and make permanent retrenchments, they were not allowed to do so.

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The honourable member Dr. Gilder was not wrong when he said that the Retrenchment Committee was treated in a very unsatisfactory manner. Government dissolved the Committee. The Retrenchment Committee had issued a questionnaire recently and I myself had sent a reply. I was not called and on enquiry I came to know that the Retrenchment Committee had closed its shop. There the matter ended. My point is this: we are aware of the state of things that have gone on for the last 10 years; and feel that the hands of the Government have not been sufficiently forced to undertake retrenchment of a permanent nature.

I now come to the Court-fees Bill. I shall deal with the question as to how the situation should be met later on. But in the beginning let me put before the House certain aspects of this Bill. It was pointed out in the year 1922 that when raising the court-fees on suits brought in the mofussil courts, the institution fees paid on suits should be made applicable to the original side of the High Court also. That point was debated then, and so far as my opinion is concerned, I do still think and do still maintain that this Council has got the power to amend the Court-fees Act so as to bring the original side of the High Court under its provisions. When you have been able to amend the probate duties, which are governed by the Court-fees Act, so as to affect the High Court, I do not see what objection there can be to extending the institution fees to the original side of the High Court so as to affect a large number of claims for lakhs and lakhs which are now brought there without paying any institution fee. I am confirmed in my opinion by the observations of the Taxation Enquiry Committee. The Taxation Enquiry Committee was appointed by the Government of India in order to find out new sources of revenue. In one of their recommendations they have distinctly referred to this matter (Paragraph 347, page 257):

"While uniformity is desirable generally, there is one case in which the lack of it is a subject for remark, and that is the case of the three Chartered High Courts. While the Court-fees Act applies to all other courts in India as well as to the appellate sides of the three Chartered High Courts, in respect of suits on the original side these three courts constitute, as it were, *imperia in imperio*, exercising taxing powers irrespective of the legislature. Not only do the fees levied by them differ from those levied in mofussil courts and in other High Courts, but those levied in one Chartered High Court differ from those levied in another."

One of the arguments used against the extension of the institution fees to the original side of the High Court was that although there were no institution fees on the original side of the High Court, the High Court in the exercise of its own jurisdiction had laid down some rules for collecting process and other fees and they made up for the absence of the institution fee. That argument was as a matter of fact used on the floor of this House in the year 1922. But this is what the report of the Taxation Enquiry Committee says:

"Nevertheless, an actual comparison of the court-fees paid on the original side of two High Courts in a few typical cases shows that the total sum paid is considerably less than the amount levied under the Court-fees Act in the mofussil courts."

That shows that the fees which have been paid by way of process and other fees are very small as compared with the institution fees in the mofussil courts which are rated at 7½ per cent. and that percentage has

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been increased. I know that it is stated that it is a doubtful point whether this Government has got power to extend the operation of the Act to the institution fees on the original side of the High Court, but my submission is that ten years have elapsed since Sir Chimanlal Setalvad, who was then the Member in Charge, expressed that doubt. Even at that time, Sir Thomas Strangman stated that there could be no objection to extending the institution fees in the same way as the probate duties were being extended. If there was any doubt, have Government made any attempt to get that cleared? The honourable member the Finance Secretary told us that the Court-fees Act was first enacted sixty years ago. May I point out that the Letters Patent were enacted sixty-five years ago? Then, why not amend the Letters Patent? Supposing the power is in the High Court and supposing there is a technical objection to this legislature interfering with that, why not get the Letters Patent amended? The Letters Patent have been amended in other respects, and there was certainly no objection then. I want to ask the Honourable the Finance Member—who also happens to be a lawyer from the mofussil and happens to be acquainted with the disparity between the court-fees levied in the mofussil and those levied in the High Court—I want to ask him whether any effort has been made in this direction. As I have stated many times in this Council, I feel that the court-fees should be equalised for all courts. At present the burden falls only on the mofussil courts and not at all on the original side of the High Court. Here is an instance where an effort should have been made by those who are responsible for collecting taxes to tackle a new source of revenue.

Coming now to the stamp duties, increased duties are sought to be imposed on futures. What does the Taxation Enquiry Committee say in regard to this? That Committee had been asked to find out whether the stamp duty as then levied operated as a heavy tax. At the end of their report they point out which tax operates harshly and which not, and among the taxes which are said to operate harshly they include stamp duties. They enumerate one after another the taxes which operate harshly.

"The third place they would give to non-judicial stamps. More than one Finance Member has admitted that the rates in India are much higher, comparatively speaking, than those in England, but have maintained them for reasons of revenue. If and when these reasons permit, it seems to the Committee that effect should be given to their recommendation for a revision of the schedule in the direction of reduction, especially in relation to documents such as bonds and agreements."

That is what is stated generally with regard to the stamp duties. There is also a statement that the taxation of futures is not the proper remedy. I do not find the reference, but there is a statement with regard to the futures——

Mr. G. WILES: Paragraph 306.

Rao Bahadur R. R. KALE: It is paragraph 309.

Mr. G. WILES: Please read paragraph 306 first.

Rao Bahadur R. R. KALE: The remarks about the proposed taxation of futures are contained in paragraph 309:

"The Committee have examined the proposals made for the taxation of futures, and it seems to them that it would be not only practically impossible, but on other grounds undesirable, to recognise these gambling transactions and to attempt to secure a revenue from them. The better solution appears to be to continue action on the lines already initiated for repressing gambling transactions and giving statutory recognition to associations which undertake the control of the legitimate business."

They want to put it on the same footing as the betting tax. I am not acquainted with the procedure. The honourable member the Finance Secretary said that after some years of study he became acquainted with it.

My point is that both the Court-fees Bill and the Stamp Bill labour under the disabilities which I have pointed out. Government have not paid sufficient attention when undertaking legislation to remove the defects pointed out on former occasions.

I do not propose to say anything about the merits or demerits of the electricity tax. I think much has been said on that point for the House to judge for itself. One observation appeals to me, coming as it does from the honourable member Mr. Hoosenally Rahimtoola, namely, that it is a tax which does fall on the poor people even in Bombay City, not to speak of the poor people of the mofussil. One of the honourable members said—I think it was the Honourable the Revenue Member—what does it matter if two pice or four pice are levied? To a man who earns only Rs. 20 a month or 12 annas a day, it does mean much. We have to place ourselves in the position of the workman. We should not regard him as we regard the middle classes or the richer classes. Even one anna or half an anna per month is much to a poor man. So, that tax also will fall on the poor people, apart from its being a hindrance to the development of a new industry. I quite agree with the observation made that, so far as Bombay Presidency is concerned, electricity is only just coming into vogue: other presidencies are far ahead of us. Therefore, the tax will, if not kill the industry, at least discourage it. One honourable member to my left (Rao Bahadur S. N. Angadi) said that there are competitors coming forward and saying, "If the others are willing to sell a unit for six annas, we will sell at four annas." That may be so. But we have the instance of the motor-bus services before us. They reduce the rates for competition from one anna to half an anna per mile, but at the end of the year lose everything. They invest their money and get ruined. They ruin themselves and ruin the industry. These instances do not prove that the tax will not affect the industry. You have to consider the case from another angle of vision.

After having dealt with these points, I now come to the necessity of this measure. I do not wish to detain the House long. I can certainly sympathise with the Honourable the Finance Member and the Finance Department as a whole on their having landed themselves into a very deplorable plight. We do acknowledge that it is difficult for any Finance Member, whether he be the present Finance Member or some previous Finance Member, to extricate himself from this plight. But, here again, I have to ask whether we at this stage

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should be prepared to support the taxation every time you come to us with finance bills unless and until we are satisfied that real reform has been carried out with a view to effect some permanent retrenchment. My submission is, so far as I can think, this has not been done. I only take the question of salaries. The honourable member the Finance Secretary found fault with my honourable friend Rao Bahadur Naik for dealing with the income per head of the population and comparing it with the cost of living. Apart from the consideration whether the condition of the ryot is such that he is unable to bear this further taxation, I appeal to him to consider whether the rate of salaries in this country bears the same proportion to the per capita income of the population as it bears in other countries. From that point the honourable member Rao Bahadur Naik's reference to the per capita income is perfectly relevant. I think I told the Honourable the Finance Member that a pamphlet has recently been published under the auspices of the Servants of India Society dealing with the question of salaries. I hope he has studied it by now. If he has not studied it, then I need not dilate on that point. We are on the eve of important constitutional changes. You are handing over to the people their own government. Is it not up to you, I ask, to do it in such a way that your successors will not be placed in an embarrassing position? Are you not bound to do what you can to enable the future government to adjust itself to the resources that are available to it? I have oftentimes said that I am not for cutting down the salaries of those persons who are at present in service and who are earning the present salaries. Ten years have passed. Even now if you had proceeded to lay down a certain scale giving the rates of pay which are consistent with the financial position of this Presidency, there would have been some justification for us to think that some serious effort is being made to tackle this problem, because I find that this is a condition precedent to the putting of our finances on a safe basis. Take for instance the cut of 10 per cent. I do give credit to those honourable members and other Government servants who have submitted themselves to this cut. But, Sir, this cut affects all alike. It affects a man who earns Rs. 5,000 just as it affects a man who earns Rs. 200. It has been pointed out in criticism that income tax has been increased for incomes exceeding Rs. 2,000. But now the income tax level has been brought down to Rs. 1,000. Is it not then that the even rate of percentage cut tells heavily on the lower paid people and not on the people who earn more? Again, those who pay the income tax are placed in an advantageous position because the cut is reduced by the amount of the tax, while the full 10 per cent. falls on those who do not pay the income tax. The cut thus acts in an inequitable manner, the high salaried man having to bear only a 7 per cent. or even lower cut and not the full 10 per cent. cut.

The question of salaries was discussed on the motion of my honourable friend Mr. Jog. He had suggested a graduated scale of reduction. We had discussions and we gave expression to our views, with the result that the motion was withdrawn because a motion of that kind was

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intended to offer suggestions for the purpose of effecting retrenchment. I ask, has any effort been made in that direction, to lay down any such scale for future entrants at least? Now that the foreign agency is gradually to be eliminated and Indians are to be admitted more and more—they have been admitted before and will be admitted in greater numbers—is it not the duty of this Government to revise their ideas of the salaries which are based on the standards which prevailed in early years, when the standard set up by the All-India Services was adopted in relation to the high rates with regard to the provincial services? The whole position has been reviewed in the pamphlet which I have referred to just now, and I appeal to the Honourable the Finance Member to study that pamphlet. It is full of statistics and information. Nothing is given as an opinion of the author, but he has made every attempt to support his views by quotations and by statistics. I ask, is it not proper that we, on this side of the House, should be entitled to have some policy declared before we are asked to submit to this taxation?

Then I refer to the reduction of the size of the Cabinet. His Excellency the Governor was pleased to announce in his speech to this House that the reduction has been decided upon with the co-operation of the present members of the Cabinet. We are certainly much obliged to them for having decided to take that step, in the interests, after all, of whom? In the interests of the poor tax payers of the Presidency, because the money comes from their pockets and their pockets are now empty. After all, you are the servants of the public. You must bear that fact in mind. I repeat again that we are obliged to the members of the Cabinet for taking that decision. But then comes the announcement that it is not intended immediately to carry out that proposal. Then, what is the use of making a mere declaration on paper? I submit that the time for giving effect to that proposal has arrived now. My reasons for not giving my support to this taxation measure are that Government should resort to these measures. If you reduce the salaries of Government servants, if you reduce the size of the Cabinet, from the next year, from the first of April 1932, then whatever you are seeking to make up by this fresh taxation will be made up by adopting these measures and then there will be no need for further taxation.

We would have been prepared at this stage to consent to the extension of the Stamp and Court-fees Acts for a year more if only they were to be extended in their present form. We have been giving time to Government year after year thinking that Government would adjust their expenditure to the condition of the Presidency. But now we find that is not the case. Here is a new bill altogether increasing the court-fees. I think that the Honourable the Finance Member, when he was on this side in 1926, had himself got the court-fees reduced and the Act which is in operation now was enacted accordingly. He now wants to go back and increase the fees. It is a new bill imposing higher liabilities and not merely continuing the life of the Court-fees and Stamp Acts, and hence it is that we are in an awkward position. My own opinion is that it is not possible to revert to the continuation of the Court-fees and Stamp Acts.

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If it were possible, we on this side would certainly have had no objection to allow Government a fresh lease of life for those Acts for one year on condition that the reduced rates would continue. But they are also enhanced rates; they are not rates prevailing in 1870 as the honourable the Finance Secretary said. He paraded the argument that the Act was enacted 60 years ago and that the times have changed now. I know that argument was of avail to him in 1922-23 when the prices had gone up. The value of the rupee then, you must remember, had risen and an agriculturist could get Rs. 10 where he used to get only Rs. 4. Naturally you were then justified in asking him to pay more. Now, Sir, the state of things has been reversed. We have come back to lower prices. The argument which was adopted in 1922 for making the people pay higher rates is certainly now against the Government, because owing to the fall in prices, if the agriculturist sells his corn, he is not able to realise even half the price. At such a time you ask the House to enhance the court-fees. I submit that that argument will not hold good.

These are the considerations which compel us to oppose the taxation proposals. This is the only power in the hands of honourable members on this side of the House. We may ask questions, we may carry resolutions, but the ultimate decision lies with Government. We cannot do anything further. This is the only time when you come to us and ask us to sanction this budget, and it is only by asserting ourselves on this occasion that we can bring pressure to bear upon the Government. We have not come to this House to obstruct the Government, as you know well. We have always offered co-operation in spite of the feeling in the country. With great difficulty we have come to this Council against the popular will. This is the only way in which we can ask you to refrain from doing certain things or undertaking to do some other things which will increase discontent. That is the reason why I think we should be really justified in opposing this Bill.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, I think this is the first time that I get up during the course of this session to speak on a measure proposed by Government. I shall only pass a few remarks with regard to the general aspects of this measure before I touch upon the merits and demerits of the Bill.

Sir, when I went through the published speech of the Honourable the Finance Member, I came to the conclusion that the Honourable the Finance Member, though he is really an expert doctor for the curing of the diseases of the corporate body of the Government, has not ventured to suggest a real antidote which will really extirpate the disease which has affected this Government. But he has thought it advisable to suggest only palliatives which, besides being very unpalatable, will not cure the disease permanently. If he had been really an experienced doctor, he would at once have jumped upon the antidote which he has suggested but which he has not ventured to administer to us, and that is, Sir, what he has indicated in paragraphs 12 and 13 of his opening speech. I think that every sensible honourable member of this House would jump

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at the antidote which is the real remedy for the malady that has upset the system of this Government. May I remind him again that that is the question of separation of Sind? It was really surprising to the honourable members from Sind to see the remarkable silence and indifference displayed by this section of the House representing the Presidency with regard to this very important question which has escaped mention in the later speech of my honourable friend the Finance Member or in the speech, for the matter of that, of any honourable member in this House excepting that of my friend Rao Bahadur Argadi. He just reminds me that he has not forgotten it in spite of the muddle of deficits that we find ourselves involved in. I do not know, Sir, why honourable members representing the Presidency should not take the earliest opportunity to get rid of the mill-stone hanging round their necks. But they admit that Sind is really a mill-stone hanging round the neck of the Presidency proper, and the Sind Financial Enquiry Committee has proved it that we are parasites living on the blood of the presidency proper. I cannot understand why, in spite of that and in spite of indications from above and from below nothing is done. From the Government of His Majesty the King Emperor down to the Government of Bombay, there have been indications enough which they should take the earliest opportunity to translate into action by recording their emphatic protest against Sind continuing for a single moment more as part of the Presidency. If that is done, I remind my friends from Presidency that at one stroke you are going to get rid of the deficit, and with one wave of the magic wand you are going to obviate the necessity for imposing fresh taxation upon the shoulders of the taxpayers in the Presidency who are already, according to your own saying, overburdened. You are going to save Rs. 80,00,000 to Rs 83,00,000. There is a deficit of Rs. 73,00,000; the result is that you will have a surplus of Rs. 10,00,000 annually and this is the opportunity to do it. When we are called together by His Excellency the Viceroy, the representatives of the Presidency and the representatives of Sind, to decide how to meet the deficit of Sind, it will be for us to decide how we are going to meet our deficit and our expenditure. My honourable friend the Finance Member has not been pessimistic about it. On the other hand, he is optimistic. In the course of his speech introducing the budget he said, "There is no ground for being pessimistic regarding the ultimate ability of Sind to meet the cost of the Lloyd Barrage." So that, if our Barrage problem is solved, and my honourable friend the Finance Member has indicated that in course of time it will be and shall be solved, then our problem is solved and your problem is also solved. So, why not take that opportunity? This is the real remedy. But he does not venture to administer it. I ask you, why not? If you press upon the Government the necessity of separating Sind it will relieve you of the parasite which has been eating into your very fibres. Now, Sir, I was going to introduce this specific problem in this Honourable House at the time of the budget discussion, but unfortunately I was not present then. I take therefore this, the earliest opportunity, to appeal to the Honourable the Finance Member

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and to you if he wavers, to press upon Government the necessity of separating Sind, suggesting that Government should come down from the high ground of prestige that they have stood upon, because they think that if Sind is separated they would be reduced to a minor Presidency. Simply on that account they do not venture to suggest this step to the Government of India or to His Majesty's Government; rather, they have been putting hitches in the way—that is my information. So, I would request you, honourable members——

The Honourable the PRESIDENT: The honourable member must not address individual members but the Chair.

SYED MIRAN MAHOMED SHAH: I am sorry. Now, Sir, apart from that permanent remedy, Government have suggested that the remedy lies in fresh taxation, re-organisation, borrowing and resettlement of heads of revenue with the Government of India. Now, Sir, they have denied that retrenchment is the real remedy, and they have also emphatically asserted that the acme of retrenchment has been reached; rather, they have indicated in their speeches that they propose, at the expiry of two years, to replace these cuts, which are considered by them to be only emergent cuts, and that the expense involved in it will be Rs. 50,00,000; and therefore they have been frightening us that in spite of the imposition of new taxation, and in spite of retrenchment, they will require Rs. 50,00,000 more in order to replace the emergent cuts. When the question of cutting them down permanently comes up for our discussion, then their plea is that they have reached the acme of retrenchment. When the question of imposing fresh taxation comes up, then we plead on behalf of the people that the maximum taxable capacity of the people has been reached, to which they reply that we have no sound argument to prove that position. That is the curious way of putting things when it suits them. Well, Sir, I would record my emphatic protest against any kind of borrowing for current expenditure, and that is not the real remedy suggested by my honourable friends. As regards fresh taxation, if I would ever give my support to any sort of new taxation at this juncture, it will be on a few grounds and those will be as follows. A paramount consideration is with regard to the question which I raised at the outset of my speech. I mean to say, and I am honest in my profession, that I really feel that any taxation proposed by this Government at this juncture, when the province of Sind is linked up with Presidency, will tend to raise ultimately the incidence of taxation in Sind and so increase the volume of revenue drawn from Sind. That will perhaps help us in the future settlement of our question. Therefore, if we are going to be even personally affected by it, we shall consent to it. That is what I really feel, and I would give my consent to fresh taxation from that point of view alone.

Another difficulty was experienced by me when I was thinking of bodily throwing out this Bill. My honourable friend, I think from Bombay, suggested to me that supposing we are going to throw out this Bill, it means that we are going to throw out the Court-fees Act and the

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Stamp Act bodily. This means there will be no stamp duty and no court fees until Government brings in a fresh Bill, because they have consolidated several Bills in one part. [*Interruption.*] But, Sir, the Court-fees and Stamp Acts have been in existence since 1870, and I think it will not be in the fitness of things that we should revert to the good old days, and those days will never come back. So that, from that point of view also I think we should give support to the first reading of the Bill. This was one of the considerations that induced me to lend my support to the first reading of the Bill.

Then, Sir, another factor is connected with the human mind. I think it is natural on our part, being to a certain extent the colleagues of Government, or, in fact, as we are forming a parental body, that we should support our creature, the Government, when we see that they are in a bad plight. In spite of their extravagance, we look upon Government as our child, and we have to maintain it anyhow, in spite of its extravagance. We cannot, I think in duty bound, cast it away to the winds.

An Honourable MEMBER: It is a spoilt child.

SYED MIRAN MAHOMED SHAH: Yes, it is a spoilt child; still, as you are the parental body you have to maintain that spoilt child. As parents you have got that filial feeling in your mind. Therefore, from that point of view, we have to give them a definite warning to behave better in future. They should cut their coat according to their cloth and they should not give us these excuses that they are bringing up this Bill and they are imposing taxes for one year only, and then, at the end of the year, they will take stock of the situation and see if the people have really been hit hard, and if the people have been hit hard they will withdraw the measures. This has never been the tradition of this Government or of any Government in this country. As a rule, expenditure is always bound to increase, and whatever temporary measures are brought come to stay. Will the Honourable Member point out any measure which was brought for a temporary period and did not stay permanently? So, Sir, we must believe that this Electricity Duty Bill has come to stay and it is going to form part of our sources of revenue. Whether the scale of rates should be maintained at the level suggested in the Bill or should be reduced is a matter which will come within the purview of the select committee, but we must take it for granted that we are going to pay this electricity tax for ever. Whether it should affect certain sections of the public and it should not affect others is a matter which the select committee will decide. I give expression to my genuine feelings when I say that I am opposed to exemptions. As regards the Court-fees Bill also, I think, if I may say so, my honourable friend the Finance Member has surreptitiously put in an item in the schedule on which they are going to impose higher court-fees. I think Rs. 15 are proposed as the fees for setting aside *ex parte* decrees, which proposal was turned down in the last session. So that, I assure my honourable friend the Finance Member of the Government

[Syed Miran Mahomed Shah]

of Bombay that we shall not in any way lend our support to things like that which are surreptitiously put in in the Bill. We are all conscious of that, and we shall see that nothing creeps in unknown to us and takes the shape of permanent taxation. With these few remarks, I am constrained to express that I am going to support the first reading of the Bill.

Rao Saheb V. S. PATIL (East Khandesh District) (Addressed the House in Marathi): Mr. President, up to now many honourable members who are the elected representatives of the people have made speeches against the Bill. I wish to say that it is the agriculturists who suffer most by these frequent increases of taxes. On account of these taxes, their condition is not improving. Apparently, the agriculturist has nothing to do with the tax on electricity, but he will have to suffer on its account. The fact is that if a tax is imposed in Bombay city, when goods are sent from Bombay for the consumption of agriculturists, the tax is passed on to them by the Bombay merchants to a certain extent. Sir, it is well known that from ancient times it is the agriculturists who form the bulwark of Government. So far as this Presidency is concerned they pay land revenue to the extent of Rs. 5,00,00,000. But what have they got in return for this contribution? A few agriculturists may have been made Rao Sahebs or Rao Bahadurs, a few agricultural shows may have been held, but these things do not benefit the agriculturists. They work day and night in the fields, cultivating the soil, and manage to spend only Rs. 4 on clothing in a year. We, the representatives of the agriculturists, may put on suits when we come to the Council, but it is wrong to infer from that that all the agriculturists are in the position of being to do the same. If proper facilities had been afforded for the education of agriculturists, I would not have been to-day under the necessity of addressing the House in Marathi. They are too poor to pay even for vernacular education; how can they even dream of English education? Sir, there is no question that the agriculturists are not able to pay even the present taxes, let alone enhanced taxes. I am an agriculturist, I work in the fields, I keep accounts, and I know that agriculture in these days does not pay. It is by denying to themselves the necessities of life that they somehow pay the land revenue. Over and above that, if they are to bear these increased taxes, how can they afford it? The result will be that the agricultural industry will be destroyed.

Sir, those members who come to the Council and who pay 32 rupees assessment are not all real agriculturists. It is only clever people who can hoodwink the agriculturists by telling them all sorts of things about what goes on in the Council. When we go back to our constituencies, they ask us what we have done for them, and we explain things away and somehow get out of the difficulty. But we cannot go on doing that for all time. Our position is becoming more and more difficult every day. In spite of the greatest economy the agriculturists exercise in their domestic expenses which come to hardly Rs. 30 per head per year, they are not able to make both ends meet. An agriculturist spends hardly

[Rao Saheb V. S. Patil]

Rs. 4 on his clothes in a year. In spite of the fact that they are contributing a good deal to the coffers of Government, they are in such a miserable plight. I shall narrate a short story. Akbar Badshaha in good old days went for a hunt into a jungle. After some time, he felt thirsty and came to a hut occupied by an old farmer woman and asked her whether he could get some drink. Seeing that it was the king, the old lady squeezed two pieces of sugarcane which gave a tumblerful of juice and gave it to the king. After quenching his thirst the king asked the lady how much sugarcane she produced in her fields. She said that she was raising 50 maunds of "Gul". The king was then inquisitive to know the kist she paid for that land. On enquiry he learnt that it was only five *cowdies*. The king when he went back to his capital asked the Minister why a land producing 50 maunds of "Gul" was taxed only 5 *cowdies*. Then, on a future occasion, when he went out for a hunt, he happened to come to the same lady for drink to quench his thirst. This time, the old lady squeezed 25 pieces of sugarcane but still there was only one tumbler of juice. The king was surprised and asked how it was that she could not get one tumblerful of juice for 25 pieces, while on the previous occasion, she gave a tumblerful for two pieces of sugarcane. The old lady replied that the king must have thought something evil about this. We toil day and night in the fields and still our existence is miserable. Any villager that is brought to this city will be surprised to see these tarred roads on which motor cars run smooth. I myself was surprised and paused to consider why, in spite of the fact that we contribute largely to the exchequer, there should be nice tarred roads in cities, whereas we have only rugged roads, which jolt our country carts up and down. We are living in houses with mud walls. The Honourable the Finance Member said that the residential quarters of officers are not palatial buildings. If they are not palatial buildings, I do not know what else they are. But so far as we are concerned, we are living in miserable mud huts. That is our condition, in spite of the fact that we work day and night in our fields and contribute enormously to the revenues of the Government. Instead of taxing the agriculturists Government should reduce the big salaries of their officers and make up the deficit.

Mr. J. G. MORE (Sholapur District): Sir, I rise to oppose the present Bill. In doing so, I beg to submit that the financial stringency is not such as to warrant the present measure, which has been brought by Government in this House. It has been stated by Government that the estimated revenue of Government is insufficient, and therefore the deficit must be covered by certain financial measures. One of those measures is placed before the House. I beg to submit that in the present budget the figures of estimated revenue are given much below what is expected to be realised. This point has been discussed by certain honourable members and they have clearly shown that the present budget has been so prepared and presented as to show a heavy deficit of estimated revenue.

The second point to which I wish to draw the attention of the honourable House is that a statement has been published by Government showing the retrenchment effected. In this statement it will be seen

[Mr. J. G. More]

that there are various items to which Government have either not paid their attention or have deliberately delayed the execution of the suggestions made by the Retrenchment Committee. For instance, I will point out one recommendation which has not been given effect to. The Retrenchment Committee recommended that there ought to be a ten per cent. cut in the establishment of the High Court. To this the reply has been given that the matter is under consideration. That itself will go to show that Government have not taken steps with regard to this department. Many other figures of retrenchment have not been shown in the statements Nos. I, II and III that are supplied to this House. In the last budget session Government stated that in addition Government had taken other measures of retrenchment, the financial effect of which could not be stated then. The boast of Government is that they have retrenched more than what the Retrenchment Committee has recommended. I submit there are many recommendations of the Retrenchment Committee which have not been given effect to by Government as yet. If these recommendations are given effect to by Government, I hope Government will nearly realise a saving of Rs. 40 lakhs more. One of the most important items to which Government have not paid attention is the provincial services. Last time when the budget was presented by the Honourable the Finance Member he said that "within a few months that question would be settled according to the wishes of all provinces and the initial salaries of the provincial services and All-India services would be reduced." At that time an assurance was given that this subject would be taken up immediately. So far as the reduction of salaries of provincial services is concerned, I think Government have not taken any steps to reduce the salaries. This is another instance which will go to show that so far as the policy pursued by Government is concerned, they are not consistent with the promises held out to this Honourable House. Government say that they have gone beyond the recommendations of the Retrenchment Committee. No doubt, retrenchment has been effected to the extent of Rs. 1,59,00,000 but I think this is not a voluntary retrenchment on the part of Government. Government were really forced to retrench unwillingly, because all financial measures were opposed by this House. Therefore, Government was forced to effect retrenchment. So, the credit of effecting retrenchment does not go to Government but it goes to the representatives of the people who opposed the financial measures during the last year.

Now, I beg to submit, Sir, that the present Bill is not an emergency measure. It is a measure intended by Government to be placed on the statute book permanently.

The Honourable the PRESIDENT: Not after the amendment. The amendment has been proposed.

Mr. J. G. MORE: Government were forced to bring that amendment. So far as the intention of Government is concerned, the measures should be permanently placed on the statute book.

The Honourable the PRESIDENT: Not after the amendment, I repeat.

Mr. J. G. MORE: I submit that this amendment is not a voluntary amendment. It was forced.

The Honourable Sir GOVINDRAO PRADHAN: As a matter of fact, I have so stated in my speech.

Mr. J. G. MORE: The House has forced their hands, but it is clear the original intention of Government was to place the measures on the statute book permanently.

It has already been contended by some honourable members that this Bill as presented is not in the best interests of the people. Some say that the Government should not have presented this Bill in its present form. I beg to submit that the Bill as submitted by Government is such that all the representatives of the people should join hands and oppose it. To me it appears that a golden opportunity has been thrown to us which should enable us to combine and throw out the Bill. It has been stated by one honourable member that of all the provincial legislatures, the Bombay legislature is the weakest, because there are many sections in it arrayed separately. This is an opportunity which can be seized by this House to combine, as the interest of all is concerned. Therefore, I think the presentation of the Bill in the present form gives us an opportunity to unite and oppose.

There are five parts in the Bill. The second part is surcharge on electricity. So far as electricity is concerned, it is not only the rich and the middle classes that are affected, but also the poorer classes.

The Honourable the PRESIDENT: These are arguments already exhausted.

Mr. J. G. MORE: Sir, this Electricity Duty Bill is the most indiscriminate of all the pieces of legislation that Government have brought before this House. In addition to that, I think Government want a charter to show favouritism to certain persons and concerns. The provision to clause 5 of this Bill reads:

"Provided that electricity duty shall not be leviable on the units of energy consumed by Government or by a tramway company, or by a railway administration as defined in clause (6) of section 3 of the Indian Railways Act, 1890, or by or in respect of any concern, undertaking, institution, premises, body, person or any class of persons or thing which the Government may exempt from payment thereof by a notification in the *Bombay Government Gazette*."

The Honourable the PRESIDENT: Is the honourable member likely to finish it within two minutes?

Mr. J. G. MORE: I will not be able to finish it within two minutes.

The Honourable the PRESIDENT: Then, I will give him the chance to-morrow.

BUSINESS OF THE HOUSE.

The Honourable Sir GHULAM HUSSAIN: Mr. President, it is likely that the discussion on this Bill may be over to-morrow. In that case, Government will proceed with the supplementary grants.

Rao Bahadur R. R. KALE : Not the other Bill ?

The Honourable the PRESIDENT : What the Honourable the Leader of the House says is, supposing the discussion comes to an end to-morrow early and any time remains over, then the supplementary grants will be put forward by Government, and honourable members should not be surprised in that case. They should come prepared : that is all.

Mr. A. N. SURVE : If that suggestion is accepted, I hope Government will not raise any objection to our moving amendments without notice.

The Honourable the PRESIDENT : The House is now adjourned to 2 p.m., to-morrow, Wednesday the 24th February 1932.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Wednesday, the 24th February 1932.

The Council re-assembled at the Council Hall, Bombay, on Wednesday, the 24th February 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
HADDOW, Mr. R. R.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.

MACKIE, Mr. A. W. W.
MATCHESWALLA, Mr. G. E.
McELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MODI, Sardar DAVAR T. K.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. C. N.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SPENCER, Mr. A. B.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WADKE, Mr. B. P.
WILES, Mr. G.
WINTERBOTHAM, Mr. G. L.

STARRED QUESTIONS AND ANSWERS

GRAZING FEES: SIND AND OTHER DIVISIONS.

*Mr. HAJI MIR MAHOMED BALOCH (Karachi City): Will Government be pleased to state—

(1) whether it is a fact that the grazing fees for animals in the forests in Sind have been doubled during the year 1929-30;

(2) if the reply to (1) be in the affirmative, what are the special reasons for the fees being doubled;

(3) what is the schedule of grazing fees in the forests of Sind for various animals;

(4) what is the schedule of grazing fees in all the other divisions of the Presidency?

The Honourable Dewan Bahadur S. T. KAMBLI: (1), (2) and (3) The rates of grazing fees previously in force and those now prevailing are given below:—

Rates previously in force.

	First class Forests. Rs. a. p.	Second class Forests. Rs. a. p.
Camel	3 0 0	3 0 0
Buffalo	0 12 0	0 6 0
Cow or bullock ..	0 6 0	0 3 0
Horse	0 6 0	0 3 0
Donkey	0 4 0	0 2 0
Sheep	0 1 0	0 0 6
Goat	0 4 0	0 4 0

Existing rates.

	Rs. a. p.
Camel	5 0 0
Buffalo	1 8 0
Cow or bullock ..	0 12 0
Horse	0 12 0
Donkey	0 8 0
Sheep	0 2 0
Goat	0 4 0

The scale was revised after full inquiry as it was found that the rates previously in force which had been fixed in 1913 were far below the economic value of grazing.

(4) A statement showing the existing rates of grazing fees in the Presidency proper is appended.

Mr. SHAIKH ABDUL MAJID: Why is it that the grazing fees in Sind are higher than those existing in the Presidency proper?

The Honourable Dewan Bahadur S. T. KAMBLI: Not in all cases. For example, on page 3 of the list the honourable member will find that in Panch Mahals the grazing fee for buffaloes, cows, oxen, horses, donkeys and mules is Re. 1 while cows and bullocks are charged 12 annas in Sind.

Mr. SHAIKH ABDUL MAJID: That is only in cases of animals belonging to non-village area and to Indian States. May I know whether the Honourable Minister has received any representation from the Cattle owners' Association requesting for reduction in grazing fees?

The Honourable Dewan Bahadur S. T. KAMBLI: Yes, Sir.

Mr. SHAIKH ABDUL MAJID: If so, has any action been taken on it?

The Honourable Dewan Bahadur S. T. KAMBLI: No action has yet been taken; enquiries will be made hereafter.

Schedule of grazing fees in the

District.	Fees for village of Forest villages.		
	Buffaloes, cows, oxen, horses, donkeys, mules.	Sheep, if allowed.	Goats, if allowed.
1	2	3	4
I	Rs. a. p.	Rs. a. p.	Rs. a. p.
(i) The whole of the Central Division except Peint Taluka of Nasik District. (ii) Dharwar, Bijapur, Kolaba, Ratnagiri and Belgaum districts in the Southern Division.	0 4 0	0 2 0	0 2 0
II			
(i) Kanara District in the Southern Division. (ii) Surat District in the Northern Division.	0 2 0	0 1 0	0 1 0
III			
Thana District in the Northern Division and Peint Taluka and the villages of Pimpalsonda Karanjul, Chinchla, Ragatvihir, Guhe-Jamanpada, Songhir and Gondhune of the Kalwan Taluka of Nasik District in the Central Division.	Free within the unit defined in Rule VII.	Not allowed.	
IV			
Panch Mahals District in the Northern Division.	Free within the unit defined in Rule VII.	Not allowed.	

districts of the Presidency proper.

cattle			Fees for non-village cattle and cattle from Indian States.		
of Non-Forest villages.					
Buffaloes, cows, oxen, horses, donkeys, mules.	Sheep, if allowed.	Goats, if allowed.	Buffaloes, cows, oxen, horses, donkeys, mules.	Sheep, if allowed.	Goats, if allowed.
5	6	7	8	9	10
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
0 8 0	0 4 0	0 4 0	1 0 0	0 4 0	0 4 0
0 4 0	0 2 0	0 2 0	1 0 0	0 4 0	0 4 0
Buffaloes— 0 8 0 Others— 0 6 0	0 2 0	0 2 0	1 0 0	0 4 0	0 4 0
(1) Western Mahals— 0 8 0 (2) Eastern Mahals— Buffaloes— 0 4 0 Others— 0 2 0	Not allowed.		1 0 0	Not allowed.	

LLOYD BARRAGE AND CANALS CONSTRUCTION : DRAINS.

*Mr. HAJI MIR MAHOMED BALOCH (Karachi City): (1) Will Government be pleased to state in a tabular form the names and miles of all main and subsidiary drains with cuts in each Circle—

(*a*) as proposed in the first original sanctioned project,

(*b*) as now revised by the Chief Engineer, Lloyd Barrage and Canals Construction,

(*c*) now under construction ?

(2) When will all the main and subsidiary drains be completed ?

The Honourable Sir GHULAM HUSSAIN: (1) (*a*) A statement giving the names and mileages of main and subsidiary drains as provided for in the 1920 Project is placed on the Council table.

(*b*) Complete information is not yet available as the question of providing efficient drainage is a complicated one and requires very thorough detailed investigation in order that expenditure incurred may not be wasted. This matter is being investigated at present by the Research Division.

Only such drainage schemes have been or are being undertaken the efficiency and absolute necessity of which have been established. These are :—

On the Right Bank.

(*a*) The Flood Protective Bund Scheme.—The construction of the main Western Nara Valley drain measuring 70 miles and forming part of this scheme will be taken in hand shortly.

(*b*) The Manchar Drainage Works (in progress).

On the Left Bank.

(*c*) Containing Banks along the Eastern Nara (completed).

(*d*) Flood Diversion Banks along the Eastern Nara (completed).

(*e*) The widening of the bottle-neck of the Puran Dhoro (3·6 miles long) near Jhudo (completed).

(*c*) The Manchar Drainage Works.

(2) Schemes will be formulated in the light of the results of investigations by the Research Division. After full details of the schemes have been worked up, the works will be taken in hand section by section according to the urgency of each scheme.

Statement showing drainage and protective works as provided for in the 1920 project.

On the Right Bank.

Particulars.		Miles.
North Western Canal—		
Main drain		28
Branch drains—		
(*a*) North West Valley	22	
(*b*) North East Valley	56	
(*c*) Candakhe	22·6	
(*d*) Dodapur	25·4	
		126
Total ..	126·0	

On the Right Bank—contd.

Particulars.			Miles.
Rice Canal—			
Main drain			28
Branch drains—			
(*a*) Bahram Hetion Valley		44	
(*b*) Ghar		38	
(*c*) Manjan		18	
			100
Total ..		100	
Dadu Canal—			
Main drain			28
Branch drains—			
(*a*) Khairpur Valley		15	
(*b*) Along North Western Railway		42	
			57
Total ..		57	
Manchar Drainage Works—			
High level drain			5
Low level drain			13

On the Left Bank.

Rohri Canal—			
Main drains 1 to 8			308
Branch drains of main drains			371
Eastern Nara System—			
Containing banks			125
Flood Diversion Bank			105
Mithrao Canal Remodelling—			
Drains			90
Sub-drains			85
Khipro Canal—			
Drains			35
Sub-drains			85

URDU PRIMARY SCHOOLS IN S. D.: BUILDINGS.

*Mr. A. J. BANGI (Southern Division): (*a*) Will Government be pleased to state the number of buildings, with the amount spent on each, put up by the District Local Boards and Municipal Local Authorities, for primary schools, in each District of the Southern Division, during the last ten years?

(*b*) How many of these were allotted to Urdu Primary Schools?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) The accompanying statement gives the information required.

(*b*) Two out of a total number of 62.

Mr. A. J. BANGI: What steps have Government taken to see that the Urdu primary schools get a fair share?

The Honourable Sir RAFIUDIN AHMAD: I will make that request known to the Director of Public Instruction and see what he says about it.

(A)

Statement showing information regarding buildings put up for Primary Division during the

Name of District.	Name of Local Authority.	Year 1921-22.		Year 1922-23.	
		Name of school.	Amount spent.	Name of school.	Amount spent.
1	2	3	4	5	6
			Rs.		Rs.
Dharwar ..	District Local Board, Dharwar.	..	..	..	..
Do. ..	Hubli Municipality.	..	..	..	..
Do. ..	Dharwar Municipality.	..	..	..	..
Do. ..	Gadag Betgeri Municipality.	..	..	..	..
Belgaum ..	District Local Board, Belgaum.	1. Sadalga ..	2,379	1. Chikodi ..	28,290
		2. Kattalgi ..	5,701	2. Kerur ..	5,674
				3. Telsang ..	3,660
Bijapur ..	District Local Board, Bijapur.	1. Wandal ..	5,742	..	..
		2. Mangoli ..	5,068		
		3. Aiholi ..	1,156		
		4. Kaladgi ..	3,660		
Do. ..	Bijapur Municipality.	..	..	..	..
Do. ..	Bagalkot Municipality.	..	..	..	..
Kanara ..	District Local Board, Kanara.	..	..	1. Gudeangadi.	5,249

schools by the District Local Boards and Municipalities in Southern last ten years.

Year 1923-24.		Year 1924-25.		Year 1925-26.		Year 1926-27.	
Name of school.	Amount spent.	Name of school.	Amount spent.	Name of school.	Amount spent.	Name of school.	Amount spent.
7	8	9	10	11	12	13	14
	Rs.		Rs.		Rs.		Rs.
..	..	1. Yelavgi Boys.	4,222	1. Kolur Boys.	5,051	1. Kotbagi Boys.	7,486
		2. Hireha l Boys.	3,015			2. Annigeri Boys.	22,012
		3. Harti Boys.	7,523			3. Kotu m-chigi.	13,018
		4. Abbigeri Boys.	14,078			4. Karur..	5,302
		5. Hulkoti Girls.	4,209				
				1. Haveri Boys' No. 2.	8,224	..	..
1. Marathi Girls' School No. 1.	4,189	..	..	1. Kanaresa Boys' School No. 2.	50,420	..	..
..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..
1. Kunnur Boys' School.	7,967	..	..	..	..	..	..
1. Deshnur (Urdu School).	10,248	..	..	..	..	..	..
..	..	1. Sulibhavi.	14,408	1. Kardi.	1,066	1. Sirur ..	1,140
		2. Hungund.	1,660				
				1. Hungund (Urdu School).	1,186	..	..
..	..	1. Marathi Girls' School at Idgah.	11,970	..	..	..	..
..	..	..	..	1. Dhed School.	1,385	1. Dhed School.	1,105
..	..	..	..	..	..	1. Tyarsi .	229

(A)

Name of District.	Name of Local Authority.	Year 1927-28.		Year 1928-29.	
		Name of school.	Amount spent.	Name of school.	Amount spent.
1	2	15	16	17	18
			Rs.		Rs.
Dharwar ..	District Local Board, Dharwar.	1. Hullur Boys.	4,439	1. Shiggaon Boys.	13,300
		2. Chinchali.	5,133	2. Belwanki Boys.	3,632
		3. Hosalli ..	4,100	3. Tevarmaralihalli Boys.	3,635
				4. Madlur Boys.	3,636
				5. Alur Boys.	9,405
				6. Mudengudi Boys.	3,733
				7. Advisomapur Boys.	3,100
Do. ..	Hubli Municipality.	..	..	..	..
Do. ..	Dharwar Municipality.	..	..	..	..
Do. ..	Gadag Betgeri Municipality.	..	..	..	..
Belgaum ..	District Local Board, Belgaum.	..	..	..	..
Bijapur ..	District Local Board, Bijapur.	1. Honutgi ..	7,478	..	..
Bijapur ..	Bijapur Municipality.	..	..	..	..
Do. ..	Bagalkot Municipality.	..	..	..	..
Kanara ..	District Local Board, Kanara.	..	..	..	..

—*contd.*

Year 1929-30.		Year 1930-31.		Total.	Remarks.
Name of school.	Amount spent.	Name of school	Amount spent.		
19	20	21	22	23	24
	Rs.		Rs.		
1. Aladkatti Boys.	4,118	1. Halligudi Boys.	5,241		
2. Tirlapur Boys.	9,318	2. Byahatti Boys.	9,772		
3. Jigalur Boys.	4,467	3. Naiknur Boys.	5,390		
4. Shirguppi Boys.	9,556	4. Gopankop ..	6,568		
5. Gagad Girls.	2,773				
6. Sulla Boys.	5,357				
				30	
1. Kanarese Boys' School No. 4.	12,081	1. Kanarese Boys' School No. 1.	11,179		
2. Kanarese Boys' School No. 5.	8,473				
3. Kanarese Girls' School No. 2.	9,887				
..	..	1. Kanarese Boys' School No. 7 for Depressed Classes.	1,550		
Shahapur peth Girls' School.	14,932	Betgeri Girls' School No. 1.	13,706		In addition to these schools, one Urdu School which is being built up at Gadag is almost complete but is not yet occupied. The expenditure incurred up to now is Rs. 14,879.
				9	
..	..	..	..	6	
				1	
..	..	1. Kamatgi ..	16,054	10	
				1	
..	..	..	..		
..	..	..	..	3	
..	..	..	..	2	
			Total ..	62	

BORING MACHINES: LOAN TO LOCAL BODIES.

*Rao Saheb B. G. DESAI (Kaira District): (1) How many boring machines are out of use as a result of the abolition of the Boring Department?

(2) (*i*) How many of these boring sets are power machines and how many handworked machines?

(*ii*) What is the quality and make of each of them?

(3) How do Government propose to utilise them now?

(4) Have any Local Boards or Municipalities applied for a loan of them?

(5) If so, what are those Local Bodies?

(6) Do Government intend to lend them to Local Bodies?

The Honourable Dewan Bahadur S. T. KAMBLI: (1) Owing to the financial stringency the boring activities of the Agricultural Department have been suspended. It is proposed to resume them on a greatly restricted scale. At present 78 boring machines are lying unused.

(2) (*i*) 34 power and 44 hand machines.

(*ii*) The requisite information is given below:—

14 Calyx Rotary Drills made by Ingersoll Rand, Limited, of United States of America (capable of taking out cores in rock) as detailed below:—

11 6″ F-3 Portable Drills.
1 5″ G-3 Semi-portable Drill.
1 5″ G-3 Semi-portable Drill.
1 4″ G-31 Semi-portable Drill.

18 4″ Musto-patent power machines made by Richardson and Cruddas, working on the percussive principle.

1 6″ Armstrong portable power machine working on percussive principle—made by Armstrong Machine Company, United States of America.

44 3″ Hand percussive machines made in Bombay and at Dapuri shops.

1 3″ Power Cawnpore machine made by the Empire Engineering Company of Cawnpore.

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(3) Machines not required will be offered for sale.

(4) Yes.

(5) The District Local Boards, Satara, East Khandesh and Panch Mahals, and the Thana Municipality.

(6) Experience has shown that the maintenance of machines on loan and the replacement of lost parts causes a disproportionate amount of work and trouble and the Agricultural Department cannot now

maintain a staff to deal with the loan transactions and undertake repairs and renewals of the machines. Government have therefore decided that such local bodies as require machines should purchase them from the Agricultural Department.

Rao Saheb B. G. DESAI: From the reply to question No. (6) it appears that Government had to engage staff for carrying out repairs and renewals of these machines. Is the Honourable Minister aware that these boring machines were lent to local boards on condition that they should undertake their repairs and defray the entire charges on that account, so that Government had not to pay anything for the repairs of these machines? It is therefore not possible that any expenditure was incurred by Government on that account.

The Honourable Dewan Bahadur S. T. KAMBLI: It is not a question only of repairs but also of maintaining a staff to look after the machines.

Rao Saheb B. G. DESAI: One of the conditions of boring was that no special staff was to be appointed by Government to look after these machines. Only the Deputy Director of Agriculture sent his subordinates to inspect these machines once a year. What extraordinary cost was incurred for this sort of inspection and supervision?

The Honourable Dewan Bahadur S. T. KAMBLI: It causes diversion from their ordinary work.

Rao Saheb B. G. DESAI: If they inspect them once a year?

The Honourable Dewan Bahadur S. T. KAMBLI: It may be once a year or many times a year. It depends on the actual working of the boring machines.

Rao Saheb B. G. DESAI: Was any other expenditure, in addition to that on inspection work, incurred by Government?

The Honourable Dewan Bahadur S. T. KAMBLI: Certain persons are to be employed in order to keep accounts for various parts of the machinery.

Rao Saheb B. G. DESAI: No accounts are kept of the separate parts of the machinery, as all the machinery was lent to the local board. So what accounts are to be maintained?

The Honourable Dewan Bahadur S. T. KAMBLI: Certainly, we are required to maintain accounts. Suppose when the local boards return the machines, they do not return some parts of the machines, who is to be responsible?

Rao Saheb B. G. DESAI: Only a register of these parts is maintained and the loan generally extends over a period of three years, and when the machines are returned, the only work to be done is that the parts are tallied with the entries in the register. No other extra work is to be done.

The Honourable Dewan Bahadur S. T. KAMBLI: The honourable member assumes that the loan is to extend to three years. It could not always be the case.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: Will Government be pleased to sell these boring machines to local boards on easy instalments ?

The Honourable Dewan Bahadur S. T. KAMBLI: If an application is made by any local board to this effect, then it will be considered. No such case has still arisen.

IRRIGATION CHARGES, NIRA LEFT BANK CANALS.

*Mr. L. R. GOKHALE (Poona City): (1) Has the Irrigation Department put up a meter at outlet No. 4 of Distributary No. 2 on the Nira Left Bank Canal ?

(2) If so, when was this meter fixed and how many acres of land are irrigated by the water supplied through this meter ?

(3) How many acres of land are supplied by this meter-system with water (*a*) for perennial crops such as sugarcane, (*b*) for eight-monthly crops, and (*c*) for four-monthly crops ?

(4) What is the total income received by Government annually since the introduction of the meter-system ?

(5) Was this meter-system introduced as an experiment to enable the Government to determine the quantity of water necessary for the various crops such as perennial, eight-monthly and four-monthly ?

(6) Have Government been able to arrive at any conclusion in the matter, and, if so, will Government state what conclusion they have arrived at ?

(7) Have Government found that the supply of water by the meter-system is more economical and profitable both to Government and the irrigators ?

(8) Will Government lay on the Council table a statement giving the following information :—

(*a*) the total number of acres actually irrigated annually for the years 1924 up to the year 1930 on the Nira Left Bank Canals under the block system ;

(*b*) the area irrigated annually during that period (*i*) for sugarcane or perennial crops ; (*ii*) eight-monthly crops ; (*iii*) four-monthly crops ?

(9) Will Government state in how many acres the irrigators did not actually plant sugarcane though they had to pay the sugarcane irrigation charges for the same under the block system for the six years 1924 to 1930 ?

(10) Will Government state the total difference between the charges which they should have ordinarily paid for the crops they actually cultivated in those lands and the charges they had to pay on account of block system for these years ?

(11) Are Government aware that some irrigators of Nira Left Bank Canals could not plant sugarcane crops during the current year on account

of the depression in trade ? If so, how many acres were thus not planted with sugarcane ?

(12) Are Government aware that these irrigators were not able for various reasons to give notice to the Department before the 15th November as required under the Irrigation Rules ?

(13) Is it a fact that on the Godavari and the Pravara Canals, the number of acres under sugarcane cultivation has been materially reduced ?

(14) Have Government received any representations against the block system from the irrigators of these canals ? If so, what has been the result of these representations ?

(15) Are Government aware of the fact that the order prohibiting the plantation of sugarcane crops on the bunds by the side of the water channels in the fields was not being enforced till the last year, and that it is only this year that it is being enforced on Nira Left Bank Canals for the first time ?

The Honourable Sir GHULAM HUSSAIN : (1) It is presumed that the meter referred to is the one fixed at outlet No. 4 of Distributary No. 22 of the Nira Left Bank Canal and if this is so the answer is in the affirmative. There is no meter on outlet No. 4, Distributary No. 2, Nira Left Bank Canal.

(2) The meter referred to above was fixed at the beginning of the Irrigation year 1922-23. The area annually irrigated by water through it is about 900 acres.

(3) The annual acreage of sugarcane, other perennial crops, two seasonal crops and 4 months crops (monsoon and rabi crops) supplied with water through this meter is approximately as under :—

Crop.		Acres.
Sugarcane	..	235
Short-term cane etc.	..	200
Other perennials	..	5
Two seasonals	..	25
Seasonal { monsoon	..	195
Seasonal { rabi	..	240
Total	..	900

(4) The revenue derived annually by the supply of water through this meter is as follows :—

Year.	Rs.
1922-23	14,790
1923-24	15,454
1924-25	14,785
1925-26	18,737
1926-27	21,036
1927-28	17,326
1928-29	16,252
1929-30	18,382
1930-31	16,770

(5) No. This experiment was started with a view to establishing a co-operative system of irrigation by Panchayat and to determine whether irrigation management can ultimately be left to cultivators themselves for co-operative distribution of water.

(6) The experiment not having proved a success, Government have decided to discontinue it for the present.

(7) No.

(8) (*a*) The approximate areas irrigated annually under the block system on the Nira Left Bank Canal and Shetphal Tank during the years from 1924-25 to 1930-31 are as follows :—

Years.	Acres.
1924-25	15,981
1925-26	16,085
1926-27	20,203
1927-28	19,386
1928-29	22,435
1929-30	20,021
1930-31	22,014

(*b*) The sub-joined statement contains the requisite information :—

Year.	Sugar-cane.	Other perennials.	Two-seasonal crops.	Seasonal crops		Remarks.
				Monsoon crops.	Rabi crops.	
1	2	3	4	5	6	7
	Acres.	Acres.	Acres.	Acres	Acres.	
1924-25 ..	5,417	92	5,499	1,291	3,682	Areas in perennial blocks except cane areas were not measured and hence the areas of other crops shown in columns 3 to 6 are approximate only.
1925-26 ..	6,054	130	951	1,850	7,100	
1926-27 ..	6,583	113	350	6,638	6,519	
1927-28 ..	6,743	61	188	8,645	3,749	
1928-29 ..	6,305	58	522	8,092	7,458	
1929-30 ..	6,303	45	759	8,221	4,693	
1930-31 ..	6,179	19	890	5,972	8,954	

(9) Area of cane not planted in perennial blocks during the years 1924-25 to 1930-31 was as under :—

Year.	Acres.
1924-25	487
1925-26	413
1926-27	374
1927-28	446
1928-29	646
1929-30	564
1930-31	458

(10) As only sugarcane crops have been measured in blocks this information cannot be given.

(11) The area of cane not planted during the current year for various reasons amounts to about 600 acres. It is not possible to determine what proportion of this was due to the slump in trade and what proportion to other causes.

(12) The date of application for cancellation of blocks was extended to 15th February 1931.

(13) Yes.

(14) Yes. Government have since revised the block rules and allowed the concessions of long term overlapping cane and preseasonal waterings in 1 : 3 sugarcane blocks which the irrigators desired.

(15) No.

Mr. L. R. GOKHALE : With regard to the reply to (5), was any such attempt made to introduce the panchayat system for irrigation purposes ?

The Honourable Sir GHULAM HUSSAIN : The answer is very clear : " This experiment was started with a view to establishing a co-operative system of irrigation by panchayat and to determine whether irrigation management can ultimately be left to cultivators themselves for co-operative distribution of water."

The Honourable the PRESIDENT : Whether this has been done is the question.

The Honourable Sir GHULAM HUSSAIN : It has been done.

Mr. L. R. GOKHALE : In how many places was it tried ?

The Honourable Sir GHULAM HUSSAIN : I cannot give the exact number. I require notice.

Mr. N. E. NAVLE : Can the Honourable Member name one Panchayat to which the management of the distributary or its outlet was handed over ?

The Honourable Sir GHULAM HUSSAIN : There was one panchayat. The outlet referred to in (1) was given to that panchayat.

Mr. L. R. GOKHALE : Is it not a fact that it was tried nowhere ?

The Honourable Sir GHULAM HUSSAIN : It was tried at that particular outlet. That is my information.

Mr. N. E. NAVLE : Is there no Bagayatdars' Association for that outlet ?

The Honourable Sir GHULAM HUSSAIN : I do not know. My information is that the panchayat was tried at this particular outlet.

Mr. N. E. NAVLE : With regard to the reply to (9), is it not a matter of great hardship that agriculturists have to pay sugarcane cess on 500 acres, according to the figures supplied by Government, without their actually planting sugarcane over that portion ?

The Honourable Sir GHULAM HUSSAIN : They themselves apply for it. Government cannot help it if they do not cultivate sugarcane on the whole portion.

Mr. N. E. NAVLE: If there were no block system, this charge would not have been levied on them.

The Honourable Sir GHULAM HUSSAIN: Without knowing what area they are going to plant with sugarcane, they apply to Government for water. When their applications are sanctioned, they must plant sugarcane in that area. Otherwise Government sells water to some one else.

Mr. L. R. GOKHALE: Part (11) of the question asked: "Are Government aware that some irrigators of Nira Left Bank Canals could not plant sugarcane crops during the current year on account of the depression in trade? If so, how many acres were thus not planted with sugarcane?" The answer is: "The area of cane not planted during the current year for various reasons amounts to about 600 acres. It is not possible to determine what proportion of this was due to slump in trade and what proportion to other causes." I want to know what are the other causes besides slump in trade?

The Honourable Sir GHULAM HUSSAIN: The man perhaps cannot afford the money, or he may be ill, or there may be some other family reasons: his wife or children might be ill.

Mr. L. R. GOKHALE: I would like to know whether Government is in possession of any other reasons.

The Honourable Sir GHULAM HUSSAIN: These are the reasons I have enumerated. Perhaps the man cannot afford to spend the money, or he or some one in his family may be ill.

Rao Bahadur G. K. CHITALE: Is not discontent the main reason for not planting these 600 acres with sugarcane?

The Honourable Sir GHULAM HUSSAIN: One of the causes might be that.

Rao Bahadur G. K. CHITALE: Is not that the main cause?

The Honourable Sir GHULAM HUSSAIN: I do not think so.

Mr. L. R. GOKHALE: Is it not the higher charges for irrigation that prevent him from doing it?

The Honourable Sir GHULAM HUSSAIN: I do not think so.

Mr. N. E. NAVLE: Part (13) asks, "Is it a fact that on the Godavari and the Pravara Canals the number of acres under sugarcane cultivation has been materially reduced?" The reply is in the affirmative. May I know whether this reduction in the planting of sugarcane is mainly due to the introduction of the block system?

The Honourable Sir GHULAM HUSSAIN: No, Sir.

Mr. N. E. NAVLE: Then, what are the causes?

The Honourable Sir GHULAM HUSSAIN: One of the causes might be the slump in trade.

Mr. N. E. NAVLE: Is not this also an additional reason, the introduction of the block system?

The Honourable Sir GHULAM HUSSAIN: No. When the prices are good, people do offer to cultivate sugarcane.

Rao Bahadur R. R. KALE: May I know whether the Government can give us any idea as to the loss in revenue incurred owing to the non-cultivation of these 600 acres?

The Honourable Sir GHULAM HUSSAIN: How can I say that off-hand?

Rao Saheb P. D. KULKARNI: Is not the introduction of the block system one of the chief causes for the decrease in area under sugarcane?

The Honourable Sir GHULAM HUSSAIN: No, not at all. When prices were good, everybody came forward and cultivated. It is only the slump in prices that is the mian cause.

Mr. N. E. NAVLE: In part (15) the question is, "Are Government aware of the fact that the order prohibiting the plantation of sugarcane crops on the bunds by the side of the water channels in the fields was not being enforced till the last year, and that it is only this year that it is being enforced on the Nira Left Bank Canals for the first time?" The answer is "No". Am I to understand that Government are not aware that the order prohibiting the plantation of sugarcane crops on the bunds by the side of the water channels in the fields was not being enforced till the last year?

Mr. L. R. GOKHALE: Have the Government made any enquiry?

The Honourable Sir GHULAM HUSSAIN: If the honourable member gives notice, I will make enquiries.

Mr. L. R. GOKHALE: The question is definite. It asked, "Are Government aware of the fact that the order prohibiting the plantation of sugarcane crops on the bunds by the side of the water channels in the fields was not being enforced till the last year, and that it is only this year that it is being enforced on Nira Left Bank Canals for the first time?" The question suggests that it was only this year that the order was enforced. Have Government made any enquiry about this or not?

The Honourable Sir GHULAM HUSSAIN: No, Government have not made any enquiry.

Mr. L. R. GOKHALE: Do not Government think it necessary to make any enquiry?

The Honourable Sir GHULAM HUSSAIN: If the honourable member will give notice, I will make the enquiry.

Mr. L. R. GOKHALE: The question is clear.

The Honourable Sir GHULAM HUSSAIN: The wording of the question is, "Are Government aware?" The reply is, "Government are not aware."

The Honourable the PRESIDENT: I think the ordinary procedure followed, when questions are sent up, is that Government at once refer the matter to the heads of departments, and they get a reply. At least that is my knowledge of it, and when the reply comes, the reply is forwarded accordingly. That proves that an enquiry was made by Government.

So, the question whether an enquiry was made by Government does not arise. Whether an investigation was made would be a different question. The answer is that Government are aware of it, and that must be on the strength of the report they must have received.

Mr. N. E. NAVLE: But the Leader of the House said that he made no enquiries.

The Honourable Sir GHULAM HUSSAIN: I said we are not aware of it.

The Honourable the PRESIDENT: Next question.

PROSECUTIONS IN SIND.

*Mr. GOVER RORA (Karachi City): Will Government be pleased to state —

(*a*) whether they are aware of the prosecution launched against Mr. Manilal Vyas, editor of a paper "Gujarati Dainik", and Mr. Nagendra Kumar, at Karachi, by the Sind authorities;

(*b*) under what sections of the Penal Code or for what crime they are being prosecuted;

(*c*) whether it is a fact that Swami Govindanand is being prosecuted for the same offence as the above said two persons?

The Honourable Mr. G. A. THOMAS: (*a*) and (*b*) Yes. They were prosecuted for an offence under section 124-A, Indian Penal Code, in respect of an article published in the "Rashtra Shakti" newspaper of Karachi and sentenced to one year's rigorous imprisonment.

(*c*) He was prosecuted for a similar offence in respect of a speech, delivered by him in Karachi and sentenced to two years' rigorous imprisonment.

HIGH SCHOOL FOR GIRLS, AHMEDABAD: HEAD MISTRESS.

*Mr. J. S. KADRI (Northern Division): Will Government be pleased to state —

(1) the number of girls in each standard in the High School for Girls, Ahmedabad;

(2) the name, age, qualifications, service and pay of the present Head Mistress of the school;

(3) the total annual expenditure incurred on this School;

(4) whether this School which meets in the Training College premises was formerly under the management and supervision of the Lady Superintendent of the Mahalaxmi Training College for Women and if so, why was a highly paid new Head Mistress appointed;

(5) whether it is a fact that there was a strike in the School due to bad discipline and whether a large number of girls have left the School on account of the tactless treatment of the Head Mistress?

The Honourable Sir RAFIUDDIN AHMAD: (1) The information is given below:—

	Number of girls on 1st January 1932.
Standard I	30
Standard II	10
Standard III	10
Standard IV	15
Standard V	10
Standard VI	10
Standard VII	2

(2) *Name of the present Head Mistress.*—Miss P. I. Thakor.
Age.—28 years.
Qualifications.—M.A., B.Sc. (Columbia University); Montessory Diploma of Teaching (London).
Service.—3 years and 2 months on 1st February 1932.
Pay Rs. 230 in the time scale of Rs. 200—10—340—efficiency bar—15—400.

(3) A total expenditure of Rs. 20,147 was incurred on the School during the year 1930-31.

(4) The reply to the former part of the question is in the affirmative. With regard to the latter part, the reasons for the separation of the two institutions and the appointment of a separate Head Mistress are given by the Director of Public Instruction in his letter No. 17068, dated the 31st March 1919. They are as follows:—

"Ahmedabad already has a full High School for Girls, but it is at present attached to the Mahalaxmi Training College for Women and is under the direct control of the Lady Superintendent—an arrangement which seriously handicaps both the institutions since the Lady Superintendent is unable to give either her undivided attention and ladies attached to one institution are liable on emergencies to be diverted to the other. Each is of sufficient importance to require a separate staff and separate buildings if it is to be efficiently conducted. The separation of the High School from the Training College is thus a very pressing question and Government have already recognised the necessity of it by providing a post of Rs. 250—10—300 for the High School."

(5) It is a fact that there was a strike in the school and a large number of girls have left it: but the same was not due to any fault of the Head Mistress.

Mr. J. S. KADRI: May I enquire whether the circumstances have not materially changed since 1919, when the Director of Public Instruction reported about this matter, as to necessitate a change in the policy of maintaining this school?

The Honourable Sir RAFIUDDIN AHMAD: The circumstances are not materially changed in this respect.

Mr. J. S. KADRI: There has been an expenditure of Rs. 20,000, while the number on the rolls is only 85. Does this small number—only

10 pupils in each of the five out of seven standards—justify the maintenance of this costly institution, when there is a financial stringency and when funds are needed for more urgent and better purposes ?

The Honourable Sir RAFIUDDIN AHMAD : The matter had been under consideration. As the honourable member knows, under special circumstances this reduction in the number of pupils took place. Those circumstances are undergoing a change, and therefore no definite policy can be laid down now.

Mr. J. S. KADRI : Will it not now be possible to place this institution under the Lady Superintendent of the Training College, when the Training College has got only one or two classes now instead of three or four as in the past ?

The Honourable Sir RAFIUDDIN AHMAD : No, Sir.

CIVIL COURT, TASGAON : PROPOSED ABOLITION.

*Rao Bahadur R. R. KALE (Bombay University) : Will Government be pleased to state—

(*a*) whether it is a fact that they intend to abolish certain civil courts in the District of Satara ;

(*b*) if so, whether the civil court at Tasgaon is one of the courts proposed to be abolished ;

(*c*) whether they have received in regard to it any representation from the members of the public of Tasgaon including the members of the Tasgaon Bar ;

(*d*) whether the suggestions contained and the scheme propounded therein as an alternative proposal have been considered by Government ;

(*e*) whether they are aware that the abolition of Tasgaon Court is likely to cause great inconvenience and injustice to the population of the surrounding areas and consequent dissatisfaction among the people ;

(*f*) whether they had ascertained public opinion before resolving upon the abolition of Tasgaon Court ?

The Honourable Mr. G. A. THOMAS : (*a*) and (*b*) The court at Tasgaon is the only court abolished in the district.

(*c*) Yes.

(*d*) Yes.

(*e*) Some inconvenience is inevitable, but owing to the improvements in the methods of communication the inconvenience is not likely to be serious.

(*f*) Both Government and the District Judge received numerous petitions from the public, and these were duly considered before orders were passed.

IRRIGATION CIRCLES AND DIVISIONS : DECCAN.

*Rao Saheb P. D. KULKARNI (Poona District) : Will Government be pleased to state—

(1) the names of the Circles in the Public Works Department Irrigation Works in the Deccan and the names of the Divisions and

sub-divisions under these Circles as they stood in each year from 1915 to 1930 with the names of the officers attached to them;

(2) the engineering, agricultural and other educational qualifications of the officers who held the posts together with their duties and dates of appointment;

(3) the names of the officers not transferred for the last ten years with reasons for not transferring them;

(4) the period for which these officers are proposed to be maintained in the same posts, and the figures of the increased or decreased irrigation revenue collected since their appointment;

(5) the reasons for retaining all these circles and incurring heavy expenditure;

(6) whether irrigation revenue is regularly decreasing day by day?

The Honourable Sir GHULAM HUSSAIN: (1) and (2) A statement* showing the names of the Circles in the Public Works Department Irrigation Works in the Deccan and the names of the Divisions and Sub-divisions under these Circles as they stood in each year from 1915 to 1930 is placed on the Council table. As regards the names and qualifications, etc., of the officers who held these posts, Government consider that the labour and time involved in the collection of the detailed information would be incommensurate with any public purpose which it might serve.

(3) There are no such officers.

(4) Does not arise.

(5) The Circles are necessary

(*a*) for the efficient administration of the Deccan Canals;

(*b*) owing to the need for scientific research work on various kinds of soils in the interest of agriculture and irrigation; and

(*c*) for the introduction of improved methods of irrigation.

(6) No, except to a small extent during the last three years ending 1929-30.

Rao Saheb P. D. KULKARNI: Is it not the case that Mr. Inglis has not been transferred for the last 10 years and is in charge of the special division from 1917?

The Honourable Sir GHULAM HUSSAIN: The reply refers to other officers. Mr. Inglis is a specialist officer for that work. There are no other officers who have not been transferred for the last 10 years. Mr. Inglis has not been transferred for the last 10 years because there are not many officers for his kind of work, and therefore in his case a transfer could not take place at all, as transfers take place in the case of other officers.

Rao Saheb P. D. KULKARNI: What are his special educational qualifications?

The Honourable Sir GHULAM HUSSAIN: The honourable member knows them very well.

Rao Saheb P. D. KULKARNI: I asked the same in the question now being replied to, but the reply printed in the list of questions and answers

*Kept in the Secretary's office.

is that it was laborious work to collect all that information in one place. How am I to know them offhand ?

Mr. L. R. GOKHALE : Does he possess any special qualifications for the post, or any degrees from anywhere, or any special knowledge as an expert ? Is it for that reason that he is kept there ?

The Honourable Sir GHULAM HUSSAIN : He has special qualifications. He has been to America and to several other places to study this particular subject.

Mr. L. R. GOKHALE : Does he possess any diploma ?

The Honourable the PRESIDENT : Next question.

EDUCATIONAL INSPECTOR, N. D. : TOURS.

*Mr. A. K. RESALDAR (Ahmedabad and Surat Cities) : Will Government be pleased to state—

(*a*) the number of days the Educational Inspector, N.D., was out of headquarters during each month from April 1930 to July 1931 and the amount of travelling allowances drawn by him for each of those months ;

(*b*) how many times he visited Surat during this period and what were the reasons for those visits ;

(*c*) whether it is a fact that he generally remains on tour ?

The Honourable Sir RAFIUDDIN AHMAD : (*a*) and (*b*) The accompanying statement gives the information.

(*c*) No.

Statement.

Month.	Number of days out of head-quarters.	Amount of travelling allowance drawn.	Number of visits to Surat.	Reason for visits to Surat.	Remarks.
		Rs. a. p.			
April 1930 ..	15	228 2 0	1	Inspection of Proprietary English School.	
May 1930 ..	20	309 9 0			
June 1930 ..	11	188 7 0	1	Inspection of the foundations of the Sir P. T. buildings to be built, saw the site of the Municipal buildings.	
July 1930 ..	21	243 1 0	1	To attend a meeting of the District School Board.	
August 1930 ..	18	152 9 0	1	Inspection of (1) Sir J. J. English School, (2) I. P. Mission High School and (3) N. G. Jhaveri Jain High School.	

Statement—contd.

Month.	Number of days out of head-quarters.	Amount of travelling allowance drawn.	Number of visits to Surat.	Reason for visits to Surat.	Remarks.
		Rs. a. p.			
September 1930..	16*	29 7 0	..	....	* The Educational Inspector did work on behalf of the University during a major portion of this period.
October 1930 ..	22	194 13 0	1	To attend Sir P. T. Building Scheme Committee meeting.	
November 1930..	17	87 13 0	..	....	The Educational Inspector did work on behalf of the University during a major portion of this period.
December 1930 ..	18	167 6 0	1	Inspection of Union High School.	
January 1931 ..	23	259 13 0	1	Inspection of T. and T. V. Sarvajanik High and Middle Schools and to preside over the Sir P. T. Building Committee meeting.	
February 1931 ..	19	179 15 0	1	To preside over the Sir P. T. Building Committee meeting and to examine two teachers in S. T. Examination.	
March 1931 ..	24	270 5 0	1	Inspection of Government High and Middle Schools.	
April 1931 ..	16	249 2 0	1	Inspection of Senior Assistant Deputy Educational Inspector's office, saw construction of Sir P. T. Buildings at two places.	

Statement—concld.

Month.	Number of days out of head-quarters.	Amount of travelling allowance drawn.	Number of visits to Surat.	Reason for visits to Surat.	Remarks.
		Rs. a. p.			
May 1931 ..	8	155 11 0	1	To see Sir P. T. Buildings at Velak, Narthan, Rankuva, Vanzana, Nizar, Tarbhon and Ambheti.	
June 1931 ..	14	213 10 0	1	Inspection of Proprietary English School.	
July 1931 ..	17	166 1 0	1	Inspection of (1) N. G. Jhaveri Jain High School, (2) Sir J. J. English School and (3) I. P. Mission High School, etc.	

HEAD MASTER, JALGAON: URDU SCHOOL.

*Mr. SHAIKH ABDUL AZIZ (Central Division): Will Government be pleased to state—

(*a*) whether Nuruddin Shaikh Vazir, the Head Master of the Urdu School at Jalgaon, District East Khandesh, was suspended on 4th November 1928 or thereabout and dismissed on 1st February 1929 by the Jalgaon Local authority;

(*b*) whether Government have held the decision of the local authority in that matter to be illegal: if so, whether that decision has been communicated to the local authority through the Commissioner;

(*c*) whether Government are aware that in spite of the orders of Government the local authority at Jalgaon have passed a resolution dismissing him a second time on 28th November 1930;

(*d*) whether Government are aware that a deputation waited upon the Minister of Education in this matter, and he replied on 28th August 1930 that the appointment of Nuruddin had been confirmed and that orders to reappoint him had been sent to the local authority;

(*e*) whether Government are aware that Nuruddin has not been reappointed as yet?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) Yes.

(*b*) Government held that the dismissal of the teacher was irregular and called upon the Municipality through the Commissioner, Central Division, to hold regular proceedings against the teacher.

(*c*) Yes.

(*d*) Yes.

(*e*) He was reinstated on 1st December 1931.

SIND CANAL RULES: APPLICABILITY TO KARACHI DISTRICT.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will Government be pleased to state—

(*a*) whether the rules framed in 1918 for canals in Sind are equally applicable to all the districts in Sind;

(*b*) whether these rules are applicable to old canals also or only to new canals;

(*c*) whether Government have ascertained about the inconvenience and hardship caused to the zamindars by the application of these rules to the old canals;

(*d*) whether Government are aware of the Commissioner in Sind's circular No. 1/6285, dated 29th July 1925;

(*e*) whether Government are aware that a zamindar of taluka Mirpur Bathoro, district Karachi, was fined under section 11, paragraphs 1-6, Sind Canal Rules and on an appeal, the Collector referring to the Commissiner's circular No. 1/6285 of 29th July 1925 cancelled the fine under his No. 323, dated 4th September 1930;

(*f*) whether Government are aware that several zamindars have been similarly fined and owing to ignorance of the Commissioner's circular have not made any appeal;

(*g*) whether Government intend to take any action in the matter?

The Honourable Sir GHULAM HUSSAIN: (*a*) and (*b*) The Sind Canal Rules, 1918, applied to all Canals in Sind except as provided in rule 20 thereof. These rules have since been superseded by the Sind Canal Rules, 1930.

(*c*) Government are not aware of any such hardship.

(*d*) Yes.

(*e*) The zamindar referred to is, it is presumed, Syed Bachalshah Haji Shah Mahomed Shah. His fine in respect of "Peech Badal" was remitted. The fine imposed on him for having unauthorisedly occupied Government land by excavating a karia was not remitted.

(*f*) Government have no information on the subject.

(*g*) No.

BARRAGE CANALS: RICE CULTIVATION.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will Government be pleased to state—

(*a*) whether it is a fact that for the cultivation of rice crops in the Karachi District water must be made available for at least 90 days;

(*b*) whether it is a fact that under the existing circumstances water generally becomes available in the canals of the Karachi District towards the end of May and remains available up to the end of August;

(*c*) whether it is a fact that in the post-Barrage conditions water cannot become available in Karachi District canals as at present (i.e. ninety days beginning from the end of May to the end of August);

(*d*) if the reply to (*c*) is in the negative, by about what date water will become available in 1932 under the Barrage conditions in Karachi District and till about what date it will last;

(*e*) whether they are aware that a belief is gaining ground in the Karachi District that the water supply in the Karachi District will be curtailed as a result of the Barrage operations;

(*f*) whether they are aware that the Zamindars and Jagirdars Association of the Karachi District have passed a resolution to the effect that the zamindars in the District should not undertake rice cultivation unless Government convey a definite assurance to them that water for rice cultivation will be made available towards the end of May and will remain available towards the end of August;

(*g*) if the reply to (*e*) is in the affirmative, what is the real position of the Karachi District in regard to the supply of water necessary for rice cultivation?

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes, as a general rule.

(*b*) Most of the canals in the Karachi District are ordinarily opened in the first week of June and they continue in flow until the end of August or beginning of September, depending on the level in the Indus.

(*c*) No, this is not accepted as a fact.

(*d*) It will depend entirely on the water level of the Indus which cannot be forecasted.

(*e*) Government are aware that some such apprehension exists.

(*f*) Yes.

(*g*) The whole question of supplies to the canals in the Karachi District under post-Barrage conditions has been fully dealt with in the Press Notes† issued on 25th May 1923 and 13th January 1927.

Mr. SHAIKH ABDUL MAJID: With regard to (*b*) the reply is that:

"Most of the canals in the Karachi District are ordinarily opened in the first week of June and they continue to flow until the end of August or beginning of September, depending on the level in the Indus."

May I understand that at least some canals in the Karachi district are ordinarily opened in the last week of May?

The Honourable Sir GHULAM HUSSAIN: If the honourable member reads the whole reply, he will find that some may flow in May also, because it depends on the level of the Indus.

Mr. SHAIKH ABDUL MAJID: But from the answer to (*b*) one thing is clear that at least some canals are opened in the Karachi district in the last week of May, as has been stated in my question.

The Honourable Sir GHULAM HUSSAIN: The Pinyari and Baghar canals are open in the last week of May.

Mr. SHAIKH ABDUL MAJID: These are the two main canals that command a large area of cultivation in the Karachi district. At least half the area is commanded by these two canals.

The Honourable Sir GHULAM HUSSAIN: You cannot say half.

Mr. SHAIKH ABDUL MAJID: Anyway the reply to my question (*c*) does not stand, because my question is whether it is a fact that under the post-barrage conditions water cannot become available in the canals

† Copies are kept in the Secretary's office.

of the Karachi district towards the end of May and remain available up to the end of August. The answer is that it is not accepted as a fact. This answer does not stand since it is admitted now that Pinyari and Baghar canals are opened in last week of May.

The Honourable Sir GHULAM HUSSAIN: It all depends on the level of the Indus. Sometimes it may be in the third week of May. Nobody can control the vagaries of the Indus.

Mr. SHAIKH ABDUL MAJID: The answer to (*d*) is: "It will depend entirely on the water level of the Indus which cannot be forecasted." The answer to my question (*g*) says: "The whole question of supplies to the canals in the Karachi district under post-Barrage conditions has been fully dealt with in the Press Notes issued on 25th May 1923 and 13th January 1927." My submission is that the answer given in (*g*) contradicts the answer in (*c*), because the forecasts have been made in the press notes, one in 1923 and the other in 1927.

The Honourable Sir GHULAM HUSSAIN: It is merely an estimate. No forecast can be made. It is commonsense that nobody can control the river Indus. It may rise one year and may fall in another year.

Khan Bahadur ALLAHBAKSH: In normal *abkalani*, is it possible to give water supply to lower Sind in the beginning of the *abkalani* season?

The Honourable Sir GHULAM HUSSAIN: It is likely.

Mr. SHAIKH ABDUL MAJID: There is no question of likelihood. I have been definitely referred to the press notes in answer to (*g*). These press notes definitely forecast the level of the Indus under post-Barrage conditions To my question (*d*) the Honourable the General Member says that it will depend upon the water level of the Indus; and so it cannot be forecasted. My contention is that the forecasts have been made, to which I am referred in (*g*).

The Honourable Sir GHULAM HUSSAIN: We cannot say for certain. The conditions may change. How can anybody control the vagaries of the Indus?

Mr. SHAIKH ABDUL MAJID: Then the press notes are wrong.

The Honourable Sir GHULAM HUSSAIN: They are merely estimates. My honourable friend must differentiate between an estimate and a forecast.

Mr. SHAIKH ABDUL MAJID: Shall I be allowed to read from the press note? It is not an estimate but a forecast. Even if it is an estimate, it is synonymous with a forecast.

CO-OPERATIVE DEPARTMENT APPOINTMENTS: BACKWARD CLASSES.

*Mr. R. B. SHINDE (Satara District): (*a*) Will Government be pleased to state the number of posts in the following grades of the Co-operative Department:—

(1) Assistant Registrars;

(2) Special Auditors;

(3) I Grade Auditors;
(4) II Grade Auditors;
(5) Sub-Auditors of the grade of—
(*a*) 105—5—140;
(*b*) 85—5/2—100;
(6) Clerical posts in the grade of—
(*a*) 150—5—200;
(*b*) 105—5—140;
(*c*) 85—5/2—100?

(*b*) How have the above posts been held by the persons of the following communities:—
(1) Brahmins, Prabhus and other advanced classes;
(2) Backward Hindus and Muhammadans;
(3) Depressed Classes?

(*c*) How many permanent appointments were made during the last three years (after the issue of Government Resolution, No. 5011, dated 26th September 1928) in the various grades mentioned in (*a*) and how many were given to candidates of backward classes?

(*d*) Is there any qualifying test for the appointment of Auditors and Sub-Auditors?

(*e*) If so, has it been rigidly observed when the appointments of Auditors and Sub-Auditors were made during the years 1929-30-31?

(*f*) In how many cases was it not rigidly observed and why?

(*g*) Were there any candidates from backward classes with qualifications similar to those of some of the persons confirmed as Auditors in the years 1930-31?

(*h*) Was there already a majority of advanced class Auditors in service then?

(*i*) If so, why were persons from backward communities with similar qualifications not appointed as Auditors as per Government Resolution, No. 5011, dated 26th September 1928?

(*j*) Are there any such persons who have still not been appointed Auditors and, if so, what are the reasons therefor?

(*k*) If there is no qualifying test for the Sub-Auditors were the claims of backward class candidates considered as per Government Resolution, No. 5011, dated 26th September 1928, when the appointments of Sub-Auditors were made during the years 1929-30-31?

(*l*) How many persons from the backward communities who have fully passed the G.D.C.A. Examination have not yet been appointed as Auditors?

(*m*) Are posts of Auditors which fall vacant temporarily filled by the appointment of such fully qualified persons from backward classes?

(*n*) If not, what are the reasons therefor?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) (1) 8 Assistant Registrars, including the Deputy Registrar in Sind and the Personal Assistant to the Registrar.
(2) 3.
(3) 12.
(4) 32.

(5) (*a*) 22.
(*b*) 5.
(6) (*a*) 3.
(*b*) 10.
(*c*) 11.
(*b*)

—	Brahmins, Prabhus and other advanced classes.	Backward Hindus and Muhammadans.	Depressed classes.	Total.
(1) Assistant Registrars	6	2	..	8
(2) Special Auditors	3	..	..	3
(3) I Grade Auditors	9	3	..	12
(4) II Grade Auditors	29	3	..	32
(5) Sub-Auditors—				
(*a*) Rs. 105—5—140 grade ..	11	11	..	22
(*b*) Rs. 85—5/2—100 grade ..	2	3	..	5
(6) Clerks—				
(*a*) Rs. 150—5—200 grade ..	3	..	..	3
(*b*) Rs. 105—5—140 grade ..	7	3	..	10
(*c*) Rs. 85—5/2—100 grade ..	6	5	..	11
Total ..	76	30	..	106

(*c*) The following permanent appointments were made in the different grades mentioned below :—

—	Advanced.	Backward.	Total.
Auditors—Rs. 150—5—200	3	....	3†
Head Clerks—Rs. 150—5—200	1	....	1†
Sub-Auditors and Clerks—Rs. 105—5—140 ..	9	2	11
Sub-Auditors and Clerks—Rs. 85—5/2—100 .	4	6	10

(*d*) Yes; the auditors have to pass the examination for the Government Diploma in Accountancy or the Government Diploma in Co-operative Accountancy. In recent years, the same standard has been applied in making appointments to the Rs. 105 and Rs. 85 grades also.

(*e*), (*f*) and (*k*) The test was observed rigidly in the case of auditors in the years 1929-30-31. As regards sub-auditors it was applied in the years 1930 and 1931 in making all appointments to these posts but this wasnot done in the year 1929 as no qualified candidates were forthcoming. In that year six promotions to Rs. 105 grade and five to Rs. 85 grade were sanctioned by the Registrar. In the former grade two

†No candidates with the necessary qualifications were then available from the Backward Classes.

posts were given to the members of the backward classes and three in the latter.

(*g*) Yes, one.

(*h*) Yes.

(*i*) The individual referred to in clause (*g*) was not considered sufficiently experienced for appointment as Auditor but he was appointed as Sub-Auditor in preference to, and over the heads of, equally qualified and more experienced candidates belonging to advanced classes.

(*j*) Yes. One—the individual referred to in clause (*g*). The reasons are given in clause (*i*).

(*l*) One.

(*m*) Not necessarily.

(*n*) Many persons with longer service, and the same qualifications, stand above the candidate referred to in clause (*g*). The latter has been given special promotion twice.

Mr. N. E. NAVLE: With regard to (*b*) in the list of assistant registrars, special auditors, clerks, etc. out of a total of 106 persons, there are only 30 backward class members including Mahomedans. Is it not necessary to speed up the proportion according to the Government Resolution issued by Government?

The Honourable Dewan Bahadur S. T. KAMBLI: Every effort will be made to enlist members from the backward classes whenever vacancies occur, provided duly qualified persons are forthcoming. I assure the Honourable the Deputy President that every care is being taken and will be taken in this respect to give effect to the Government Resolution referred to.

LIQUOR LICENSES, RACE COURSES, BOMBAY AND POONA.

*Mr. A. N. SURVE (Bombay City, North): Will Government kindly state—

(*a*) the number of temporary liquor licenses given to stalls in the race courses at Bombay and Poona;

(*b*) the amount received in fees per license;

(*c*) the kind of liquor served, viz. country or foreign;

(*d*) the number of shops vending foreign and country liquors, within a radius of one mile from the race courses at Bombay and Poona, and the amount of license fee each pays for his license?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) Two.

(*b*) Rs. 5 per license for every race meeting.

(*c*) Foreign.

(*d*) Statement furnishing the necessary information is placed on the Council table.

Statement showing the number of shops vending foreign and country liquor within a radius of one mile from the Race Courses at Bombay and Poona and the amount of license fees paid for each license for the year 1931-32.

Serial No.	Shop.	Annual license fee.	Remarks.
	BOMBAY.	Rs.	
	(Country liquor.)		
1	No. 51, Moreland Road	14,546	
2	,, 85, Dhobiwady Road	8,159	
3	,, 99, Tardeo Road	5,459	
4	,, 111, Haines Road	5,328	
5	,, 113, Arthur Road	10,328	
6	,, 128, Tardeo Road	4,178	
7	,, 156, Clerk Road	5,698	
8	,, 193, do.	5,688	
9	,, 194, do.	14,845	
10	,, 227, Haines Road	5,931	
11	,, 231, Arthur Road	5,711	
12	,, 238, Junction of Haines and Ferguson Roads.	7,358	
	(Foreign liquor.)		
1	R. R. No. 22, Lamington Road ..	2,150	The licensees have to pay besides these fees, assessment on actual sales.
2	,, 40, Ripon Road	2,150	
3	"On" No. 23, DeLisle Road ..	12,500	
4	,, 49, Arthur Road.. ..	1,350	
	POONA.		
	(Country liquor.)		
1	Boottee Street	18,000	
2	Gutta Street	17,100	
3	Main Street	47,000	
4	New Modikana	28,227	
5	Sholapur Road	6,000	
6	Wanowrie	11,000	
7	Cavalry Lines	13,000	
	(Foreign liquor.)		
	"Off" Shops.		
1	Mr. C. C. Noronha	No fixed license fee is charged but the licensees have to pay assessment on actual sales.	
2	,, P. Cornfield		
3	,, R. D. Nicholson		
4	,, N. M. Nicholson		
5	Messrs. Nusserwanji Sorabji and Sons ..		
6	Mr. Byramji Bizanji		
7	Messrs. Edulji and Company ..		
8	Mr. Merwanji Cawasji		
9	Messrs. Mathar and Company ..		
10	,, Dorabji and Company ..		
11	,, Phipson and Company (for sale of milk punch).		
	R. Rooms.	Rs.	
12	Mr. E. Muratore	350	The licensees have to pay besides these fees assessment on actual sales.
13	,, P. Cornfield	75	
14	Messrs. F. Cornaglia	350	

Mr. A. N. SURVE: With regard to part (*a*) which says, that there are two licenses, does it mean two licenses for Bombay and two licenses for Poona ?

The Honourable Sir RAFIUDDIN AHMAD: Two for Bombay and two for Poona.

Mr. A. N. SURVE: The temporary licensees pay only Rs. 5 per meeting, whereas the regular licensees pay amounts in thousands, as is stated in the statement at page 28 of the Questions and Answers List. I am reading from column 3 against Bombay (*Foreign liquor*): One is paying Rs. 2,150; another, the same amount; a third, Rs. 12,500; and a fourth, Rs. 1,350. Has the Honourable Minister taken a note of the disparity between these fees and the sum of Rs. 5 levied in the race-course ?

The Honourable Sir RAFIUDDIN AHMAD: The honourable member quoted the annual licence fees. Rs. 5 is for a day. Besides Government gets a still head duty for consumption.

Mr. A. N. SURVE: Will the Honourable Minister state the reasons for giving licences within the enclosure when there are 16 licences in Bombay and 21 licences in Poona within a one mile radius of the race-courses ?

The Honourable Sir RAFIUDDIN AHMAD: Does the honourable member expect that after the fatigue of a race meeting the racegoers would travel one or two miles for a glass of beer or brandy ?

Mr. L. R. GOKHALE: They may get some outing also if they do so.

Mr. A. N. SURVE: Had the licences for shops within the enclosures not been issued, would not the customers have gone to the shops of regular licensees outside ?

The Honourable the PRESIDENT: That is hypothetical.

Dr. M. D. GILDER: Is Rs. 5 quite enough for the licences ?

Mr. L. R. GOKHALE: On what basis is this fee fixed ?

The Honourable Sir RAFIUDDIN AHMAD: It is found convenient to continue the fee of Rs. 5.

Mr. L. R. GOKHALE: That is no answer to my question, Sir. On what basis is this Rs. 5 fixed ?

The Honourable Sir RAFIUDDIN AHMAD: That is the fee fixed some time ago and that has been continued.

Mr. L. R. GOKHALE: Why not auction these shops, just as you auction the shops in the vicinity, instead of having a fixed fee of Rs. 5 ?

Dr. V. G. VAISHAMPAYAN: Will not the auction system bring more revenue to Government ?

The Honourable Sir RAFIUDDIN AHMAD: This is only for fourteen days; however, I will bear the suggestion in mind.

Prevention of Prostitution Act: Application.

*Rao Saheb R. V. VANDEKAR (Nasik District): (*a*) Will Government be pleased to state what are the areas in the presidency to which Bombay Act XI of 1923 (Bombay Prevention of Prostitution Act) has been made applicable?

(*b*) In how many cases has any action been taken in each area under that Act up to 31st July 1931 and under which section of the Act such action was taken and the result in each case?

(*c*) Do they propose to apply the provisions of the Act to the City of Nasik and to Pandharpur?

The Honourable Mr. G. A. THOMAS: (*a*) The whole Act as amended by Act XII of 1930 has been made applicable to the Bombay Suburban District and to the towns of Karachi, Poona and Belgaum. Certain sections of the Act have been made applicable to the towns of Hyderabad, Ahmednagar, Ahmedabad, Nasik and Dhulia.

(*b*) A statement giving the requisite information is placed on the Council table.

(*c*) Certain sections of the Act have already been extended to Nasik. The extension of the Act to Pandharpur is under consideration.

Statement showing the number of cases filed under the Bombay Prevention of Prostitution Act, XI of 1923, with their results.

Year.	Number of cases filed.	Sections.	Result.	
			Convictions.	Acquittals or discharges.
Hyderabad (Sind).				
1926	1	5(1)	1	..
1927	10	5(1)	6	4
1928	1	5(1)	..	1
	3	3	2	1
Poona.				
1930	1	3	1	..
1930	1	3(*b*)	1	..
1931	3	3	2	1
1931	1	3(*b*)	1	..
Ahmednagar.				
1925	1	6	..	1
1927	1	6 and 8	1	..
1927	1	3	1	..
1928	4	6	2	2
1928	2	3	1	1
1928	1	3 and 6	1	..
1929	3	6	1	2
1929	1	3(*b*)	1	..
1930	2	6	2	..
Karachi.				
1923	2	5	2	..
1924	13	5	11	2
1925	10	5	9	1
1926	15	5	14	1
1927	9	5	9	..
1928	6	5	6	..
1929	8	5	7	1
1930	12	5	12	..
1931	5	5	4	1

TERRITORIAL FORCE, NASIK DISTRICT.

*Rao Saheb R. V. VANDEKAR (Nasik District): (*a*) Will Government be pleased to lay on the Council table a statement giving the names of the members of every District Branch Committee of the Indian Territorial Force, mentioning the steps taken by each Branch to promote and popularise recruitment to the force?

(*b*) Is there any Branch Committee of the Indian Territorial Force for the Nasik District; if not, will they be pleased to state what measures the Administrative Commandant Adjutant of the Territorial Battalion has decided to adopt to raise the quota for the District of Nasik?

The Honourable Mr. G. A. THOMAS: (*a*) A statement is placed on the Council table. Lectures have been given in villages and leaflets have been distributed showing the advantages of service in the Territorial Force.

(*b*) No; no quota has been fixed for any district; the paucity of applicants from the Nasik District has been such as to render it undesirable in the interests of economy for the Officer Commanding the Unit to proceed there to enrol recruits.

Statement giving the names of the members of the various District Branch Committees of the Indian Territorial Force.

Bombay.

1. Dr. P. G. Solanki, M.L.C.
2. Sir Vasantrao Dabholkar.
3. Rao Bahadur S. K. Bole.
4. Mr. I. S. Haji, Bar-at-Law.
5. Captain J. A. D'Souza, B.A.,
6. Mr. Mathew DeCruz,
7. Mr. A. N. Surve, B.A., LL.B.,
8. Mr. G. B. More.*
9. Hazi Ismail Rakudia.
10. Mr. Syed Munawar, B.A.
11. Mr. Hasan Ali P. Ibrahim.

Ahmednagar.

1. Mr. Dayabhai Velji.
2. Mr. Bharao Deorao Patil.
3. Rao Saheb Govind Suraji.
4. Mr. N. E. Navle, M.L.C.
5. Sardar S. B. Thorat.
6. Captain Shaikh Yasin.
7. Subhedar Major Nalavade.

Poona.

1. Mr. G. M. Kalbhor, M.L.C.
2. Mr. Babasahib Krishnarao Jadhav.
3. Mr. Rajaram Patil Tupe.
4. Mr. Shivram Ramji Patil Gunjal.
5. Mr. Pandharinath bua Ramdas Kabirbua..
6. Mr. Ladbhau Sakharam Khandge.
7. Mr. Haribhau Anaji Patil Bute.
8. Shrimant Laxmanrao Gulabrao Kadam.
9. Mr. Anantrao Krishnarao Jagtap.
10. Mr. Madhavrao Bhaurao Nigade.
11. Mr. Sakharam Balkoba Inamke.

Satara.

1. Risaldar Shaikh Haider.
2. Mr. R. G. Rane.
3. Mr. B. A. Kale.
4. Mr. Papamiya Kadarkhan.
5. Mr. Anandrao Abaji Kadam.

Sholapur.

1. Khan Bahadur Shaikh Ismail Karim.
2. Reverend Hazen.
3. Lieutenant A. V. Jakhal.
4. Lieutenant Gaud, Assistant Recruiting Officer.
5. The Mamlatdar of Sholapur.

*Note.—The correct name is Mr. G. B. Nare.

Belgaum.

1. The Collector (Chairman).
2. The Assistant Collector, Northern Division.
3. Mr. B. K. Dalvi, LL.B.
4. Mr. Bhimrao Patil.
5. Subedar Babaji Chalke.
6. Mr. Narayanrao Shitole.
7. Meherban T. N. Desai.
8. Meherban B. G. Desai.
9. Rao Bahadur V. A. Angol.
10. Mr. V. A. Desai.
11. Mr. A. A. Patil.
12. Mr. Shahazadesaheb Inamdar.
13. Mr. James Arlikatti.
14. Mr. S. V. Bhati.

Bijapur.

1. Rao Saheb Shivashiddappa Virappa Sarnaik.
2. Sardar Sangappa Amingouda Sardesai.
3. Rao Saheb Shivlingrao Jagdevrao Deshmukh.
4. Rao Saheb Gurlingappa Gurusangappa Motgi.
5. Khan Bahadur I. M. Bedrekar.
6. Mr. Dowalatrao Subhanba Jadhav.
7. Mr. Rudrappa Basapa Chalwadi.
8. Mr. Tulsigereppa Khanappa Desai.

Dharwar.

1. Diwan Bahadur S. V. Monsinkai.
2. Sardar Laxmanrao alias Dadasaheb Hublikar.
3. Sardar Mahaboobalikhan Biradar Nawab.
4. Mr. D. B. Deshpande.
5. Mr. G. A. Hiremath.
6. Mr. Nagappa Inamati.
7. Mr. S. S. Malimath, B.A., LL.B.
8. Khan Saheb Mahamad Gous walad Abdulla Saheb Khudavand.
9. Mr. Parvatgouda Kallangouda Patil.
10. Rao Saheb G. C. Tenginkai.
11. Mr. Bhujanrao alias Balasaheb Davalatrao Ghorpade.
12. Mr. B. H. More.
13. Mr. Puttraj Madiyer K. Madiyer.
14. Mr. Chandasaheb walad Faridsaheb Chigaralli.
15. Captain A. G. Jadhav.

Kanara.

1. Rao Saheb Balkrishna Purushottam Naik.
2. Lieutenant Jogi Naik.
3. Khan Saheb Sayad Idrus Sayad Hussein.
4. Mr. Ramnaik D. Gaonkar.
5. Mr. Timma Koira Naik.
6. Rama Bhicku Naik.
7. Mr. Shiva Nilkant Naik.
8. Mr. Venkatrao Narayan Telang.
9. Mr. Nilba Balso Gaonkar.
10. Mr. Sukru Ramchandra Naik.
11. Mr. Hussein Khan Haidarkhan.
12. The Mamlatdar of Karwar.

Ratnagiri.

1. Rao Bahadur L. V. Parulekar, President.
2. Mr. Shantaram Narayan Dabholkar.
3. Subedar Sitaram Gavde.
4. Captain S. N. Ghogle,
5. Subedar Sitaram Parab.
6. Subedar Major Daji Sawant.
7. Subedar Sabajirav Shivajirav Rane.
8. Subedar Mhadshet Kokate.
9. Subedar Ganpatrav Jadhav.
10. Subedar Vithojirav Patole.
11. Sardar Bahirji Kanoji Raje Shirke.
12. Subedar Balajirav Ghag.
13. Subedar Raghunathrav Hanmantrav Chavan.
14. Subedar Major Ramajirav Kadam.
15. Havildar Gopal Anajirav Bhonsale.
16. Mr. Jagatrav Babajirav Bhonsale.
17. Khan Saheb Munirkhan Dost Mahamadkhan Sarguro.
18. Jemadar Sudam Balu Shirke.
19. Naik Hanmantrav Ganpatrav Shirke.
20. Mr. Sakharam Bhivbarav Gujar.
21. Mr. Balaji Madhavrav Ghosalkar.

Kolaba.

1. Captain Sakharamrao Jagtap, Sardar Bahadur, President.
2. Subedar Major Babajirao Dalvi.
3. Subhedar Gopal Waje.
4. Subhedar Babajirao Sawant.
5. Mr. Ramchandra Baburao Mane.
6. Mr. Devoorao More.
7. Mr. Nathoo Mahadevrao Choudhari.

Mr. A. N. SURVE: Will the Honourable the Home Member kindly refer to the names given of Bombay members? The name given against serial No. 8 is "G. B. More." Is that correct? My information is that it is "G. B. Nare."

The Honourable Mr. G. A. THOMAS: I cannot answer that question now, but will find out and make the correction if necessary.*

**Vide* foot-note at page 455.

UNSTARRED QUESTIONS AND ANSWERS

BORING MACHINES: LOAN TO LOCAL BODIES.

Khan Bahadur D. B. COOPER (Satara District): (*a*) Will Government be pleased to state how many boring machines have been purchased by them during the last ten years?

(*b*) What is the book-value of these machines?

(*c*) What is the cost per machine of each class or type of these machines?

(*d*) From what budget heads the cost of these machines was met?

(*e*) Is it a fact that the boring machines were purchased for exploring water sources mainly for the benefit of the agriculturists?

(*f*) What was the annual net expenditure on maintaining and working these machines since the year 1924-25?

(*g*) How many boring machines are now lying idle with the Government due to stoppage of boring activities?

(*h*) What is likely to be the annual depreciation in value of these machines if they are kept idle as at present?

(*i*) Have any Local Boards offered to work these machines for the benefit of the agriculturists at their own cost?

(*j*) Were the requests of such Boards granted?

(*k*) If not, what were the reasons therefor?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) 59.

(*b*) The book-value on 31st March 1931 was Rs. 2,14,049-12-0.

(*c*) The cost of each type of machine was as shown below:—

	Rs.
6" Armstrong machine with equipment ..	10,175
6" F-3 power calyx drill with equipment ..	16,920
5" G-3 power calyx drill with equipment ..	9,850
4" G-31 power calyx drill with equipment ..	7,160
3" Hand exploratory boring machine with equipment.	1,900

(*d*) 43-A, Famine Relief.

(*e*) Yes. 45 hand exploratory boring machines, 13 power calyx drills and one Armstrong machine were purchased in the years 1924-25 and 1925-26 for this purpose.

(*f*) The figures are:—

Year.	Expenditure. Rs. a. p.
1924-25	11,651 14 7
1925-26	42,048 15 7
1926-27	54,966 15 1
1927-28	69,554 1 7
1928-29	43,845 10 4
1929-30	58,385 13 9
1930-31	38,763 11 6

(*g*) 78.

(*h*) Rs. 9,651-1-6.

(*i*), (*j*) and (*k*) Between 1923 and 1929, ten District Local Boards applied for boring machines and 20 machines were given on loan to them. Of these, 17 machines were worked by 9 District Local Boards with the

help of the Departmental staff paid by the Boards direct. One District Local Board worked the remaining 3 machines with its own staff. Requests made by two District Local Boards in June 1929 and January 1931 had to be refused on account of the curtailment of the boring operations.

SIND CANAL RULES: APPLICABILITY TO KARACHI DISTRICT.

Mr. GHULAM HYDER SHAH (Karachi District): Will Government be pleased to state—

(*a*) whether the rules framed in 1918 for canals in Sind are equally applicable to all the districts in Sind;

(*b*) whether these rules are applicable to old canals also or only to new canals;

(*c*) whether Government have ascertained about the inconvenience and hardships caused to the zamindars by the application of these rules to the old canals;

(*d*) whether Government are aware of the Commissioner in Sind's circular No. 1-6285, dated 29th July 1925;

(*e*) whether Government are aware that a zamindar of taluka Mirpur Bathoro, district Karachi, was fined under section 11, paragraph 1-6, Sind Canal Rules, and on an appeal, the Collector referring to the Commissioner's circular No. 1-6285 of 29th July 1925 cancelled the fine under his No. 323, dated 4th September 1930;

(*f*) whether Government are aware that several zamindars have been similarly fined and owing to ignorance of the Commissioner's circular have not made any appeal;

(*g*) whether Government intend to take any action in the matter?

The Honourable Sir GHULAM HUSSAIN: (*a*) to (*g*) The attention of the Honourable Member is invited to the reply given to a similar question† by Mr. Shaikh Abdul Majid.

ADMINISTRATIVE OFFICERS OF DISTRICT LOCAL BOARDS IN SIND.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Will Government be pleased to state—

(*a*) the number, the names and qualifications of the administrative officers serving in the various local authorities, i.e. (district local boards) in Sind;

(*b*) whether they were directly recruited by local authorities, or whether their services were lent by Government to the local authorities;

(*c*) the total period of service of each administrative officer and the service rendered by him to the local authority;

(*d*) the amount of pay and allowances, if any, drawn, by each administrative officer at present and the purpose for which each such allowance is paid;

(*e*) the amount of their contribution to local authorities by way of grant on account of the pay and allowances of each administrative officer?

The Honourable Sir RAFIUDDIN AHMAD: (*a*), (*b*), (*c*), (*d*) and (*e*) The accompanying statement gives the information required:—

†Printed in to-day's Debates.

State

No.	Name of Administrative Officer.	Qualifications.	District Local Board under which serving.	Whether directly recruited by the Local Authority or services lent by Government.
1	2	3	4	5
1	Mr. Abdul Haq Abdulla Shaikh.	Matric ..	Karachi ..	Lent by Government.
2	Mr. M. S. Memon ..	B.A., S.T.C.D.	Hyderabad ..	Do.
3	Mr. Jan Md. A. Kazi ..	Matric, S.F., S.T.C.	Nawabshah ..	Do.
4	Mr. A. W. Musavi ..	B.A. II (Hons.), B.T., M.A. (Aligarh).	Thar and Parkar.	Do.
5	Mr. Md. Ibrahim Md. Kasim Sumra.	B.A., S.T.C.D.	Sukkur ..	Do.
6	Mr. A. G. Kazi ..	B.A. II (Hons.), S.T.C.D.	Upper Sind Frontier.	Do.
7	Vacant ..	....	Larkana.	....

ment

Present pay.	Allowance if any.	Total service on 1st January 1932 (to nearest year).	Service under the Local Authority on 1st January 1932 (to nearest year).	Proportion of pay and allowance contributed by Government to the Local Authority by way of grant.
6	7	8	9	10
Rs.		Years.	Years.	
680	Compensatory allowance of Rs. 65.	27	5	The whole.
390	....	17	5	The whole.
290	....	16	3	Two-thirds.
300	....	10	2	Two-thirds.
590	Personal pay Rs. 60.	25	5	The whole (as regards pay). Nothing (as regards personal allowance).
390	....	15	5	The whole.
....	....	....	....	....

BOMBAY FINANCE BILL

Question again proposed :

" *That the Bill be read a first time.*"

Mr. J. G. MORE (Sholapur District) : As I have already stated, Sir, the Electricity Duty Bill makes a provision which gives scope to Government to show favouritism and partiality. The proviso to clause 5 is the best illustration in point.

It has been contended by some honourable members that this duty will not touch the pockets of the poor. Sir, I beg to differ from that view. To me it appears that the pockets of all classes alike—rich, middle and poor—are sure to be touched. We must take into consideration the indirect as well as the direct effect which this piece of legislation will have upon the poor people. Directly the rich and the middle classes will suffer most, but indirectly the effect of this legislation will be to tax all classes. For instance, if this tax is levied, the marketing value of all articles will necessarily be raised. Shopkeepers will be required to pay this duty first, but they in their turn will realise the duty from their customers. Now, you cannot say that only the rich and the middle classes resort to these shops and the poor abstain from doing so and buying articles. Therefore, the indirect effect of this legislation is to tax the poor as well. So there is no force in the contention that the pockets of the poor will not be touched. It may be that the poor are not so much affected as the rich and the middle classes. But it will reduce their salt.

The third and the fourth parts of the Bill deal with court-fees and stamps. Sir, these are the parts in which the agriculturists and the poorer classes are concerned most. More than 90 per cent. of the tax realised by Government from the court-fees comes from the pockets of the poorer classes. In the civil courts in the mofussil, it will be seen that 75 per cent. of the parties are agriculturists. Whether they go there as plaintiffs or as defendants does not count : the costs are borne usually by the defendants. In the civil courts the defendants are mostly agriculturists, and they will therefore have to bear the cost. This measure will therefore necessarily fall heavily on the agriculturists and the poorer classes. The enhanced fees cannot be justified in the present circumstances. The agriculturists all over the presidency are affected in a great degree by the slump in prices. They find it very difficult to pay the revenue assessment even. They are forced to sell their bullocks, carts and other necessary implements for agricultural purposes. That itself will go to show that if this Bill is passed, the state of the agriculturist will be reduced to simple and pure poverty. I beg to submit that parts 3 and 4 of the Bill are not in the interests of the agriculturist but they are highly detrimental to his interest. I shall try to impress upon the honourable members on the Government side one fact. There is now a huge jump in the excise revenue. This fact, which was anticipated by some members of this House, has been corroborated by newspaper reports. Let the Government take that fact into consideration. Let them take into consideration also the state of the agriculturists and the poorer classes in the whole Presidency.

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Then I think that they will be pleased to withdraw at least parts 3 and 4 in the interests of these classes. If Government do not withdraw parts 3 and 4, then I think it is the duty of honourable members on this side of the House to oppose the Bill altogether and throw it out in the first reading.

Mr. A. N. SURVE (Bombay City, North): Sir, Government have submitted proposals for additional taxation to this House. In this connection I would like to mention the difference of outlook which exists between the official and non-official benches. Sir, the official benches can afford to take short views. They can afford to be shortsighted. But the opposition has to take a very long view. Because the consequences—good or evil—of its actions are to be borne by itself and the people whom it represents. It cannot afford to be nearsighted. The officials are pressed with their immediate needs and that fact to a very great extent obscures their vision. But we on this side have this advantage, that we can look at questions from a dispassionate point of view. Therefore, Sir, when the Honourable the Leader of the House yesterday asked us to support the taxation proposal for the reasons which he gave, I was not greatly surprised. The reasons which he gave are in themselves diametrically opposed to the duty of honourable members of this House—at least the non-officials—which they owe to the public and the Presidency.

Sir, when we come here, we come here to guard the interests of the Presidency as a whole and not of any particular section of it. If the Government are thinking that they are specially merciful to the agriculturists, I deny that. They are barely doing their duty. They are giving protection, according to their opinion, to the people. But later on I shall show how the agriculturists are treated in my constituency. To that matter I shall refer later.

First of all, I must submit my credentials when I am speaking here to-day; coming as I do from an urban constituency, it may be lost sight of that I represent the agriculturists. I represent the agriculturists, not of one district, but of all districts that are in the Presidency. I request honourable members to bear in mind that I occupy the reserved seat. I am here as the representative of the Maratha and the allied castes who form the agriculturists class. You know, Sir, that the agriculturists from the mofussil when they have no harvest work come to Bombay to earn their bread as labourers. They are variously estimated at from 6 to 8 lakhs in my constituency. On behalf of those 6 to 8 lakhs I am speaking. Again, I am speaking, not for one district, but on behalf of the people coming from several districts that constitute this Presidency.

Now, Sir, I come to the burden of taxation on the agriculturists. I am only referring to my constituency, and in my constituency, I shall tell you that even the stamp duty presses hard against the agriculturist whom I represent. Will anybody challenge me when I say the agriculturist in Bombay has to bear the court-fees tax, the stamp tax, etc.? I am reading from the Government's Blue Book—I am reading from the

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Report on the Administration of Civil and Criminal Justice in the Bombay Presidency for the year 1930. I am not referring to the High Court. I am referring to the Small Causes Court where the labourers are dragged—they do not go there of their own accord—they are dragged to that court by the money-lenders, the corn dealers, the landlords and various others. Now, Sir, what is the state of things in the Bombay Small Causes Court? Government report shows that the number of suits instituted in the Bombay Small Cause Court was 41,113 in the year 1930. So many labourers were dragged to that court. The cost fell upon them, and they had to pay the court-fees eventually.

The Honourable the PRESIDENT: (*Observing two or three honourable members standing on the floor of the House and engaged in conversation*) Order, order. The ordinary rule is that only one member who has possession of the House stands. I see three members standing at the same time. [*Laughter.*]

Mr. A. N. SURVE: This figure, Sir, is increasing. I may say here that there was an increase in the institution of suits and that was due to the fact that there was unemployment. Had there been no unemployment, had the times been normal, these labourers would have satisfied their creditors and the Small Cause Court would have had less work.

Then, Sir, I might give the amount of total litigation. The total value of suits amounted to Rs. 85,27,000; which means that the labourers in the city of Bombay paid to the Government *ad valorem* duties on these 85 lakhs in one year. Can anybody say now that the Court-fees Act does not press on the agriculturist in the city of Bombay?

Then I come to the next point. Some of the members from the mofussil think that they can transfer their burdens to urban areas and especially to Bombay. They consider that Bombay is an El Dorado and that they can shake the golden tree and ask Government to gather pagodas there. But, Sir, has anybody taken the care to notice what amount of burden is borne by the city of Bombay? I am quoting from another blue book, the Annual Statistical Tables relating to the working of the Stamp Department. I am quoting from there for the information of honourable members what is the total amount which the Presidency—I am excluding Sind—paid for judicial stamps in the year ending 31st March 1931. The whole Presidency yielded a revenue of 74 lakhs, out of which Bombay city alone gave 29 lakhs, i.e., more than a third—nearly 40 per cent.— of the court-fees stamps were paid for by my constituency alone.

Then as regards general stamps. The total income from the Presidency came to 54 lakhs out of which 30 lakhs were contributed by my constituency, Bombay City. That comes to more than 50 per cent. Therefore, Sir, Bombay City, where these agriculturists come to earn their bread, is made to bear a greater portion of this burden than any other district singly.

Now, let me mention the fact that the prosperity of our Presidency rests on the well-being of Bombay City. If Bombay city is there, the agriculturist from the mofussil can come here and win his daily bread. But if this city falls, the agriculturists

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will not get that income which at present they are getting from Bombay city. Therefore, it ought to be the special care of honourable members from the mofussil to take care of their Presidency town. It should not be that they should isolate from their consideration this unhappy city of Bombay. In their attempt to shift the burden from the rural to the urban areas, that is what they are doing. Bombay city, I am saying, is on the downward grade. The prosperity of Bombay is declining. The prosperity of Bombay lies upon its port; and what is the state of affairs at present? Port of Karachi is competing with Bombay; the Kathiawar ports are competing with Bombay. To-morrow, when Sind is separated, Karachi will go away from us. The Kathiawar ports are diverting our trade, and if we go on imposing additional burdens, I warn Government that Bombay will lose its premier position. If you want that Bombay as a Presidency town should not fall down, then it is the duty of this Council to take care that Bombay is not saddled with more burdens. Sir, during the past 10 years what amount of taxation has Bombay city borne? Let me mention a few facts. I am reading from the Memorandum prepared by the Government of Bombay for submission to the Indian Statutory Commission; I am reading from page 601. There you will find that during the past 10 years Bombay has submitted to the following items of additional taxation: the cotton cess, that was introduced in the year 1920; the Entertainments Tax, that was introduced in 1922-23; then the betting tax, that was introduced in 1925-26. Then there was the Transfer of Property Tax Act; that was in 1926, and again in 1931 we had the Bookies' Tax; and on the top of these there have been the Stamp Act and the Court-fees Act. All these burdens have been heaped upon Bombay City, and if Bombay is sought to be burdened with still further taxation I must say that it will break the proverbial camel's back. I might also state from the same source the amount of actual taxation which has been paid from these additional sources. Now, the figures which I am giving are only for 5 years, i.e., from 1921-22 to 1926-27, because the memorandum does not give figures for the subsequent period. From those figures, it will be seen that cotton cess has yielded Rs. 1,16,00,000; General Stamps, Rs. 75,00,000; Court fees, Rs. 18,00,000; Entertainment Tax, Rs. 35,00,000; betting tax, Rs. 20,00,000; and the Transfer of Property Tax, Rs. 5,00,000. If you total up these figures, you will get the colossal figure of Rs. 2,69,00,000. Please take note that this is merely additional taxation, not taxation out of normal and ordinary sources. This is taxation which has arisen as a result of the enhancement of the ordinary rates of taxes and duties or the imposition of fresh duties, and the major portion of this large amount has been given by Bombay city alone.

Therefore, when honourable members from the mofussil try to heap burdens upon Bombay City, do they pause for a minute and consider the pitiable position of Bombay? I appeal to them that before they consent to accept the Government proposal they should pause and consider.

Then, Sir, I go to the next point, and that point is very important. I am referring to the correspondence that has passed between the

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Government of Bombay and the Government of India. I ask the Honourable the Finance Member whether the Government of India are not considering the appropriation of the Stamp revenue for themselves. That is a matter which you will find is dealt with in this memorandum on page 584. There you will notice that the Government of India are thinking of having the revenue arising out of the stamps for themselves, and in this fashion if you go on developing this source of revenue by pressing us, and if this revenue at a later date goes to the Government of India, what will be the position of the Government of Bombay ? I am reminding the Government of Bombay about income tax. Income tax was developed by the Government of Bombay in the pre-Reform days, under the belief that a share of it would come to them. But what has been their fate ? Their fate has been that in spite of all this labour which was undertaken by them, the fruit of it has been appropriated by the Government of India. Therefore, I earnestly mention this fact that let us not inflate our Stamp revenue, so that it may not create a temptation in the mind of the Government of India.

Then, Sir, I come to the form of the Finance Bill. The Honourable the Finance Member has presented this Bill, and has informed us that we are adopting the practice which is followed in the Legislative Assembly. But as regards the form, I submit that the form in which the Finance Bill is presented to this House is faulty. I am sure the Honourable the Finance Member has looked up the Finance Bills of the Legislative Assembly, and if he has done that, I am quite sure that he must have found that the form adopted by our Government is faulty. I might just mention this fact that, when a Finance Bill is introduced, it pre-supposes that there are Revenue Acts already on the statute book, and for matters of revenue only those particular items in them are amended for the time being ; i.e., the rates are increased or decreased. But here, what do we find ? We find that three separate Acts, one of which is an altogether new piece of legislation not yet brought upon the statute book, are tied together in a string and placed before us, and we are told that this is the Finance Bill and we must accept it. In that case, if this is the proper form, will the Honourable the Finance Member point out to me where in a Finance Bill a provision is made for a penal clause ? In the Electricity Bill there is actually a penal clause. Where is a single Finance Bill in which you will find a penal clause ? By presenting the Bill in this form, we are unduly deprived of our privilege of examining a piece of legislation which is to come upon the Statute Book. Now, Sir, a penal clause is a matter of principle. If we accept the Electricity Bill, or that part of the Finance Bill which deals with the surcharge on electricity, what will be our position to-morrow ? To-morrow, we would not be able to say, "Delete the penal clause," because that is the clause which gives the sanction. But, situated as we are to-day, we cannot call in question the penal clause ; we cannot say whether it should remain or should not remain there. That is our difficulty. In presenting the Bill in this form, I submit that there is a grave invasion of the privileges of this House as well as of the parties

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that are affected by it. The Honourable the Leader of the House made the novel suggestion, "Accept the first reading of this Bill; let it go to the select committee, and when it goes to the select committee, you make any change you like in the select committee, and we will allow you to do that." But when the Bill goes to the select committee and it is brought again here for second reading, at that time we will not be in a position, to say "Delete this penal clause," because when we accept the first reading, we accept the Bill as it is, we swallow it whole-meal. Therefore, in submitting the proposal in this form, we are unnecessarily hampered, and I request the Honourable the Finance Member to realise our difficulty.

Then, Sir, in the Electricity Bill, the Honourable the Finance Member has in his mind only three parties, the supplier, the consumer and the Government. But in the city of Bombay there is a fourth party also, of which he does not appear to have taken notice, and that fourth party is the landlord. In Bombay city every tenant has not his own meter. In the residential premises which are let out as single room tenements, there is a single meter which stands in the name of the landlord or the house owner. He pays the charges to the supplier, and he charges a fixed rate to his tenants. Therefore, if this duty is levied, the consumer will be subjected to a double tax. He will be subjected to the tax of the Government, and in addition to that he will be subjected to the tax of the landlord. In this way, are Government showing pity to the agriculturists that are in the city of Bombay? He is a victim of so many forces over which he has no control. There is the political agitation; there is the trade union agitation; there is the depression. He is subject to these various factors. To-day, he finds that he is not getting any employment; on the top of that the Government of India are raising their taxation, and side by side our Government are also trying to press the screw still further.

Where will the poor agriculturists go? In this Rs. 2,69,00,000 representing the additional taxation, the Bombay city has contributed a large share during the last 5 years. What is the return that the agriculturists residing in Bombay city have received? I shall come later on to the extra privileges that are given to these people in the city. Take primary education. In the city of Bombay education is free but not compulsory. In the mofussil free and compulsory education is a living thing. In the city of Bombay the progress of education has been arrested by the litigation between the Government and the Corporation. So, in the matter of education, the Bombay labourer suffers and there is nobody to give extra facilities for his children. That is for education. Take medical relief in Bombay. Within the course of the last two or three months, in the hospitals of Bombay 140 beds have been abolished by Government. Accommodation for 140 patients has been done away with. That is another privilege! Up to now, any man having an annual income of less than Rs. 1,800 per annum had the privilege of going to the hospital and getting treatment free. Now, even a beggar in the street, even though he has not got a pie with him,

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cannot get medical relief from Government hospitals, unless he pays one anna per day for medical relief at the out-door patients' Department!

Mr. E. W. PERRY: It is not so, Sir. The medical officer has discretion to waive any charge.

Mr. A. N. SURVE: I am thankful to the honourable member the General Secretary for mentioning that the discretion vests in the medical officer. Let me respectfully tell him that the out-door patient does not know who the medical officer is. When he goes to the clerk, he says, "Put down one anna." How can a patient go to the medical officer, who is in his office, he is not at the desk of the registrar, because registration work in Bombay hospitals is done by clerks? Thus, the out-door patients have to pay one anna per day. As regards the in-door patients, the charge is two annas per day. So, the poor agriculturists, if they go to the out-patients' dispensary, have to pay one anna and if they want to go as in-patients, they have to pay two annas per day or be deprived of medical relief altogether. So, in the matter of education as well as in the matter of medical relief, the poor agriculturists are made to suffer.

Then, we come to justice. Here the labourer never goes to seek the protection of the law. But he is dragged there by his creditors. Therefore, whether he is willing or unwilling, he is dragged to the court and the burden of additional taxation falls on him. Therefore, if the Government are solicitous about the interests of the agriculturists, I request them to withdraw this taxation proposal.

Sir, look to the critical condition in which we are situated. The finance committee of the Round Table Conference is actually in India. In the course of a few months, it will be coming to Bombay perhaps, and if at that time you show that you have plenty of resources in reserve, at the time of the allocation of provincial revenues, your case will be lost, just as you lost at the time of the Meston Settlement. The reason why you lost it is that you had crores of rupees in reserve. Now, if you show that the presidency is able to pay additional taxation, what you will get is only a patronising pat on the back and you will be told: "You are very well off. You can manage your house very nicely. We will give you "Shabaski" but we will not give you any additional sources." If we throw out the proposal for additional taxation or if the Finance Member is kind enough to see his way to accept my suggestion and withdraw the Bill, what will happen? The heavens will not fall down. I am just reading from the speech of the Honourable the Finance Member where on page 8, in last sentence he says:

"The total loans to which we have been committed to meet deficits in the annual budgets amount to 198 lakhs, and the annual burden on the revenues of the loan charges calculated on a 30 year basis will amount to approximately 15 lakhs."

What he says is that we have to pay the 198 lakhs loan in equated instalments in 30 years. He wants to repay the loans already raised to meet the deficits by equated payments. Situated as we are, the best course would be to make provision for these 25 lakhs, representing the proceeds of the Finance Bill, from borrowings, the interest on which will come to a fraction of a lakh. What advantage will the Government

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obtain by adopting that proposal? Government will have their weapon in their hands and they can say: "We submitted our proposal for additional taxation but it was rejected. The non-official side of the House is not in favour of imposing any further burden, because it is not possible for the people to subject itself to any more burden of taxation. Unless some new sources are given to the presidency, we will not be able to balance our budgets." Therefore, if this proposal is rejected by the House, it will strengthen the hands of Government indirectly. I request the Honourable the Finance Member to take a note of that. I know that our Bombay Government is a debtor and unfortunately it is a debtor who is in the unhappy position of not being able to manage to pay its own expenses out of its revenues and therefore has to borrow. Sir, you know in ordinary life what the position of such a debtor is in the eyes of the creditor. The Government of India is our creditor. But the Bombay Government are not able to place their claims boldly in regard to the Meston Settlement before the Government of India, because they are in the position of a debtor who lives on borrowed money and not on his income. Therefore, my humble request to the honourable members from the mofussil is that they should reject this Bill as statesmen who have the real interest of their presidency at heart should do. I appeal particularly to those members who think that because this additional burden will be thrown on the city areas they can join hands with Government and vote for the Bill. What has been the history? The Stamp Bill was introduced for the first time for two years only. What is our experience? From the year 1922 till to-day, it has remained there. Even at that time it was shown as an emergency measure. The same arguments were brought forward. I warn you that the one year duration clause is only the thin end of the wedge. If you accept taxation for one year, next year you will have to consider whether it should not be extended for one year more. Then, we will be in the same pitiable position and we will have the repetition of the same arguments which we have been hearing for the last so many years. Government have attempted on many occasions to make the additional stamp revenue a permanent source. Are you going to submit to that kind of treatment? I submit that it is your duty as honourable members of this House to take a long view. You see the present depression. In view of the suffering that is borne by the people this time at least you have to be considerate to all the people of the presidency alike, whether they live in cities or in rural areas and therefore you should either ask the Finance Member to withdraw the Bill or reject it yourself. I for one oppose the first reading of this bill.

Mr. A. B. ACHREKAR (Satara District): Sir, in rising to speak on the first reading of this Bill, I want to express my views on the nature of this taxation Bill so far as it relates to the agriculturists, whom I have the honour to represent. I have heard that this Bill has been brought before this House to meet the deficit. I do not know myself whether this deficit is due to the short-sightedness of the honourable members on this side or whether it is due to the Government policy.

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Somehow or other I do feel, and I want to record my protest, that this deficit is the direct outcome exactly of the Government policy which has been followed for the last 10 or 12 years. The Honourable the Finance Member in his forcible and lucid arguments has shown to us that Government must somehow find money, as they have to meet the expenditure and therefore money must come from somewhere. I do not agree with the view taken by the Honourable the Finance Member. An honourable member who is not now here (the honourable member from Belgaum, Rao Bahadur Angadi) gave his view that the consolidation of the various Bills into one Bill was right: in doing so, he used some expressions, which were objected to by this House, regarding the attitude taken by some of the honourable members here as regards this consolidation. I say, Sir, that that honourable member's view is not correct at all. This consolidation is, in my humble opinion, very unhappy. I have read the Bill brought in the Assembly: that refers to items of taxation which affect all sections of His Majesty's subjects. But in this Finance Bill, Part II refers to the urban population, Parts III and IV to Bombay as well as to the mofussil, and Part V again to the cities only. The honourable member for Belgaum might be labouring under the impression that the form of the Bill is the right one, but this side of the House has shown that it is opposed to this consolidated form of the Bill.

Sir, referring to the deficit, my honourable friend Rao Bahadur Patil has attributed it to the vagaries of the seasons. I do not know what revenue head has lost on account of the vagaries of the seasons. I do not see eye to eye with my honourable friend. I certainly say that this deficit is due to the policy of the Finance Department. I do not wish to be misunderstood: I do not attack the present Honourable the Finance Member. I know he has simply inherited a legacy. But certainly, in my opinion, the Finance Department of the Government of Bombay, has been muddling up the finances and has been going on just on the lines of an Accountant-General's office. They have not applied that prudence which they ought to have, in the past years. Sir, I do appreciate the necessity of a balanced budget. But if the budget cannot be balanced, would it not be wise policy to retrench expenditure rather than ask more money from the already overtaxed people? To make up the deficit, what are the remedies suggested? I believe there are two schools of thought among financiers, one believing, when there is not enough revenue, in cutting down the expenditure, and the other in increasing taxation well adjusted and well laid out. I believe, Sir, that India, and especially our Presidency, is in such a state that Government in the Finance Department should follow the first school of thought, namely, the one that believes in reducing expenditure rather than increasing taxation. It is taking this view that this side of the House resents the attitude of the honourable members of the Cabinet coming to this House for money.

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I wish to show that this deficit can be wiped out if there is reasonable retrenchment. In the course of his speech the Honourable the Finance Member stated :

"It is clear, if we assumed that the maximum retrenchment possible as a permanent measure has already been carried out, that there would be no hope left of this presidency ever again balancing its budget until a new settlement adds to its resources. Government, however, have no intention of abandoning hope in this manner and they therefore have decided to obtain the best expert advice in investigating whether it is possible by reorganisation to reduce our general expenditure to a figure more consonant with our resources."

From this passage I do infer that the Honourable the Finance Member has got a hope ; he has not abandoned every hope of finding sources of further retrenchment. As Government have appointed a retrenchment committee, I do presume that they do anticipate—the Finance Department ought to say that they have a clear forecast—that there are still certain possibilities of retrenchment.

Sir, before the Finance Department come forward with proposals of further taxation they must be certain that there is sufficient taxable capacity left in the people who are to be taxed. The honourable member Dr. Gilder has already quoted the Honourable the Finance Member who said in 1924-25 that the taxable capacity in this Presidency had been reached and that people could not bear further taxation. So, I would not repeat that quotation. But I wish to quote Professor K. T. Shah, who was considered an authority in this matter by the Honourable the Finance Member, who quoted him when moving the Succession Duty Bill. This is what Professor Shah says :

"The average Indian income is so small that it is quite insufficient to meet even all the primary wants of man, of food, clothing and shelter.

"Assuming that the last is relatively unimportant under Indian conditions, and that the first absorbs two-thirds of the total income, the remaining third being enough to cover all the rest, the average Indian income is just enough either to feed two men in every three of the population (or give all of them two in place of every three meals they need) on condition that they all consent to go naked, live out-of-doors all the year round, have no amusement or recreation, and want nothing else but food and that the lowest, the coarsest, the least nutritious ! So, if they must meet all the other wants and require some clothing, however primitive, some house-room, however wretched, some distraction however primitive, they must consent to getting only one meal in place of every three they absolutely require."

Therefore, on the authority of Professor Shah, I say that the taxable capacity has been reached. I would also quote on this point a higher authority—Mr. Ramsay Macdonald, the Prime Minister. He says :

"India needs more State expenditure : India cannot stand an increase in the burden of taxation."

This is from his work "The Government of India." Therefore, Sir, the Prime Minister, Professor Shah, who is a financial authority, and our Finance Member, all have come to the conclusion that the taxable capacity has been reached. Therefore, the only possibility of financing the budget lies in reducing expenditure. I would ask the honourable members of the Cabinet whether they really and sincerely think that the taxable capacity has not been reached. I find the Honourable Ministers are not here : I wanted to ask especially the Honourable Minister for Agriculture whether he really thought that this fresh taxation would be easily borne by the people. [*An Honourable Member* : You repeat

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that question when he comes back]. Therefore, my humble advice to the opposite benches is that the only solution is to curtail expenditure. Government should cut their coat according to the cloth and they should see whether there are possibilities of further retrenchment or not.

Sir, one of the arguments against retrenchment is that efficiency will suffer. But I believe, Sir, that efficiency does not always go with high salaries. I would quote an example. We read the other day that Sir Leslie Wilson, our late popular Governor, who was drawing here a very high salary (Rs. 10,000 per mensem) has accepted the post of Governor of Queensland, where his salary will be only £ 3,000 per annum, or about Rs. 2,500 per month. I am not going to accept the proposition that he will work in Queensland with only one-fourth of the efficiency with which he worked when he was the Governor of Bombay. So, I hold that efficiency does not always depend on high salaries. I would also say that as our country is poor, it cannot afford to have a highly efficient administration. The country should be given the administration it deserves. I cannot accept a proposition that for efficiency's sake one should run into debt; if I cannot afford a higher priced car, I must be content with a Chevrolet or Ford. This talk of efficiency should not be raised when we talk of retrenchment at this time. I am sure that there are other administrations in India which are carried on at a much less cost.

I am especially against the second, third and fourth parts of the Bill. I would vote for the fifth part of the Bill if it stood alone. But I cannot see my way to vote for this consolidated Bill. Parts III and IV affect the poor. I come from a constituency which is purely agricultural. I find that the condition of the agriculturist is really pitiable. Government themselves have admitted it; the Honourable the Revenue Member declared that he would give some remissions and suspensions, and thereby he has admitted the inability of the people even to pay the land revenue. The Honourable the Leader of the House asked us, honourable members coming from the mofussil, to consult our constituencies. In this connection I would give my personal experience. If the honourable members representing constituencies in the mofussil were to go to their constituencies and ask them whether they should vote for this measure, they would not get any hearing. It has been admitted that it is impossible in these times of agitation to get any hearing from any public body. But if it were possible, they would say, "Do not vote at all." But I would ask the Honourable the Leader of the House that instead of asking the mofussil representatives, he should request honourable members from Bombay City, as they could immediately go back and refer the question to their constituencies whether their voters stand for any further taxation. I am sure that the voters of Bombay would not give their consent to their representatives voting in favour of this taxation. It has been admitted that the Congress is the best organised party of the country. It has also been admitted by moderates and persons like myself who want to adopt constitutional methods, that it is not possible to reach the people and that the voice of the Congress

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people only can reach the ears of the people. Therefore, I would again request the Honourable the Leader of the House to induce members from Bombay City to make a referendum and come to this House with a mandate that they can vote for this taxation measure. [*Interruption.*] I suggest that there is a possibility of further retrenchment and balancing the budget instead of coming forward with fresh taxation. I am bound to suggest some means by which you can effect this retrenchment. I would, first of all, say that Government have not carried out any retrenchment in the Police Department as such. I do not say that in the present situation the executive force should be touched, but I would suggest that we should do away altogether with the prosecuting branch of the Police Department. That would result in a saving of Rs. 1,50,000. The work can be given to local pleaders who are loyal to Government and they may be paid Rs. 5 or Rs. 10 per day for doing such work. Of course, some honourable members may think that my suggestion is to get more work for persons of the legal profession. But I am not making this suggestion with that view. I would say that there are certain people who would work for the Government and thereby Government would save a large amount of money. Another objection might be put forward that confidential matters relating to the Police Department may leak out if this work is entrusted to pleaders———

Mr. SYED MUNAWAR: How is all this relevant to the discussion, Sir?

The DEPUTY PRESIDENT: The honourable member is perfectly in order in so far as he is showing various ways of retrenchment.

Mr. A. B. ACHREKAR: Under the Evidence Act, I say this discussion is relevant when I am to show that there is no necessity for fresh taxation. I am within my limits in showing how to effect retrenchment and avoid fresh taxation. [*Interruption.*]

The DEPUTY PRESIDENT: Order, order. Let the honourable member proceed.

Mr. A. B. ACHREKAR: Some objection may be raised that the confidential matters of the Police Department may go out and be made known to the public. But the public prosecutors have to deal with more important sessions cases and they all are recruited from the bar and not from the police service. The police cases are small petty cases which are handed over to the prosecuting inspectors and sub-inspectors to conduct. I do not understand the argument that confidential cases will not be safe in the hands of the members of the bar.

The second source of retrenchment which I would suggest is under land revenue. I would mention the expense incurred by District Deputy Collectors in touring their sub-divisions, at the time of Anewari and *Pikpahani*. I would request the Honourable the Revenue Member —unfortunately he is not here—to get information whether the District Deputy Collectors have been still touring for *Pikpahani*, when the crops have been harvested long since. What they do is to see the clerks and talatis and get information from them second-hand. But they tour at a

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time when there is not a blade of grass or any corn in the fields. They are simply following red-tapism. As a matter of fact there would be absolutely no work for them, if efficient mamlatdars are posted in the talukas. The Government have accepted the recommendation of the Retrenchment Committee as regards the abolition of the posts of Huzur Deputy Collectors, but in my opinion District Deputy Collectors are also of no use because the only work they do is to transfer the work of the mamlatdars on to the Collector.

Then there is the Forest Department. Honourable members coming from the Central Division would bear me out when I say that the Central Division has no valuable forests. The works of the Forest Department can be handed over to the Public Works Department or the Revenue Department. I do not know myself whether the forests in the Central Division do give any income. I request the Honourable Minister in charge of the Forest Department to please take my remarks into consideration. I think that in the Central Division there is no necessity of keeping this Forest Department containing highly paid officials.

Again, some saving in the Public Works Department is possible. Take my district of Satara, for instance. My honourable friend Rao Bahadur Kale will bear me out when I say that no buildings have been constructed during the last 8 or 10 years. The senior Executive Engineer has to see whether the roads have been macadamised—roads only 300 or 400 miles long. I think the Public Works Department in the district of Satara is spending more on its establishment than on its work.

Then I come to the delicate question of expenditure on account of the promulgation of ordinances. Unfortunately, the civil disobedience movement has affected trade and commerce. It is known to this House that the Imperial Government is deriving an income of something like 20 crores from this Presidency. Therefore, this expenditure, which is extraordinary expenditure, should be borne by the Imperial Government. I therefore request the Honourable the Finance Member to see his way to refer the matter to the Government of India and induce that Government to bear this extraordinary expenditure on account of the civil disobedience movement, because all the heads of revenue affected by the civil disobedience movement belong to the Government of India.

My objection to the consolidation of this Bill is this: Parts 3 and 4 do affect the agriculturists—whether they be in the mofussil or in Bombay. I agree with the honourable member Mr. Surve that Bombay is not inhabited only by the rich people. Seventy-five per cent. of the Bombay population come from the mofussil and they too come here to earn their livelihood or supplement the income of their families in the mofussil. They go to their homes every year, and the earnings they get in Bombay are very useful to them for supplementing their income in the mofussil. I therefore very strongly object to these parts which affect the agriculturists. I request that members opposite should give an assurance, as my friend Rao Bahadur Patil suggested yesterday. Unless the Honourable the Finance Member gives an assurance, I cannot see my

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way to support the Bill as it stands. I do not know whether my honourable friend Rao Bahadur Patil has received that assurance or not, but he spoke of it yesterday. I would willingly vote for Part 5 without any compunction. But on account of this unhappy and unfortunate consolidation, I would ask for some assurance to be given by the Government benches. In that case only I will be able to vote for the first reading of the Bill, otherwise I shall be compelled to oppose it.

Mr. N. E. NAVLE: Will the honourable member who has just spoken kindly say what kind of assurance is required from the Honourable the Finance Member, whether he wants that the agriculturists should be exempted from the operation of the Stamp Act?

Mr. A. B. ACHREKAR: My honourable friend Rao Bahadur Patil has thrown out a suggestion on the floor of the House that if the Government assures us—I want to repeat and strengthen what my honourable friend Rao Bahadur Patil said yesterday—that these rates can be reduced in the select committee and that the Bill, as far as the Court-fees and Stamp Acts, are concerned, will maintain the rates as they prevail to-day without any increase in the rates, we will see our way to support the first reading.

The Honourable the PRESIDENT: I do not know whether that kind of assurance can be given by any member on the Government benches at all. When the Bill is referred to the select committee, the whole committee would have the authority rather than any one member of Government. The Honourable the Finance Member will be the chairman of the committee and he may use his good offices. That is all that he can do. There is another point. Even after the Bill comes out of the select committee, the House has the possession of it.

Rao Bahadur D. R. PATIL: May I say a word, Sir? As the honourable member referred to me, I have to say something to him——

The Honourable the PRESIDENT: No, no. The honourable member cannot speak now.

Dr. J. ALBAN D'SOUZA (Bombay City, South): Mr. President, I rise to make an appeal to this honourable House with all the earnestness at my disposal to request honourable members, when covering the ground of the principle of the Bill that is now before the House, to exercise every care so as not to trip into that rather facile pit of giving the dog a bad name in order to be able to hang him. Sir, judging from the remarks of my honourable friend Rao Bahadur Kale and some other honourable members who spoke in the same strain, there seems to be a fairly remarkable tendency to hang even the new and rather satisfactory acts of the Government on the old pegs of heedlessness, extravagance and prodigality. There is also one other tendency. It is this: that in all our important debates, in all matters of provincial importance that come up on the floor of this House, there is a fairly remarkable tendency of thinking in terms of our respective constituencies regardless of the interests of and the broad outlook we ought to have on the Presidency as a whole.

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Sir, coming now to the question at issue, that is, the principles of the Finance Bill, there are, I believe, two pertinent and basic questions which every honourable member of this House ought to give the most careful attention to, in arriving at a decision as to whether he is going to vote for the Bill or vote against the Bill. The first question is: what justification have Government got to introduce this measure; and the second: is the justification justifiable? Besides these two questions of basic importance, there are certain details connected with the Bill; such as the manner in which the measure has been introduced, and the form in which the same has been done. However irksome and irritable these may be, I would certainly consider, and I hope the House will agree with me, that these, after all, may be deemed to be of secondary importance. Objections have been raised that rather meagre publicity has been given to this Bill before it came in this House. This may be right, this may be wrong. Whether right or wrong, it is surely a matter of secondary importance. Secondly, serious objections have been raised to the omnibus form in which the Bill has been presented. The Bill as it has come for consideration before this Honourable House contains Part II, the Electricity Duty, Part III, the Court-fees, Part IV, the Stamp Duties, and Part V some other duties on certain instruments in certain cities. Sir, apart from the fact that the omnibus presentation is merely a copy of what is being done, not only in the Assembly but in several parts of the world, there is no doubt that in the case of this particular Bill it happens to be an unfortunate circumstance. This arises no doubt from the fact that the principle of a new and novel form of taxation has been coupled with the principle of a form of taxation already in existence; but, Sir, as I say, these matters are of detail, and being of detail, I think they ought to be deemed to be of minor significance and importance. To my mind, these should not prove a bar to the Bill being sent to the select committee, where measures may be adopted, as has been suggested from several sides of the House, to so modify, for example the Electricity Duty Bill, as to suit the interests of company, consumer and Government.

Coming, Sir, now to the questions which I have stated are of basic significance, the first question is: what justification have Government got for introducing this measure? Sir, my reply is that there is not only a justification for it, but it is a decided need. It is not only a decided need, but it is an immediate need. It is an emergency measure, no doubt, and fortunately as the amendment that has been tabled, tells us, it is an emergency measure to last for only one year. Government is in urgent need of the receipts for purposes of the government of the Presidency. Is the justification justifiable? Coming to this question, the main justification to my mind, and I hope it will appeal to other honourable members of this House, is that Government, during the last two years and a half, as I indicated in my budget speech, have given an earnest, and a thorough earnest of their desire to exercise the utmost possible economy in the expenditure of the government of this Presidency. I shall give a few facts in proof of my statement. From the

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time when, during the latter half of 1930, the economic depression with the consequent fall in revenue was pressing heavily upon the finances of Government, Government introduced a process of economy. We are told that practically Rs. 43,00,000 were saved in the course of the year 1930-31. I have also indicated in my budget speech how, in addition to the cuts which had been recommended by the Retrenchment Committee in their *ad interim* and final reports, amounting to savings to the tune of Rs. 117 lakhs, the Government have on their own, irrespective of the Retrenchment Committee's recommendations, effected a cut of no less than Rs. 37 lakhs. Now, I ask the honourable House where comes the room for that absolute fastidiousness on the part of certain honourable members in not believing that Government have done their level best in exercising economy during the last two or three years? I am not referring to what was done 12 or 15 years ago, but I am referring to the sincere effort which has been made by Government during the last two years, which effort I heartily believe will be carried on by Government. They have already given an indication that they will.

Sir, referring to the 10 per cent. cut, a remark was made by my honourable friend Rao Bahadur Kale that it should not have been a cut of 10 per cent. all round, but that it should have been a graduated cut according to the salaries on which the cut is imposed. But, Sir, it must be remembered that this suggestion of a 10 per cent. cut has come to us from the Government of India, and this Government has acted up to the suggestion which came from the Government of India. Now, an assurance is asked for that a graduated cut will be exercised or brought into force by Government. Well, all I say is that Government have given a real earnest of their desire to exercise the strictest possible economy, and the honourable House must take it for granted that Government is in real earnest to achieve this result. I was rather surprised at the remarks made by the honourable member Dr. Gilder, when he had a tirade on the work done by the Retrenchment Committee in bringing about the retrenchment they have effected. I was very pleased, however, to note that the Honourable Minister for Local Self-government, who happens to have been the Chairman of the Retrenchment Committee, has done full justice to the work which the Retrenchment Committee has done in effecting such a large saving. Sir, in addition to all this, Government have given yet a further thorough earnest of their desire to exercise economy. There was an announcement made by the Honourable the Finance Member that an expert committee for the reorganisation and reconstitution of the administrative machinery of Government is going to be appointed shortly.

I wish to refer next to the suggestion put forward by my honourable friend Mr. Petit regarding the Electricity Bill. I personally believe, Sir, that the suggestion, if taken up, would ease the condition of the consumer, upon whom the burden is likely to lie. In reference to the same, the Honourable the Revenue Member made a suggestion that in

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case a levy was taken from the company and not the consumer, the shareholders would suffer. I personally think, Sir, and I hope the House will agree with me, that it is better that the burden is taken off the consumer and put upon the shareholders, because the shareholders, after all, have the money to buy the shares with and are therefore financially in a better condition than the poor consumer.

The very happy idea of my honourable friend the Finance Secretary of moving an amendment to the effect that this Bill should be in existence for a period of one year only has certainly been most opportune. It is an emergency measure, and as such it ought to be a mere experimental process, with the object of determining after a year, whether the Bill ought to continue or ought to be eliminated. I do not wish to take up more time of the House, because previous speakers have done ample justice to it—I would only refer to the remark of my honourable friend Dr. Gilder, when he appealed to the good sense and patriotism of the members of this honourable House. In considering this Bill I appeal to them to look broadly to the interests of the Presidency as a whole, and give their assent to the Bill that is now under discussion.

Dr. J. A. COLLACO (Bombay City, South): Sir, the speech of the Honourable the Leader of the House, yesterday, was the most extraordinary speech that I have ever listened to. The whole of yesterday's speech was devoted to the representatives of the agriculturists. He told them that, as this tax would not affect them, they should vote for the Bill. He went further and told them that if Government had enough of money, they may give more remissions, and lastly he referred to the soft corner which the Honourable the Revenue Member had for the Sind members. I congratulate the Honourable the General Member on the mass conversions he has made in this honourable House by touching the most sensitive nerve, the nerve that supplies the stomach. Sir, I appeal to the honourable members to lay aside petty considerations, to take loftier and higher view, and do justice, be it to the agriculturists or be it to the townspeople.

Sir, I am a new member in this House. I want to ask a question to the honourable member Rao Bahadur Angadi. Is it or is it not a fact that the Bill for enhanced court-fees was passed last time in this honourable House with the active support and co-operation of the members from the districts, while the Bombay members strenuously opposed it? It does us good sometimes to examine our conscience. Sir, I am against the Electricity Bill. Electricity, to a city, is not a luxury; it is an absolute necessity. It is as necessary as light and air. There are people in Bombay who never see light during the greater part of the day. The only light that illumines their dingy homes is the light supplied by the Bombay Electric Supply and Tramways Company. It is cruel to tax these people half an anna per unit. I agree with the honourable members that have preceded me that it is very bad finance to raise loans to cover deficits. But we are living in extraordinary times and extraordinary times require extraordinary measures. I would ask the Honourable the Finance Member whether it is possible to utilise part of the Famine Fund, which has been dwindling, to cover part of our deficit. After all, we

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could have no greater famine than what we are having in these days. There is pecuniary famine in every Government department. I should like to know whether part of this Famine Fund could not be thus utilised. I wish every success to the honourable member the Finance Secretary in his mission to Delhi to give evidence before the Federal Finance Committee. The mistake we made before the Meston Settlement should not be repeated. Just before the Meston Settlement, the Bengal Government did not balance its budget whilst Bombay Government did. The result was that the Bengal Government was treated generously by the Meston Committee, whereas the Bombay Government was treated like a step-child by that committee. Therefore, the honourable member the Finance Secretary should go to the Federal Finance Committee and tell them that we cannot balance our budget, that our coffers are empty and that we have lost our financial moorings. He must impress on them that, unless the Central Government give us the whole of the income-tax and a part of the customs duty, we shall not be able to extricate ourselves from this financial morass.

Lastly, the honourable member the Finance Secretary said that a person in Bombay city pays 5 annas to the provincial exchequer. If there is an individual in this city who lives on free-hold land, who does not drink, who does not smoke, who does not eat opium or ganja, who does not burn firewood, who does not go to any entertainments as cinema or theatre, who does not go to the race-course, or who has no children whom he has to educate, if there exists such an individual, he may be paying 5 annas to the Bombay Government. But it will be easier to find a needle in a hay-stack than such an individual——

Mr. G. WILES: The honourable member is entirely misinterpreting me. I was merely illustrating the fact that a large proportion of the taxes which are collected in Bombay goes to the Central Government. I quoted from a report which was published in the *Labour Gazette* a year or two ago about the particular instance of a clerk on Rs. 100 salary. I do beg of the honourable member not to misinterpret this illustration as being applicable to everybody in Bombay. It was never intended to be so used and it cannot be.

Dr. J. A. COLLACO: I must stretch my imagination and take it for granted that this particular clerk lives on a free-hold land, does not drink, does not smoke ganja, bidi or cigarettes, does not go for entertainments, does not go to the race-course, and has no children whom he has to educate and pays 5 annas to the Bombay Government.

Rev. R. S. MODAK: Sir, I do not want to take the valuable time of this honourable House any more by discussing in detail this Bill No. I of 1932. A great deal has been said in opposition to and in support of this Bill. There are important points to be considered on both sides. I should like to give my support to this measure for two special reasons. One of them is that if we believe that Government have been putting forth sincere efforts to retrench and to reorganise, they certainly deserve a little more help. If it is not a fact, then they do not deserve any help. It has been stated by honourable members who supported the Bill and

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by honourable members on Government Benches that a good deal has been accomplished by way of retrenchment, and that some more help and resources are required now so that Government can be better off in future than at present. In financial circles, figures only express the inward need as it is felt in the human mind. If it is felt that the Government must be run in a particular way, it must cost a certain sum of money enough for the purpose. The people of this Presidency and the country have already reached their limit of taxation. They cannot pay any more under ordinary circumstances. But all the same, we are to look to the proper conduct of Government. We cannot separate the people from the Government as responsible leaders in this House. As it has been brought to the notice of the House several times that we can by helping Government in the present situation improve the future, I do not think much more harm will be done to the people by this new taxation for a while. This Bill is anyway for a short time only. Since it is going to the select committee and since we feel that Government have in their own way been trying their level best to retrench, we should at this time support it.

I might say one thing here. If we are going to face a similar situation over and over again, for one reason or another and on the plea of efficiency, I do not think we can stand it much longer. This is an emergency case and a special occasion. Therefore, I say that it would be a good chance for us now to help Government and show them that we are interested in their affairs, provided also that Government are interested in our aspirations.

Mr. J. S. KADRI (Northern Division): Sir, I am not opposed to the first reading of this Bill, because it is natural that Government should expect our co-operation and we should not leg behind in offering the same out of good motives at this juncture. When Government have given this House an assurance that the duration of the Bill is only for one year and that it is to pass through the ordeal of the select committee, there is no reason why it should not be given a chance. With all the serious efforts Government are making at retrenchment, we have every hope that the need for renewing the measure will not arise in future, provided Government take full advantage of the co-operation of this side of the House, in making further retrenchment and economy, in all possible directions. For my own part, I am convinced that there is further room and wide scope for retrenchment in the various departments of Government, and in doing so, we should follow the example of other Governments. For example, the Punjab Government has effected a great amount of saving by closing down certain departments which are superfluous. The Department of Public Health has been abolished by them. Why can it not be done here too? In reply to one of my questions, it was stated that the establishment of the Director of Public Health costs Rs. 47,000. Even if this one post were abolished, it will result in a handsome saving of half a lakh of rupees. There are several other sinecure posts under Government, which could safely be abolished without impairing the efficiency of the Government machinery.

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There are various kinds of allowances such as duty allowance, local allowance, compensatory allowance, overseas allowance and so on which can be abolished. I think all such allowances must go, because there is no justification for them in these days of dire financial stringency. When these allowances were created, times and circumstances were different, there was plenty of money and Government had to grant such allowances for good reasons. The real need for such allowances does no more exist. There are in several departments superfluous posts, which deserve to be wiped out. Why should not these go at once? I can cite several instances of posts which can be retrenched immediately.

There are Personal Assistants to Collectors and Educational Inspectors. In view of the financial stringency pressing hard on Government now, these posts can very well be done away with. The post of the Personal Assistant to the Educational Inspector, Southern Division, was abolished some years ago. I was myself there as Educational Inspector and I never felt the need of a personal assistant. I can from my personal experience say that there is no pressing need for a personal assistant to Educational Inspectors in the Bombay and Central Divisions. The Bombay Division for educational purposes was created only 10 years ago. I was its Educational Inspector for some years. This division was formed by separating certain districts from other divisions and attaching them to the Bombay City. In those days, I do admit there was real necessity for separating this division. But now that the control of primary education has been transferred to the local authorities, there is comparatively less administrative work for the Inspector of the Bombay Division to do. If this division is abolished, I think there will be a saving of nearly half a lakh of rupees. Then, again, special attendance allowances are given to head-masters and first assistants in primary schools. This allowance is paid only to particular teachers on the attendance of pupils at school. Is it not the duty of all teachers including head-masters and first assistants to enforce regularity of attendance on the part of their pupils? Where is the need, then, for giving bonus for such attendance to only particular teachers to the exclusion of the rest? This allowance, if abolished, will result in a saving of a very large amount. If avenues for economy are properly explored and if Government are in right earnest to effect retrenchment, with the assistance and co-operation of experts, sufficient savings in expenditure can be effected to balance the budget. In that case, I do not think there will be any need for extra taxation. The burden of taxation has been ever increasing and extra taxes have been imposed and continued year after year under various pleas. In spite of all these devices, Government have not been able to extricate themselves from the morass of financial difficulties. They are on the horns of a very serious dilemma. They have either to tax the people or to borrow money for balancing their budget. Both these alternatives are detrimental, not only to the interests of the Government, but also to the moral, material and economic interests of the public at large. When Government are in financial straits, I think this House will be well

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advised to go to their rescue and assist them out of their grave difficulty. For this reason, I would appeal to my honourable friends to extend their co-operation to Government in their hour of need, but subject to a clear assurance that such measures of taxation would not be continued a day longer after their urgency is removed by a recourse to reorganization, reconstruction and economy. I am deeply conscious of the present sad condition of the agriculturists and the rural population. They are really in a most deplorable predicament. The prices of agricultural products are very low and poor peasants are living from hand to mouth. I think the Government Benches are not unaware of the indebtedness of the poor ryots in the rural areas. I submit, Sir, that the peasants are very badly hit by the all-round fall in commodity prices, and all the gold which has been going out of India is partly from the pockets of these poor people who have been selling their ornaments and jewellery to discharge their debts to Government and other creditors. The flight of gold is, therefore, a symptom of distress in the country, really speaking. If Government probe this problem deep, they will be able to assign the big exports of gold to economic and agrarian distress. I think Government should not trot out this casual phenomenon of gold worth 50 crores having gone out of the country as a proof of the country's prosperity. As a matter of fact, the country has become poorer by it, and I think there is very little hope of the loss being recovered. The gold is gone perhaps never to return and there is very little grain now left with the cultivator for his maintenance, because he has already sold a greater part of it to pay his Government dues. I do not think the agriculturists will be able to make both ends meet, if they have to pay their land assessments as well as past arrears. It is, however, a consolation to learn from the Honourable the Revenue Member that he has made certain concessions to agriculturists in various districts and he has also assured the House that no arrears, at least authorized arrears, will be realised. I think that will afford some relief to the poor agriculturists.

I should like to touch the question of co-operation for which a plea is made out by Government. When Government is talking of co-operation, I wish to point out that co-operation should be reciprocal. When we extend our co-operation to them, we naturally expect co-operation from them also. But how they co-operate with us, can well be guessed from the way in which answers are vouchsafed to the questions put to them by the elected members of this House. Yesterday, I got a funny reply to my question about a mosque at Ahmedabad. It is a mosque, and they admit that it is a mosque. The mosque must necessarily be meant for Mahomedans. A mosque was certainly not built for Government officers or for police Inspectors. They have erected a bungalow close to the compound of the mosque, and because that bungalow has come into existence, the mosque has become no mosque. I am really sorry to say that correct information has not been supplied to Government on the subject. I have facts and figures to show that it is registered as a public mosque in the

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Government records. It has been used for prayers by Mahomedans for a number of years, and yet Government have the boldness to say that it has not been so used. [*An Honourable Member:* Government mosque ?] It is not a Government mosque; it is a Mussalman mosque, but it is now under Government control. Local Mahomedans have really felt much aggrieved by their being deprived of the use of this mosque. [*An Honourable Member:* Is there no other mosque near by ?] I live quite close to that mosque; I have offered my prayers there, and I know that for the last fifty years it has been there as a mosque. It is only for the last three or four years that Muslims are not allowed to use the mosque for prayers, because there is a Police Inspector living close by. [*An Honourable Member:* Are there not other mosques near by ?] There are hundreds of mosques in the city of Ahmedabad. I hope Government will extend their goodwill and co-operation to us in solving such matters amicably.

Then, again, when they ask for our co-operation we expect that they should in turn extend to us, elected members, due measure of courtesy and consideration in matters of public importance. Take, for example, the constitution of the Provincial Franchise Committee. No Mussalman member of the Presidency proper was put on the committee at first. I sent in a resolution for appointing two more elected Muslim members on the Committee and, now, I find that some additional members have been put in. But elected members who can speak with authority on behalf of their constituencies, have been deprived of the opportunity of having their say on such an important matter as franchise by being excluded from the Committee. Nobody grudges Government nominees the honour, but it is a right which ought to have been extended to the elected Muslim members of the Presidency proper. I mention these points only to emphasise that when Government expect us to co-operate with them, they should also extend the same in their dealings with the elected members, so that we may be in a position to know that our services are appreciated.

With these words, I recommend that the first reading of the Bill may be supported.

(*After recess.*)

Notice taken that 25 members were not present; House counted; and 25 members being found present——

Mr. L. R. GOKHALE (Poona City): Sir, until I had heard the very valuable contribution to the discussion of this Bill from the lips of the honourable member Mr. Kadri, I did not exactly see the reasons to decide one's view about this Bill, whether to support it or oppose it. My honourable friend Mr. Kadri has given the reasons for opposing the Bill in the best terms possible. He has told us, and I believe convincingly, that Government do not co-operate with the members of this House. I do not think he was far from the truth. Then, again, he has told us about the condition of the poor agriculturist. He has in picturesque

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language told us how they are not able to pay the revenue and the plight they will be in if any additional tax is levied upon them. He has told us that they will have to sell every article of furniture or ornament of gold they may have in their houses to meet additional taxation. I believe these are very valid reasons why the Bill should not be supported. What I could not understand from the language of the honourable member Mr. Kadri was this: after giving all the reasons against the Bill he only quietly added "I support the Bill." And he wants us all to support the Bill. [*An Honourable Member:* He advised us to support it.] He advised us to support it. That is a point in which I cannot see eye to eye with him. I wish he had taken us into his confidence and told us the one reason why the Bill should not be opposed by certain individuals—I hope my honourable friend will be one of them. That would have enlightened us on his position.

I must frankly say, Sir, that I do raise my humble but determined voice in opposition to this Bill. I do believe that Government are almost in tenterhooks; I do believe that the Presidency of Bombay is on the verge of bankruptcy; I do admit that the people should be ready to co-operate with Government whenever it is possible. But having said so much, let us examine our situation and see whether we can really support the Bill. I know that if I oppose this Bill, it will very likely, as I see the situation, be a futile attempt; it is very likely that the Bill may pass its first reading. If I read properly the sentiments of the House—I do not think I need make any secret of it now—the Bill will pass its first reading. If it passes the first reading, those who are in opposition will certainly co-operate with Government in putting the Bill into proper shape in the select committee. Whether they should co-operate or not, is not the question now. Whether we should support the Bill at this stage, is the point that requires our attention.

Sir, I will give in short the reasons why I think the Bill should not be supported by the representatives of the people. The first and foremost reason is that Government have made out no case for this Bill. Government have not satisfied the opposition members that they have done their best to retrench the expenses that are being incurred for the present. Our friend the dissentient member in the Retrenchment Committee—I mean Mr. Chikodi—has indicated that retrenchment to the tune of three crores of rupees is possible, although the other members of the Retrenchment Committee do not agree with him. Besides, Sir, Government have now themselves come forward with a proposal for reorganizing and overhauling the administration which they really admit to be top-heavy. That being the case, is this honourable House justified either in opposing or supporting the Bill before the report of the Reorganization Committee is placed before them? Certainly, Sir, if Government say, after reorganization, that they have tried their level best to secure economy and retrenchment, and yet they are not able to make both ends meet, there will be a case for the opposition to help Government. But Government have not done that. Not only that, but Government have told us that they think too that the number of Cabinet Ministers is too large by

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three members ; but whether large or small, they do not mean to cut down the number at least for the present. When the present constitution is to be changed I do not know if they have told us, but this very instance will show clearly that Government have not decided as to the line of conduct which they propose to follow.

Then, Sir, there are many other departments, and only an unbiassed, critical person will know where retrenchment is possible. For instance, in the Public Works Department there are two Secretaries. They are, of course, drawing their usual pay, because they are bound to draw it. But the question is : are two Secretaries necessary for that Department ? Is that Department so heavily worked ? I would like to know from the Minister in charge, does he really believe that the two Secretaries—two highly paid officials—are indispensable under the present condition of the Presidency's finances ? This is not an isolated instance where we are spending money without regard to our capacity to spend. My honourable friends have already pointed out a number of other cases. The honourable member Mr. Kadri was good enough to point out that the Bombay Division was unnecessary so far as the Educational Department was concerned, though, of course, he put in a proviso that it was necessary at one time when he had the honour and privilege of being one of the inspectors of that district—but that is another matter. But the question with which we are concerned now is : is it not then necessary that when a person like Mr. Kadri, who has no brief for any extreme or popular views—it is the other way—when he comes and tells us that division is not wanted, that some action should be taken ? This is not an occasion when I should lengthen my remarks upon departments and individuals, but I am sure that if the Government is keen, honest—and honest it is—I do not say that it is not honest—it should first try to set its house in order and then come to us for further taxation. They have not done it. That is reason No. 1.

The second reason is the same as given by my honourable friend Mr. Kadri—I am sorry not to see him here—as regards the condition of the poor labourers. However good we may be at heart, kindness or goodness does not fill the coffers of the poor. Whence is the money to come ? Government admits that the depression that prevailed is yet prevailing. Government does see that the prices have not yet risen. The world conditions of commerce have not much improved. And unfortunately for us the condition of the country is most unsatisfactory. Under such circumstances, is it opportune, I put it, to increase taxation ? People cannot open their shops. We are not discussing the policy either of civil disobedience movement or of the ordinances. We are now here on the economic situation. I ask, is it right, when the people cannot open their shops, when the people cannot trade freely, when the booth licence-keeper cannot have an easy conscience and trade, is it reasonable to expect that the people will be making profits which they used to do once ? Under such circumstances, the Honourable the Finance Member has come before us for additional taxation, and for the reasons I have stated, we believe this is not the opportune time. This is the second reason.

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The third reason is the mentality or the preparedness of the people. Unless the people are ready to accede to the Government's demand willingly and unless they are in a mood to pay additional taxation, to burden them with taxation is to create further disaffection among the masses. I do not want to go into the history of the causes which have created the disaffection. One party may say it was this reason and the other may say it was that reason. But that is not the point for us to consider at this stage. The fact remains that the people have come to understand and think—whether rightly or wrongly I need not say—that no further taxation should now be levied and that the Government should not be paid any more money. Supposing, Sir, we who represent the popular views go back to our constituency and tell them that we have been convinced by the logical facts and figures of the Government benches and have sided with the Government and voted for the Bills, how will they look upon us? What will be their mentality? How will it reflect? Government ought to think of this. Government should wait for a few months more until the reorganisation committee submits its report and then introduce this Bill. Will one year make any worldwide difference in the bankruptcy and the stringent position of the Government? I am told it will. I definitely say "No." A loan of 70 crores with a couple of crores of interest every year to pay will not materially be changed within the course of four months, or for the matter of that one year. I do not want to express what reorganisation means. At any rate it means that the period to which we have to look for some constitutional changes will not be very long. Is this not an opportunity for the Government to stay its hands for the time being and wait until the changes take place? Is this the time when Government should come forward for further taxation and create feelings of distress and disaffection? Is that policy? Is that reasonableness? I will just put it to them: what will be the effect of the conduct of Government and the honourable House if this Bill is passed? How will the people look upon it? I would ask them to consider the question from this point of view. When the report of the Gauntlett Committee comes before the Government and the House, that will be the right occasion either for the representatives of the people to say that Government was wrong, or for the Government benches to say that they were right. That will be the final decision based on facts and figures. There will not be any sentiment. I hope, so far as possible, that will be the deciding factor. Therefore, my third reason is that this is not the opportune time for introducing this Bill. It should wait.

Now, coming to the Bill itself, it is a very ingenious piece of legislation. It passes ordinary comprehension. Is there not a certain reason why so much ingenuity has been compressed into that Bill? The Bill, I do want to suggest in plain words, is attempted to set one section of the community against another. That will be attributing motives. But I put the facts as they are. The Bill tries to levy a tax on electricity so far as Bombay, Poona, Ahmedabad and Karachi cities are concerned. Secondly, the court-fees tax has been increased. Thirdly, the stamp

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duty has been increased. And lastly, a special stamp duty for those four towns. Is that a milch cow which can be milked to any extent? Is the City of Poona to be distinguished from a neighbouring city like Kirkee where the tax will not be applied? Sir, it is extended to Poona City, not to the Cantonment of Poona, nor to the Cantonment of Kirkee. It is extended to the City of Bombay, not to its suburbs. They want the tax from certain people who are living in a certain area. I understand by the word "City" that it means the people living within the jurisdiction of the municipalities of these cities. Is it a sin of a Poona resident that he should be liable to this tax because he has his house within the city limits and has not the good fortune to live within the suburbs or the cantonment? The suggestion is that if he lives in the city he is to pay tax on electricity which the cantonment also uses. Then he has to pay extra charges on court-fees and stamps which the other cities have got to pay. He has further to pay an increased 40 or 50 per cent. tax on certain documents. I do not see any rhyme or reason in distinguishing in these particular cities for such extraordinary taxation. How will the people look at it? Suppose I am asked tomorrow what reason I see in Government penalising Poona City, or if "penalising" is too harsh, then punishing or in selecting Poona City for such hard treatment, and why Kirkee or neighbouring suburbs have been exempted. What reasons can I give? I would like to know from the Government benches, when the right time comes, on what principles they have made the selection. So far as the Statement of Objects and Reasons is concerned there is not a word about the special favourite treatment that is given to these cities. Of course, I am not alone in this respect. There is Karachi, Ahmedabad and, not the least, there is Bombay. These cities are to have special taxation, and the reason given is very peculiar. The Bill provides for a tax on certain instruments in the cities of Bombay, Ahmedabad, Poona and Karachi only. In revising the duty the rates have been brought, as far as it appeared expedient, in line with those in force in other provinces. That is what the Statement of Objects and Reasons says. I do think that in other provinces there are not cities like Poona and Ahmedabad included in that selection. There are cities perhaps of the type of Bombay. But my point is: why should we consider what other provinces are doing, when we are spending four times of what they spend? Take the instance of our topheavy administration. Have you compared our expenditure with theirs? How are you now entitled to compare these particular rates of taxation so far as those cities are concerned? It passes my comprehension to understand the reason which led Government to ask these particular towns to pay a heavy and unbearable increase of taxation. I know my honourable friends will raise their voice in strong protest against this sort of invidious treatment to be given to us. Take Sholapur, for instance. It is not far different. Poona is not an industrial city. The population may be a little more, but there are a number of cities like Poona. Why are they excluded? I do not, of course, say that you should include them. But why should you distinguish between cities like this? When the right time comes, I will point out by figures that there is no justification for

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this increase in that particular tax. I refer to article 63. There was an ordinary tax on bonds. There was an increase and that has been again increased and a special duty for Poona City is to be levied.

These are some of the reasons why I think this Bill is most objectionable. The agriculturists will be told, "Do not be disappointed, because we have excluded you so far as the tax on electricity is concerned." The other cities will be told, "We have excluded you from this special increase of taxation." In that way Government may succeed in collecting the votes of the Council. But that does not mean that it is either statesmanship or fairness.

Lastly, I will come to one point. I do not want to repeat the arguments that have been advanced up to now in opposition to the Bill. One thing that strikes me is the remark about the lawyers. I read the other day, that we were told that the agriculturist suffers more from the exactions of the lawyer than from the court-fees collected. Nothing would be farther from the truth. The court-fee collected is 7 or 8 per cent. The poor lawyer used to get 5 per cent. and that has been reduced by vote of this House to 3 per cent. And yet we are told that the exactions go from the lawyer class and not from Government. I do not know how the Honourable the General Member, who was associating himself with the profession for a long time, can say that. I do not know whether it is on account of forgetfulness on his part——

The Honourable Sir GHULAM HUSSAIN : It is a fact.

Mr. L. R. GOKHALE : I know it is not a fact. Suppose a client comes to me with Rs. 100. He will say "My pleader, I have brought Rs. 100. Kindly give Rs. 90 court-fee to the taxing master. Give Rs. 5 to the process fee clerk. Kindly give Rs. 5 to the clerk who writes plaints and everything else, and wait for the fees until I come next." That is how the vakil is treated. Of course, I do not say this about those who are rolling in luxury in the Presidency towns ; I have no experience of them. But I know the position of those who are in the villages. I know in what difficulty they are to make the two ends meet. Instead of putting before the Council the real position of the vakils, in order simply to secure the vote or the opinion of the House for supporting this taxation measure, to say that the vakil exacts money, is not to put the facts as they are. The Honourable Member can take it from me as my experience that the vakil is in a bad plight——

The Honourable Sir GHULAM HUSSAIN : There might be exceptions, who do not exact money.

Mr. L. R. GOKHALE : I am in the same boat with many of my colleagues and friends who sail in the same waters, and in troubled waters. It is not at all easy for us. We have to make the two ends meet, and we have to live and let live. For all that, to be told that the vakils are exacting their fees, is to tell us not the facts. Of course, with due deference to the Honourable Member, I have stated what I thought was necessary in defence of a class which is not here to represent itself. It is only in order to avoid any misconceptions on the part of others who are not vakils that

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I make clear what our position is. I must state it plainly that if there is any cause for ruining the population, it is the heavy charges of litigation by the court-fees, by the process and by the other fees for this and for that which the departments are asking from the poor man. It is denying him the justice which he wants. In India there is the tradition that justice was never sold. We are now living in a changed India. At least, please do not sell justice at too high a price; let us have it within reasonable bounds.

As regards the one year's period, I do not know whether the House has not burnt its fingers so far. Is it really true that next year this Bill which has now been introduced will be taken back? What is the experience of this House? Are we really satisfied with the assurances? I might say one thing. Every honourable member who supported the Bill had to put forth a special plea. Somebody said that it is only for one year. My honourable friend Mr. Kadri was particular about this. He said "No doubt it is an evil; no doubt the people cannot bear it. That is all true, but I have got a soft corner in my heart for the Government, and I want to help them; and the reason why I say this, apart from other reasons, is that it is only for one year." Somebody wanted a guarantee to exclude from the operation of this Bill the agricultural areas. What does it mean? One wants the agriculturists to be excluded, another wants certain Bombay people to be excluded, a third wants Poona city to be exculded. I do not know who wants the Bill. I submit that these special apologies and special pleadings are put forward only because the Government cannot be supported, and have no case. I know, and of course the lawyer Members of the Government know very well, that when they have no case, when the facts are against them, they have to plead sometimes for mercy, sometimes for special equity. I know there are reasons—I need not say what makes me say so—why this Bill may pass the first reading. By a snatch majority, by a majority of a few, it may pass the first reading. If it passes the first reading, Government should remember that this is a Bill which will create difficulties both for this House and for the Government themselves. That is a warning which I think I should express in plain words, because the people are not in a mood to understand this problem.

Sir, I do not want to take any further time of this House by giving further instances of the spendthrift or profligate character of the Government, and this is not the time for it. But I do say that if the Government try once more seriously after retrenchment and then come before the House, I am sure the House will give them a sympathetic hearing.

Sir, the Bill has many defects from my point of view. If it at all passes the first reading and is committed to a select committee, some honourable members will be there to give advice and to point out in what way the Bill requires redrafting. But that is not a question for us to consider now. As regards this question about the impost on cotton dealings, I believe those who have a special knowledge about cotton dealings will tell the Government that it is an all-India question. If we have that tax added to Bombay, perhaps those dealings will be

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transferred from Bombay to some other centre. Not being a businessman having any dealings in cotton, as I do not deal in forwards or have any actual transactions in cotton, I cannot speak with authority on the subject. But I am told that this impost will drive away the best part of our commercial interest from the port of Bombay to some other port. If it goes to Karachi, I would not be very sorry for it, but if it goes beyond Karachi, I should be very sorry for it indeed. It is a point to consider whether the Government are justified, in collecting a couple of lakhs of rupees, in driving away business in such a large and important commodity out of the port of Bombay. I am sure those who know the business will speak with authority on this question, but my general commonsense tells me that it is an impost which is undesirable in the extreme. Sir, I have no sympathy for those who are dealing or dabbling in futures. It is after all gaming business. But whether or not it is gaming, it is business that is done actually on a large scale. We have legalised horse-racing, and there is no harm if we legalise this sort of business in cotton. But I do not think that Government should take such a risk.

Sir, this is all that I have to say with regard to these four particular taxes which are proposed by Government. With all the earnest conviction that I can command and express myself, I would ask the Government to reconsider their position before proceeding further with this Bill now before the House, and at this period in the history of the country.

Mr. V. A. SURVE (Ratnagiri District) (Addressed the House in Marathi): Mr. President, for the last two days, there has been a discussion going on in this Council about this Taxation Bill. I do not know to what extent Government have considered the existing taxation of the Presidency before putting forward proposals for fresh taxation. Sir, in the Meston Committee's Report the figures of revenue of this presidency from 1912-13 to 1920-21 are given, as also the figures of expenditure for the same period. The revenue from Excise in a period of 8 years, increased by 102 per cent. The increase under Stamp duties has been 119 per cent. We know that from 1921 to 1932 Bills for enhanced court-fees and stamp duties have been brought before this House and passed; that of course is the additional increase. The increase under Land Revenue is 32 per cent., and this has been admitted in the letter to the Government of India about the revision of the Meston Settlement, which was sent under the signature of the Finance Secretary on the 14th March 1925. The increase under the rest of the heads of revenue up to the end of 1920 is 52 per cent. If we include the increases under the various heads of revenue for the last 10 years, I am sure it will come to an increase of 252 per cent. or 262 per cent. Even when the Finance Department know this, they have brought forward new taxation measures. Sir, I want to bring to the notice of the House that land revenue, excise revenue and forest revenue comes out of the pockets of agriculturists. Out of a revenue of about 12 crores under these heads, about 7 crores is paid by agriculturists. Sir, Government call themselves the protectors of the agriculturists. But in return for the

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collection of so much revenue from the agriculturists, what have they done for the agriculturists ? Sir, there are 20,35,451 landholders in this presidency, and it is these people who, by the sweat of their brow maintain these officers of Government on fat salaries, and in return these officers want to tax the agriculturists still further. Sir, it has been remarked in the Report of the Accountant General on the accounts of the Bombay Government that there is no province in which the expenditure is so high as in Bombay. In spite of it, the expenditure is increasing, and Government want more taxes from the people. Sir, I remember that in 1930 I went to Wada, a village in the Poona district, to enquire into matters connected with the Forest Department. On the way, at Manchar I came across some Koli women carrying a headload of firewood. I asked them where they got the firewood from. They replied that they got it from the Government forest. I asked them what they had to pay and they replied "four pice." I asked them whether they had to pay anything else, and they replied that the guard sepoys take money for grazing goats and buffaloes at the rate of 4 annas each. I told them that perhaps they did not have to pay more land revenue. And they replied they had to do it ; that they had to pay for firewood, for grazing, for leaves from the forest, and for everything. I have already said, Sir, that 75 per cent. of the revenue from forests, from land and from excise is contributed by the agriculturists. Government is supposed to look after the interests of the agriculturists; Government is supposed to protect them ; Government is supposed to look after their education and social advancement. But Government do not want their children to be educated, and so there has been a cut of Rs. 18,00,000 under Education. The poor agriculturists' children suffer for want of education. There are big officers drawing fat salaries for each district, while the people are on the brink of starvation. The District Collector goes on tour, asks the sepoy to bring any man that he sees in a village and enquires of him something and goes away. The moment that an agriculturist fails to pay the kist in time, there is the mamlatdar who comes and attaches the drinking pots and cooking utensils of the poor agriculturist. No mercy is shown to him in the pitiable plight he lives in. Even though the ryots contribute for the expenditure of the costly Government machinery, they do not get even their primitive needs. No education, no medical relief, no good roads.

Coming to the stamp duty and court-fees, in their every day life, the ryots need stamps. For everything they have to make a petition and the petitions ought to bear a 4-anna stamp each. Even to make representations to the revenue officers, the ryots have to affix stamps to the petitions which contain their representations. How can we by any stretch of imagination say that there is a tax which does not affect the agriculturists ? In the case of the court-fees and stamps, the ryots are worse affected, as has already been pointed out by some honourable members.

As regards the administrative machinery, the less said the better. If a ryot wants to get relief for any grievance, he does not get it

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without going through a circuitous channel and even then he is not sure of getting redress. I myself had to make a representation in a particular instance. In the first place, I went and saw the Revenue Member, who asked me to interview the Commissioner. When I interviewed the Commissioner, he directed me to the Collector who took me to task for having gone to the Commissioner and the Honourable the Revenue Member. That is how we are driven from pillar to post when we have any representations to make or when we have to get redress for some grievance.

Lastly, I wish to impress upon the Government Benches and this honourable House that the ryots are already pressed down by innumerable taxes. Though they pay their taxes, they do not get facilities for education, medical relief and communications, which are their essential needs. They are not even able to keep their body and soul together. So long as the subjects are not happy and contented, the rulers cannot be happy and contented. Under these circumstances, I request honourable members, if they really represent the agriculturists in this House, to reject the Bill in toto.

Mr. C. W. A. TURNER: I move the closure.

The Honourable the PRESIDENT: I cannot accept closure, because there are two amendments yet to be moved at this stage. The honourable member Mr. Tolani has got two amendments. I do not know whether he wishes to move his amendment to clause 3, after the honourable member the Finance Secretary has moved a similar amendment.

Mr. S. S. TOLANI: Sir, that way there is a third amendment also standing in my name regarding local bodies, but I shall move at present the amendment relating to limiting the scope of the Bill.

The Honourable the PRESIDENT: He can move it now.

Mr. S. S. TOLANI (Western Sind): Sir, many honourable members have spoken for as well as against the Bill, and they have advanced various arguments in support of their views. I shall not take much of the time of this honourable House as the Government are in a hurry to see their victory. The question is whether there is a real necessity for taxation, and whether Government have made proper retrenchment and whether people are in a position to pay. My answer is in the negative.

The Honourable the PRESIDENT: Do I understand that the honourable member is going to move his amendment?

Mr. S. S. TOLANI: Yes, Sir, but, before that, I wish to make a few preliminary remarks. At the time of the discussion of the budget the Honourable the Finance Member told this honourable House that Government have done their best and that there is no further room for retrenchment. But, I say, where there is a will, there is a way. If Government have a mind to do that, they can do it even now. Many

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honourable members have suggested various sorts of retrenchments. The honourable member Dr. Vaishampayan has made many reasonable suggestions. I shall also place a few before this honourable House.

Every time when there is suggestion for retrenchment Government plead that the retrenchment will be at the cost of efficiency, but I would ask, where is the extraordinary efficiency in today's Government ? I hold that the present administration is both top-heavy and superfluous, which must be reduced to relieve distress and dispense with the necessity of further taxation.

Sir, yesterday, the honourable member Mr. Hoosenally Rahimtoola, who was a member of the Retrenchment Committee, as an honest man, confessed that the committee did nothing extraordinary

An Honourable MEMBER : Are not others honest ?

Mr. S. S. TOLANI : You are also honest.

The Honourable the PRESIDENT : Order, order. Address the House, please.

Mr. S. S. TOLANI : He said that if Government were in earnest, even without the recommendations of the Retrenchment Committee they could have made all these retrenchments last year. The Retrenchment Committee was not treated in a satisfactory manner. I remember that when the committee was considering the question whether a separate Dadu District should be formed, the honourable members Sir Shah Nawaz Bhutto, Khan Bahadur Khuhro and myself gave evidence on the question. But even before the report of the committee was out, Government had opened the new district.

An Honourable MEMBER : What was your opinion ?

Mr. S. S. TOLANI : My opinion was that the Larkana District should not be split up.

The Honourable the PRESIDENT : The honourable member would still enter into arguments while addressing the House with honourable members interrupting.

Mr. S. S. TOLANI : There are then many unnecessary appointments. If Government want to curtail expenditure, they can abolish those posts. For instance, there is no need for huzur deputy collectors : the mukhtiyarkars can easily do the work of huzur deputy collectors.

The Honourable the Revenue Member said the other day that he had received many protests against the reduction in the number of huzur deputy collectors. I would point out that mukhtiyarkars are doing work satisfactorily, and therefore there is absolutely no necessity for those posts. I am inclined to believe that there is no need even of huzur mukhtiyarkars, because the accountants of the Revenue Department can do the work of huzur mukhtiyarkars. I am strongly of opinion that most of the appointments of Deputy Collectors in the District are unnecessary as they merely serve as post office between mukhtiyarkars and Collectors. As one of the many other unnecessary things I would point out to the Honourable the Revenue Member the instance of the launch

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"Jhelum", which is being maintained for the use of the Commissioner in Sind. The Commissioner tours for hardly three months in the year. For the rest of the time the crew and staff are sitting idle at Kotri although thousands are being spent on them. Now with improvement in road communications and the increase in motor traffic, there is no necessity for maintaining that launch.

The City Magistrate of Karachi, Mr. Richardson, has retired, and yet he has been reemployed twice and given a salary of Rs. 1,500. A deputy collector of the senior grade can conveniently be appointed in his place. Only to maintain him he is being reemployed every now and then, and given Rs. 1,500.

An Honourable MEMBER: Because he is trying political cases!

Mr. S. S. TOLANI: Yes, I know that and he is giving "C" class treatment to almost all political prisoners, and it is therefore that he is being maintained.

Then, again, Government have given a cut of 10 per cent. throughout the services, but the pay of sub-inspectors has not been subject to cut. Although they have brought the cut into effect in the case of the inspectors, the pay of sergeants who are drawing more than Rs. 200, the same pay as inspectors, has not been cut.

The other day, the honourable member the Finance Secretary said that the expenditure in the Public Works Department was very high. Then, why not retrench that expenditure now? Instead of that they will increase the number of posts in the Public Works Department. They want two Chief Engineers and six Superintending Engineers in place of one Chief Engineer and two Superintending Engineers. The Government have always applied the axe of retrenchment only in case of poor clerks, but the big officials are generally not touched. The Retrenchment Committee recommended to reduce one of the appointments of Judicial Commissioners, but may I ask what has been done in that direction? If unnecessary posts are retrenched, the expenditure will be only one quarter of what it is now.

The honourable member the Finance Secretary also remarked that you cannot govern a country by retrenchment any more than you can govern it by ordinances. The fact is that they have been governing by ordinances; therefore, why not govern by retrenchment even at the cost of so-called efficiency? I maintain, Sir, that the finances of Bombay have been wasted in a most careless and scandalous manner. It will be found from the Blue Book that before the Reforms we had a balance of three crores. All that has been eaten up and we are in debt. Now that time has come when Government should balance their budget by adopting economy instead of pursuing this suicidal policy of piling up debts and increasing taxation to breaking point.

Yesterday, the honourable member Syed Miran Mahomed Shah said that Government were very extravagant, and yet he supported them, because, he said, they were expecting separation of Sind and after separation those taxes would be useful to them. [*Interruption.*] My reply to my honourable friend is that Sindhis should wait until they get

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separation, until the reins of Sind come into their hands, when they can do what they please and make *maja* (merry) at the cost of poor Hindus by bringing oppressive measures of taxation. Now let them not make the Presidency suffer with Sind.

SYED MIRAN MAHOMED SHAH: These taxes will not be available for the separated Sind, because the Bill will be effective only for one year.

Mr. S. S. TOLANI: The honourable member Mr. Hoosenally Rahimtoola has pointed out that Bombay City is paying a heavier tax than the other parts of the Presidency. I think he said that it was paying Rs. 25 per head. The honourable member Mr. A. N. Surve also protested this morning against making the cities pay more. I maintain that, when the Government imposed the entertainment tax, they imposed it only on big cities on the ground that Government revenues were being spent more on cities than on small towns. Besides, Sir, electricity is in its infancy, and people have not yet got used to this form of amenity. Therefore, Sir, it will be only fair if the Electricity Bill is confined to bigger cities and not extended to small towns. If it is extended also to small towns, it will discourage the spread of the use of electricity. Sir, very small towns in Sind, with a population of only 10,000, are going in for electricity, for instance Jacobabad, Dadu, Tando Adam and Mirpurkhas. The consumers at Larkana, a place from where I come, have given notice to the companies that in case they are charged the surtax they will disconnect their supplies. When the Government propose this tax as an emergency and experimental measure, why not apply it only to big cities in the first instance?

With these words, I beg to move my amendment, which reads as follows:—

"Substitute for clause 3 of Part II the following:—

'This part shall come into operation in the first instance only in the city of Bombay, the Ahmedabad Municipal District and Cantonment, the Surat Municipal District, the Poona City and Suburban Municipal Districts, the Poona Cantonment the Sholapur Municipal District and the Karachi Municipal District and Cantonment; but the Governor in Council may from time to time, by notification in the *Bombay Government Gazette*, direct that it shall come into operation in any local area on such date as may be specified in such notification:

'Provided, however, that no such notification shall be published until the said notification has been laid on the Council table, and approved by the Council on a motion made by the Government'."

The amendment is that this tax should be applied only to big cities in the first instance, and that, if Government at any time want to extend it to other places, they should come before this House for sanction.

Much has been said regarding the Court-fees and stamp duty Bill, and I shall not waste time of the House. [*Honourable Members*: Then please sit down.] I shall certainly do so.

Amendment proposed.

An Honourable MEMBER: I move the closure.

The Honourable the PRESIDENT: Although I did not accept the closure moved before, I have noticed that speech after speech in its

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main part is but a repetition of the speeches made already and nothing of importance is added to the debate. I am, therefore, inclined, after having given three days to the discussion, to accept the closure.

Mr. G. S. GANGOLI: Sir, I want to move my amendment.

The Honourable the PRESIDENT: The honourable member has not any amendment of principle left. The amendment curtailing the period has been moved by the honourable member the Finance Secretary. The other amendments are not amendments of principle. They will be taken up at the proper time.

Mr. G. S. GANGOLI: (Kanara District) Sir, my amendment seeks to limit the entire Bill to one year. The honourable member the Finance Secretary said that only parts II, III and IV would be for one year. Part V is there.

The Honourable the PRESIDENT: The honourable member is right. He can move that amendment with a brief speech, if he has got any fresh arguments to place before the House. Otherwise I shall stop him after he moves the amendment.

Mr. G. S. GANGOLI: If I repeat any arguments, I may be pulled up.

I move that the following be inserted after sub-clause (2) of clause 2 of Part I:

"(3) It shall remain in force for one year only."

In moving the amendment, Sir, I want to make my position clear. After my return home after the last session I considered the question whether we were justified in negativing the Succession Duty Bill without any discussion. I came to the conclusion that in normal times, we would have been justified in opposing the Bill. But as the honourable member Mr. Winterbotham said, these are abnormal times, and however much we may wish to vote against it, we will have to support Government in certain measures to balance their budget. With that intention I move this amendment, thereby accepting the principle of the Bill. I have tabled certain other amendments so that the Bill may not affect the agriculturists and poor classes and also in order that the present Court-fees Act and Stamp Act may be brought on a level with the original India Act of 1899. But after coming here and hearing the arguments of honourable members, I am inclined to think that the Government have not done everything in their power to satisfy us that all possible retrenchment has been effected. In my opinion retrenchment of the right sort has not been effected. Again, I think there is no real deficit at all. The position of Government is not so serious as has been made out. With a view to prove it, I wish to quote certain figures from the Blue Book, and after I have done so, honourable members will agree with me that the budget is not as deplorable, not so dismal, not so disappointing, as it is presumed to be.

Coming to land revenue, Government say that they have given a certain amount of remissions to certain talukas or villages. I do not know what proportion or percentage of land revenue has been remitted. I think

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the percentage is very low. The land revenue estimated to be recovered in the Presidency is Rs. 5,42 lakhs whereas the revenue actually to be recovered as estimated was 4,88 lakhs. I do not know what the difference represents.

Coming to the Abkari question, the revenue from Excise was more than they expected. There are four quarters. During the last quarter of the last year the income from Abkari alone, I learn, was Rs. 1,24 lakhs or somewhere nearabouts. In this month the income from Excise in Bombay city alone is more by 7 or 8 lakhs than the amount anticipated. There has been an increase in Abkari revenue in the province of Sind also. If all these figures are taken into consideration, you will find that the estimate is not correct. There is no deficit at all.

Coming to the Entertainments Duty, Bombay city alone brought an income of 11·46 lakhs last year. Now this tax has been applied to all cities in this province and the estimated income has been shown as 7·88 lakhs. I do not know why the income should be so low. The income must have been higher.

Again, as an honourable member pointed out, if Government observed the rule of speed anywhere, they observed electric speed this year in realising fines levied in connection with the civil disobedience movement. I think the income from these fines must be somewhere near 4 lakhs. That has not been shown anywhere in the budget. [*Interruption.*]

The Honourable the PRESIDENT: Order, order.

Mr. G. S. GANGOLI: I shall now come to some of the items which Government have not retrenched and which require to be retrenched. For example, in the Forest Department, the income from forests is only 56 lakhs and the expenditure, leaving aside pensions and allowances, etc., comes to 21 lakhs on establishment alone. The entire policy of the Forest Department is the policy of "Dog in the Manger." They have to spend nothing. They do not allow even cattle to graze in the forests. They maintain a huge establishment costing in salary alone 21 lakhs, as against an income which is God given, of 56 lakhs. They say that they carried out retrenchments in this department properly. After I returned from the November session, I came across the *Bombay Government Gazette*, and instead of there being a cut, I was surprised to find that an additional post had been created in the Forest Department. I am referring to page 2779 of the *Bombay Government Gazette*. There His Excellency the Governor (with the concurrence of the Honourable Minister, of course) has been pleased to create a temporary post of Divisional Forest Officer and appoint somebody to hold it.

Now I come to the retrenchment effected. There has been a cut of 10 per cent. in the salaries, but this cut is universal and has been effected under the orders of the Government of India. Again, the Local Government has ordered a 10 per cent. cut in establishments in the province. The expenditure on account of establishments has been shown as 22 lakhs. If 20 per cent. is taken out, it would have come to 16 lakhs.

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Instead of 16 lakhs, however, we find 21 lakhs. This means that they have not effected retrenchment to the extent of 20 per cent. I again repeat that the right policy has not been followed in regard to retrenchments. In my childhood I heard a story. If a camel is overburdened, what should be done to lighten its burden ? An economist came forward and said "cut off its tail." That is what Government have done. That is bad economy. We have had retrenchment in diet in hospitals, retrenchment in rations in jails and so on. They have removed the tail. As we were informed yesterday during question time, a shikari who had to risk his life in killing wild elephants was paid Rs. 10 per month and his pay has been reduced. That amount had been reduced to something which the Honourable Minister wanted notice to find out. Such is the policy they follow in regard to retrenchment.

Take the Co-operative Department which costs them 4 lakhs a year. I do not know what prevents Government from abolishing this Department and handing it over to the Provincial Co-operative Institute. That would save so much expenditure. We speak of provincial autonomy, of Swaraj and so on. I think this Department can be confidently entrusted to the Provincial Co-operative Institute, which has got branches all over the Presidency. This is not a new suggestion and should not come as a surprise on the Government. They know it. This was introduced by the Government of India in 1904 with a distinct promise that it would be temporary and would go on for only 20 years. Those 20 years have passed and yet the establishment is there. Apart from the cost on account of establishment, it has not done any good to the agriculturists at all.

Look at the mentality of the Government benches. Because of the export of gold out of India they have saved their skin as it were in the eyes of the world. Because people were tempted to sell their ornaments on account of high prices, Government come and say that people have got much more gold. What is the gold that has been exported ? The gold is in the shape of ornaments. Does anybody here think that any Hindu or Muslim lady or any person who has hoarded gold will part with it unless on account of extreme poverty ? It goes for the maintenance of her husband, her son, or to pay land revenue or other revenues, because agriculture in India has long ceased to pay. Sometimes it is said that even with the remissions of land revenue they cannot maintain themselves on agriculture. Now prices have gone down, and I do not know how the poor agriculturists have to maintain themselves.

Our grievances against this Government are multifarious. When His Excellency the Governor was on leave, we wanted the Honourable the Leader of the House (Sir Ghulam Hussain) to be appointed as acting Governor——

The Honourable the PRESIDENT : Order, order. I think I must stop the honourable member at this juncture.

Mr. G. S. GANGOLI : You said, Sir, I should submit new arguments. I have only to put forward new arguments.

The Honourable the PRESIDENT: Not for the sake of making a speech? If that is so, I will have to stop the honourable member.

Mr. G. S. GANGOLI: We do not want that the Chief Justice of the High Court should be brought all the way from England——

The Honourable Sir GOVINDRAO PRADHAN: Is all that relevant, Sir?

The Honourable the PRESIDENT: I quite understand that there is an old principle "No taxation without redress of grievances," but the grievances which have to be brought out on an occasion like this are not the ones which the honourable member is trying to put forward. There will be many other occasions for that. Therefore, if the honourable member has finished his speech, I would like him to read out his amendment to the House.

Mr. G. S. GANGOLI: I want to say one word regarding the proposed taxation, and I shall then move my amendment. So far as the Electricity Bill is concerned, the major portion of it will be paid by——

The Honourable the PRESIDENT: All that has been argued.

Mr. G. S. GANGOLI: I mean to say the Government have reserved for themselves a blank cheque. So far as the Court-fees and Stamp Acts are concerned, I do not know why we should pay enhanced duties, because there is a fall in the prices of commodities by the sale of which alone we can realise our money to pay Court-fees. Only the other day they reduced pleaders' fees to help the agriculturist. They have been robbing Paul to pay Peter, and they are now robbing Peter, as it were, to pay Paul. With these words, because time is precious, I shall move my amendment.

The Honourable the PRESIDENT: It has been moved.

Mr. G. S. GANGOLI: Then I have nothing more to add.

Question proposed.

The Honourable Sir GOVINDRAO PRADHAN: Mr. President, the pros and cons of this Bill have been discussed threadbare, and I do not think I need make any detailed reply. I will make only a very few observations, within a short space of time, dealing with some of the salient arguments which were advanced. Many of the speeches which I heard upon the Finance Bill seemed to me to be only remotely relevant to the subject under discussion. It seemed to me as if honourable members were having a general discussion upon the budget.

Now, it has been repeatedly pointed out that there is a gap left in the budget. They say "You are appointing a committee to reorganise your departments." But we have pointed out that we have postponed the payment of about Rs. 27,00,000 to Rs. 28,00,000. There is still a gap of Rs. 43,00,000 to Rs. 45,00,000; Rs. 12,00,000 for repairs to roads and buildings have been retrenched, and there is still the cut in salaries to be made good. Even if you do not take into consideration the cut in salaries, there is an amount of Rs. 15,00,000 or Rs. 16,00,000 out of the Petrol Fund which has to be repaid. The total of that comes to a

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crore. By the widest stretch of imagination, I cannot for a moment believe that the expert committee can bring the expenditure down by a crore of rupees. You are asking for the expansion of the nation-building departments. Do you want to stand still, or do you want an expansion in those departments? But even if you are prepared to stand still, there is still a gap of a crore of rupees, and even if you bring the best experts, I do not for a moment believe that these experts can give us a cut of a crore of rupees.

Mr. G. S. GANGOLI: What is your estimate of the cut?

The Honourable Sir GOVINDRAO PRADHAN: I am not going to reply now. There is hardly any time at my disposal, and I do not want interruptions.

Now, if this crore of rupees is not going to be restored or made good, are we going to borrow that money? We are not. We cannot possibly borrow, and saddle the ordinary expenditure with the additional burden of interest on the amount and equated payments. The interest charge on unproductive debt for making good the deficits is Rs. 15,00,000. Is there anybody who would advise Government to borrow still further for the purpose of making good the deficit?

Then, Sir, I was surprised to hear the criticism against this Bill that Government have deliberately brought this Bill forward in order to set one section of the House against another. Far from it. What is there to show that that is the Government's object? I find that the honourable member Mr. A. N. Surve said that this Bill is framed in such a way that every part of it is going to be saddled on the heads of the agriculturists. Then other honourable members got up and said "No, this Bill is so framed that the agriculturists should go against the city people and the city people should go against the agriculturists; and in order to divide the House like that this Bill has been deliberately framed in this way." I submit, Sir, that is not the intention. The Bill has been framed according to established practice. The Bill has been so framed, in order that all the members may have a look at the financial proposals of Government as a whole. There is no intention of dividing the House, one section against the other.

With regard to the amendments, Sir, I oppose both of them. With regard to the amendment of the honourable member Mr. Tolani, we do not want to discriminate; we do not want that some cities should be made to pay the electricity tax and others should be exempted. I oppose the second amendment because it will be noticed that under clause 18 of the Bill we have repealed the Indian Stamp Act. Now that Act is applicable to the Island of Bombay, and by accepting the amendment the result will be that the tax which we are getting will disappear next year. We are getting a tax from the Island of Bombay. So, the effect of the amendment is, as we repeal the Stamp Act by clause 18, that we shall lose even the tax which we are getting in Bombay.

Sir, the honourable member Mr. Surve has given us some statistics. He said that there are so many suits in the Small Cause Court, and

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he said that in each and every suit the agriculturist was the defendant, though he was a mill-hand. In the first place, that is not correct. Clerks and others are also defendants in these suits. But may I know from him as to how many suits there are the subject matter of which is more than Rs. 1,000 ? But it should be remembered that in suits up to Rs. 1,000 no change is sought to be made in the court fees. The Small Cause Court jurisdiction is up to Rs. 2,000. There are very few suits for over Rs. 1,000. The honourable member said that shopkeepers file these suits. But I ask, are the shopkeepers going to file suits against mill-hands for claims of more than Rs. 1,000 ? I was certainly taken aback when I heard the honourable member make that statement——

Mr. A. N. SURVE : I have in my hands the——

The Honourable Sir GOVINDRAO PRADHAN : I do not want to yield. The honourable member merely quoted the number of suits. Has he seen as to how many of those suits are for claims of over Rs. 1,000 ? If the honourable member cannot hear me, I cannot help it. That is the point which I want to make. The honourable member said that shopkeepers and landlords file suits against the mill-hands. Now, is there any mill-hand whose landlord will allow his house rent to remain in arrears and swell up to Rs. 1,000 ? Is there a shopkeeper who will give him credit to the extent of Rs. 1,000 ?

Then he said that this is the amount which is paid in the shape of court fees. But how much of it is from the probate duties ? Are the probate duties paid by the poor ? They are paid by the rich. The major portion of it comes out of probate duties, which are paid by the rich.

Then my honourable friend Mr. Gokhale was surprised to find as to why it was that Government have selected the three cities of Poona, Karachi and Ahmedabad for the extension of the Transfer of Property Act. The answer is this : On what principle is it urged that taxation should be so framed that it should fall on broad shoulders ? On the principle that as far as possible the poor should be made to pay the least. So we selected the cities which are able to bear a larger share of the burden, in order to benefit the poor. On what principle is it laid down that taxation should be so arranged that the rich should contribute and the poor should not pay ? On the principle, again, that as far as possible the poor should be made to pay the least ? On that principle it is, Sir, that we have chosen these three cities, and if there is any fourth city which can be included, we shall be glad to do it. I submit, therefore, that there is nothing objectionable in it.

It may be that taxation is not dear to anybody. I do not like it myself. I do not want to pay anything, but the art of running a Government without taxation has not yet been found. When it is found that any administration can be run without taxation, all the people would certainly be happy. I am myself unwilling to pay income tax ; there are innumerable taxes which I do not like at all. Nor do I like the payment of extra charges for my electric lights. But it cannot be helped. You have

[Sir Govindrao Pradhan]

got to see the state of the finances of Government. You have got to see what retrenchments have been effected. You have got to see the honest efforts which Government are making to reduce expenditure.

Then, Sir, I will deal with the point raised by the honourable member Rao Bahadur Kale. It is not correct when he stated that the Taxation Enquiry Committee did not recommend taxation upon forward transactions. All that they say is, by taxing such things do not encourage gambling transactions. All the same, they say that in the case of transactions upon the Stock Exchange there should be a contract note, and that contract note should bear a larger stamp than the one that they are now having. That is their recommendation.

As regards court fees for the High Court, no doubt they say that the court fees in the High Court are recovered in the shape of process fees and other things. They say that there is a disparity between the charges made in the different High Courts of Calcutta, Madras and Bombay, and that in some cases the fees which are paid in the High Courts are less than the fees which are paid in the mofussil. So, they say that all this should be remedied by Government. But that is not in our hands. It is not in our hands to modify the Letters Patent. The High Courts have the power under the Letters Patent. Even if there is that grievance, it is a matter for the Government of India.

Rao Bahadur R. R. KALE: Have you tried to get them amended?

The Honourable Sir GOVINDRAO PRADHAN: If it was in our power, we would have done it. But we have not the power to do it. So, that is what the Taxation Enquiry Committee suggested. It is for the Government of India; they should do it.

Then, Sir, an assurance was wanted from me. I do not know how I can give any assurance. All that I can say is that I will not raise technical objections in the select committee. It is for the honourable members of the select committee to bring forward suggestions, but ultimately it is for this honourable House to model the Bill. It is not in my hands. All that I can say is that I shall not raise unnecessary objections, or theoretical objections as regards any suggestions or amendments that may be proposed. That is the only assurance which I can give. Ultimately, it is for the select committee and this honourable House to shape the Bill, and that Bill which the House would accept would be the final Act. [*Honourable Members: Hear, hear.*]

Mr. A. N. SURVE: The Honourable the Finance Member asked for some figures, and I am going to give them. Suits for Rs. 1,000 and over were only 1,339 out of a total of 41,113 which were instituted.

The Honourable the PRESIDENT: I shall now put the various amendments to the vote. I shall take up the amendment of the honourable member Mr. Tolani first. It is:

Substitute for clause 3 the following:—

"This part shall come into operation in the first instance only in the city of Bombay, the Ahmedabad Municipal District and Cantonment, the Surat Municipal District, the Poona City and Suburban Municipal Districts, the Poona Cantonment, the Sholapur

[The President]

Municipal District and the Karachi Municipal District and Cantonment; but the Governor in Council may from time to time by notification in the *Bombay Government Gazette* direct that it shall come into operation in any local area on such date as may be specified in such notification:

Provided however that no such notification shall be published until the said notification has been laid on the Council table and approved by the Council on a motion made by the Government."

Question put, and negatived.

The Honourable the PRESIDENT: The next amendment is that of the honourable member Mr. Gangoli. It is:

After sub-section (2) to section 2 of Part I, add sub-section :—

" (3) It shall remain in force for one year only."

Question put, and negatived.

The Honourable the PRESIDENT: The next amendment is as follows:

In Part I—Preliminary, after sub-clause (2) of clause 2, insert the following :—

" (3) This section and sections 3 to 15 containing Parts II, III and IV shall remain in operation for one year from the date on which this Act comes into force."

Question put, and agreed to.

The Honourable the PRESIDENT: The next amendment is as follows :—

In Part II—Electricity Duty—to clause 4 (c) add the words " and includes any person who has obtained the sanction of the Local Government under section 28 of that Act ".

Question put, and agreed to.

Question, "That in sub-clause (2) of clause 6, for the word 'license' where it occurs for the second time, substitute the words 'a licensee'," put, and agreed to.

Bill read a first time.

Question put, " That the Bill as amended be read a first time ".

The House divided: Ayes, 68; Noes, 26.

Division No. 1.

Ayes.

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CLAYTON, Mr. H. B.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
HADDOW, Mr. R. R.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KAMBLI, the Honourable Dewan Bahadur S. T.
KHUHRO, Khan Bahadur M. A.

Ayes—contd.

LANE, Mr. C. M.
MACKIE, Mr. A. W. W.
MATCHE WALLA, Mr. G. E.
MCELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MODI, Sardar DAVAR T. K.
MONTEATH, Mr. J.
OWEN, Mr. A. C.
PATEL, Khan Bahadur A. E.
PATIL, Rao Bahadur D. R.
PATIL, Mr. V. N.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SPENCER, Mr. A. B.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
WADKE, Mr. B. P.
WILES, Mr. G.
WINTERBOTHAM, Mr. G. L.

Tellers for the "Ayes": Mr. S. H. PRATER and Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN.

Noes.

CHITALE, Rao Bahadur G. K.
COLLACO, Dr. J. A.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
GANGOLI, Mr. G. S.
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
JOG, Mr. V. N.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KARBHARI, Mr. M. M.
KULKARNI, Rao Saheb P. D.
MEHTA, Mr. M. H.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
PARULEKAR, Rao Bahadur L. V.
PATEL, Mr. C. N.
PATIL, Mr. N. N.
PRADHAN, Rao Bahadur G. V.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
TOLANI, Mr. S. S.
VAISHAMPAYAN, Dr. V. G.
*WADKE, Mr. B. P.

Tellers for the "Noes": Rao Saheb P. D. KULKARNI and Mr. PESTANSHAH N. VAKIL.

Mr. PESTANSHAH N. VAKIL: Mr. President, may I be permitted to ask on what principle members are paired, and why without my giving any indication of my views I was asked to pair with an honourable member who subsequently voted in the same manner in which I did? For, for the edification of the House I may state that I also voted for the "Ayes" along with my companion.

The Honourable the PRESIDENT: I do not know whether the House will be particularly delighted to learn which side the honourable member voted. Any honourable member can be asked to be a teller, irrespective of his views; because he is honourable. I find one difficulty. The honourable member Mr. Wadke has voted on both sides. [*Interruption.*] Order, order. Let me hear the honourable member.

Mr. B. P. WADKE: My name should be deleted from the "Noes" list.

The Honourable the PRESIDENT: How did his vote happen to be marked there? This is a matter which must be seriously understood. The tellers are in difficulty—whether it was the tellers who made the mistake or the honourable member deliberately voted on both sides.

*Note.—This name was deleted since from the "Noes" List.

Mr. B. P. WADKE: It was a misunderstanding, Sir.

The Honourable the PRESIDENT: By mistake the honourable member entered the wrong lobby.

Mr. B. P. WADKE: Yes.

The Honourable the PRESIDENT: The result of the division is 68 for the "Ayes" and 26 for the "Noes".

The Honourable Sir GOVINDRAO PRADHAN: Sir, I beg to move—

That Bill No. I of 1932 (A Bill to provide for the levy of a duty on consumption of electrical energy in the Presidency of Bombay and to amend the Court-fees Act, 1870, and the Indian Stamp Act, 1899, in their application to the said Presidency) be referred to a select committee consisting of the following members:

Mr. G. L. Winterbotham,
Major W. Ellis Jones,
Mr. Hoosenally M. Rahimtoola,
Sardar Bhasaheb Raisinhji (Thakor of Kerwada),
Khan Bahadur M. A. Khuhro,
Syed Miran Mahomed Shah,
Khan Bahadur Abdul Latif Haji Hajrat Khan,
Rao Bahadur R. R. Kale,
Rao Bahadur D. R. Patil,
Rao Bahadur R. S. Asavale,
Mr. A. B. Achrekar,
Mr. J. B. Petit,
Mr. F. O. J. Roose,
Mr. G. Davis,
Mr. G. Wiles,
The Honourable Mr. W. F. Hudson, and
myself.

Rao Bahadur R. R. KALE: Sir, I am otherwise engaged, and it will not be possible for me to serve on the committee.

The Honourable Sir GOVINDRAO PRADHAN: Rao Bahadur G. V. Pradhan's name may be substituted for that of Rao Bahadur Kale. The Honourable the Revenue Member's name also will be omitted.

The Honourable the PRESIDENT: What is to be the quorum?

The Honourable Sir GOVINDRAO PRADHAN: With a quorum of seven and to report before the 10th of March.

Question proposed.

Mr. C. N. PATEL (Kaira District): Sir, I beg to move an amendment to the list of names proposed. I want to delete one name, the name of the honourable member Rao Bahadur G. V. Pradhan. My reason for that is, that only one member from the opposition has been selected,

[Mr. C. N. Patel]

although there are many non-Brahmin members, many Mahomedan members, two European members and a number of Government members. I submit, Sir, that even the honourable member Rao Bahadur Pradhan should for his own self-respect withdraw from the committee.

The Honourable the PRESIDENT : I would suggest a better course. As resentment is caused on the ground that only one member has been proposed from the opposition, cannot the Honourable the Finance Member add one more ?

The Honourable Sir GOVINDRAO PRADHAN : Mr. V. N. Jog's name may be added.

The Honourable the PRESIDENT : The question is—

That Bill No. I of 1932 be referred to a select committee consisting of the following members, seven to form a quorum and the committee to report before the 10th of March—

Mr. G. L. Winterbotham,

Major W. Ellis Jones,

Mr. Hoosenally M. Rahimtoola,

Sardar Bhasaheb Raisinhji (Thakor of Kerwada),

Khan Bahadur M. A. Khuhro,

Syed Miran Mahomed Shah,

Khan Bahadur Abdul Latif Haji Hajrat Khan,

Rao Bahadur G. V. Pradhan,

Rao Bahadur D. R. Patil,

Rao Bahadur R. S. Asavale,

Mr. A. B. Achrekar,

Mr. J. B. Petit,

Mr. V. N. Jog,

Mr. F. O. J. Roose,

Mr. G. Davis,

Mr. G. Wiles, and

The Member in charge (the Honourable Sir Govindrao Pradhan).

Bill referred to select committee. Question put, and agreed to.

BUSINESS OF THE HOUSE

The Honourable Sir GHULAM HUSSAIN : To-morrow, Sir, Demands for Grants will be taken up.

The Honourable the PRESIDENT : The printed list of cuts proposed has not been received in my office yet. I would, therefore, request the Honourable the Leader of the House, for the facility of the House, to stick to the programme. Of course, it is left to Government to take up

[The President]

whichever work they please. But the printed list of cuts has not been received in my office, and even if it is received late at night, there will be difficulty in distributing it. Cannot the Honourable the Leader take some other work to-morrow?

The Honourable Sir GHULAM HUSSAIN: Some of the supplementary grants are still before the Finance Committee. Therefore, we can go on only with some of the grants.

The Honourable the PRESIDENT: We will get on with the supplementary grants; and if there is time, will the Honourable the Revenue Member move his motion regarding the Railway Advisory Committee?

The Honourable Mr. W. F. HUDSON: I can move it, but that will take only one minute.

The Honourable the PRESIDENT: But we have to distribute the voting papers and hold the election. That will occupy some time.

Rao Bahadur G. K. CHITALE: What about Bill No. II?

The Honourable Sir GHULAM HUSSAIN: All right. We shall take up supplementary grants and the motion of the Honourable the Revenue Member.

The Honourable the PRESIDENT: I thank the Honourable the Leader of the House for the facility.

There is one important thing, and I have kept it purposely till the end of the day in order to get a hearing from all honourable members. I find that there are on an average 90 members attending the House. To-day, for a second time, the bell had to be rung, to draw the attention of honourable members after tea time, to form a quorum. I do not like that. If every honourable member thought that out of the ninety his absence would not matter, an occasion might arise when there will be only myself and my Secretary found here in the House. The non-official side of the House particularly must understand that although there are only three days allotted for private business, every day of the budget session is in its aim a private day for them. It does not matter to the Government side if a whole day or some portion of a day out of so many days is lost. The House must be adjourned by the Chair in the absence of a quorum. Similarly, it is expected, at least I expect it, of Government benches that they will be present to assist the non-official side, because the budget must get through by co-operation and mutual help.

Then, there is one thing more to which, with due deference, I should like to draw the attention of all Honourable Ministers and Members of Government. During the course of a discussion, statements are made by non-official members, some of which may be capable of being challenged or explained. All Government Members, therefore, should be in their places in order to meet any such remarks. Sometimes, an honourable member says, "I have something to ask, but the Honourable Minister in charge is not present."

[The President]

I would, therefore, request both sides of the House to remember that every one of them is expected to be present immediately after tea time. If half an hour is really not sufficient—no complaint has been made to me on that score—five or ten minutes to that may be added. If 30 minutes are not enough, I would not mind giving 35 minutes.

I have now received information that the printed list of some cuts to demands has been received in my office just now, and although it is late, it will be possible to place it in the pigeon-holes for honourable members. It has been arranged by agreement, and the Honourable the Leader of the House has kindly agreed, that the demands should be taken the day after to-morrow. But as the printed list of cuts to demands has been received, if honourable members wish it, we can take the demands from to-morrow.

The Honourable Sir GHULAM HUSSAIN: We are prepared to meet the wishes of the House, Sir. But we have arranged that the supplementary grants should be taken up to-morrow and then the motion of the Honourable the Revenue Member. If, however, the other side wishes to take up demands from to-morrow, we have no objection.

The Honourable the PRESIDENT: I asked the honourable members for their views. As, however, they have not spoken, I take their silence as consent—

Rao Bahadur R. R. KALE: The general sense on this side is that they should be taken as originally arranged.

The Honourable Sir GHULAM HUSSAIN: We are prepared to meet the wishes of the other side, Sir.

The Honourable the PRESIDENT: Then the cuts will be taken up the day after to-morrow.

The House is now adjourned to 2 o'clock to-morrow, Thursday, the 25th February 1932.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Vol. XXXIV—Part VIII

Thursday, the 25th February 1932.

The Council re-assembled at the Council Hall, Bombay, on Thursday, the 25th February 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOVER RORA, Mr.
HARRISON, Sir CHARLTON
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.

KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACKIE, Mr. A. W. W.
MATCHESWALLA, Mr. G. E.
McELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MODI, Sardar DAVAR T. K.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
PARULEKAR, Rao Bahadur L. V.
PATEL, Mr. C. N.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WILES, Mr. G.

NEW MEMBER SWORN.

Sir Charlton Harrison, Kt., C.I.E., made the prescribed oath of allegiance to His Majesty the King-Emperor and took his seat in the Council.

UNSTARRED QUESTIONS AND ANSWERS.

RETRENCHMENT.

Mr. G. S. GANGOLI (Kanara District): Will Government be pleased to state—

(*a*) the number of hands reduced as a cut in furtherance of retrenchment in the various departments;

(*b*) the number of servants or officers drawing—

(*i*) less than Rs. 20 per mensem;

(*ii*) Rs. 20 to Rs. 80 per mensem;

(*iii*) Rs. 81 to Rs. 200 per mensem;

(*iv*) Rs. 201 to Rs. 1,000 per mensem;

(*v*) more than Rs. 1,000 per mensem;

(*c*) the total amount saved from each of the above-stated classes?

The Honourable Sir GOVINDRAO PRADHAN: As retrenchment is still in progress, the information required cannot be supplied.

COMPULSORY PRIMARY EDUCATION: MENIAL ESTABLISHMENT IN SCHOOLS, KARACHI.

Mr. GOVER RORA (Karachi City): (*a*) How many schools have been sanctioned under the Lyari and Trans Lyari scheme for compulsory primary education in Karachi?

(*b*) Have any peons been sanctioned for these schools?

(*c*) Is any other menial establishment sanctioned for them?

(*d*) If the reply to (*b*) and (*c*) be in the negative, what arrangements have Government in view for sweeping and cleaning the school premises, looking after water supply, etc.?

(*e*) Was the maintenance of such menial establishment part of the scheme submitted by the Karachi Municipality?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) 30.

(*b*) and (*c*) No.

(*d*) Government assume that local authorities will make other and more economical arrangements for these purposes than engaging full time staff.

(*e*) Yes.

"GUJARAT PATRIKA."

Mr. J. S. KADRI (Northern Division): Will Government be pleased to state—

(*a*) the total number of copies of the "Gujarat Patrika" printed at the Government Press, the number of copies sold to the public and the number supplied free to Government officers;

(*b*) the name, qualifications and monthly pay of the editor of the "Patrika";

(*c*) the total monthly expenditure incurred by Government on account of the "Patrika", including the cost of paper, printing, editorial staff, etc.;

(*d*) the total monthly income derived from the sale of the "Patrika"?

The Honourable Mr. G. A. THOMAS: (*a*) The total number of copies printed is 7,000 per week, out of which about 450 are supplied to regular subscribers and 400 to 500 are sold to the public. The rest of the copies are distributed free to the public and Government Officers.

(*b*) Mr. Ambalal Chunilal Parikh is the editor. He is an experienced journalist of over 12 years' standing and is paid Rs. 200 per month less 10 per cent. cut in salary.

(*c*) About Rs. 970.

(*d*) About Rs. 250.

RECRUITMENT FROM BACKWARD CLASSES: AGRICULTURAL, FOREST AND CO-OPERATIVE SOCIETIES DEPARTMENTS.

Mr. G. M. KALBHOR (Poona District): Will Government be pleased to state—

(*a*) the number of persons taken up as fresh recruits in the (*i*) Agricultural, (*ii*) Forest and (*iii*) Co-operative Societies Departments in the years 1929, 1930 and 1931;

(*b*) the number of persons so taken up from the backward classes;

(*c*) the number of posts of (*i*) Auditors in the Co-operative Societies Department and (*ii*) Agricultural Overseers in the Agricultural Department given to persons from backward classes in disregard of the question of seniority during the past three years as per resolutions passed by Government from time to time;

(*d*) the number of temporary vacancies in the Agricultural and Co-operative Societies Departments given to suitable and qualified persons from backward classes during the years 1930 and 1931 in pursuance of such Government resolutions?

The Honourable Dewan Bahadur S. T. KAMBLI: The Honourable Member is referred to the reply given to a similar question asked by him which is printed in the second list of questions and answers of the current session.*

CONSTRUCTION OF A BRIDGE OVER THE MULA RIVER NEAR AUNDH.

Mr. G. M. KALBHOR (Poona District): Will Government be pleased to state—

(*a*) whether their attention has been drawn to the inconvenience caused to the forty villages including Aundh, taluka Haveli, on the old Poona-Bombay road, in the absence of a bridge over the Mula river near Aundh;

(*b*) if the answer to the above question is in the affirmative when they intend to take the work in hand?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) The question of constructing a causeway is under consideration.

* *Vide* page 63 of Vol. XXXIV.

IRRIGATION ASSOCIATIONS.

Mr. G. M. KALBHOR (Poona District): Are Government aware that some of the irrigation authorities ignore the Irrigators' Associations? If so, what are the reasons therefor?

The Honourable Sir GHULAM HUSSAIN Government are not so aware.

CO-OPERATIVE DEPARTMENT: ESTABLISHMENT.

Mr. N. E. NAVLE (Ahmednagar District): (*a*) Will Government be pleased to state the number of clerks and officers in the head office and divisional offices of the Co-operative Department separately for each office with names and castes under the following headings:—

(1) Hindus—(*i*) Advanced—Brahmins, Prabhus and other advanced classes.

(*ii*) Backward.

(*iii*) Depressed.

(2) Mahomedans?

(*b*) Are Government aware that there is a strong feeling prevalent amongst officers of the Co-operative Department that the interests of Gujarathis and Brahmins are specially looked after?

(*c*) If the answer to (*b*) is in the negative, will Government be pleased to state the number of permanent and temporary appointments and promotions from the years 1927 to 1931 under the following heads, specifying the name and the nature of the post and promotion, and whether permanent or temporary:

(*i*) Gujarathis, (*ii*) Brahmins, (*iii*) Other advanced classes, (*iv*) Backward:—

(*a*) Hindus and (*b*) Mahomedans;

and (*v*) Depressed classes?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) and (*c*) The honourable member is referred to the reply given during the current session of the Legislative Council to Mr. R. B. Shinde's question* on the subject from which it will be seen that the interests of the backward classes and Muhammadans have been fully considered in making appointments in the Co-operative Department. They trust that this information is sufficient for the purposes of the honourable member. The detailed information now asked by him involves the expenditure of time and labour which Government regret that, in consequence of reductions in staff, they are unable to undertake.

(*b*) No.

MAGISTRATE, KOPERGAON: MR. GOKHALE.

Mr. N. E. NAVLE (Ahmednagar District): (*a*) Will Government be pleased to state whether it is a fact that Mr. S. B. Gokhale, Magistrate, Second Class, at Kopergaon, district Ahmednagar, has many relatives in Kopergaon Taluka?

(*b*) Is it the settled policy of Government not to post officers at such places where they have vested interests and a circle of relatives?

* Printed in the Debates of 24th February 1932.

(*c*) Is it a fact that the total service of Mr. Gokhale in the Kopergaon Taluka amounts to more than 15 years ?

(*d*) Is it a fact that there is some property owned by, and standing in the names of, the members of the family of Mr. Gokhale, who are joint with him, in the Kopergaon Taluka ?

(*e*) If the answers to (*a*), (*b*), (*c*) and (*d*) be in the affirmative, what action have Government taken or propose to take in the matter ?

The Honourable Mr. G. A. THOMAS: (*a*) No.

(*b*) Subject to the exigencies of the public service, officers are not ordinarily posted at places where they possess landed property.

(*c*) No.

(*d*) There is a small property owned by his brother.

(*e*) Does not arise.

MR. RICHARDSON: RE-EMPLOYMENT AS CITY MAGISTRATE, KARACHI.

Mr. N. E. NAVLE (Ahmednagar District): Will Government be pleased to state—

(*a*) the age of Mr. Richardson, the present City Magistrate of Karachi;

(*b*) how many extensions he was given prior to his retirement;

(*c*) the reasons for his re-employment as City Magistrate;

(*d*) whether there is no suitable person in the cadre of Deputy Collectors to hold that appointment ?

The Honourable Mr. G. A. THOMAS: (*a*) 60 years.

(*b*) Two.

(*c*) and (*d*) Government consider that his long experience and good work as City Magistrate make him the most suitable person for the appointment.

CRIMINAL TRIBES SETTLEMENT OFFICER: APPOINTMENT OF —.

Mr. N. E. NAVLE (Ahmednagar District): Will Government be pleased to state—

(*a*) whether it is a fact that a junior Assistant Collector is being appointed to act as Criminal Tribes Settlement Officer in place of Mr. Starte;

(*b*) if so, what are his special qualifications;

(*c*) why the appointment is not given to a senior member of the Bombay Civil Service ?

The Honourable Mr. G. A. THOMAS: (*a*) Yes.

(*b*) Character and ability.

(*c*) The appointment is not reserved for this service.

SUBORDINATE JUDGES' POSTS: DAIVADNYA AND TWASTA KASAR COMMUNITIES.

Mr. B. P. WADKE (Bombay City, South): Will Government be pleased to state—

(*a*) the total number of posts of Subordinate Judges in the Bombay Presidency;

(*b*) how many of these posts are at present held by persons belonging to the minority communities of Daivadnyas and Twasta Kasars ?

The Honourable Mr. G. A. THOMAS: (*a*) 126 in the Presidency Proper and 17 in Sind.

(*b*) None.

SUPPLEMENTARY GRANTS.

Token grant of Rs. 10 for payment to Mr. R. R. Chaudhari, Probationer, Bombay Forest Service, Class I, for expenditure for training at the University of Edinburgh.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I move for a token grant of Rs. 10, under "8, Forest." The facts and circumstances relating to this demand are fully described in the note* which has been circulated to the honourable members of this House. I hope the honourable House will grant this demand.

Question proposed.

Rao Bahadur G. K. CHITALE: Sir, on a point of information, may I enquire as to whether the students from our presidency do not go to Coimbatore, and if they do so, why this student was not sent over to Coimbatore?

The Honourable Dewan Bahadur S. T. KAMBLI: The Coimbatore college is intended for training forest rangers only.

Khan Bahadur M. A. KHUHRO (Larkana District): Sir, I rise to protest against the method of selection of candidates at present being adopted for Class I of service of the Bombay Forest Service. Formerly, Sir, when Government advertised in the press, it was clearly stated that candidates with certain qualifications should apply, who will be called for interview and then selection made, and the candidate selected would be sent to Dehra Dun for training. Now, Sir, we find for the first time that Government have changed their original intention of training him at Dehra Dun because, perhaps there was no room in the Forest College at Dehra Dun or for some other reasons known to them. They have now undertaken to send this selected candidate for training to the Edinburgh University at Government expense.

Sir, the chief reason why I have to protest against this action is that at present there are qualified hands available who have acquired the B.Sc., degree in Edinburgh University at their own expenses, in the subject of forest. Such candidates are available in Sind as well as in the Presidency proper. I know, Sir, the case of two people in Sind, one Mr. Mufti who is a Mussalman, with first class qualifications, who came out in the first class and has most superior qualifications and certificates from the University of Edinburgh in Forestry. Mr. Gilbert of Forests told me that he was much struck by his excellent certificates that he has been able to secure. Another gentleman is Mr. Karamchandani who is a Hindu, belonging to the Amil community from Dadu and whom the Commissioner in Sind recommended for appointment in Class I of the Forest Service. Both of them possess the same qualifications, which Mr. Chaudhari has been sent to Edinburgh University to acquire. I understand that Mussalmans and non-Mussalmans in the Presidency and in Sind with

*Appendix 2.

[Khan Bahadur M. A. Khuhro]

suitable qualifications are available, who could at any time be selected, and who are fit to hold an appointment in Class I of the Forest Service, according to the requisite qualifications laid down by Government.

Then, Sir, on account of certain technical anomalies in their rules, all these first class people, with very good qualifications, who have undergone all this training in a foreign country at their own expense, who are very keen to seek an appointment in Government, are denied the appointments, and Government are going to incur all this expenditure over a new man, after 30 months' training and all this expenditure will at the best obtain the same qualifications which the two gentlemen I have named possess. So, after incurring an expenditure of Rs. 3,600 over the training of this person, at the most, Government will have a man with the same qualifications, that are already possessed by these gentlemen. I think there is a glaring instance of the way in which the finances of this Presidency are being frittered away and I clearly state that this amount is a pure waste. When people with the requisite qualifications, belonging to all classes and communities, Mussalmans and non-Mussalmans, in Sind and in the Presidency proper are available for service in this Department, it is nothing short of a waste to spend money over the training of this man. When the Honourable Minister for Forests made this recommendation for various reasons, which are best known to himself, at least it was the business of the Finance Department to see that the money was not allowed to be wasted like this. The Honourable the Finance Member should have seen that this expenditure is not allowed to be incurred unnecessarily.

I submit, Sir, that the rules, on the pretext of which this action is taken, are most misleading and most unsatisfactory. I must say that they unnecessarily put difficulties in the way of Government and in the way of the candidates, who have acquired these qualifications at their own expense. So, I would strongly urge that the Honourable Minister must see that these rules are altered at the earliest possible date. The Government of Bombay should not be put to the unnecessary expense of training people at the public expense when they can get candidates who have acquired these qualifications at their own expense. So, the incurring of this expenditure over the training of this person for service in the Forest Department is a huge waste. It is unnecessary and not required by time and by the circumstances. They are undertaking all this expenditure for nothing. Therefore, I record my strong protest against this expenditure which this Council is asked to sanction to-day.

Mr. R. D. BELL : Sir, the main objection of the honourable member Khan Bahadur Khuhro to this supplementary demand is on account of the fact that Government are incurring expenditure which might otherwise have been avoided. Well, in this case, Sir, it is quite clear from the note which has been circulated to honourable members that the expenditure incurred by Government on this occasion was the result of almost accidental circumstances and that it is not intentional. But there is a policy underlying the choice of candidates for Class I Forest

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Service, which it is desirable to explain to the House, and I have no doubt that the Honourable Minister will subsequently, after this debate, consider whether the policy should be changed. But meantime honourable members might like the position explained to them.

When these Provincial Services were created, the manner of recruitment to Class I of the Provincial Forest Service was considered, and it was decided that Class I should be recruited by two methods, one, by promotion from Class II, and secondly, by direct recruitment; and it is with the method of direct recruitment that the honourable member Khan Bahadur Khuhro has found objection. The method originally adopted by the Government of Bombay for selecting their direct recruits to Class I was to advertise for applications, prescribing certain qualifications, which were in fact a First Class Honours degree in certain subjects, or a B.Sc. degree with certain special qualifications. Then, having selected the best man available, the Government of Bombay sent him to Dehra Dun for his training at their own expense. About two years ago, the Chief Conservator of Forests suggested that, instead of obtaining direct recruits in this way, the Government of Bombay might test the open market, and find out what material there was readily available in India already trained for Forest work. The whole question was then re-examined, and it was decided to continue the original arrangement with one modification. The original arrangement was continued on broad grounds of public policy. The Bombay Government must select their direct recruits at one stage or another in a man's career; they must take him before he is technically trained or after he is technically trained. Now, if they advertise for men who are technically trained, these men have been required by circumstances to go to Europe for their training, and it necessarily follows that for probably every vacancy there are in the long run, ten young Indians, who have been sent to England for training. The training of each individual costs about Rs. 15,000, so that ten parents must incur an expenditure of 1½ lakhs in order to find one recruit for the Bombay Forest Service, Class I. These men at present could not be trained in India, because the only place available in India for training is Dehra Dun and admissions there have been limited. In recent years admission has been granted only to students for whom appointments were guaranteed either by a local Government or an Indian State. If the Bombay Government get their own candidate and train him for service, they spare nine parents out of ten unnecessary expenditure. From this point of view, not only in the interests of administration but also in the public interest, this system should be continued. It is also a justification for this system that it utilises the resources available in India for the training of forest officers. After this matter was reconsidered and decided in this way two years ago it became necessary to advertise another vacancy in the Bombay Forest Service, Class I. I ought to have explained that when the matter was re-considered, it was decided that in future the selected candidate must pay for his training. This was the modification in the procedure which

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was made as a result of re-consideration before the vacancy was advertised last year. As a result of the advertisement Mr. Chaudhari was selected and sent for the usual training for six months in districts under a Forest Officer, at his own expense in every respect including travelling expenses. He had been under training for some months, when the Government of India informed the Bombay Government that as a measure of retrenchment they might be compelled to close down the Dehra Dun College. Acting on telegraphic advice from the Government of India the Bombay Government decided to send Mr. Chaudhari, at short notice, to Edinburgh University for his technical training since further delay might mean the loss of a whole year. This was a more expensive arrangement than that under which the vacancy was advertised, and accordingly, the Government of Bombay have made an allowance to Mr. Chaudhari representing his additional expenditure. It is true that there are available a number of individuals, to whom the honourable member from Sind referred, who are already trained for forest work. But the question is whether for the sake of 3, 4 or 5 individuals a carefully considered policy should be set aside. I am quite sure that it should not be set aside on this ground. It may be reconsidered on public grounds, and on grounds of administrative efficiency, but not in the interest of four or five individuals, of whom, after all, only one could be given an appointment.

A further point is this. This vacancy for which Mr. Chaudhari was selected will occur in two years' time; not now. At the present time there is no vacancy for the young men to whom the honourable member Khan Bahadur Khuhro made reference. In view of this discussion, I have no doubt the Honourable Minister will reconsider the policy. But it is desirable to put the facts fully before the House, so that they may understand that, when a policy is laid down after considering fully the public interests, it ought not to be changed, because one or two individuals, in disregard of or in ignorance of the settled arrangements for recruiting officers for the Bombay Forest Service, Class I, made their own arrangements for being trained in forestry.

SYED MIRAN MAHOMED SHAH: Is he from outside the Presidency? What is his academic qualification?

Mr. R. D. BELL: He is fully qualified according to the rules.

SYED MIRAN MAHOMED SHAH: Does he belong to this Presidency?

The Honourable Dewan Bahadur S. T. KAMBLI: He belongs to this Presidency.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, I had no mind to join this debate, but the remarks that fell from the lips of the honourable member the Revenue Secretary have compelled me to make a few observations with regard to the explanation which he has given to this House, in regard to the criticism levelled against the action of the

[Syed Miran Mahomed Shah]

Government. Not a single word of explanation given by the honourable member has convinced us of the justice of the action of the Government. I think he indulged only in generalisations and the arguments he advanced were rather contrary to what he was going to prove. The policy which he said they were pursuing was to prescribe certain academic qualification, then advertise in the papers and then select a candidate for undergoing the preliminary training. If the Honourable Minister and his Secretary had taken care to see that such candidates are coming forward with requisite qualification, undertaking to take upon themselves the expenses, they could have had half a dozen candidates fully satisfying all the condition. Our objection is only on financial grounds. Because we are asked to pay for the expenses of the candidate, it is therefore that we object to this course. It may be we may take objection on other grounds, for example, the claims of communal representation in all the departments. I presume in this case the gentleman whom this grant is asked for belongs to the backward community. I am sure that the Honourable Minister who comes from a backward community must have taken care to see that the backward classes get proper representation. I have no doubts on that ground, unless the contrary is proved.

As regards increasing our expenses, we are not prepared to sanction a single pie more from the coffers of this Government for an expenditure of this nature to select a man, send him to England for training and pay his expenses. There was no particular hurry about recruitment in this department. If we look to the figures of revenue from this department, I mean the Forest Department we find that we have increased the expenditure in this department by 50 per cent. I think it should be the tendency of Government to gradually transfer this department to local bodies which feeling has been voiced by the representatives of public bodies from time to time, rather than incurring heavy expenditure on this department. I think the representatives of the people will never lend support if this action of Government were to continue and I warn them not to strengthen the view already entertained by members that they are extravagant.

The Honourable Dewan Bahadur S. T. KAMFLI: Sir, with regard to the recruitment of this particular candidate, I may enlighten the House more fully than is disclosed in the printed note. This post was advertised, applications were invited and a selection committee was appointed, as usual in such cases. Several candidates submitted their applications. Out of the candidates who applied, this particular person Mr. Chaudhari was selected by the selection committee as the best candidate of all. No favour was shown to this particular candidate, on the ground of his caste though he happened to belong to the backward communities; but the selection committee recommended this person for approval solely on his merits. On the recommendation of the selection committee the appointment of Mr. Chaudhari has been made.

[Dewan Bahadur S. T. Kambli]

With regard to the rules regarding recruitment that are in force, the honourable member, the Chief Secretary, has fully and lucidly explained the position. It appears to me from the speeches made by some non-official members that there is a grievance about these rules. I will take note of that grievance and I shall examine the whole position to see whether the rules can be recast. I hope this assurance will satisfy honourable members.

Khan Bahadur M. A. KHUHRO: Why have the Government acted in this way?

The Honourable Dewan Bahadur S. T. KAMBLI: The rules as they stand must be enforced; there was no other alternative.

Khan Bahadur ALLAHBAKSH: Who framed the rules?

The Honourable Dewan Bahadur S. T. KAMBLI: The rules were framed, even before I took office. In order to justify the modification of the rules, several points shall have to be taken into consideration. Probably before the next vacancy falls due for future recruitment, all the grievances of the honourable members from Sind will be taken into consideration in modifying the rules if modification is found necessary. I hope with this assurance the House will grant the demand.

Question put, and agreed to.

Token grant of Rs. 10 for repairing bridge over the Krishna river, etc.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I move for a token grant of Rs. 10 under 41, Civil Works—Provincial—partly reserved and partly transferred. The printed note* explains why it is required. I do not think I need add anything to it. I hope honourable members will sanction the grant.

Question put, and agreed to.

Token grant of Rs. 10 for Bombay Development Scheme

The Honourable Sir GHULAM HUSSAIN: Sir, I move a token grant of Rs. 10 under 59, Bombay Development Scheme—Reserved. This has been approved by the advisory committee as well as the sub-committee, which consist of eminent engineers and business men of the city of Bombay. For the benefit of this Honourable House I will read out their names:

Sir Joseph Kay (Chairman), representative of the Bombay Chamber of Commerce,

Mr. Manu Subedar (Indian Merchants' Chamber),

Mr. J. B. Petit (Bombay Millowners' Association),

Mr. Hooseinbhoy Lalljee (Bombay Corporation representative),

and so on. This demand was placed before the Finance Committee, and they have also approved of it. The reasons are stated in the note†.

Question put, and agreed to.

*Appendix 3. †Appendix 4.

Free grant of timber of the value of Rs. 2,000 to the Trustees of the Lord Reay Industrial Museum.

The Honourable Sir RAFIUDDIN AHMAD: Mr. President, I make a demand for Rs. 2,000 under "30, Scientific Departments (Transferred)." The facts are stated very clearly in the note,* and if there be anything I shall be very happy to explain.

Question put, and agreed to.

Excess over the voted grant under the head "42, Bombay Development Scheme," on account of write-back of revenue expenditure and adjustment of municipal taxes.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a supplementary grant of Rs. 2,42,424 under "42, Bombay Development Scheme."† Honourable members will see that it is merely a change of accounts and nothing else.

Question put, and agreed to.

Continuance of the establishment entertained for the 11th High Court Judge.

The Honourable Mr. G. A. THOMAS: Sir, I move a token grant of Rs. 10 under "24, Administration of Justice". The reason is explained in the printed note.‡

Question put, and agreed to.

Remuneration to the Secretary, Western India Turf Club, for collecting revenue from book-makers.

The Honourable Mr. W. F. HUDSON: Sir, I make a demand§ for Rs. 10,600 under "9-A, Scheduled Taxes." The House remembers that we passed the Betting Tax Act a year ago. And this is to pay for the work done by the Turf Club in connection with the collection of the tax from the book-makers. The work requires skilled supervision and is also of a confidential nature. It was impossible to put it in the budget, because the Bill had not been passed when the last budget was prepared.

Question proposed.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, it appears to me, Sir, that the allowance of Rs. 300 per race-day, paid to the Secretary of the Western India Turf Club, is rather extravagant. The duties, which this officer is expected to perform, as narrated here, do not give one an idea of any very strenuous work. If that is so, I fail to see why Rs. 300 per race-day should be paid. I think that even if a whole time officer, having some knowledge of accounts, had been specially engaged on a monthly salary of Rs. 300, it would have cost very much less, about a third. I would, therefore, like the Honourable Member to explain why they have resorted to this extravagant method in preference to a much cheaper one, which would have brought about the same result with the same degree of satisfaction.

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* Appendix 5.
† Appendix 6.
‡ Appendix 7.
§ Appendix 8.

The Honourable Mr. W. F. HUDSON: Sir, I quite understand the honourable member's point, but we were advised by the Finance Department that this was the cheapest method possible. I am not an expert in bookmakers' accounts,—perhaps my honourable friend is,—but I am quite certain that it does require very considerable experience to deal with these matters. However, I take full note of what the honourable member says. If we can come to some more economical arrangement with the Turf Club for the future years, I shall be very glad to do so. I will approach the Turf Club on the subject at a very early date. But the honourable member will understand that for the present year we are committed. The whole of this business is experimental, and I shall draw the attention of the Turf Club authorities to the remarks made by the honourable member and see what they have to say. I can assure the House—I am sure the Finance Department will see that I am kept up to it—that no extravagant arrangement will be allowed.

Dr. M. D. GILDER: On a point of information. Is any extra staff employed by this gentleman for the work?

The Honourable Mr. W. F. HUDSON: I do not know anything about whether any staff was engaged. The arrangement made was that the Turf Club with its establishment should do the work. We have not asked for any details about this. We shall go into this question, as we have a year's experience now. When we made the experiment we had not that experience. Now we know and they know. As I have told the honourable member, I shall do my best to see that the amount payable is reduced. I may say, however, that the incidence of collection is not very much; it is only 3 per cent.

Question put, and agreed to.

45, Superannuation Allowances and Pensions.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I make a demand of Rs. 7,94,000 under "45, Superannuation Allowances and Pensions." The reasons are stated in the note.*

Question put, and agreed to.

Expenditure in connection with the Sugarcane Research Scheme for the Bombay Deccan.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I move for a token grant of Rs. 10 under "34, Agriculture (Transferred).†" I may state, Sir, that the expenditure in this connection is to be met mainly from the grants which are to be made from time to time during the period of five years by the Imperial Council of Agricultural Research. This Government is not on this account to be put to much additional expenditure. Its share of expenditure is described in the printed note circulated to this House. I am sure that the honourable House will readily agree that sugarcane research is a very important one to undertake in the Deccan. The Deccan is the finest of sugarcane tracts in the world. A great obstacle in the way of expansion of cultivation of this crop in the

*Appendix 9. †Appendix 10.

[Dewan Bahadur S. T. Kambli]

Deccan has been the high cost of production. This research is intended to find out means and methods to reduce the prevailing high cost of cultivation of sugarcane in the Deccan. So, this scheme is a very important one from the point of view of agriculture. I hope the House will grant this demand.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Mr. President, it is stated that this research does not cost the Government of Bombay very much. But, if my information is correct, the station which it is intended to put up at Padegaon on the Nira Right Bank forms part of a scheme on which about five lakhs of rupees are to be spent, out of which the Agricultural Research Institute pays a very large portion. But if my information is correct, the Bombay Presidency also has to pay a substantial portion, varying from a lakh to two lakhs. If that is correct, and I think that is correct, then I must say that the location of this station at Padegaon at the extreme end of the Nira Right Bank is not a very happy selection. If that site is intended to benefit the irrigation in the north, then it is the most remote station, because my information is that the soils in the Deccan differ very widely and even from district to district. It appears to me also that there are no facilities at Padegaon. The Nira Right Bank is not properly developed, irrigation is not being as quickly taken up as Government thought it would be. The whole irrigation policy has discontented the *bagayatdars* in general in the Deccan with the result that I am not quite sure that this station will be a happy and remunerative selection. I say so, because further south at Coimbatore there is a real research station for several years which tries to breed the best quality of sugarcane which can suitably be grown at a much cheaper cost. As a member of the committee which has been looking into the financial aspect of Deccan irrigation canals, I think I may, without breach of confidence, state that the irrigation officers also do not approve of the station being located at Padegaon—at least those skilled officers who alone can give an opinion.

It appears to me also that the kind of officers who are expected to run the show are not being selected with that careful attention which is necessary. We are told that A class officers will be employed, but Government are recruiting B class officers. If my impression is correct, the A class officer who it is intended to put in charge of this show is a man who starts on a salary of Rs. 350 or so. At least that was what was advertised in the papers by the Agricultural Department. When almost all the countries in the world are trying their best to improve their qualities of cane, when Mauritius, Java and other places are doing their best to breed sugarcanes that will yield greater percentages of sugar, I am not quite sure that a novice would be able to do justice to that aspect of the question in Bombay. It is a problem which has baffled the best talents for many many years. I know that the Coimbatore station is doing its best for many years, but still it has never catered for the wants of the Bombay Presidency, I mean not bred cane which will suit this presidency. As far as I know, the Agricultural Department

[Rao Bahadur G. K. Chitale]

also is deficient in knowledge on this particular point. We are certainly disappointed to see that our Presidency which is known for its sanity is lagging behind by ages. The point at issue, Sir, is certainly very important and it ought not to be tackled in the slipshod manner in which it is being tackled by Bombay. I know the difficulties of the Honourable Minister: I do not wish to blame him for a moment. But I must say that simply because the Government of India has got some money to be spent somewhere, the Bombay Government should not be prepared to abolish Manjri Farm and tack its funds on to this particular demand. I should say, Sir, that is not the correct way to spend the money. Our Department is doing its best at Sakrand for Sind. There we are also having a few more breeding stations round about. Again, if I remember rightly, that is done to suit the different soils. The results will be co-ordinated and then a particular class of sugarcane which is found to be the best will be recommended by the department. That is the correct process. But we find here that our old Manjri is being tacked on to this station. The Manjri method is well-known, but it has spent itself. Manjri method has never led us to any good results as regards the breeding of sugarcane but has worked towards reducing cost of cultivation. I should think the present stressful times have lowered the cost of cultivation much more than the Manjri method would have done for years to come. After all, it is agricultural economics which would bring down the cost of cultivation. But the real want of the Deccan, so far as the cultivation of sugarcane is concerned, is to rear or breed that kind of sugarcane which would give us a larger percentage of sugar, so that the sugar factories may thrive. So far the Pundya sugarcane, which is holding the field for many years, has not yielded it. The Belapur factory is thriving because they have, on their own initiative, bred a new kind of sugarcane which gives a larger percentage of sugar and which makes up the whole difference in the cost and value of the product. And certainly, when we visited that station, we found that there was a real difference. It is of course possible that the soils may change and the variety may disintegrate afterwards.

From my point of view this grant is not being properly spent. I have no reasons to urge against the grant itself. But what I would like to urge with all the earnestness that I can command is this: do not go about the business in that slipshod manner of staffing the department. Somebody is at the head; and he is given assistants and the results will take care of themselves. Have some eyewash, some land. We want experiments on a bigger scale, under field conditions and under these circumstances, I should think that this is an experiment which ought to be taken up under the best expert who can be imported, if one is not available in India. I would not mind spending for an expert being brought from Mauritius or Java or anywhere else on earth, but pray do not follow the old method of starting something in earnest and in haste and then repenting at leisure because no results would be forthcoming, even though you may spend a very large amount.

Mr. R. D. BELL: Sir, the burden of the honourable member's criticism is that this scheme has been taken up and is being conducted in a slipshod manner, and he made certain criticisms in more detail which really depend on that general allegation. He also made a reference to eye-wash; and, on the assumption that eye-wash is a very good remedy for sore eyes, I shall give him a dose of it.

The scheme has not been started in a slipshod manner. This is a scheme for which there has been considerable competition amongst the Agricultural Departments of Local Governments in order to secure its location in their provinces. It is not a Bombay scheme. It is not a scheme devised solely to meet the requirements of the Bombay Presidency. It is an All-India scheme, and its location in Bombay, I may say, has been viewed with very obvious jealousy in some other provinces. Before it was started at all, and before the site was finally selected, a special committee was appointed by the Imperial Council of Agricultural Research which came down to Poona and sat there for a day or two, examined the local officers and investigated local conditions. This committee consisted of agricultural officers and experts in sugarcane growing and research from all parts of India. They blessed the scheme; and after that, it is quite impossible to say that it was started in a slipshod manner. It has the full approval of an All-India committee of expert officers.

There was some reference to Coimbatore. I did not quite catch the honourable member's suggestion in that connection. He also made a reference later on to the work being carried out under field conditions. As I understand the position, Coimbatore is a station where experiments are carried out on a small scale, that is to say, special types are bred there, but they are not tried under field conditions. I see honourable members shaking their heads, on the other side, but my point is that the new scheme will be conducted under field conditions.

As regards the cost to the Government of Bombay, it is quite true that it is costing the Government of Bombay a little more than they have hitherto spent on sugarcane cultivation. Manjri is not being tacked on to the scheme under discussion. Those were the words of the honourable member opposite (Rao Bahadur Chitale). Manjri is being closed down entirely and the expenditure hitherto incurred at Manjri is being diverted to this scheme. That is the Government of Bombay's share of the expenditure. It is not an additional expenditure. It is the existing expenditure. On the other hand, the Bombay Government on the receipt side will lose the receipts which they have been receiving from Manjri. This is all explained in the note supplied to honourable members.

The last criticism, as far as I could gather, referred to the manner in which the officers were selected. This criticism is not timely since the officers have not yet been selected. As the note shows, there will be three officers. One is an agricultural officer, another a sugarcane physiologist, and the third a soil physicist. The station will be in charge

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of the agricultural officer, and it is desirable, as the agricultural operations will be in his charge, that he should be a man with local knowledge and experience. He will, therefore, be a man selected from the Bombay Agricultural Department. The other two appointments are being advertised, because it is desirable that the two men should form a team. It is hoped that one of them will be selected from the Bombay Agricultural Department, but it is not decided yet. If possible, the man will be taken up from the Bombay Agricultural Department, but the idea is to get the best team that India can provide.

I think these remarks ought to assure the honourable member opposite that every care had been taken before the scheme was started and that every care is being taken to secure officers who are qualified to run the scheme.

The honourable member from Ahmednagar (Rao Bahadur Chitale) suggested that the officer in charge will start on about Rs. 350. The figure which he mentioned is approximately the initial figure of the scale to which the officer will belong and not the actual pay which he will draw. Originally the idea was that the officer in charge of the scheme should draw Rs. 1,000 and the other two officers Rs. 400 each, so that the initial pay of all three would be in the neighbourhood of Rs. 1,800. No definite figure has been laid down for any officer, but the three officers who are selected finally are expected to cost about Rs. 1,800 per month at the outset.

Mr. B. S. KAMAT: Sir, I welcome the scheme for sugarcane research, and I am very glad indeed to see that the Imperial Council of Agricultural Research has selected the Bombay Presidency for this particular scheme. Members of the House may not probably realise the importance of this scheme. I venture to tell the House that sugarcane breeding is intimately connected with the possibility of sugar-making in the Presidency; if Java is scoring a success over India in the matter of very cheap manufacture of sugar with which this country is inundated, it is because Java has, after a great deal of research extending over many years, evolved certain varieties of cane which, in respect of percentage of sugar they yield, are far superior to the varieties which we have in Bombay.

My honourable friend on my left (Rao Bahadur Chitale) seemed to me to be a little pessimistic in this respect from the manner and the disgruntled tone in which he referred to the scheme. I happen to know something about Coimbatore which I had the privilege of visiting in connection with the Agricultural Commission. Coimbatore is doing remarkably good work in cane breeding. The only inaccuracy in the statement which the honourable member the Chief Secretary made was that Coimbatore is not making experiments in cane breeding on a laboratory scale. On the contrary, it has a fine estate extending over 200 acres and the experiments in cane breeding are on a higher scale than the Manjri scheme which Bombay had up to now, or even perhaps

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the scheme which we are now having with the assistance of the Government of India.

Now, if cane breeding is to be successful, cane breeding ought to be done on a very big scale. As regards the kind of experts, I may tell my honourable friend on my left (Rao Bahadur Chitale) that even in Coimbatore there is no imported expert who is doing this remarkably good work in cane breeding. We have there at present an Indian, and although he was trained under an Englishman, a great scientist, now the work is carried on very efficiently by an Indian. He has progressed from stage to stage, and it is his good work in connection with sugarcane breeding that has been useful not only to South India but even to sugar factories and for the production of sugarcane on a cheap basis to cane growers in the United Provinces and in Behar. If sugar-making is possible there, a great deal of credit is due to the varieties of cane introduced from Coimbatore, the South India cane-breeding station. That man therefore is doing good work and is supplying such varieties to the United Provinces and Behar that those two provinces are benefiting by those varieties in bringing down their cost of production. I am sure that even an Indian who is put in charge of this new cane breeding station will be able to pick up the threads of research if he is given opportunities of visiting Coimbatore and copying methods which have been practised there.

As regards the site chosen, namely, Padegaon, it is true, as my honourable friend says, that the specialist officer of the Irrigation Department to whom he refers thought that Padegaon would not be quite suitable. On the other hand, if I might refer to the conversations we had in the committee of which my friend is a member, the Director of Agriculture thinks that the Padegaon site is quite suitable. If there is a difference of opinion between the Irrigation officer and the Director of Agriculture, I expect that this difference of opinion between the two specialist officers of Government must have been brought to the notice of the Imperial Agricultural Council, and ultimately, they after taking the balance of advantages and disadvantages between Padegaon and some other sites must have given preference to Padegaon. The great advantage of Padegaon probably is that it is on the Nira Right Bank Canal where irrigation is not yet developed, and there is besides the advantage that you can go ahead without certain prejudices and without those ideas which have been perhaps crystallised in other parts of some of the irrigation tracts. You have, therefore, a clean slate to go ahead with new ideas about cane production. Probably that must have been the consideration in the final choice of Padegaon.

With reference to the choice of officers, my honourable friend was in a way right in suggesting that great deal of care should be taken in fixing the salaries and in the final selection of men. So far as the number of officers is concerned, three officers are intended to be kept at this research station. It is very difficult to dogmatise in this respect; whether an agricultural officer, a soil physicist and a sugar physiologist

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are all necessary, it is difficult for us laymen to say, probably there might be suitable men who combine the two qualifications in one; that is to say, if you can get an officer who is both an agricultural expert and a soil physicist combined, it would probably be a more economical arrangement, but the difficulty is to have the same man with these two specialist qualifications combined. However, that is a matter of precaution and I do hope that the Department is exercising that precaution which is necessary.

As regards the scale of salaries, I find that the two appointments which are to be filled, carry a salary of Rs. 350 rising to Rs. 1,200. I for one do not know whether Rs. 1,200 would be a necessary maximum for this salary. We are now retrenching in every department and probably if we can have a somewhat lower limit for the maximum, it would have been much better, but that depends on how you can get an expert. If you can get a man on a lesser maximum than Rs. 1,200, it would be desirable to do so in the interests of the finances of the Presidency. But that again is a question of getting a suitable man. I do hope that the choice of men will be made strictly on the basis of qualifications and that men who are eminently suitable for their work will be selected on the basis of qualifications and on no other considerations.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, with regard to the site selected for carrying out research work, sufficient explanation has been given by the honourable member the Chief Secretary to show that the selection was made after great consideration and after inspecting and examining various sites. I may add, Sir, that this site has been particularly selected on account of its being representative of the environmental conditions prevailing in the Deccan. This site was regarded on account of its representative character to be the best place for carrying out this particular kind of research work. I may also inform the honourable member from Nasik that the Chairman of the Imperial Council of Agricultural Research, when he came down to Poona recently, personally inspected the place and not a single objection of any kind was taken by him or by his Committee.

With regard to the officers who are going to be appointed, I may assure the honourable member that greatest care will be taken to select the best qualified men for these posts. The sole object is to make the research scheme a success and to bring down the very high cost of production which now prevails and which is standing in the way of progress of sugarcane cultivation in the Deccan; this being the object, officers best suited for this purpose and best qualified by their experience and academic qualifications etc. will be appointed to these posts.

With regard to the maximum salary referred to by the honourable member from Poona, I would assure him that the greatest care will be taken to fix the maximum under the present conditions.

As the object of the scheme is to bring down the high cost of production and as we shall bestow the greatest care in selecting the best of officers

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for the Research Scheme, it is hoped that the honourable House will grant the demand.

Question put, and agreed to.

Grant-in-aid for the scheme of Investigation of the Virus Diseases of Plants.

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, I move for a token grant of Rs. 10 under 34-Agriculture (Transferred)*. This expenditure is required for carrying on investigations into the virus diseases of plants. As this expenditure is also to be met from grants from the Imperial Council of Agricultural Research, this Presidency will not be put to any expenditure at all. This investigation is absolutely necessary especially in the interests of agriculturists and horticulturists, and I hope that, taking the importance of the investigation into consideration, the House will grant the demand.

Question put, and agreed to.

Excess expenditure under V-Land Revenue—Refunds—1931-32.

The Honourable Mr. W. F. HUDSON : Sir, I make a demand for a grant of Rs. 1,90,000 under the head "V-Land Revenue—Refunds—1931-32."† The grounds for the refunds are stated in the note† and I do not think it is necessary to explain in detail why the refunds have to be made.

Question put, and agreed to.

Excess under the head "60, Civil Works.

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, I move for a grant of Rs. 79,000 under the head 60. Civil Works—Transferred.‡

Question put, and agreed to.

Loan to Improvement Trust.

The Honourable Sir GOVINDRAO PRADHAN : Sir, I make a demand for Rs. 30,02,000 under the head "Loans and Advances by Provincial Government" for advancing a loan to the Bombay Improvement Trust.§

Question proposed.

Mr. V. N. JOG (Dharwar District) : Sir, before we give our approval to this loan to the Bombay Improvement Trust, I wish to know and be satisfied with regard to the advisability of making this loan to the Improvement Trust. The necessity for the loan itself shows that the financial position of the Improvement Trust is not what it ought to be, and we see from the note itself that there are a series of deficits and the expectation of realising the estimated return of the capital expenditure will hardly come true.

The recent budget of the Improvement Trust shows that its expenditure is to the tune of Rs. 1,11,00,000 and the estimated income is only Rs. 76,00,000 or thereabouts. So, there is a clear deficit of 34½ lakhs, and the Government of Bombay has already given a loan of 20 lakhs in

* Appendix 11. ‡ Appendix 13.
† Appendix 12. § Appendix 14.

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the year 1930-31 and during the current year it means to give a fresh loan of 35 lakhs. The total loan which the Bombay Government has given to the Improvement Trust from the Public Debt Development Loan Account is, as given in the Blue Book, Rs. 370 lakhs, and, as the statement at page 9 of the Blue Book shows, the other debt which has been given from the Loan Fund is nearly 411 lakhs. So, in all, the Bombay Government has given more than seven crores to the Bombay Improvement Trust and if these loans cannot in the near future be returned, I wish to know what would become of this loan. How would our province get this money back ? That is the point which we have to take into consideration when advancing this loan. I for one am not acquainted with the affairs of the Improvement Trust, and I do not know whether any particulars or details were supplied to the Finance Committee which met to-day, because the proceedings of the Finance Committee which have been supplied to us only deal with four items. But to-day the Finance Committee has met, and I do not know whether the details or particulars with regard to the assets of the Improvement Trust have been supplied to it. In this matter, we do not know what the property of the Improvement Trust is, or what their assets are to cover this big loan which has been given to them. It has been simply stated that they have been making provision for the liquidation of the loan by some appropriations in the Sinking Fund. We have not been given any figures with regard to the extent of this Sinking Fund which the Improvement Trust has been developing, and unless we are satisfied as regards the solvency of the Improvement Trust, I think it is wasting the money ; it will perhaps be a dead loss, which we shall have to add to the amount which we have already sunk in the Back Bay reclamation.

I also wish to know for what purpose the Bombay Improvement Trust are going to utilise this amount,—whether it is for the purpose of any development, or simply to cover their deficit. From what is stated in the note, it seems that it is simply to cover the deficit. The accounts of the Improvement Trust show that in the long run there is no prospect of any improvement of any kind in the Improvement Trust and that there is not also any possibility of retrenchment in the expenses of the Improvement Trust. So far as I have seen from the papers, it seems there is no scope for improvement, because most of its expenses are on the interest and sinking fund charges. It is said that out of the expenses of the Improvement Trust not less than 95 per cent. goes towards the interest and sinking fund charges, and also probably towards establishment, and it has been said that there is no possibility of making any retrenchment whatsoever in these expenses. So, if that is the state of things, I do not know why the Bombay Government should lend this money to the Improvement Trust. Was there any obligation upon the Bombay Government, when the Improvement Trust was started, that it is to maintain the Improvement Trust by loan funds ? We ourselves are borrowing for our purposes, and out of that borrowed money we have to give a loan to the Improvement Trust. If the Improvement Trust cannot repay the amount, ultimately this

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charge would fall upon the presidency; there is no doubt about it. If really the affairs of the Improvement Trust are hopeful, why should not the Improvement Trust itself go in for a public loan. This Improvement Trust is in Bombay, and in Bombay there is a great investing public. The Bombay public must know the affairs of the Improvement Trust from a financial point of view, and if they really think that in the long run their money is safe and their investment is safe, there should be no difficulty whatsoever for the public, if a public loan is floated, to go in for it; and if the public are not ready to go in for the loan, it would appear that the public have no confidence whatsoever that they can get that loan back. No doubt, at the time when the Improvement Trust was started, there was the necessity of improving the various slums, improving the residential conditions of the people and also the sanitary conditions. But the question is whether at this time it is necessary to allow the Improvement Trust to go on with its operations by giving it this loan, and whether Government now at least would not think of stopping the operations of the Improvement Trust. It was said some years back with regard to the Development Department and its operations that there must be a stop put to these developments in times of financial stringency. Therefore, now is the time to consider whether, for some time at least we shall have to stop the operations of the Improvement Trust, if it is found that this money is to be spent on improvements. There is a large establishment which is being maintained, and if they have not got the money, I do not think the operations of the Improvement Trust should be carried on.

It will be seen, Sir, that the Government of Bombay have been effecting savings in the loan money, i.e. Provincial Loan Fund and have been going out of their way to oblige the Improvement Trust. The loan money which was during the current year apportioned to the various bodies has been given on page 179 of the Blue Book, and the savings which have been effected are given on page 180. They have saved something from the Lloyd Barrage, and I am rather grieved to see that savings have been made in the loans which were to be given to the mofussil. From this amount of nearly 33,59,000 a saving has been made. This money was wanted for other objects e.g., Irrigation, etc. and out of this amount the Government are going to save and to meet part of the loan intended to be given to Improvement Trust. No doubt, they are also intending to make a further loan during the next year to the extent of Rs. 38,00,000, and I have given notice of a motion to omit it. It may perhaps come up for discussion to-morrow. For the present, I submit that it is rather starving the mofussil to stop all works there and lend this money to the Improvement Trust. The Trust is in Bombay town, which is a wealthy town and can look after itself. Properly speaking, this work of the Improvement Trust can very well be conducted by the Bombay Corporation. Why should not the Improvement Trust be amalgamated with the Bombay Municipal Corporation? In that case, the whole liability will fall on the Bombay Corporation, and the Presidency need not lend this amount to the Improvement Trust

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and take the responsibility for it. I find from the accounts that even the equated payment of Rs. 12,50,000 is to be paid out of this loan which is to be given to the Trust. If that is so, if the Government think that the Improvement Trust cannot return the loan already given to it, why should not Government come forward and quite candidly and openly say that the loan which is given to the Improvement Trust is after all a bad debt. We shall then at least see that, after all, it is a loss as in the case of the Back Bay. So, it is no use hiding facts. We have lent money and are getting only a partial return for it. It is high time that the whole matter was placed before this House. Further information with regard to the assets or the properties of the Improvement Trust and their liabilities should be furnished. No doubt, there might be sites which are to be developed. The Improvement Trust might have spent a large capital amount upon the acquisition of sites and lands, which cannot now be sold, because they were acquired during the boom period. So, unless there is another boom, it is not likely that these properties will be sold at a reasonable price. With these remarks, I hope the Honourable Member in charge will be pleased to give us information as to the real position of the Improvement Trust, and whether there is any possibility of repayment of the loan which has been given to the Improvement Trust. With these words I oppose the grant.

Dr. J. A. COLLACO (Bombay City, South): Sir, I may allay the fear of my honourable friend Mr. Jog, by saying that every pie of this Improvement Trust loan and all its losses are payable, rightly or wrongly by the Bombay Municipality. If the Improvement Trust goes into liquidation to-morrow, and there is a deficit, nevertheless the Bombay Municipality will have to pay every pie of the debt. It is the first charge on the Bombay Municipality. The Accountant General can tell the Municipal Commissioner to transfer all the funds of the Bombay Municipality to pay the debts of the Improvement Trust. So, there is no fear that your loans will not be paid.

The Improvement Trust tried its best, in this depressed condition, to get a loan, but the response was very poor. It is very difficult, Sir, in these hard times to get money. The people, looking at the political situation and thinking about other things, do not want to put money in this concern, and the Improvement Trust was in an awkward position.

I may tell the honourable member Mr. Jog that the loss which the Improvement Trust is incurring is not of its own making. I have already told the honourable House that when there was the Improvement Trust in Bombay, improving the city of Bombay, taking over new lands, the Bombay Government started a rival scheme and drove all the people to Khar, Santa Cruz, Chembur and other places. The result is that all the land which the Improvement Trust had taken over is on its hands. They cannot sell it, and I do not know when they will be able to sell it. I hope the honourable member, after hearing these remarks, will withdraw his objection.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Sir, my honourable friend Mr. Jog said that Government was advancing this money to the Improvement Trust and was starving the districts. But Government are not giving this to the Improvement Trust as a financial help or as a gift, Government are merely giving it as a loan, and they will receive interest every year, and after the period fixed the loan will be repaid by the Improvement Trust. I may inform my honourable friend that, up to now, the Improvement Trust has always set aside every year money for a sinking fund for all the loans that it has borrowed, at fixed rates, and it will be in a position to pay back the loans, when they mature, out of the sinking fund.

Sir, a large amount, or almost the whole amount, of the borrowed money of the Improvement Trust has been invested in land, and on account of the depressed times the lands are not being freely sold. That is why the Improvement Trust is in some difficulty and has asked Government to help it by advancing this money. I hope, Sir, this explanation will satisfy my honourable friend Mr. Jog. No doubt a certain amount of responsibility is laid on the shoulders of the Bombay municipality under one of the sections of the Improvement Trust Transfer Act, which the municipality will have to undertake in a time of necessity. This is merely taking a loan from Government for the Improvement Trust as has been done in the past. For this loan, the sinking fund and interest charges will be provided by the Improvement Trust. I do not find any difficulty in the way of my honourable friend Mr. Jog or any other honourable member. If Government want to spend more moneys outside, they will have to do so out of borrowed money and they will have to pay more interest. Here, Government get their interest and it is not a burden on their revenues. I hope this House will pass the demand.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, I think more light must be thrown on this transaction. It appears from the Blue Book on page 180 that the total amount which it has been proposed to borrow next year is Rs. 4,41,13,000. That is to say, we are ourselves not in a solvent condition and we are borrowing. This amount is going to be spent, among others, on "Lloyd Barrage, other irrigation, productive and unproductive." Under unproductive head, they want Rs. 62,21,000 as over-draft for land revenue deficit, for the Bombay Improvement Trust Rs. 38,41,000. Now, it is too true that the Bombay Improvement Trust had put in a notice in the newspapers advertising this particular loan. As it comes out they were not able to borrow and perhaps the public would have asked for more interest. I believe we charge them a little more interest than we pay. [*Honourable Members:* No, no.] We do not? This is another reason why this should not be paid. The Bombay Government get their loan from the Government of India at varying rates of interest. In order to cover up the difference in rates of interest, they were lending to the local bodies at a higher interest which varies from ¼ to ½ per cent. I am now told that we are lending to the Improvement Trust and to the bargain at the same rate of interest.

[Rao Bahadur G K. Chitale]

The Bombay Government make themselves as debtor to pay to the Government of India the loan which they take. Therefore I think that this amount which appears to be intended to cover up the deficit or perhaps intended to be sunk more in the improvement of land which is at present unsaleable in the hope that it will fetch better price later on is doubtful investment. It may be in the long run we may not lose the whole amount. As we are ourselves under bankrupt circumstances, I do not think one bankrupt should borrow and lend it to another. Here an honourable friend suggests that the Government of India is a bankrupt. I will not say it is bankrupt, because every year it gets 135 crores. Under the circumstances, it is a fact that the whole loan programme has been fixed up on this page. So, no loans will be available to the other cities in the mofussil for water-supply or anything else, because Government will have no more money. Under the circumstances, I would not go to the extent of not making the whole grant but the Government may halve it and see what they do with it in the next year and see in the bargain they become more and more solvent or err on the side of bankruptcy.

Mr. G. WILES: I am not sure Sir, whether this is really the occasion for a full dress debate on the situation of the Improvement Trust. As we find that the debate has tended to develop into such a one, I think I can in a very few words say why we propose to lend this sum in the current year. The situation of the Improvement Trust, as you must know from the reading of newspapers, has given considerable anxiety to the members of the Trust themselves and to the members of the Corporation. I am going to read an extract in order that the matter may not be exaggerated. I will just read a few lines from the report which was published 10 years ago about the Improvement Trust,—it is in the Annual Administration Report of 1920-21:

"It must, however, be recognised that during the next few years, while large works on hand are actually in progress, interest and sinking fund charges on our capital will increase materially and the revenue will not materially increase until the works are completed and plots available for disposal. We must therefore anticipate a material reduction and even temporary deficits in the revenue budget for the next few years, until the disposal of the developed plots yielding the estimated return on the capital expenditure."

In a few words it gives the situation of the Improvement Trust. They had 10 years ago reached a period when they were bound to have a series of deficit budgets. They had put money into the development and could not expect to get it back in the normal course of events for a good number of years. On the top of that has come the slump in land values, which has had a similar effect to that we have had in our provincial revenue. We have suffered even more cruelly in our own development plans in Bombay than the Improvement Trust. This annual deficit which began a few years ago, we cannot unfortunately see the end of unless the Bombay city will provide the revenue to meet this deficit.

Mr. V. N. JOG: Are we to lend until the annual deficits are met?

Mr. G. WILES: I hope the honourable member will understand the whole thing, when I have finished.

[Mr. G. Wiles]

A series of deficits has started which is bound to increase, unless the Bombay city supplies some revenue towards meeting the interest charges and the payment of debt. I do not propose to go into it at any length, because as you must know, there is an application before Government from the municipality for the amalgamation of the municipality with the Trust. That application has been followed by the request that certain additional sources of revenue should be given to the municipality. That cannot be done without legislation and legislation will have to come in due course before this House. But in the meantime, owing to the circumstances over which the Trust themselves have no control, they were unable to raise local money to cover their annual deficit. We all know the state of the money market in Bombay. The banks have been unwilling to give long term loans. They are willing to lend short term loans for six months or so, which do not meet the situation. Obviously, therefore, if they are to prevent what might be considered a considerable disaster to the city of Bombay, we must come to their rescue and assure the city of Bombay that money shall be raised and provided at reasonable terms for the Improvement Trust. That is all that Government are intending to do at present. They have assured the Corporation and the Improvement Trust that they will in the current year lend 35 lakhs and a similar sum next year. That is the only obligation we have undertaken at present. In consenting to do this, we have taken all reasonable precautions, as was required by the honourable member from Dharwar, that we will get our money back. This is not a gift and we shall in instalments get back the money. It will be given in the usual shape of a loan which will be recovered in a period of 30 years.

Without going into the merits of what is bankruptcy and what is not bankruptcy, I must say that the suggestion of the honourable member from Ahmednagar (Rao Bahadur Chitale) is not a practicable proposition. I have made it perfectly clear that what we give them must be sufficient to balance their budget in the next year. No half measures will be of any value. I do not think it is true to say that it will have any effect on the mofussil, because no loan has been demanded from any local authority outside Bombay city on good conditions which has been refused.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu): Sir, the proposal is to give a loan of Rs. 35 lakhs to the Bombay City Improvement Trust. Sir, I oppose this grant. As I stand to do so, several honourable members from Sind request me not to oppose, as this concerns Bombay only. I tell them that this is wrong policy, because by remaining silent we pay Rs. 50 lakhs as interest from revenue for Back Bay and Development Schemes. As the Presidency members did not take any interest in the Barrage, we will suffer loss on that project in future. The Government of Bombay themselves are on the verge of bankruptcy, and yet they propose to give a loan of 35 lakhs to some other body. The honourable member Mr. Hoosenally Rahimtoola has told us that the Improvement Trust has to pay loans to the extent

[Mr. Haji Mir Mahomed Baloch]

of fifteen crores. [*An Honourable Member*: Seven crores.] Seven crores. The honourable member also told us that the deficits of the Trust were due to the fall in the market value of land. We are also told that the Trust will continue to require additional finance for the next eight years. It is clear, therefore, that the Trust is going down from year to year. Is it the intention of Government to finance it continuously? They have already given it seven crores, and this 35 lakhs will be an additional loan. We must object to this loan being given at a time when owing to the fall in our revenues even grants given to district local boards for health and education are being cut. To me it appears that there is no prospect of getting back the money from the Trust within the next ten years. Therefore this loan should not be given to the Improvement Trust.

Mr. J. B. PETIT (Bombay Millowners' Association): There is no doubt, Sir, that the growing liabilities and the general financial position of the Improvement Trust are such as might very rightly cause anxiety to those who desire to consider the stability of the Trust not only in relation to its own prosperity and existence, but also to those of the city of Bombay. But, Sir, we have got to bear in mind the facts that the Improvement Trust has on its hands very enormous areas of exceedingly valuable land, both undeveloped and developed, ready for sale, which, however, in view of the current slump in land, cannot possibly be disposed of and are consequently adding to the difficulties of the present unsatisfactory situation. Only the other day, in reply to a question asked by an honourable member of this House, the Government gave very valuable information relating to the areas of land in the City of Bombay belonging to the different public bodies, including the Improvement Trust. There you will find the exact extent of the area in the possession of the Improvement Trust. I am sorry that I cannot lay my hands on the answer now. But if I remember aright, the area now in the possession of the Trust was given as a little over 2,400 acres, or in other words, about half of the total area belonging to all other public bodies put together, viz. the Government, the Port Trust, the Railways, and the Development Department. These figures, I think, ought to be enough to give to the honourable members of this House an idea of the valuable land possessed by the Improvement Trust. Whether it will be possible to dispose of this enormous area or even a substantial part of it at present or even in the immediate future, for anything approaching a fair rate, is a matter which, I admit, is extremely debatable and shrouded in very great uncertainty. But, I have no doubt in my mind that at a not very distant date, it will be possible for the Improvement Trust to sell off at very remunerative rates the extensive areas of land which are now lying undisposed of in its possession.

All these vast areas together with the numerous buildings, chawls and other structures, which the Trust possesses, constitute the property and assets of the Trust. I am sure that these will be considered an adequate security for the payment of the loans the Trust now has and may hope to raise in the future. Personally, Sir, I am of opinion that this security

[Mr. J. B. Petit]

is both exceedingly valuable and perfectly adequate. Until, however, these areas can be disposed of, the Trust must continue to exist and function, even though it may be, as it is now, an adjunct of the Municipality. Under these circumstances, it is inevitable that it should incur losses of and incidental to its existence and work. It is but fair that it should be financed in the meanwhile, to enable it to carry on the administration and to meet its statutory obligations. But even assuming for argument's sake that the Improvement Trust is ultimately unable to meet its liabilities, it must be remembered that under the Improvement Trust Act, it is the Bombay Municipality which is finally liable for the entire burden of the losses of the Trust and not the Provincial revenues. The Municipality is fully cognisant of this ultimate liability and is not very happy over it. But the position is there and it is no use disputing or denying it at this stage. In any case, the Government of Bombay and their revenues are not likely to be affected thereby in the remotest degree. But at the same time I must remind the House that the Government of Bombay have undertaken, under the Act, not only to finance the Trust from time to time but also to give it all facilities for raising loans for the purpose of carrying on its administration and meeting its liabilities until such time as it is able to make up the deficits, which it has unfortunately to incur at present. Until the trade depression passes off and the Trust is able to dispose of the vast properties and areas of land on its hands, the present position must continue, to the detriment of the Municipality, but certainly not to the disadvantage of the provincial revenues. The position is no doubt very unfortunate, but it cannot be helped. The Trust is at prsent suffering very heavy losses and the Government must help it in carrying on the administration. Unless that is done, all the money and labour that have been devoted towards the acquisition and development of these enormous areas of land, will be lost. That is a possibility that the House can never contemplate with equanimity or indifference.

For all these reasons, there is no alternative for the House but to support the demand under discussion.

Mr. A. B. ACHREKAR: In view of the fact that the Bombay Municipality will have to take over charge of the Improvement Trust, may I ask whether the Bombay Municipality has been consulted in the matter?

The Honourable Sir GOVINDRAO PRADHAN: Yes, Mr. President. As there is also a cut of 37 lakhs proposed by the honourable member from Dharwar to the loan to be given to the Improvement Trust next year, I think it would be better to clear the position now. Honourable members wanted to know what the estate of the Trust was. I will read to them a short passage showing what estate the Trust has:

"The area developed by the Trust with the help of this expenditure comes to 1,030 acres; only 488 acres of this area, however, have been leased out bringing in an annual revenue of about Rs. 30 lakhs.....Apart from the developed land the Trust has in its possession undeveloped land to the extent of 1,543 acres. There are about 1,037 temporary buildings scattered over this area bringing in a net temporary revenue of 5·7 lakhs. The other works executed by the Trust include the construction of about 61

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miles of roads at a cost of 2,15 lakhs, excluding cost of land. Of these about 48 miles of road have been handed over to the Municipality. The Trust has also constructed over 24,500 permanent tenements in chawls and over 1,800 semi-permanent structures for a similar purpose, at the total cost of 133 lakhs. The rental value of all these tenements is nearly nine and half lakhs though the actual realisations came to 8·84 lakhs in 1929-30. Besides this, the Trust has undertaken and completed a scheme of great utility to Government—the construction of sanitary dwellings for the Presidency Police. On this item the Trust has spent over 109 lakhs providing nearly 3,500 tenements. This includes the biggest scheme taken up by the Trust, Scheme No. 67 for Armed Police and Recruits."

Owing to the slump in the market the properties are not fetching proper rent.

Mr. V. N. JOG: What is the income from the tenements?

The Honourable Sir GOVINDRAO PRADHAN: The income from buildings is 5·7 lakhs; from tenements 8·84 lakhs; then there are the tenements given to the Police. We have got an account of the income and expenditure of the Trust. As the honourable member the Finance Secretary told the honourable House, it was all along expected that there would be deficit years in the Trust's career, because money has to be spent before there is a return. The properties that were developed were developed with borrowed money. After the properties are sold then the money will come in. As far back as 1921 it was expected that there would be a series of six or eight deficit years, but owing to the slump in the market price of land, it was expected that the period of deficits would be 10 or 12 years. Perhaps that period may also increase. But ultimately the Trust will be able to pay its way. The loan which is now wanted by the Trust is for this reason. The Trust floated a loan of 30 lakhs, but the whole loan was not covered. You cannot borrow money at ruinous rates of interest and you cannot allow the loan to be heavily underwritten. Therefore, only about Rs. 8,88,000 was realised. The Trust has in all 14 lakhs. But Rs. 13,97,000 was the interest payable to the Government of Bombay on the 1st of November 1931 for the Development Loan; then Rs. 22,95,000 is the interest payable to the Bombay Government for the loan of 4,16 lakhs to which the honourable member made a reference; and Rs. 12,50,000 is the instalment of that loan of 4,76 lakhs, these instalments being payable up to 1956. To make good the amount the Trust is asking for a loan of 35 lakhs.

As has been rightly pointed out, the Trust is not a bankrupt body. There is also provision in section 95 of the Act of 1925 that if the Trust defaults, then the Bombay Corporation can be called upon to make that payment; the Bombay Government can hand over the properties of the Trust to the Corporation and can also ask them to levy certain taxes which will go to clear off the debt. So, that is the position of the Trust. It is wrong to suppose that it is bankrupt; it is wrong to suppose that we are advancing money to them when we have none ourselves. We cannot allow such a useful body to be dissolved, because that will be the only alternative if no loan is to be advanced to them. Sir, I think I have made the position of the Trust quite clear. It has very large estates; those estates can be sold when prices improve. The position has not

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come as a surprise; the deficit years were expected as far back as 1921.

Mr. G. S. GANGOLI: What is the rate of interest that is going to be charged?

The Honourable Sir GOVINDRAO PRADHAN: The rate of interest would be what is charged by the Government of India, as was stated by the honourable member Rao Bahadur Chitale.

Mr. G. S. GANGOLI: How much do they charge?

The Honourable Sir GOVINDRAO PRADHAN: Six and a half per cent. for productive loans and 6¾ per cent. for unproductive loans. That is the rate this year.

Question put, and agreed to.

Excess expenditure anticipated under "37, Miscellaneous Departments (Reserved)—Inspection of Motor Vehicles.

The Honourable Mr. G. A. THOMAS: Sir, I make a demand for a supplementary grant of Rs. 4,000 under "37, Miscellaneous Departments (Reserved)*."

Question put, and agreed to.

Payment of overtime allowance to the staff of the Posts and Telegraphs Department for overtime work done during the floods of 1929 in Sind.

The Honourable Mr. W. F. HUDSON: Sir, I make a demand for a token grant of Rs. 10 under "43-A, Famine Relief (Reserved).†" I do not think the House will want me to explain this. It is a very old story. It was absolutely necessary that we should have all the telegraph offices open in Sind at all hours of the day and night during the floods, and when the men had to be on duty 24 hours instead of the usual 8 hours, it was necessary that they should receive some remuneration. We do not give them anything like the usual rate. After considerable correspondence with the Government of India, we got this bill for Rs. 7,090-10-0. The bill was paid, and I think the money was very well spent.

Question put, and agreed to.

ELECTION OF REPRESENTATIVES FOR RAILWAY ADVISORY COMMITTEES.

The Honourable Mr. W. F. HUDSON: Sir, I move:

"That this House proceed to elect a representative to serve on each of the Local Advisory Committees for the various Railways for the undermentioned periods, the appointments of the members at present sitting on the respective Committees expiring on 1st March 1932.

Bombay Baroda and Central India Railway.—For a period of two years from 2nd March 1932 partly on the present Advisory Committee and then on the new Advisory Committee which will be constituted on or about the 15th February 1933, or till the date of a fresh election during the first session of the next Legislative Council, whichever be earlier.

*Appendix 15. †Appendix 16.

[Mr. W. F. Hudson]

Great Indian Peninsula Railway.—For a period of two years from 2nd March 1932 partly on the present Advisory Committee and then on the new Advisory Committee which will be constituted on or about the 1st June 1932, or till the date of a fresh election during the first session of the next Legislative Council, whichever be earlier.

Madras and Southern Mahratta Railway.—For a period of two years from 2nd March 1932 partly on the present Advisory Committee and then on the new Advisory Committee which will be constituted on or about the 1st April 1932, or till the date of a fresh election during the first session of the next Legislative Council, whichever be earlier.

North Western Railway.—For a period of two years from 2nd March 1932 partly on the present Advisory Committee and then on the new Advisory Committee which will be constituted on or about the 15th March 1933, or till the date of a fresh election during the first session of the next Legislative Council, whichever be earlier."

Question put, and agreed to.

The Honourable the PRESIDENT: Now, I propose that nominations for membership on each of these committees should reach the office by 7 p.m. this evening and that we hold the election after tea to-morrow.

The House is now adjourned to 2 p.m., to-morrow, Friday, the 26th February 1932.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Friday, the 26th February 1932.

The Council re-assembled at the Council Hall, Bombay, on Friday, the 26th February 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOVER RORA, Mr.
HADDOW, Mr. R. R.
HARRISON, Sir CHARLTON
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JAM JAN MAHOMED KHAN, Khan Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.

JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACKIE, Mr. A. W. W.
MATCHESWALLA, Mr. G. E.
McELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PABULEKAR, Rao Bahadur L. V.
PATEL, Mr. C. N.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN

THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
WILES, Mr. G.

NOMINATIONS FOR RAILWAY ADVISORY COMMITTEES

The Honourable the PRESIDENT: Order, order. I have now to announce the nominations that have come in for the Railway Advisory Committees as follows:

No.	Name of the Member nominated	Proposed by	Seconded by
		G. I. P. Railway.	
1	Mr. A. C. Owen ..	Sir ReginaldS pence.	Mr. G. L. Winterbotham.
2	Rao Bahadur D. R. Patil.	Rao Saheb R. V. Vandekar.	Rao Bahadur S. K. Bole.
		Mr. R. B. Shinde ..	Mr. Syed Munawar.
		„ G. S. Gangoli ..	„ Pestanshah N. Vakil.
		„ G. M. Kalbhor..	Mr. N. N. Patil.
		„ A. B. Achrekar..	Khan Bahadur M. A. Khuhro.
		Rao Bahadur S. N. Angadi.	Mr. V. N. Patil.
3	Khan Bahadur Abdul Latif Haji Hajrat Khan	Mr. Hoosenally M. Rahimtoola.	Major W. Ellis Jones
4	Mr. J. G. More ..	„ Shankarrao Jayaramrao Zunzarrao.	Mr. V. N. Jog.
5	Rev. R. S. Modak ..	„ A. K. Resaldar.	Dr. J. A. Collaco.
6	Rao Saheb V. S. Patil.	Rao Bahadur B. R. Naik.	Mr. N. E. Navle.
7	Mr. Shaikh Abdul Aziz.	Mr. J. S. Kadri ..	Dr. M. K. Dixit.
	B.	*B. & C. I. Railway.*	
1	Dr. P. G. Solanki ..	Khan Bahadur D. B. Cooper.	Dr. M. D. Gilder.
2	Mr. A. K. Resaldar ..	Mr. Haji Ibrahim Jitekar.	Mr. S. S. Tolani.
3	Sardar Bhasaheb Raisinhji (Thakor of Kerwada).	Khan Bahadur M. A. Khuhro.	Mir Bundeh Ali Talpur.

No.	Name of the Member nominated	Proposed by	Seconded by
4	Mr. J. S. Kadri ..	Rao Bahadur S. N. Angadi.	Mr. Hoosenally M. Rahimtoola.
		Mr. N. N. Patil ..	Rev. R. S. Modak.
		Mr. Syed Miran Mahomed Shah.	Shaikh Abdul Aziz.
		Rao Bahadur S. K. Bole.	Mr. R. B. Shinde.
			Mr. M. H. Mehta.
		Khan Bahadur Abdul Latif Haji Hajrat Khan.	Mr. Shankarrao Jayaramrao Zunzarrao.
	M. & S. M. Railway.		
1	Khan Bahadur Abdul Latif Haji Hajrat Khan.	Mr. J. S. Kadri ..	Mr. Shankarrao Jayaramrao Zunzarrao.
2	Mr. A. B. Achrekar..	Rao Saheb V. S. Patil	Mr. N. N. Patil.
		Mr. G. M. Kalbhor ..	Rao Saheb R. V. Vandekar.
3	Mr. J. G. More ..	Mr. G. S. Gangoli ..	Mr. N. E. Navle.
	North Western Railway.		
1	Mr. S. S. Tolani ..	Rao Saheb B. G. Desai.	Mr. M. H. Mehta.
2	Khan Bahadur M. A. Khuhro.	Mir Bundeh Ali Talpur.	Sardar Bhasaheb Raisinhji (Thakor of Kerwada).

The voting papers will be distributed after tea-time and the election will take place thereafter in the usual way.

DEMANDS FOR GRANTS

The Honourable Sir GOVINDRAO PRADHAN: Sir, I make a demand for Rs. 56,48,000 (C. E. page 308), Total, Loans and Advances by Provincial Government.

Question proposed.

Mr. V. N. JOG (Dharwar District): Sir, I beg to move:

Reduce by Rs. 100—Total, Loans and Advances by Provincial Government—Rs. 56,48,000 (C. E. page 308).

In moving this cut, the first point I wish to raise is that in the distribution of this loan money, all the parts of the Presidency and institutions and bodies which require greater help do not have their wants sufficiently met. Yesterday we discussed the matter of the loan

[Mr. V. N. Jog]

to the Bombay Improvement Trust and you will be pleased to see, Sir, that out of a total of Rs. 4,41,00,000 which it has been proposed to borrow for next year, a large portion of the next year's budget provision for this loan money goes towards the expenses of the Lloyd Barrage and unproductive loans in which there is a provision to meet overdraft and revenue deficit and then out of the remaining amount, which is a very small sum, Rs. 38,41,000 goes to the Improvement Trust, and only a small portion of about 20 lakhs remains for all other purposes.

The Honourable Sir GOVINDRAO PRADHAN: May I interrupt the honourable member for a minute? Where does the Lloyd Barrage come in? If the honourable member will please look at page 308, White Book, he will see that the sum of Rs. 56,48,000 is for loans and advances to the Improvement Trust and other bodies, and the Lloyd Barrage does not come in at all.

Mr. V. N. JOG: Yes, Sir. The Honourable the Finance Member is right. I was showing, Sir, that a small percent of the loan money goes to the mofussil wants. You will be pleased to see, Sir, that the sum of Rs. 56,48,000 includes Rs. 9,69,000 for advances to cultivators, Rs. 1,02,000 only for loans to municipalities and district local boards and Rs. 8,77,000 for miscellaneous loans and advances. So, for the whole of the Presidency, the loans to be given to the local bodies amount only to one lakh, which is quite insufficient. Many of the works are held up in these local bodies and it is only owing to the financial stringency, which is the excuse given on all hands, that even if primary education schemes are launched, Government say they have got no money. My submission is therefore, Sir, that a larger provision ought to have been made for loans to local bodies.

With regard to advances to cultivators and to co-operative societies, you will be pleased to see, Sir, that the condition of cultivators this year is very bad and the loans which are to be given to cultivators (as given on page 179 of the Blue Book) come to about Rs. 9,69,000, including loans to co-operative societies. This amount is also insufficient. In this particular case, I wish to bring to the notice of the House the position of certain co-operative institutions. Just as in the case of the Improvement Trust, the position of some of the urban co-operative banks is very bad. Recently I became connected with some co-operative institution in Dharwar which had come into trouble in August last and that trouble, so far as I can see, was brought about by the lack of sufficient fluid resources, as they were pursuing the policy of advancing loans on lands and houses. Due to this policy, most of the amount received as deposits from the outside public was invested in giving loans for the maximum period of five years on immoveable property and on houses and, as in the case of the Improvement Trust, these co-operative institutions cannot now convert these properties into liquid resources, because when default in repayment of loans occurs and properties are brought to sale, we find that nobody comes forward to buy them. It is not that the properties are bad or that they have no intrinsic worth, but

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there is the depression all round in the property market. There have been instances of this kind in the Dharwar district. The co-operative institutions then buy the properties themselves and hold possession in the hope that better times will come when they can sell those properties to good advantage, and in the meanwhile, they collect the rents of these properties——

The Honourable Sir RAFIUDDIN AHMAD: May I ask what those institutions are?

Mr. V. N. JOG: In Dharwar the urban co-operative bank with which I became recently connected and I am told also the Karnatak Central Bank branch at Gadag had to buy certain properties. When properties are brought to sale, these institutions buy them up, because there is no money with the public to pay for these properties. There may be similar instances in other districts also, but I am quoting those instances which I have come across in my own district. The whole difficulty arises from the fact that the depositors who have kept their money with such institutions, do not wait but they want to withdraw their deposits as soon as they mature. As, however, the funds of these institutions have been locked up in immoveable properties, they cannot be converted into liquid resources. My submission therefore is that, as the Government has been kind enough to go to the aid of the Improvement Trust and has helped that body to carry on for some years until it will be amalgamated with the Bombay Municipality when better circumstances will prevail, similarly I request the Honourable the Minister for Co-operative Societies to be pleased to come forward and grant loans to such institutions if he is satisfied that the loans which he may give are safe. No doubt, for the present the immovable properties may not be fetching their market value, but the period of depression is sure to go and then there is bound to be an improvement in the property market so that their value as security for loans advanced to the institutions will be enhanced and the loans will be rendered quite a safe proposition. I would even go a little further and request the Honourable Minister to get Government to borrow money, if it be necessary to do so, in order to help co-operative institutions, as, otherwise I am afraid the co-operative movement in some parts of the presidency will be in danger for the simple reason that the depositors do not agree to wait and the institutions have to find money anyhow. In fact, I know that many applications have been made to the Registrar of Co-operative Societies complaining that these societies are not paying up and should therefore be wound up——

The Honourable Dewan Bahadur S. T. KAMBLI: May I know if any proper representations have been made in this matter?

Mr. V. N. JOG: I am not sure about that, but my point is that enough provision has not been made for loans to co-operative institutions. My submission therefore is that in the event of applications for monetary help going forward to Government from co-operative institutions, those applications should be viewed with leniency and not with strictness,

[Mr. V. N. Jog]

because the circumstances of these various societies are also on a par with those of the Bombay Improvement Trust.

With these words, I move this cut.

Question proposed.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu): Sir, yesterday we were told something about the bad condition of the financial position of the Bombay Improvement Trust, and the honourable members who are members of the Bombay Municipal Corporation have said that the work done by the Improvement Trust is such that there is every prospect of the loans being repaid when they become due. Sir, when I opposed the grant of loan to Bombay Improvement Trust yesterday, I had no copy of the Bombay Improvement Trust budget made available to me, but I managed to get a copy of the budget of the Bombay Improvement Trust for the year 1932-33 and had the benefit of talks with several members of that body. On going through the figures I doubt whether, even if they are able to sell off all their lands, they will be able to liquidate their debts. I find that there was a deficit of Rs. 28,00,000 in 1928-29 and this deficit has been rising every year and has reached a figure of Rs. 35 lakhs this year.

The Honourable Sir GOVINDRAO PRADHAN: I rise to a point of order. I beg to point out that the cut of Rs. 37,00,000 is not now before the House; that has not been moved. The honourable member seems to think that the cut of Rs. 37,00,000 is now under discussion.

The Honourable the PRESIDENT: The motion is for a cut of Rs. 100 under the head "Loans and Advances by Provincial Government", and the honourable member is in order in referring to this matter.

Mr. HAJI MIR MAHOMED BALOCH: In 1929-30 there was a deficit of Rs. 26,00,000, and the deficits have gone on increasing to Rs. 29,00,000, Rs. 31,00,000 and Rs. 34,00,000. The amount of interest charges of the Improvement Trust is Rs. 90,00,000 every year. Their expenditure, with interest, is Rs. 1,11,41,000. Their total revenue is Rs. 67,00,000. How long is the Bombay Improvement Trust to be allowed to continue like this? I said yesterday that the total debt of the Improvement Trust was Rs. 15,00,00,000. My figure was not correct. The correct figure of their debt is Rs. 17,00,00,000, out of which Rs. 7,00,00,000 has been advanced by the Bombay Government and the rest has been raised in the market with the approval of Government. Honourable members on this side of the House may take it from me that after 15 years, even if their expectations with regard to the rise in the prices of land are fulfilled, the Improvement Trust will not be in a position to repay the loan. Calculating even at 7 per cent. interest, in the course of 13 years the debt will be doubled, and in the course of 20 years 17 crores will mount up to 42 crores. Sir, the Improvement Trust was created at a time when the land values were high. To-day, land does not fetch even a quarter of that price. Therefore, I submit that the honourable member the Finance Secretary and the Honourable the Finance Member should be very careful

[Mr. Haji Mir Mahomed Baloch]

about this matter. Similarly, I do not think that my honourable friends on this side should sleep over this. They know what happened to the Bombay Development Scheme. Government then used to say that they would be able to sell the reclaimed land in Back Bay and make a huge profit of Rs. 30 crores out of it. But what is the position to-day ? Not less than 50 lakhs a year are paid in interest charges alone from our current general revenues. The position of the Improvement Trust will be worse than this. So, the time has come when the Improvement Trust must be abolished, and its operations handed over to the Bombay Municipality. Out of the 7 crores loan which has been advanced by Government to the Improvement Trust, even if they get back 4 crores, they may consider themselves lucky. Honourable members from Sind and from the Presidency proper should not consider that this is a matter which concerns the city of Bombay alone, and therefore they need not mind it. They must remember that the loan is advanced by the Government, and if it is not repaid, it is the finances of the presidency that will have to bear the burden. Sir, the complaint from all sides of the House is that enough money is not forthcoming for primary education, medical relief, etc. How can then Government spend enough on these losing concerns ? If this state of things is allowed to go on, the Presidency will be more bankrupt than it is to-day. Sir, in the Worli area land was at one time sold at Rs. 25 to Rs. 30 per square yard ; the price is now Rs. 6 per square yard. Even if the land is offered at Rs. 15 a square yard, there are no buyers. So, in my opinion, all these lands of the Improvement Trust must be sold even at Rs. 3 per square yard and the money realised. Sir, the people who took up the Improvement Trust plots and put up buildings on them are now crying. I came across one or two gentlemen who have put up such buildings, and they are wailing that they cannot get sufficient return to cover even the interest charges, and though they get Rs. 900 per mensem as rent out of which they have to pay Rs. 400 a month to the Improvement Trust and Rs. 400 to the municipality and the balance is absorbed by collection and repair charges. The position of all people who have purchased Improvement Trust lands is the same and further some unlucky ones who don't get tenants have to pay out of their pockets to retain the possession of the plots. Therefore, I say the Honourable the Finance Member should stop this business. He and the honourable member Mr. Wiles are expert financiers and I cannot imagine why they are continuing this losing concern and are heading for insolvency. I know, if he had been a member sitting on this side of the House, he would have raised a hue and cry about it. But he is now on the Government benches. However, I hope he will take steps to put an end to this Improvement Trust as early as possible.

Mr. A. N. SURVE (Bombay City, North) : Sir, this time last year, when I referred to the solvency of Corporations in the city of Bombay to which Government have been advancing loans, the Honourable the Finance Member contradicted me. Sir, the policy which the Government is pursuing in this matter requires to be attended to at the earliest possible moment. During the Poona session last year we had the Improvement

[Mr. A. N. Surve]

Trust Act Amendment Bill. At that time also I warned Government to make some provision by which the Improvement Trust would not be under the necessity of coming back to this House again. At that time my amendment was rejected; and what do we find now? Yesterday a supplementary grant for the payment of a loan to the Improvement Trust was passed, and to-day we find that another grant for the next year is required for a similar purpose. I am not opposed to the grant; I am merely criticising the policy of Government. To-day it is only the Improvement Trust that is in difficulties but in course of time the debts of the Improvement Trust are to be saddled on the Bombay City Municipal Corporation. To-day, with some difficulty the Municipal Corporation can manage to repay the instalments of its loans, but when the amalgamation of the Trust with the city municipality comes into operation, it will be the municipality that will experience the difficulty which is being felt by the Improvement Trust to-day. I warn Government that this sort of tinkering will in the end work disaster. I am afraid that these corporations will not be able to meet their liabilities, and Government will have to come to this Council to say that these debts must be met out of the revenues of the Presidency. Therefore, my humble suggestion to the Government is that they should expedite the amalgamation of these two corporations, and unless that is done and sufficient resources are set apart for these two corporations, a disaster is impending. I request Government to pay heed to the note of warning that I have uttered just now.

Mr. PESTANSHAH N. VAKIL (Ahmedabad City): Sir, I am tempted to offer a few remarks on the financial position of the Bombay City Improvement Trust. After the very full and frank explanation advanced by the honourable member the Finance Secretary and the equally emphatic assurance given by the Honourable the Finance Member, that all was well with the Bombay City Improvement Trust, it will be churlish to question the propriety of the present demand or to challenge the solvency or the financial position of the Bombay City Improvement Trust.

Mr. HAJI MIR MAHOMED BALOCH (in Urdu): If they go to the open market, they will not get a pie as they are apparently insolvents. But Government want to advance this money.

Mr. PESTANSHAH N. VAKIL: But, Sir, the occupants of the Treasury Benches are such confirmed optimists that we may be permitted to pause for a moment to examine the real position of the Trust, particularly in view of the history of the Back Bay Reclamation Scheme, the Bombay Development Scheme, and last but not least, the Sukkur Barrage Scheme. Yesterday, Sir, some members of the Bombay Municipal Corporation, who are honourable members of this House and presumably members of the Improvement Trust, spoke on this question, and their assurances are to be treated with the respect they deserve. But facts are stubborn things, and we may well pause to consider them a little more closely. The history of the Bombay

[Mr. Pestanshah N. Vakil]

City Improvement Trust is so interesting that it reads very like a story from the Arabian Nights, but we need not concern ourselves with its past history except in so far as it gives us some indication of its future.

Sir, the total liabilities of the Trust up to date are in the neighbourhood of 17 crores of rupees, out of which anything between 7 and 8 crores are advanced by the Bombay Government. Now, taking interest at the conservative rate of 5½ per cent. per annum,—as a matter of fact the Honourable the Finance Member told us only yesterday that the Government of India now advance money at a considerably higher rate of interest—the interest charges alone would come to about 93 lakhs of rupees. To these charges are to be added the expenses of management and establishment and the taxes to be paid to the city municipality. They cannot be well under Rs. 15,00,000. Therefore, the total annual expenditure of the Bombay City Improvement Trust must be somewhere in the neighbourhood of Rs. 1,10,00,000. Now, as against this, the total revenues of the Trust are, we are told, something like Rs. 50,00,000. To this must be added Rs. 23,00,000, being the annual contribution of the Bombay Municipality. The total revenues of the Trust therefore amount to Rs. 73,00,000. There is thus a gulf of something like 35 lakhs of rupees between this figure and the figure of Rs. 1,10,00,000. The annual deficit of the Trust is always bound to be somewhere in the vicinity of Rs. 35,00,000.

Sir, these are the figures which I have worked out by the rule of thumb and they do not pretend to be very very accurate. There may be a difference of a lakh here or there, but they may be taken as accurate for all practical purposes. But the one important thing left out of consideration is the amount to be set apart for the liquidation of the debt and for the sufficient reason that the Trust has not the wherewithal to liquidate the debt. This, in a nutshell, is the financial position of the Trust. Now we may turn to the assets of the Trust as against its liabilities. What are the total assets? We were confronted with a portentous array of figures by the honourable member the Finance Secretary. There are 1,000 acres of developed land, half of which has been leased, 1,500 acres of undeveloped land, about 1,000 temporary buildings, 24,500 permanent tenements in chawls, and 1,800 semi-permanent structures. Besides this, the Trust has spent money to the extent of a crore of rupees on the construction of 2,500 tenements for the Presidency Police and has in addition constructed 61 miles of road at a cost of something like 2 crores and 15 lakhs of rupees. But this is not expected to bring in any money unless toll-bars are allowed to be put up thereon—a contingency which is beyond the reach of possibility. That is in brief the financial position of the Trust. I should now leave it to the honourable members to judge for themselves whether that is a position which we can view with equanimity. Is this what you would call a solvent position? Year after year the Government have got to come to the assistance of the Trust and advance loans out of which alone Government can recover the interest on the loans previously given.

[Mr. Pestanshah N. Vakil]

The sovereign remedy to which everybody looks is the fusion of the Trust with the Municipality. This expectation of course loses sight of the cardinal fact that it will permanently saddle the municipality with a total annual recurring charge of 28 lakhs of its revenues. If the fortunes of the two corporations are bound together, it may very well happen, though I do not associate myself with the very strong language used by my honourable friend Rao Bahadur Chitale—that it is a case of one bankrupt (meaning Government) lending to another—and I say it may happen that in its gallant efforts to assist the other corporation, the Bombay Corporation may itself be dragged into the vortex of bankruptcy. For, what after all is going to be the price of this fusion? The ultimate burden will fall on the rate-payers of Bombay. There is a section of the Improvement Trust Transfer Act under which Government can call upon the Bombay Municipality to immediately assume all the liabilities and take possession of all the assets of the Trust in the event of the Trust becoming a defaulter in the matter of payment. There is also another section under which the Bombay Municipality, after ascertaining that there is no necessity any longer for the continuance of the Trust, can approach the Bombay Government with a request to permit them to take over all the liabilities and assets of the Trust. I understand a request has already been made by the Bombay Municipality for that kind of amalgamation. But the price of that amalgamation is the permission to levy certain forms of taxation, one of which is a passenger tax, another is an export duty of 4 annas on every bale of cotton—taxation which is expected to yield about 18 to 20 lakhs of rupees. So as the honourable member from Bombay, Mr. A. N. Surve, remarked, the tune is to be called by one party and the piper has to be paid by the citizens of Bombay. That, I think, will be the situation in the long run. At any rate the immediate consequence of the fusion will be a request by the Bombay Municipality to extend its borrowing limits. The total liabilities of the two corporations will be something like 35 crores which will considerably exceed the statutory limit, namely, double the rateable value of the premises assessable to property taxes. The Bombay Government will immediately permit the municipality to raise its borrowing limit. This is the situation. If, therefore, there is no statutory obligation on the part of the Bombay Government to advance these loans to the Improvement Trust, we can as well pause and take stock of the situation, particularly when we are not in a position to balance our own budget without seeking extraneous assistance. I have no desire to press for the total refusal of the loan to the Trust, but would request my honourable friend the Finance Member to reconsider the whole situation.

Rao Bahadur B. R. NAIK (Surat District): Mr. President, I do not want to inflict a speech on this cut, but I want to be enlightened on one or two points by the Honourable Member in charge of this Department. Yesterday, it was, I believe, the honourable member Mr. Petit who said that the Bombay Government has given an undertaking to provide

[Rao Bahadur B. R. Naik]

funds to this Institution. I want to know whether what has fallen from the mouth of the honourable member is correct.

Another point was made out by one honourable member from Bombay that the Improvement Trust is a solvent body and therefore there is no danger in advancing any loan to that Institution. Sir, yesterday the honourable member the Finance Secretary pointed out in detail the properties held by the Improvement Trust, but he did not give the present market value of the properties held by the Trust at present. The solvency of an individual or an institution can only be measured by its liabilities and assets. Unless we know the market values of the properties held by the Trust at present, we are not in a position to know whether it is solvent or insolvent. But it is quite obvious and apparent that the Improvement Trust tried to raise a loan from the open market and it failed. Now, you know very well, that the solvent local bodies in the mofussil, whenever they want money, can raise loans on their own assets and credit. Take the instance of the Surat Municipality. Even in hard times like this, they wanted a loan of five lakhs which was over-subscribed by banks and individuals. So, I think that, if the Trust is in a solvent state, the merchants and rich people in Bombay could have easily subscribed for the loan. This side of the House has been assured that there need be no fear in the minds of honourable members about the repayment of the loan, because, under the Bombay City Municipal Act, it has been provided that the municipality shall have to meet the liability of the Trust and so the Government have a right to call upon the municipality of Bombay for the payment of this loan. Suppose the municipality of Bombay meets with the same fate as the Improvement Trust, I do not know how that body will be able to pay back the loan? Ultimately the citizens of Bombay will have to be taxed. There again, suppose the taxable capacity of the citizens of Bombay has already been reached, and they are not in a position to pay any enhanced tax, how will the Government of Bombay be in a position to recover these loans, if the property held by the Trust depreciates still further? It is all very well to say that the Trust has thousands of acres. There may be a gentleman here possessing thousand acres; but it does not mean that he is solvent. From the figures given by the honourable member who preceded me, I think that in 11 years the debt will double itself and at the end of 22 years it will be 68 crores, if there is no repayment of instalments of debts and interests. What is the object of advancing this loan? Yesterday, the Honourable the Finance Member informed us that in order to get back instalment of loan and interest, Government were advancing this loan. Government are advancing a loan to get back the instalment of loan and interest due to them from the Trust, in order to show that they have got back their instalment of loan and interest on it. Government have resorted to a moratorium for the repayment of their instalment to the Central Government. Why should they not advise the same course to the Improvement Trust to adopt? There is no meaning in lending and getting back again

[Rao Bahadur B. R. Naik]

the payment of the existing debts. The honourable member Mr. Petit told us emphatically that this Improvement Trust was started on the undertaking given by Government that it would be financed by them. I understand that Sir Pherozeshah Mehta opposed when this Trust was started. He foresaw the result and said that this enterprise would not be to the benefit of the Bombay city but it would end in great financial loss to the Bombay city.

Mr. G. S. GANGOLI (Kanara District): Sir, the Honourable the Finance Member said yesterday that several crores have already been advanced by Government to the Trust and in order to get back their instalment of the loan and the interest they were advancing this loan. He further said that the Bombay Corporation is as it were surety for the moneys advanced to the Improvement Trust. If the Bombay Corporation is a surety, why should you not recover the loan from the Corporation, without advancing loans like this and reappropriating them for interest and instalment of the loan? I think not only have they made up their mind to advance this amount, but they have promised more help of some magnitude. I think they are not realising the gravity of the situation which exists in the rural areas. Sufficient loans are not given to the co-operative societies. In our district there are 110 societies. Two or three villages are grouped together for each society. There are thousands of farmers who are not members of any of the societies. They have now stopped the system of takkavi altogether. Last year, they advanced takkavi to certain persons for purchasing cattle and seeds. If you go into the details, you will find that none of them had to purchase either cattle or seeds. All these advances were made because they had to pay arrears of land revenue. If a man had to pay land revenue of Rs. 33 he was given Rs. 35 and a man who had to pay Rs. 45, was given Rs. 50 and so on. These three years the people have continued to be extremely poor. For the first year they sold off their gold, the second year their chattel and the third year they took loans from Government to pay off land revenue. Last year they thus paid their revenue, but this year they cannot maintain themselves. So far as my district is concerned, there are 800 families maintained on doles of half a seer of rice or so every day. Under the circumstances, it is likely they may not be able to pay their instalments. If the Government benches are apprised of the gravity of the situation, they will have some soft corner in their hearts for these poor agriculturists also. Those who labour in the fields get no return for their labour. If what Government propose to spend on one institution—37 lakhs of rupees—is utilised for agriculturists, then lakhs of families in the villages will be saved. Therefore, I say that this advance to the Improvement Trust is not well advised in the present circumstances.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, the cut that is moved is only one of Rs. 100. It is intended to have the least effect on the amount; only the general policy underlying it is to be criticised.

[Rao Bahadur G. K. Chitale]

My first point in respect of this is that a great injustice is being done to the mofussil, both to local bodies and to the cultivators in general. From page 179 (Budget) it will be found that in the year 1930-31, the cultivators paid back Rs. 12,69,000 and in 1931-32 they paid back Rs. 21,47,000; that is to say, in the last two years Rs. 34,16,000 has been paid back by these people. In the budget estimate for 1932-33, Government expect that they will pay back Rs. 22,27,000. So that, in the three years they will have paid back Rs. 56,43,000. If these figures are correct, then the provision made for advances to them of Rs. 8,89 lakhs is certainly very disproportionate, especially in view of the fact that from these resources Government always get interest at the rate of one per cent. more than what they themselves pay to the Government of India. In the case of the Improvement Trust I was informed yesterday that Government get nothing more than what they pay to the Government of India. In the case of the cultivators Government get at least one per cent. Really it gets more than one per cent., because they make up the accounts every three months and thus get compound interest with three months' rest. In view of the fact that the cultivators have paid back 56 lakhs in three years and Government themselves are not paying their instalment on the tagavi loan, which they are bound to pay to the Government of India, I do not think that justice is being done to the cultivators who are really in need of cash. The point of view that I wish to emphasize is this. There is no doubt that Government realise that the cultivators in general are in very bad condition so far as their cash position is concerned. The village sowcars and other bigger sowcars have also no cash with them. Not only that, even the bigger *bagayatdars* who go in for sugarcane cultivation and many other crops which require cash advances, are in need of cash, and this leads to the lesser and lesser cultivation of sugarcane. In these circumstances, I should think that Government should provide more money at least in the budget for advances to these cultivators, so that these poor people may not be told that the Council has not made any provision for them. That is point No. 1.

Point No. 2 relates to loans to local bodies on account of public works. It appears that here also Government propose to give them only a lakh and two thousand. The receipts under that head for the three years (including the budget year) come to about Rs. 8,04,000. I wish to lay down as a wholesome principle that in the case of these local bodies and the cultivators, as they pay a handsome interest and regular instalments, they should have the first claim on the finances of Government, because Government do not lose, but in a way gain. I know that there are several local bodies who have got schemes for water-works and other works of public utility. It is well known that they have to depend on Government for loans for carrying them out, because they do not get these loans locally. In these circumstances, the provision of a lakh of rupees for all the local bodies together is almost a laughable item. There are innumerable small municipalities, like Pandharpur and Jalgaon, which

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have been crying hoarse for water-works and small drainage schemes. Government of course take good care to see that their loans come back and that loans are given only to solvent municipalities. Therefore, there is no reason why a larger provision should not be made in the budget. I do not mean to say that you are bound to give them loans when you make a provision in the budget. That depends on circumstances.

My third point is much more important. Why do Government take it for granted that the next season is going to be a very prosperous season? Who knows what is going to happen? I think we have had a pretty long spell of good seasons, and I will not be surprised if we get a bad season the very next year. If it turns out to be a bad season, then in order that Government may not find an excuse for not giving loans freely to the cultivators and local bodies in the non-provision of funds in the budget, I think it is the duty of the opposition to point out to Government that they should make provision for this purpose in the budget. I know that in any emergency Government do find funds. But I do not know how they will find it this year. Usually they come for a supplementary grant in September or October. We are told there will be no October session this year. The course of a bad season is not revealed in July, but usually after failure of rains in September and therefore there will be no opportunity for Government to come in for a supplementary grant in July.

I hope my comments will be taken in the spirit in which they are made.

Dr. M. D. GILDER (Bombay City, North): Sir, I had no intention of intervening in this debate, but I should like to say a word or two about what is said about the Bombay Improvement Trust. I congratulate my honourable friend from Ahmedabad for the accuracy of his figures. He is right in saying that the financial position of the Trust is indeed precarious. The honourable member from Surat (Rao Bahadur Naik) went into the history of the Improvement Trust. He is perfectly right in saying that the Improvement Trust was created against the greatest opposition of the Municipality of Bombay at the time. It was soon after the outbreak of plague in Bombay in 1896. There was military regime in Bombay city for some time and when that ended in 1898 the Trust was founded. For a good many years it was a semi-Government institution with an appointed Chairman. Gradually it was more popularized; and by the Improvement Trust Transfer Act of 1925 though the Trust was not actually transferred to the Bombay Municipality a closer union was effected.

Several honourable members inquired about the assets of the Improvement Trust, especially as to their value. If they had only looked at the Council Proceedings of 1st October 1931, they would have found the figures given in reply to a question by the honourable member Mr. Wadke. There it is definitely stated that the assets on the 1st April 1931 were Rs. 15,69,00,000 and the liabilities Rs. 16,38,00,000. That is the true state of affairs on that date. So, in spite of the waste lands, that my honourable friend from Surat said were in thousands of acres, the waste

[Dr. M. D. Gilder]

lands, the buildings, chawls, and other assets are equivalent to Rs. 15,69,00,000.

Then, Sir, you cannot blame the Improvement Trust for extravagance. If you look at the figures for establishment and management charges, in 1930-31 they were Rs. 8,62,000. The Trustees decided on a lump cut of Rs. 2,80,000; the management exceeded the Trustees and made a cut of Rs. 2,97,000. Another cut of Rs. 30,000 occurred this year, and there is a further Rs. 21,000 cut during next year. So that from Rs. 8,62,000 they have come down to Rs. 5,34,000 from which there will be a further saving of Rs. 21,000. That is the retrenchment purely on management and establishment. They could not go any further than that.

Then, Sir, look at the way in which the Calcutta Improvement Trust is treated by the Bengal Government. The revenue resources are the same, as was mentioned by the honourable member from Ahmedabad, namely, sales of land, ground-rent of land and contribution from the municipality. But in addition to that they get a duty on the transfer of property, which brings them 5 lakhs and three thousand, a terminal tax which brings them Rs. 2,50,000 and a duty on jute which brings Rs. 10,89,000. So that from these taxes they get Rs. 18,43,000. And Government themselves contribute annually Rs. 1,50,000; and this is in spite of the fact that the accounts of the Calcutta Improvement Trust show a surplus of 20 lakhs. They are solvent to the extent of 20 lakhs and still Government give them a money grant. On the other hand, the Government of Bombay gives the Trust nothing.

Of course, we cannot question the fact that the financial position of the Trust is very serious. One cannot question the figures of my honourable friend. But what is to be done? They have to pay Government three crores of rupees in 1935. I do not know where the Improvement Trust is going to get that money. I find that the Improvement Trust have got a good deal of property, property for which they cannot at the present moment get any value in the open market. But the Honourable the Finance Member will, I believe, tell the House that their estimates have been made and it has been shown that in a few years, if the remedy that has been proposed is carried out, the Trust will be solvent and the deficits will be wiped out. These estimates have been worked out several times by various officers of the Improvement Trust. If the Improvement Trust is handed over to the Bombay Municipality and the municipality is given certain additional sources of revenue, then within a few years the Bombay Municipality can bring the Trust into a solvent position. If this is not done, then the only way that is open to Government and this honourable House is to liquidate the debt at the present moment. That means that the Government of Bombay stand to lose 7 crores, which is half of their revenue——

Mr. HAJI MIR MAHOMED BALOCH: Let us begin with three crores——

Dr. M. D. GILDER: If the honourable House is willing to scrap that amount and let it go, the Improvement Trust and the Bombay people

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would be very happy. I do not see any other way out of it. [*Interruption.*] The responsibility lies on the Bombay Municipality and the Bombay Municipality is quite willing to undertake that responsibility, provided, of course, new sources of revenue are given. I trust that the fusion between the Improvement Trust and the municipality would be accelerated by the Government. Apart from this, it is quite possible—I should say it is probable—that there would be another retrenchment of 2 lakhs per annum in the expenditure after the amalgamation. With these words, I oppose the cut, at least as regards the Bombay Improvement Trust.

Mr. V. N. JOG: I have nothing to say in reply, Sir.

The Honourable Sir GOVINDRAO PRADHAN: Sir, in the first place, I will clear the ground as regards the Improvement Trust. This honourable House is aware, as was pointed out by the honourable member Dr. Gilder, that the Improvement Trust was started when Bombay was visited by bubonic plague. There were several dirty spots in Bombay; the roads were narrow. There were spots and places where the dire disease had taken its hold; and in order to improve the condition of Bombay, this Trust was started. The name connotes that—it is called the Improvement Trust.

The honourable member Mr. Vakil said that the Bombay Municipality is to be called upon to shoulder its responsibility; and he also said that one man calls the tune and the other pays the piper. I ask how? This Improvement Trust has beautified the city. It has constructed the broad roads, roads which the Bombay public and others who come to visit the city use. If these roads had not been constructed by the Improvement Trust, the Bombay Municipality would have been obliged to do that; the Bombay Municipality would have been obliged to remove all the spots where this disease had taken its hold. The Improvement Trust has not only beautified Bombay, but in fact it has already removed the disease from the soil. This Improvement Trust is a sort of sister to the Bombay Municipal Corporation, and in the Act of 1925 it has been distinctly provided that if the Trust fails to pay any amount which it is bound to pay, the Government may call upon the Corporation to make the payment; and taking possession of the Trust's properties, hand them over to the Bombay Municipality. Government may, under the Act, also sanction certain taxes out of which the Corporation may recoup itself. How can you ask this body to be wound up?

I can understand the remedy suggested by some honourable members, namely, to hasten the amalgamation. That is certainly what we intend to do. The Bombay Municipality has approached Government with the proposal for amalgamation of the two bodies. But they say that there would be a deficit of 28½ lakhs of rupees. So, they have pointed out certain additional sources of revenue. They say that if we sanction all or some of them, they will be able to meet the deficit. These deficits, however, will go on for some years. These deficits are not unexpected, as I pointed out yesterday. As far back as in 1922, when estimates

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were made, though the Trust was then working at a profit, these deficits were all along expected because the capital was being spent on purchasing properties and developing them. Necessarily the return on that capital will be delayed. There would be some years during which there would be deficits. Unfortunately, owing to the slump in the market, this period of years is being prolonged. That could not be helped, but that was not foreseen. But all the same, a time will come when these deficits will disappear and the Bombay Municipality (there will then be no Trust in existence) will be able to balance the budget. So, there is absolutely no other help. What is the remedy that the honourable House can suggest? Are the properties to be put to auction in order to pay off these debts? Is the whole body to be wound up? What is the remedy? The remedy has been provided in the Act of 1925, and that remedy is amalgamation. The amalgamation will take place very soon. So far as I am able to say, in the next session a Bill will probably be introduced for the amalgamation of these two bodies. In the meanwhile, the details will be settled. We are still in that process. I welcome the suggestion from some honourable members that this should be done. In fact, that is the only remedy by which we can carry on the functions of the body.

Coming to the other criticisms which were made as regards this item let me remove one misunderstanding on the part of the honourable member Rao Bahadur Chitale. He asked why we are not making a very large provision for giving advances to local bodies. I invite the attention of the honourable member to page 179 of the Blue Book. There he will find that the advances made on account of Provincial Loans Account are out of borrowed money. Before knowing the requirements of the local bodies, does he want this Government to borrow from the Government of India and go on paying interest charges? The trouble is that many of the local bodies who want water works and drainage to be carried out come to us and say that they want 50 per cent. or at least 33⅓ per cent. grant-in-aid of their estimates. Very few are contented with a grant-in-aid of 28 per cent. But the Bombay Government is now in such a predicament that it finds it very difficult to accede to their request. Many of these local bodies are poor and naturally look to Government for help and ask for 50 per cent. grant-in-aid. That is why some schemes have not been undertaken. As regards the amounts which are put in the budget according to the requirements of the different bodies, these requirements are communicated to Government beforehand. Government also find out what their requirements are and then inform the Government of India that during the ensuing year they will require so many crores or so many lakhs, and they borrow that amount. This is a time when it is not in the interests of local bodies to undertake any works and borrow at a high rate of interest. In the case of local bodies like the Poona Municipality, or Karachi Municipality or Hyderabad Municipality, we allow them to float their own loans on favourable terms. If there is a slump in the market, as it happened in the case of the Improvement Trust, the loan is underwritten. Under

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such conditions it is not advisable to go in for such loans. As regards this identical loan of Rs. 1,02,000, Rs. 40,000 is for the Nandurbar Municipality, Rs. 52,000 for the District Local Board, Kolaba, for the construction of a bridge and Rs. 10,000 has been put down for unforeseen demands.

The honourable members from Dharwar and Kanara complained that co-operative societies were in a difficult condition. I am sorry I could not follow the honourable member Mr. Jog. I do not know whether he wants Government to undertake the responsibility of running these different properties which are purchased by different co-operative societies. The honourable member will see that on page 179 of the Blue Book provision has been made under different heads. The first item is "Loans to cultivators", 8,89. This amount is divided thus:

		Rs.
Loans to cultivators	in Sind	3,92,000
Do.	in Northern Division	1,44,000
Do.	in Central Division	1,00,000
Do.	in Southern Division	2,27,000

An amount of Rs. 2,000 has been provided for allotment placed at the disposal of the Criminal Tribes Settlement Officer for giving advances to the members of the Criminal Tribes Settlement. An allotment of Rs. 24,000 has been placed at the disposal of the Chief Agricultural Officer, Sind, for giving advances to *haris* for the multiplication of pure cotton. That is the total amount provided.

Against the second item "Loans through co-operative societies and banks" you will find an amount of Rs. 75,000. This amount is placed at the credit of the Registrar of Co-operative Societies. You will find that entry on page 179 of the Blue Book. This amount is placed in the Provincial Co-operative Bank and is utilised for loans to be made to co-operative agricultural societies for land improvement work. In accordance with the Co-operative Societies Land Improvement Loans Rules, 1922, this amount is earmarked for that particular purpose.

Mr. V. N. JOG: On a matter of explanation, Sir. What I wanted to suggest is this: just as the Improvement Trust is in difficulties, so there are certain societies which have no new resources. They have property enough, but they are unable to meet the depositors, unless they sell these properties which they hold on mortgage or which they have themselves bought. In such cases, the aid which has been given to the Improvement Trust is also necessary in the case of co-operative societies. This amount of Rs. 75,000 is nothing if you take into consideration the number of co-operative institutions.

The Honourable Sir GOVINDRAO PRADHAN: This amount of Rs. 75,000 has been provided for a specific purpose. This is provided for land improvement work in accordance with the Co-operative Societies Land Improvement Loans Rules, 1922.

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Then the third item "Loans for the purpose of Co-operative Societies Act." An amount of Rs. 5,000 has been shown against this item. This has been provided for giving loans to ordinary producers' societies, weavers' societies and co-operative buyers' societies in accordance with the rules framed under the Co-operative Societies Act. The maximum loan payable to any society is Rs. 2,000 and is free of interest for three years.

Mr. N. N. PATIL: No amount for credit societies?

The Honourable Sir GOVINDRAO PRADHAN: No.

Then I come to Co-operative Housing Societies for which an amount of 4 lakhs has been provided. This loan is given for the encouragement of house-building on approved sanitary lines. But in the present state of the finances, Government's general policy is to restrict the advances of loans to those societies who have already got their schemes in operation.

Then comes the item "Loans under the State-aided Building Scheme," against which an item of Rs. 4,75,000 has been shown in the Blue Book. This is for encouraging the sales of land in the Bombay Suburban District. The rule is that if the land is sold to private persons, they are given a loan amounting to three-fourths of the value of the land and 50 per cent. of the value of the house. The whole amount is payable within 15 years. If the land is sold to Government servants, 90 per cent. of the value of the land and the house is given as loan, although it varies according to the salary of the Government servant. The maximum amount of loan given to Government servants is about Rs. 24,000 or Rs. 25,000. As regards the rate of interest to which reference was made by the honourable member from Ahmednagar (Rao Bahadur Chitale), I must point out to him that the rate of interest which we charge for the takavi loan does not enable us to make any profit whatever. We have got to meet establishment charges. As a matter of fact, if the whole amount is worked out, you will find that there is some loss. But even assuming that as regards takavi loans there is no direct loss, there is a certain amount of loss in other matters; but the loss, merely taking into consideration the establishment charges, pays itself. There is no profit whatever.

As regards loans taken through co-operative societies, there are three intermediate bodies, the Presidency Bank, the Urban Bank and the society. Each charges ·25 as commission over the interest. We charge interest at the rate of $8\frac{1}{2}$; they charge interest at the rate of $6\frac{1}{2}$ or $6\frac{3}{4}$. Adding these to the ·25 of these three bodies, it nearly comes to the same rate of interest. So, it is wrong to suppose that Government, by taking a little higher rate of interest for takavi loans, make any profit. We make no profit whatever. That is not the intention of Government, to make any profit.

I suppose these were the only points that were raised in the debate and that I have explained them all.

Rao Bahadur B. R. NAIK: Will the Honourable the Finance Member enlighten me on one point, namely, whether an undertaking was given

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by the Bombay Government to the Improvement Trust when it was started that Government would advance loans to that body?

The Honourable Sir GOVINDRAO PRADHAN: I have not read the original Act, but, as the honourable member is aware, Government have made advances of loans to the three bodies operating in Bombay, namely, the Bombay Municipal Corporation, the Bombay Port Trust and the Bombay Improvement Trust, and the Improvement Trust has been given a further loan, but latterly these bodies have taken to floating their own loans in the market. As a matter of fact, the Improvement Trust did float a loan of 30 lakhs, but got only about 8½ lakhs because the terms offered were not very advantageous. So, they float their own loans now.

Rao Bahadur B. R. NAIK: Another point, Sir. Has any assessment been made of the Improvement Trust properties at the present market rate?

The Honourable Sir GOVINDRAO PRADHAN: It is so very difficult to make an estimate of properties because of the slump in the land market. To attempt to make any such assessment would be mere speculation, it would be mere speculation to say when the market would improve and when the properties would be sold, because, as was pointed out by the honourable member Mr. Baloch, the amount of Rs. 100 at 6 per cent. will be Rs. 200 in 13 years. So, what the rate would be when the property is sold and all that would be nothing but speculation, and to indulge in speculation of this sort at a time when there is such a slump in the market would be to make a speculation which will never come true.

Mr. HAJI MIR MAHOMED BALOCH: Is there no other way of giving the Bombay Municipality two or three crores for the purposes of the Improvement Trust, because it is the Bombay Municipality and the Bombay public who have benefited as the result of the working of the Improvement Trust?

The Honourable Sir GOVINDRAO PRADHAN: The Improvement Trust was started for the benefit of Bombay and the Bombay Municipal Corporation. I do not know why Government should shoulder three crores as an additional burden.

The Honourable the PRESIDENT: The honourable the mover of the motion wishes to withdraw it.

Motion, by leave, withdrawn.

Demand put, and agreed to.

Commuted Value of Pensions.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I make a demand for Rs. 8,94,000 under 60-B, Payments of Commuted Value of Pensions—Provincial, Reserved.

Question put, and agreed to.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I move for a grant of Rs. 1,53,000 under 60, Capital Outlay for Civil Works (Public Works Department)—Transferred.

Question put, and agreed to.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: Sir, I make a demand for Rs. 3,25,000 under 56-A, Capital Outlay on Improvements of Public Health.

Question put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a grant of Rs. 1,02,28,000 under 55, Irrigation Works, Lloyd Barrage and Canals Construction, Reserved.

Question proposed.

Rao Bahadur B. R. NAIK (Surat District): Sir, I move that the total demand of Rs. 2,02,28,000 be reduced by five lakhs.

The Honourable the PRESIDENT: I hope the honourable member understands that he will have to justify the cut, and that there will be no general discussion. There is a specific and a very big amount which has been proposed to be cut from the demand, being Rs. 5,00,000. Cuts of big amounts are not moved for raising a general discussion. If the honourable member has that in view, he may wait till the general discussion comes on.

Rao Bahadur B. R. NAIK: I will wait, Sir.

The Honourable the PRESIDENT: The honourable member is not moving it then?

Rao Bahadur B. R. NAIK: No, Sir.

Mr. V. N. JOG (Dharwar District): Sir, I wish to move my motion for cut—

The Honourable the PRESIDENT: No general discussion.

Mr. V. N. JOG: Very well, Sir; but the difficulty is that in such a big amount I cannot put my finger on particular items and say that so many items should be removed. Since the work of the Barrage is over and the establishment is going to be consolidated with the Public Works Department, so far as the province of Sind is concerned——

The Honourable Sir GHULAM HUSSAIN: That is coming later on under 41.

Mr. V. N. JOG: Even the barrage during this year has been included for that purpose in the Public Works Department, and my submission is that as the various works are now stopped——

The Honourable Sir GHULAM HUSSAIN: Not stopped—there lies the honourable members' mistake.

Mr. V. N. JOG: There is still a portion to be completed. The point I am going to make is this that the work is going to be completed during the course of this year.

The Honourable Sir GHULAM HUSSAIN: No, the honourable member is not right there either. There is a provision of over Rs. 119 lakhs made for it.

Mr. V. N. JOG: That is with regard to Lloyd Barrage, Reserved. The point which I am making is that as this department is now combined or amalgamated with the Civil Works (the general Public Works

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Department) in Sind, and as the barrage is now nearing completion, there is no need for so many Chief Engineers, Superintending Engineers——

The Honourable Sir GHULAM HUSSAIN: May I inform the honourable House that the establishment is under 41? The honourable member can move any number of cuts he likes at that time and discuss the establishment. If he likes, he may start now; I do not object.

Mr. HAJI MIR MAHOMED BALOCH: The Honourable the General Member asks for a grant of 119 lakhs as shown on page 171 of the Blue Book.

The Honourable the PRESIDENT: 102 lakhs, page 303, Civil Estimates.

Mr. V. N. JOG (Dharwar District): I wish to move:

Reduce by Rs. 100 the total demand under 55, Construction of Irrigation Works—Reserved.

The Honourable the PRESIDENT: I should like to point out one thing. I notice the unwilling mood in which the honourable member finds himself with regard to this motion. He need not move it at all.

Mr. V. N. JOG: The difficulty is this: we wish to go on, as far as possible, to the more important grants. That is the view which I take, because this year the demands are taken from the bottom going up to the top. But the difficulty is that some of my honourable friends from Sind have not given notice of any cuts under this head, and they have made a request that they want to say something with regard to this head. It is in order to give them some opportunity to raise a discussion that I was going to move my motion.

The Honourable the PRESIDENT: I should not like to prevent them having a chance to do so. But they could have themselves given notice of a cut. However, I leave it to the honourable member.

Mr. V. N. JOG: I do not wish to proceed with the motion.

Mr. HAJI MIR MAHOMED BALOCH (*speaking in Urdu*): I wish to say, Sir, that we have come here to discuss the budget. We get the budget two or three days before the session. We are not experts. The expenditure on the Barrage establishment and works is shown as Rs. 1,33,00,000. I could have understood it if the Honourable the General Member had made a demand for Rs. 1,33,00,000.

The Honourable Sir GHULAM HUSSAIN: The honourable member does not seem to understand that it is votable and non-votable combined.

Question, "That a demand of Rs. 1,02,28,000 under 55, Construction of Irrigation Works—Reserved—be granted," put, and agreed to.

Rao Bahadur B. R. NAIK: You, Sir, once decided that, even if there is no motion for a cut, a general discussion could be raised on the total demand. Can that be done on the present occasion?

The Honourable the PRESIDENT: Certainly; that can be done.

Rao Bahadur B. R. NAIK: That is what the honourable member Mr. Haji Mir Mahomed Baloch wanted to do.

The Honourable the PRESIDENT: The honourable member did not rise in his seat at all. I would not prevent any honourable member following that procedure; it is their privilege.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a grant of Rs. 14,06,000 under 55, Construction of Irrigation Works.

Question put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a grant of Rs. 5,94,000 for "Expenditure in England, Secretary of State—Reserved and Transferred; High Commissioner—Reserved and Transferred.

Question put, and agreed to.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: Sir, I make a demand for Rs. 5,33,000 under 47, Miscellaneous—Transferred.

Question proposed.

Rao Bahadur B. R. NAIK (Surat District): Sir, the motion that I wish to move is as follows:

Reduce by Rs. 100 the total demand of Rs. 5,31,000 under 47, Miscellaneous—Transferred.

In moving this cut, I simply want to draw the attention of the Honourable Minister for Local Self-Government to the fact that the financial condition of local bodies has gone from bad to worse year after year, and in spite of that there is a cut in the statutory grant for Chief Officers and Engineers, who are appointed by the local bodies with the sanction and approval of Government. In my opinion, this is a great hardship imposed on the local boards. The local boards have engaged some of the Chief Officers and Engineers for a particular period on a contract basis, and now if Government were to reduce their quota in the shape of statutory grants, which they have been paying all these years, by 10 per cent., the local bodies will be compelled to find this extra revenue from their general balances, which they have not got. In the same way, Government contributed an amount of Rs. 5,000 as a grant for the establishment, the clerical staff, etc., of local boards, which they have reduced by Rs. 25 per cent. from the current year. In this instance also, I may say that the local boards, in the expectation that they would get the fixed permanent grants which they had been getting from Government, had maintained a staff, and now they find it very difficult to meet the cut which Government have thought fit to make. I would, therefore, like to know from the Honourable Minister in charge of this department whether these cuts are permanent cuts or simply emergency cuts, that is, for the current year and next year only. I believe, when the administration of local boards was handed over to non-officials, Government had fixed these grants, viz. Rs. 5,000 for the establishment and two-thirds of the expenditure over either the Chief Engineer or the Chief Officer, with the proviso that the appointment should be sanctioned and approved by Government. I maintain, Sir, that it is a clear statutory contract between the local boards and Government, and Government cannot at this stage, by reducing the grant by 10 per cent., back out of their share, because although the Government try to back out of it, the local boards cannot back out of their obligations towards their servants

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whom they have taken on contract. With these words, I move the motion.

Question proposed.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: Sir, I fully sympathise with my honourable friend in his natural desire to see the cut of 25 per cent. in the grant for establishment, which has been given ever since the transfer of control from the Collector to the district local board, restored. But I suppose he himself will realise that this 25 per cent. means only Rs. 1,250 to each district local board; and I do not think that the incidence will cause any hardship to any district local board at all. On the other hand, from the point of view of Government, it means a saving of about Rs. 30,000, because there are 27 district local boards which get a grant of Rs. 5,000 each, and at the rate of Rs. 1,250 for each district local board it comes to about Rs. 30,000.

With regard to the cut of 10 per cent. in the grant towards the salaries of chief officers and engineers of district local boards, this is a cut which Government have inflicted upon their own officers, upon all Government servants, and I do not see why the district local boards also should not follow suit and inflict a cut of 10 per cent. in the salaries of servants employed under them. It will mean a saving to them also, and I do not think that a measure which is contemplated to encourage district local boards indirectly to have a kind of retrenchment will not be approved by the district local boards themselves. In fact, only this morning I had a deputation from several gentlemen from Sind, and they went one step further and suggested that Government should issue a circular to all district local boards with the view that they may be encouraged to appoint committees for retrenching their own expenditure. I think that such a step on the part of Government would be welcomed by the district local boards, because it will give them a sort of handle to inflict a cut of 10 per cent. upon their own men, which they otherwise in all probability will find very difficult to do.

Of course, my honourable friend wants an assurance from me as to whether these two cuts are in the nature of a temporary measure of retrenchment or a permanent one. Of course, as we all know, most of these cuts are to be regarded in the light of temporary measures of retrenchment and as long as we find ourselves placed in a financially embarrassing position, I suppose we shall have to continue these cuts; but as soon as we find that no necessity exists for continuing the cuts, Government would be only too willing to see whether the same could not be restored.

Rao Bahadur B. R. NAIK: Can I have a say, Sir?

The Honourable the PRESIDENT: I think the Honourable Minister has replied.

Rao Bahadur B. R. NAIK: My point is that the grants are given to the local bodies for their chief officers and engineers, who are appointed with the approval of Government. Under the provisions of the Local Boards Act, Government are bound to give their share of

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the expenses. Unless Government amend the Act, they cannot cut down these grants. If the local boards reduce the pay of these officers, Government can also reduce their share, but not otherwise.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: Does the honourable member mean to say that in every case the local board engineers and chief officers are appointed on contract and not from year to year?

Rao Bahadur B. R. NAIK: Whenever these officers are appointed, the local board concerned will have to get the sanction of the Government. If Government give sanction, they have to bear two-thirds of the expenditure. Therefore, I say it is not legal on the part of Government to cut this grant, unless they amend the Act itself.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: So far as the cut of 25 per cent. is concerned, it is not a statutory obligation; but with regard to the other point, I understand that the question was examined legally and Government are under no obligation not to reduce this grant also.

Rao Bahadur B. R. NAIK: I shall withdraw the motion.

Motion, by leave, withdrawn.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I make a demand for Rs. 7,33,000 under 47, Miscellaneous (Reserved).

Question proposed.

Mr. V. N. JOG (Dharwar District): Sir, I beg to move:

"Reduce by Rs. 50,600—Total Demand—Rs. 6,60,000 (C. E. page 294)."

The Honourable the PRESIDENT: The honourable member has to justify the cut.

Mr. V. N. JOG: I shall give justification for this cut.

With regard to this demand, as we are in financial stringency, I would begin by saying that "charity begins at home." When we ourselves are not in a position to balance our budget, I submit, Sir, that the various charities which have been included in this demand should be curtailed. There are mentioned many institutions which have been given various sums. They appear on page 295 of the Budget Estimate. To begin with, the demand of 4 lakhs of rupees which are guaranteed to the Railway Board against loss in working Sind Left Bank Feeder Railways is included in this demand. This appears on page 298. With regard to the railway, the amount of 4 lakhs is to be given as guarantee against any loss. From this amount, the sum of Rs. 50,600 can be deducted without difficulty. The point which I wish to make is this. This railway is in Sind and Sind is shortly to be separated according to the wishes of the Sind members. As this railway is intended to develop the Barrage areas, it would be right and proper if this amount is spent from the capital instead of from the general revenues. Though I have not specifically asked for this, I suggest that it would be proper to debit this amount to the capital expenditure on Barrage.

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Apart from this, I wish to draw the attention of the honourable members to the distribution of money to charities which appear on page 296. These are maintenance of destitute persons in the various parts of the presidency; what poor donations are reserved for them in comparison with the other donations on pages 295-297! The city of Bombay gets Rs. 900, Northern Division Rs. 10, Central Division Rs. 60 and Southern Division Rs. 110 for maintenance of destitute persons. This is the way in which the distribution has been made. It is a simple farce to give Rs. 10 to the Northern Division in this respect. Why should you not omit this Rs. 10 altogether? Let us see how the funds are distributed in other ways: St. Joseph Foundling Home, Rs. 4,000; the Bijapur Orphanage, Rs. 400. Here the racial discrimination is shown. On pages 295 and 296, the figures that are given will speak for themselves. No arguments and no insinuations are required. If you only read the figures, the racial discrimination will be quite evident. I will read some of them: European vagrants, Rs. 4,095; Poor Box, Presidency Magistrate's Court, Rs. 1,000; Grant to Salvation Army, Rs. 1,800; whereas for the Pandharpur Orphanage, Rs. 500; Strangers' Friends' Society, Rs. 3,000; Bombay League of Mercy, Rs. 13,610; Charges for interring paupers in the city of Bombay, Rs. 4,840. I protest, Sir, against the racial discrimination that has been shown here. Therefore I submit to the House that the sum of Rs. 50,600 should be reduced from the amount of charitable contributions which come to Rs. 1,45,000. I am sure as a protest this House will carry this motion.

Question proposed.

Mr. C. N. PATEL (Kaira District): Sir, I am inclined to support this cut, though I feel that the result will be nothing. I have marked here one thing and that is that cuts are moved and never pressed for a division. We are simply here to talk for nothing and waste our breath. To talk here before the Government Benches is in vain. That is my opinion. The honourable mover of the cut has drawn the attention of the Government Benches to the inequitable distribution that has been made to the different sections of inhabitants of this presidency. He has referred to the munificent contributions received by institutions in Bombay as compared with the contributions received by the institutions in the mofussil. Again he has shown the discriminations that have been made between the various classes. What I feel is that this side of the House is responsible to a certain extent for this discrimination. We are aiding Government in this discrimination by our own action. I think the Northern Division has been neglected. If you look to the figure allotted for the Northern Division, you will find that it is only Rs. 10. These ridiculous figures will be found even for the other divisions also. If this House has any self-respect, where such discrimination has been made, it should not vote a grant of this nature. I would request this side of the House at any rate to support this cut and pass it.

Mr. G. S. GANGOLI (Kanara District): Sir, I would like to support the honourable member Mr. Jog. First of all, I would like to be informed why columns 3, 4 and 5 at page 296 are blank. We have no information

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to show what was spent out of the ten or twenty rupees provided last year or the year before last. I think there is some clerk maintained to fill up the figures, and whether or not anything is spent on charity he has to fill up the column by inserting these figures. Otherwise, I cannot see why Rs. 10 for the Northern Division is there and to whom it will be paid.

As to discrimination and distinction between societies, my honourable friend Mr. Jog has pointed out everything, and I do not wish to add anything more.

I shall now come to page 294. Under head D there is one item "Rewards for destruction of wild animals." I would like to know what those wild animals are, where they are and how this amount is spent; whether it is for killing wild elephants, tigers, leopards or anything else and if so in which particular village or taluka or district. I want also to know why a cut of Rs. 100 has been made in the provision made last year of Rs. 400. The Minister in charge of that is also the Minister for Agriculture and Forests. He knows that he reserves a large portion of the forests where no man is allowed to go and shoot these wild animals. The wild beasts can leave those reserves and enter our fields and work havoc, but even people who have a gun licence cannot enter the reserves without being hauled up for trespass. To kill these wild animals Government maintain a huge establishment at a cost of Rs. 300, though the destruction by wild animals of cattle and crops comes to several lakhs of rupees every year and even lives of human beings are taken by these wild animals. On the floor of this House questions have been asked as to estimated loss caused by these wild animals and it has been repeatedly stated that it amounts to lakhs and lakhs. Look at the figures. It was Rs. 400 last year; they have reduced it by 33⅓ per cent., and the budget figure is Rs. 300. That is for killing wild animals and for freeing us from all the havoc wrought by them. I would rather that the whole item is wiped out and no hope held out that wild animals will be killed. I think that a Government which cannot protect its subjects from the havoc done by wild animals may even forfeit its claim to allegiance from its subjects. It is the primary duty of the Government to protect us (our lives and property) from the havoc wrought by wild beasts.

With these words I support the honourable member Mr. Jog's cut.

Rao Bahadur R. R. KALE: I want some explanation. At page 294 the total budget estimate for 1932-33 is Rs. 6,60,000, whereas in the previous years the accounts were only Rs. 2,99,000.

The Honourable Sir GOVINDRAO PRADHAN: Four lakhs for the railways have been added. See page 298.

Rao Bahadur R. R. KALE: I wanted an explanation, because there was a big increase.

The Honourable Mr. W. F. HUDSON: Sir, this cut deals with rather a mixed bag. It is composed of items each of which deals with only a few thousands or hundreds. I do not quite understand how my

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honourable friend Mr. Jog arrived at this cut of Rs. 50,600 : he did not explain to us exactly how that sum was fixed or which particular items he wished to be omitted to make up the cut. As it cannot affect the four lakhs guaranteed to the railways, it must go a long way to wipe out a good deal of the charitable contributions. I think perhaps it would help us on this bench if honourable members, when they do move a specific cut of this kind, would explain how it is to be distributed amongst such a many-headed item as this particular item. But I am only concerned for the moment with the item of four lakhs for railways. The honourable member, I think, suggested that this should be set against the capital account of the Lloyd Barrage. I do not think myself that it is possible, from the point of view of accounts, to debit to Irrigation a railway head. I am afraid that these items must stand, because we are committed to the Railway Board to that extent, but I would assure the House that even if we do have to pay this guarantee, we may look forward to very quick returns. In this matter, I speak for the moment as an expert in land values in Sind, and I can assure my honourable friend over there (Mr. Jog) that it is going to make all the difference in the world when we come to sell lands in Sind that we have these railways. And it is quite impossible for us to omit this item.

An Honourable MEMBER : Will this guarantee be taken into account at the time of the financial readjustment ?

The Honourable Mr. W. F. HUDSON : Of course. I am coming to that. I am sure that when the separation of Sind takes place, this will be one of the items for which Sind will have to bear the burden. There can be no question about that, but I do not know what the readjustment will be. This item is not likely to be overlooked when the readjustment takes place.

I am not quite sure whether I am responsible for the maintenance of destitute persons. But as regards the criticism made as to the disparity between the allotments to the various Commissioners, I think it is quite clear that these allotments are based on past actuals. If the Commissioner of the Northern Division has told us that he has only spent Rs. 10 on destitute persons in the last three years, then I am glad to congratulate the representatives of Gujarat upon the wealth and prosperity of their province. Should the Commissioner, however, find it necessary to spend more than Rs. 10 under this head in the coming year, I have no doubt that we shall be able to make the necessary reappropriations.

As regards the grants-in-aid to institutions, I do not think the House would wish us to cut out these charitable grants, some of which at any rate—all of which, I may say—are doing very useful work. Some of them belong to one department and some to another, and I will leave it to my honourable colleagues to elaborate any details which have arisen in the course of this debate.

The Honourable Mr. G. A. THOMAS : Sir, it is not often that this side of the House has an opportunity of ventilating a grievance against the opposite benches, and, Sir, I am glad to have that opportunity now.

[Mr. G. A. Thomas]

I must agree with my honourable colleague the Honourable the Revenue Member that it would be very much easier for us in dealing with a head of expenditure, which he has described as a mixed bag, if honourable members on the opposite benches, when they suggest cuts as in this case—Rs. 50,000 out of 7 lakhs—would say in what particular items they want the cut to be made. The honourable mover of this motion for reduction has, I am sorry to see, made an attack upon certain charitable institutions, and he has alleged that Government discriminates between Europeans and Indians. Well, I have added up the items which pertain to the Home Department, and I calculate that they amount to Rs. 1,18,000, and I find that only Rs. 9,000 of that deals with Europeans —"Labour Home for European Vagrants," Rs. 5,000 (page 295) and "Other Vagrant Charges," Rs. 4,450 (page 297), which make up a total of Rs. 9,000. With regard to the item "Other Vagrant Charges," the sum of Rs. 4,095 is spent in deporting Europeans from Bombay. If these Europeans are not deported, they will have to be supported—they will have to be sent to the Vagrants' Home. It is simply transferring expenditure from one item to another. As regards the other item, Rs. 5,000 for the Labour Home for European Vagrants, this labour home is only provided for Europeans who are absolutely down and out. If that were to go, either we have to deport them at a higher cost or send them to jail. I think no one would like that they should be starved or turned out into the streets. It will not be cheaper to send them to jail, because the cost at the Vagrants' Home is not so much as the cost of sending them to jail.

The charitable institutions under the head "Home Department" (page 295) total up about Rs. 94,000, of which Rs. 73,000 is absorbed by two items, "Children's Aid Society," and "Societies for the prevention of Cruelty to Animals." As against the item of Rs. 41,000 provided for societies for the prevention of cruelty to animals, we get receipts which are larger than this sum. The practice is, in the case of some societies to assign to them 90 per cent. of the fines recovered, and in the case of other societies, to assign 50 per cent. of the fines. Thus, the receipts are always in excess of the actual expenditure. So, this is not an unproductive item of expenditure. If we cut out this, there will be a corresponding reduction on the revenue side. I do not think my honourable friend wants any reduction in the amount provided for the Children's Aid Society. That society has done splendid work, and upon it entirely depends the working of the Children Act.

An Honourable MEMBER: What about the Strangers' Friend Society, Rs. 3,000?

The Honourable Mr. G. A. THOMAS: I am not responsible for that, and I am afraid I do not know anything about it. That is not in my department.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, the honourable member from the Kanara District, in his criticism, referred to the

[Dewan Bahadur S. T. Kambli]

figure of Rs. 300 provided for "Rewards for the destruction of Wild Animals." He complained that that was a very insufficient amount to be offered as rewards for the destruction of wild animals. But if he were to compare this figure with the accounts of 1930-31, he will find that the actual amount spent in 1930-31 was only Rs. 130. The provision of Rs. 300 for 1932-33 is nearly two and a half times the amount spent in 1930-31 and so is more than sufficient for the purposes of this item. It is useless to make a provision which is not likely to be spent. If we did so, Government would be charged with the fault of over-estimating. The honourable member (Mr. Gangoli) rose to support the motion of the honourable member from Dharwar, but actually opposed it in a way. He said that this amount of Rs. 300 is insufficient. He wanted to have this amount increased.

Rao Bahadur B. R. NAIK: We cannot increase it.

The Honourable Dewan Bahadur S. T. KAMBLI: The fact is that he did not support the cut moved by the honourable member from Dharwar. He stated that the sum should be increased and in stating so he opposed the cut-motion.

The Honourable Sir GOVINDRAO PRADHAN: I will only make a brief reply, Sir. If the honourable member will please turn to page 296 of the White Book, he will find that the accounts of 1930-31 show the expenditure to be Rs. 17,539. Basing the calculations upon the actual expenditure, provision has been made in column 2 of Rs. 19,585. I do not think we are wrong if we make provision in the budget according to the expenditure actually incurred during the previous three years.

As regards the other items, all the criticisms have been replied to by the members concerned. All the same, if honourable members will turn to page 295, they will find that the budget estimate last year was Rs. 1,59,000 under "Donations for Charitable purposes." This year it has been brought down to Rs. 1,25,000. As has been pointed out by the Honourable the Home Member, if the amount provided under "Vagrants, etc." is not utilised for that purpose, the expenditure to Government would be more.

There are several charitable institutions for which small sums have been given by Government. Will any honourable member in this House say that any of these items should be reduced or that the amounts should be reduced? How can Rs. 50,000 be cut of this grant? Out of this grant Rs. 4 lakhs is guaranteed to the railways. Out of 2 lakhs there is a good deal to be spent on establishment charges and some amounts for charity. How can anybody advise Government to reduce any amount reserved for charities?

Mr. V. N. JOG: I do not want to press this cut, Sir. I beg leave of the House to withdraw it.

Motion, by leave, withdrawn.

Original demand put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: Sir, I make a demand for Rs. 13,40,000 under 46, Stationery and Printing—Partly Reserved and partly Transferred.

Question proposed.

Rao Bahadur B. R. NAIK (Surat District): Sir, I move:

"Reduce by Rs. 1,000—Total Demand—Rs. 13,39,000." (C. E. page 287.)

Sir, we have got a general complaint about the supply of Government resolutions which are published. They are not supplied to local bodies. Orders are being issued to local bodies to carry out certain resolutions, but the preamble and the subject matter of the resolution is not at all communicated to local bodies. Therefore, they are not in a position to take action on such resolutions, with the result that now and then conflicts between the Collector and the President of the District Local Board or Municipality arise. This was brought to the notice of Government, so far as I remember, last year and also year before last, but the procedure has not yet been changed. I maintain that a resolution pertaining to a local board or a school board or a municipality should be communicated to that body entirely and not only 4 or 5 lines of the resolution. The whole resolution should be communicated, so that the local body will know the circumstances under which it was passed.

The Honourable Sir GHULAM HUSSAIN: How is this relevant, Sir? "Stationery and Printing" has nothing to do with the issue of resolutions. I am not in charge of Local Self-Government. It is a question of policy, and the whole of Government comes in.

The Honourable the PRESIDENT: It is both reserved and transferred. The honourable member can raise that point under this head.

Rao Bahadur B. R. NAIK: I did not follow the Honourable the General Member, Sir.

The Honourable the PRESIDENT: The Honourable the Leader of the House said that the question of supply of certain documents is a question which affects the policy of Government as a whole. I said that the honourable member moving the cut was in order because he can raise that question under this head. The whole Government is represented here and if any one Member is inclined to reply, he can.

Rao Bahadur B. R. NAIK: Thank you, Sir. This is the way in which we are prevented from discussing important questions. They come to us for a grant——

The Honourable the PRESIDENT: There was no attempt to prevent discussion.

Rao Bahadur B. R. NAIK: We are not concerned to whom this subject belongs. We represent this matter before the whole Government that this is a grievance of the local bodies which has been brought to the notice of Government last year and also year before last, but no attempt has been made to remove it. Local bodies are asked by Collectors and Commissioners to carry out certain resolutions, and though they ask them to supply copies of those resolutions, they do not get them. Without the resolution before them, how can they expect

[Rao Bahadur B. R. Naik]

the local bodies concerned to carry out the orders contained in it? The local bodies used to get these resolutions formerly. But Government have changed their policy for reasons best known to themselves. Now only the last four or five lines of the resolutions are communicated to the local bodies and they are asked to carry out the orders. They do not know the preamble of the resolution, they do not know why Government want them to take the action. It is, therefore, fair and proper on the part of Government to send copies of these resolutions which affect the local bodies. All such resolutions should be communicated to the local bodies in their entirety as used to be done in the past. With these remarks I move the cut.

Question proposed.

The Honourable Sir GHULAM HUSSAIN: Sir, I thought that the honourable member who proposed the cut would speak about the Stationery and Printing Department, but he wanted to ventilate a grievance about the supply of resolutions, with which I have nothing to do. The Honourable the Minister in charge of Local Self-Government has heard the complaint of the honourable member representing the Surat District (Rao Bahadur Naik) that formerly they used to get resolutions in their entirety but now they only get a small summary of them.

Rao Bahadur R. R. KALE: Is it due to retrenchment in the cost of printing?

The Honourable Sir GHULAM HUSSAIN: It might partly be due to that. The honourable member has not made it clear whether they do not get the sum and substance of the resolutions. I do not know whether he wants to get all the confidential papers embodied in the resolution. He has himself admitted that the local bodies get the sum and substance of the general orders of Government, but perhaps he wanted details which he has not specified. However, I hope the Honourable the Minister in charge of Local Self-Government has taken note of what has been said about the sending of resolutions to local bodies.

Rao Bahadur B. R. NAIK: I do not want to press the motion, Sir, and I beg leave of the House to withdraw it.

Motion, by leave, withdrawn.

Original demand put, and agreed to.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I make a demand for Rs. 1,68,000 under "45-A, Commutation of Pensions financed from ordinary revenues—Reserved."

Question put, and agreed to.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I make a demand for Rs. 70,96,000 under "45, Superannuation Allowances and Pensions—Reserved."

Question put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: Sir, I make a demand for Rs. 3,67,000 under "42, Bombay Development Scheme—Reserved."

Question put, and agreed to.

(After recess)

ELECTION OF REPRESENTATIVES FOR RAILWAY ADVISORY COMMITTEES.

The Honourable the PRESIDENT: Order, order. The election to the Railway Advisory Committees will now proceed.

Rao Saheb V. S. PATIL: I beg to withdraw my nomination for the G. I. P. Railway Advisory Committee, Sir.

Mr. J. G. MORE: I beg to withdraw my nomination for the M. & S. M. Railway Advisory Committee, Sir.

Mr. SHAIKH ABDUL AZIZ: I beg to withdraw my nomination for the G. I. P. Railway Advisory Committee, Sir.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: I too beg to withdraw my nomination for the G. I. P. Railway Advisory Committee, Sir.

The Honourable the PRESIDENT: So, the nominations of the honourable members Mr. A. C. Owen, Rao Bahadur D. R. Patil and Mr. J. G. More for the G. I. P. Railway Advisory Committee stand.

Mr. S. S. TOLANI: I withdraw my nomination for the North-Western Railway Advisory Committee, Sir.

The Honourable the PRESIDENT: In that case, there will be no election for the North-Western Railway Advisory Committee and the honourable member Khan Bahadur M. A. Khuhro is declared duly elected to that committee.

The scrutineers will be Major W. Ellis Jones and Mr. P. N. Vakil.

We shall now go on with demands for grants.

DISCUSSION ON DEMANDS FOR GRANTS—*resumed.*

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I move for a grant of Rs. 1,27,90,000 under 41, Civil Works, Partly Reserved and Partly Transferred.

Question proposed.

Khan Bahadur M. A. KHUHRO (Larkana District): Sir, I move that item No. 25, Budget page 215, Rs. 1,92,987 be omitted.

My object in moving this is that this amount is shown as expenditure with regard to the reorganisation of the Public Works Department in Sind in view of the amalgamation of the Barrage with the ordinary Public Works Department, for the reason that the barrage work is completed at present. I maintain that the scheme that has been submitted for retaining the Public Works Department staff at present in Sind is undoubtedly excessive inasmuch as the detailed proposals on the budget page 215 and onwards show clearly that Government have decided to retain two Chief Engineers in Sind (one Chief Engineer and another Joint Chief Engineer), five Superintending Engineers and 23 divisions of Executive Engineers. To this my objection is that for a province like

[Khan Bahadur M. A. Khuhro]

Sind it is quite enough if there is only one Chief Engineer to run the whole show and to be at the head of the Public Works Department. At present, Sir, if the proposal, as it stands, is accepted, there will be an administrative difficulty and at the same time unnecessary cost. The difficulty to my mind is this, that if there are two Chief Engineers, the Joint Chief Engineer will only take the position of Personal Assistant to the Chief Engineer, or, in the alternative, if he is not reduced to the position of becoming Personal Assistant to the Chief Engineer, he will have to be given a separate charge of certain Circles. At present, I understand that the idea is to divide Sind into two parts, Right Bank and Left Bank, and the Chief Engineer will retain the Right Bank and the Joint Chief Engineer will retain the Left Bank, and this will reduce the two Chief Engineers to the position of the old Superintending Engineers. Formerly, Sind had two Superintending Engineers, one for the Right Bank and the other for the Left Bank. In the present case, the only difference made is this, that these two Chief Engineers will divide and take over the charges of the previous two Superintending Engineers with exorbitant salary that they draw as Chief Engineers. In the alternative, if the Joint Chief Engineer is reduced to the position of Personal Assistant to the Chief Engineer, that will also be a waste of money. At present, an officer of Executive Engineer's rank, although of Imperial rank, who is Personal Assistant to the Chief Engineer, is managing the office quite efficiently, and if an officer of Executive Engineer's rank is retained in the post of Personal Assistant, I have absolutely no doubt that the office work will run quite efficiently as at present. Therefore, to spend such a large amount and to retain an officer of such senior grade as that of Chief Engineer in that position is absolutely undesirable.

Then, Sir, comes the question of the five Superintending Engineers. In a letter that we addressed a few weeks ago to His Excellency, which was signed by many honourable members from Sind, we clearly showed that it is not necessary to have more than three Superintending Engineers. One of the arguments advanced against it is that the present charge of the Public Works Department outside the Barrage zone requires exclusively one Superintending Engineer viz., in the North Begari canal, in the South Karachi canal, etc. My suggestion is that it will be quite in the fitness of things to have the charge of the entire Barrage zone and whatever else is left outside it, divided between three Superintending Engineers. The work will go on quite efficiently, and there will be absolutely no loss of efficiency. The Superintending Engineer who is at present in charge of the Western Circle has under him the Dadu canal, the Rice canal and the Warah branch; the Warah branch is a small canal, because it branches out from the North-Western canal. He has got four Executive Engineers under him, and practically speaking he has got only one district viz., Larkana in his charge—I mean the old district of Larkana, including the present Dadu district. This charge could easily be extended by adding to it either Karachi district or some portion

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in the north from Sukkur district. Similarly, the Begari canal can be transferred easily to the charge of the Superintending Engineer in charge of what is known as the Northern Circle; and for the Left Bank, I mean the Nawabshah district and Thar Parkar, one Superintending Engineer will be enough. Since the Karachi district and the Begari Canals district go into the charge of the two Superintending Engineers that I have just mentioned, therefore practically only the Barrage zone on the Left Bank will be left in charge of the third Superintending Engineer.

As regards Executive Engineers, I maintain that the present charges of Executive Engineers are certainly small. They could with advantage be extended and the number of divisions brought down to something like 15 or 16. I need not worry the House with the details of cusecs etc., but I have sufficient knowledge of facts to state that in other provinces like the United Provinces and the Punjab they have Executive Engineers who hold much larger charges, and the volume of water which they control is much larger than the volume of water laid down for the Executive Engineers here according to the present scheme. What I want is to impress these facts upon the mind of the Honourable the General Member, because, rightly speaking, this question concerns him, although I do not know by what arrangement the Honourable Minister for Agriculture has moved for this grant. But I would rather draw the attention of the Honourable the General Member to these facts. He comes from Sind, he knows Sind conditions and the actual work. He has recently toured in Sind, and he must have heard from various representatives of the people that there is no necessity for retaining such an elaborate staff for the Public Works Department in Sind in the present times, when every conceivable economy has to be exercised. I maintain, Sir,—and most of the members of this Council coming from Sind are at one with me in holding that opinion,—that the suggestion made by the Chief Engineer in Sind is rather an extravagant one; and without any loss of efficiency and without any deterioration in the administration I can safely say that the expenditure on the staff could be reduced by one-third by the adoption of the suggestion that I have made, viz., to abolish one of the two Chief Engineers' posts, two Superintending Engineers' posts and maintain only three of them, and to abolish seven or at the most eight divisions of Executive Engineers in Sind. We find, Sir, from the note that the appointments of two Personal Assistants of the Chief Engineer, who are from the Imperial Service, have been abolished, and he suggests maintaining in their place one officer of Executive Engineer's rank from the Provincial Service for the post of Personal Assistant. But, Sir,——

Sir CHARLTON HARRISON: Lest the House may be misled, the post of the Imperial Service Executive Engineer who is my Personal Assistant has not yet been abolished. That will come in 1933-34.

Khan Bahadur M. A. KHUHRO: That only strengthens my argument. Of course, from what I read in the note I got that impression,

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and many other honourable members must have got a similar impression. A suggestion is made for the abolition of that post.

Sir CHARLTON HARRISON: That is for next year.

Khan Bahadur M. A. KHUHRO: I do not know whether it is next year or the year after that. But if that officer is retained in the post of Personal Assistant, I think there is all the more justification to say that there is no need to have a Joint Chief Engineer who will practically do, as I have explained, the duty of Personal Assistant, or who will take over a portion of a charge, say for instance the Left Bank, and will look after it.

Sir, everybody, even a layman who has sufficient experience of administration, or who comes into contact with the various departments of Government, will realise that it is very difficult for two Chief Engineers to run the show at the same time. One man has to be responsible for the administration and to be the head of the administration. Two Chief Engineers cannot work independently of each other, and the second Chief Engineer has necessarily to occupy an inferior position between the two, and therefore that reduces him to the position of Personal Assistant, and to retain an officer of a very senior grade, drawing a high salary, in that position clearly indicates an absolute waste of money. Under the circumstances, I hope the Honourable the General Member will consider this question very carefully and will not permit this extravagant expenditure to be incurred in Sind.

I find in the note it is stated that this gentleman is temporary or something like that. It has not been stated for what reasons this expenditure is justified, even on temporary basis and whether it is going to be for one year, or two years or three years. There is absolutely no limit of time given in the note.

The Honourable Sir GHULAM HUSSAIN: I may inform the honourable member that it is for one year. Next year it will again be placed before the House.

Khan Bahadur M. A. KHUHRO: Are we to understand that it is only for one year?

The Honourable Sir GHULAM HUSSAIN: Yes, Sir.

Khan Bahadur M. A. KHUHRO: I wanted to clear that issue also, so that the House may know where it stands in the matter of this expenditure, and I thought it would be better if the Honourable Member could make a saving in this expenditure.

Question proposed.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu): Sir, I rise to support the motion moved by my honourable friend Khan Bahadur Khuhro. I think all honourable members from Sind know very well that there is no necessity for two Chief Engineers in Sind. Up to 25 years ago, there was only one Chief Engineer in Sind. After that, they were having one Chief Engineer and two Superintending Engineers. Sir, in the olden days, an Irrigation

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officer could only cover on an average 12 miles a day while on inspection, and after that he had to take a couple of days' rest along with their Memsahibs and children. It was for that reason, I believe, that they had one Chief Engineer and two Superintending Engineers. But now by using a motor car which can now go to every nook and corner of culturable Sind, an officer out on inspection can cover even 100 miles a day and still find himself fit for office work and next day's trip, and yet we find there is a proposal for the appointment of two Chief Engineers and six Superintending Engineers. I do not know the reason for it. Perhaps, the present proposals are put forward in order to give a permanent footing to some of the officers who will be either without jobs as the barrage works are completed or acting Superintending Engineers will have to revert from posts carrying Rs. 2,500 to Executive Engineer's post on about Rs. 1,400. This will be a great loss to officers who are all Europeans. The idea is to retain them in these highly paid posts. Sir, in my opinion, it is enough to have three Superintending Engineers under one Chief Engineer. My honourable friend Khan Bahadur Khuhro says that it is proposed to retain five Superintending Engineers, but in the Public Works Department book six are shown. I do not know which figure is correct, 5 or 6. I am referring to page 34 of the Public Works Department budget, item 3. Formerly there were 2 Superintending Engineers, now 6 are proposed. But in the Government press note issued in December last only five Superintending Engineers were sanctioned temporarily. Under them again, there are Executive Engineers and Assistant Engineers as the vicious circle once starting from top must go up to the bottom. If you have three Superintending Engineers it will be sufficient to have one Chief Engineer; but if you have two Chief Engineers you will have to maintain six Superintending Engineers to justify it. If there is only one Chief Engineer, you cannot keep more than two or three Superintending Engineers under him. But as they must have six Superintending Engineers they have doubled the number of Chief Engineers.

There were only 13 Executive Engineers in Sind in 1931-32 but in 1932-33 they have raised the number to 29. Similarly the number of Assistant Engineers is raised from 32 to 126 and so on till the bottom of the Engineering establishments. All have been trebled and quadrupled.

If we decide to have only one Chief Engineer instead of two, the natural result will be that all other grades will have similar reduction in number and the cost of establishment reduced from Rs. 40 lakhs to Rs. 20 lakhs only with consequence of happy relief to both Sind and Bombay people.

The original estimate for Barrage provided only Rs. 2 crores for all sorts of establishments. But it was revised once and then again for the second time. The second revised recapitulation has raised the provision for establishment to Rs. 2·88 crores including pensionary charges (Blue Book page 170). It means an increase of 44 per cent. But in spite of all this estimated rise the expenditure on establishment of the Barrage Circle Rs. 3·16 crores by end of 1932-33 is an excess of Rs. 28 lakhs. But if

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you observe the figures of cost of works, on the same page, you will find that the revised cost of works is shown to be Rs. 19·22 crores (*vide* column 4). Further you will observe from columns 5, 6 and 9 (same page) that the total expenditure in works uptil end of 1932-33 will be only Rs. 15·61 crores. That shows that though works amounting to Rs. 3·61 crores will remain to be executed after 31st March 1933, the total revised cost on establishments will have been already exceeded. This is a matter for very serious consideration by this honourable House. At this rate they will require at least Rs. 75 lakhs more for establishments to complete all works. That is, total excess on establishment will be 90 per cent. Therefore it is very high time to curtail expenditure on establishments drastically.

At the risk of repetition I beg to draw the attention of the honourable members of this House to the figures of expenditure given per each Circle on page 112 of the Blue Book. It will be observed that in the Lloyd Barrage Circle the expenditure during 1932-33 as proposed is only Rs. 3·76 lakhs. It was all right to keep a Superintending Engineer with 4 Executive Engineers in this circle when the annual expenditure on works was Rs. 70 lakhs on an average, but how can we defend this extravagance of retaining same staff when the expenditure is less than Rs. 4 lakhs? No private builder will ever imagine to employ a Superintending Engineer and four Executive Engineers on such a small job. Even Government of Bombay with its scandalous record of past extravagances never did it. But it is going to beat its own record this year. When the Karachi High Court building was under construction which cost Rs. 30 lakhs in four years, only one Assistant Engineer (not even an Executive Engineer) was considered sufficient.

I give here the next year's expenditure in each of the circles of six Superintending Engineers in Sind:

	Works in progress.	Works not commenced.	Total.
	Rs.	Rs.	Rs.
Lloyd Barrage Circle	3,76,000		3,76,000
Northern Sind Circle	15,22,200	5,00,200	20,23,000
Eastern Sind Circle	11,27,000	5,93,000	17,20,000
Rohri Canal Circle	25,03,000	6,78,000	31,81,000
Southern Sind Circle	10,25,000	4,07,000	14,32,000
Western Sind Circle	16,19,000	10,02,000	26,21,000

Six Superintending Engineers are going to be appointed for six of these circles. I have already pointed out that the Superintending Engineers did not tour more than 10 or 12 miles before the advent of the car in Sind; before they proceeded two or three camps they had to take rest. Now there are motor cars plying about everywhere, and an officer can easily

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cover 100 miles in a day. There was no necessity for second Chief Engineer in Sind. One Chief Engineer with three Superintending Engineers under him can manage the whole thing. I appeal to my honourable friend Mr. Lane, in whom we had put great hopes, to take note of what I say and effect retrenchment. At present the Chief Engineer in Sind is generously granted whatever he wants. There is not proper scrutiny of his estimates either by the Secretary of the Public Works Department or by the Minister. Whatever is proposed by Chief Engineer in Sind (formerly Lloyd Barrage) has been sanctioned till now without any alteration. Can the honourable member Mr. Lane point out one case where he has cut down the proposals of Sind Chief Engineer? The cost after amalgamation should be less than the current expenditure. But here in this wonderful Sind administration it continues to be the same.

The Honourable the PRESIDENT: The honourable member's time is up.

Mr. HAJI MIR MAHOMED BALOCH: I shall stop here and say what all I have to say further in connection with the cut proposed to the sum of Rs. 1,27,00,000.

The Honourable Sir GHULAM HUSSAIN: Mr. President, I would like to offer a few remarks at this stage. I am afraid the last speaker's speech may have caused confusion in the minds of honourable members. Therefore I want to clear the air. Honourable members will see that the very heading of item No. 25, to which a cut has been moved, is "Provisional reorganisation of Sind establishment." I have informed the Finance Committee and also the mover of this cut that this provision is only for one year. The next year we will place before the Honourable House a reduced figure for establishment. The last speaker said that we were maintaining an extravagant establishment which has no work to do. But the honourable members of this House, and especially the honourable member who spoke last, must know that we have yet to carry out, in addition to the regulation of water, capital works to the tune of Rs. 1,19,00,000 on the Sukkur Barrage. Both the last two speakers have lost sight of that important feature of this demand. In addition to the ordinary duties of regulating and distributing the water of the canals of the Barrage and of the ordinary Public Works Department, they have to carry out additional works of 1,19 lakhs on the Barrage. The honourable member (Mr. Haji Mir Mahomed Baloch) remarked that none of us looks into the proposals that are made by the Chief Engineer, neither myself, nor the Secretary, nor any one else in the Public Works Department. I regret that statement has been made. Myself and my Secretary deserve well of this honourable House. If honourable members see the establishment charges of last year, both of the Barrage and of the regular Sind canals, they will find that they amount to 60 lakhs of rupees.

Mr. HAJI MIR MAHOMED BALOCH: No.

The Honourable Sir GHULAM HUSSAIN: Take it from me. If the honourable member likes, I will read out the figures for the benefit of the

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House. The figures for 1931-32 are—Lloyd Barrage, 35,45,700; Sind Works, 14,97,300; total, 50,43,000. Then we have the revenue establishment; pensionary charges; special establishment, Lloyd Barrage Project; the Revenue Officer and his establishment; Medical Establishment; and so on. That brings it to Rs. 60,64,000. Now, what have we provided in this budget? We have reduced that establishment to nearly 49 lakhs, and this 49 lakhs includes another important new item of Rs. 3,86,000 for the revenue establishment, canal assistants and *abdars*. That means that 12 to 13 lakhs have been reduced from the establishment charges of last year.

Mr. V. N. JOG: Does that include any reduction of the personnel?

The Honourable Sir GHULAM HUSSAIN: Yes, a very large reduction. I will just give the honourable House an idea. We had two superintending engineers for the ordinary Public Works Department and five superintending engineers for the Barrage. That means seven. Now, we have reduced those to five, as I shall show you presently. A sixth we have kept for the regular Barrage up to June, when we are going to abolish that post. That means we have done away even this year with two superintending engineers by amalgamating the two, the Barrage establishment and the ordinary Public Works Department establishment. Even as regards the executive engineers, a large number of hands have been reduced.

Then, honourable members must take into consideration another important matter, that out of this 49 lakhs, we will debit to the Barrage Rs. 28,11,000 for establishment and Rs. 1,96,000 for pensionary charges; that is nearly 30 lakhs.

Mr. HAJI MIR MAHOMED BALOCH: What about Rs. 5,60,000 —item No. 8 on revenue establishment being added?

The Honourable Sir GHULAM HUSSAIN: We are talking now of reduction in establishment. So, honourable members will see that we are carrying out the Sukkur Barrage works and we are debiting to the Sukkur Barrage loan 30 lakhs approximately. We have also reduced our expenditure on establishment charges from 60 lakhs to 49 lakhs, which includes a new item of Rs. 3,82,000 for *abdars* and canal assistants. This will show that we are in right earnest. Besides this provision is only temporary for the next year. We will again make some cuts and place the budget before the House next year. We are not going to hide these things. On the contrary, the Public Works Department deserves well of this House. They have made real reductions in establishment. I do not therefore want to dwell any more on this subject.

Mr. A. N. SURVE: On a point of information. The item that is shown at page 250 (Budget), namely, Rs. 1,92,000, is that going to be charged to the provincial revenues; or is it to be charged to the Barrage project?

The Honourable Sir GHULAM HUSSAIN: I will just find out. Nearly 30 lakhs will be debited to the Barrage, because we have yet to carry out works to the tune of 1,19 lakhs.

Mr. A. N. SURVE: My doubt is not cleared. If this item is going to be a charge on the provincial revenues, then the House will have to consider it.

The Honourable Sir GHULAM HUSSAIN: I will just find out.

Mr. HAJI MIR MAHOMED BALOCH: I find that only one superintending engineer is being reduced.

The Honourable Sir GHULAM HUSSAIN: No, two superintending engineers and some executive engineers will be reduced.

Mr. HAJI MIR MAHOMED BALOCH: Why have you then provided here in the budget for 1932-33 six Superintending Engineers?

The Honourable Sir GHULAM HUSSAIN: One will be retrenched in June, and only five will remain.

Sir CHARLTON HARRISON: Sir, may I clear the honourable member Mr. Surve's doubt? If he will look at page 78 of the Blue Book, paragraph 196 will solve his difficulty.

Rao Bahadur S. N. ANGADI: On a point of information, Sir. Out of this large staff of 5 or 6 Superintending Engineers and 23 Executive Engineers, how many are Indians?

The Honourable the PRESIDENT: I do not think that is relevant here.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, I am not going to enter into the labyrinth of statistics quoted by my friend Mr. Haji Mir Mahomed Baloch, but I have stood up simply to endorse the feelings given expression to on behalf of the people of Sind in criticising this item. Sir, genuine anxiety is felt by the inhabitants of Sind to see that Government is always economical in spending every pie on this project hereafter. They have always trusted their experience and expert knowledge, but now, since the future of the project is entwined with the future of the province itself and the destinies of the people inhabiting that province, we are naturally very anxious to watch the actions of Government, whether administrative or financial, with regard to this project. Sir, no consolation was extended to us by the words of the Honourable the General Member when he declared just now that he has been able to reduce only two Superintending Engineers. The Honourable Member has forgotten that he has thrust upon our head another Chief Engineer for whom there is no necessity.

The Honourable Sir GHULAM HUSSAIN: We have two for the present.

SYED MIRAN MAHOMED SHAH: We could distinguish between the duties imposed upon the two Chief Engineers before they were amalgamated. One was concerned with ordinary Public Works Department work carried on under old conditions and that very Chief Engineer's

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place has been occupied now by the honourable member Sir Charlton Harrison. His predecessors represented to Government that there was no necessity for maintaining a Chief Engineer in Sind.

Sir CHARLTON HARRISON: I never said that.

SYED MIRAN MAHOMED SHAH: His predecessor said that.

Sir CHARLTON HARRISON: I had no predecessor.

SYED MIRAN MAHOMED SHAH: I mean Mr. Satarawala, Chief Engineer in Sind. He was of that opinion and many other experts occupied with the work of the project and the system of irrigation in Sind were of opinion that there was no necessity either of maintaining a Chief Engineer or two Superintending Engineers who acted as post offices. Therefore, there has not been much economy in the direction of appointments of Chief Engineers or Superintendents. I do not know what earthly reason there is to maintain two Chief Engineers who will be sitting in their offices in Karachi. If there had been two headquarters, it would have been possible for us to imagine that one Chief Engineer would be supervising the work in the north and the other in the south. But the headquarters of both will be located at Karachi and they will be disposing of their ordinary post like Superintending Engineers from headquarters. In the past, works to the extent of crores of rupees have been carried out by these officers, as my honourable friend the General Member said. I fail to see, therefore, why three Superintending Engineers cannot supervise the remainder of work when they have got expert executive engineers, expert assistant engineers and expert supervisors and numerous other officers who would be on the spot supervising the works actually. I fail to see the reason for appointing 5 Superintending Engineers in a small province like Sind. I know that expert advice can be tendered even by correspondence. If the officers on the spot ever require any expert advice, my honourable friend the Chief Engineer and the three Superintending Engineers would be in existence and will be tendering advice to their subordinate staff under whose direct supervision the work will be carried out. In these times of financial stringency, in the face of the colossal debt which is going to be thrown on the shoulders of Sindhis and their posterity, I fail to see if Government have got any feeling, human feeling, towards the inhabitants of Sind. If they have got any feeling, they would economise in this department and in this department alone. Fears have been expressed by experts that this project is going to be a failure so far as its financial side is concerned. We might take this opportunity to give credit to the Chief Engineer who has carried out the technical side of this project. We have no doubt about that, but we are not concerned only with its technical side. We are more concerned with its financial aspect, whether it is going to be a paying proposition. From that point of view we are very anxious to see that not a single pie is extravagantly spent on this Barrage. There will be a time when we can reasonably look forward for the separation of Sind, and this burden is not going to be

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borne by the Presidency but by Sind alone. I think it is high time that before the expert committee for reorganisation is appointed, Government should themselves think they are experts and set their own house in order themselves. Without waiting for the advice of the expert committee, they should themselves find out where to apply the axe of retrenchment. The whole department is in a melting pot and this is the time when they should economise in this department and appoint the minimum establishment necessary for the maintenance of this project.

Sir, I might not be misunderstood if I refer to the opinion of my honourable friend Mr. Haji Mir Mahomed Baloch. Of course, I do not attempt to speak in the same tone, nor do I mean anything derogatory to the position or to the intentions of those who are responsible for appointments in this Department. Yet we have got a great grievance with regard to the question of recruitment. My honourable friend said just now that these posts are maintained for the purpose of continuing some officials as long as possible. We are grieved to see that highly paid officers with inferior qualifications are being recruited and that there is no tendency on the part of this department towards Indianisation. I think it is high time that Indianisation was taken in hand. I think I give expression to the feelings of this side of the House when I say that though the Honourable the General Member belongs to this country, he is not paying adequate attention which we all expected from him in this direction. He must assert himself and make a beginning in history so that posterity will always send blessings to his memory. With these few remarks I again emphasise the point on behalf of the people of Sind as a whole that the Honourable the General Member should take pretty good care to economise in this department so that he may not add a single pie unnecessarily to the already colossal cost of the Project which posterity will have to pay.

Mr. C. M. LANE: Sir, in the first place, if I may, I would like to refer to the speech of the honourable member the Finance Secretary on Friday last during the general discussion on the budget. The point to which I want to refer relates to the revenue from the Barrage canals in Sind. The honourable member Mr. Wiles said that he understood from the engineers that during the first year water cannot be given through these new canals for irrigation purposes, because it would be soaking the banks of the canals. Now, that is not exactly the case, and I am afraid that it may lead to false hopes on the part of some zamindars and misapprehension on the part of others. The water will be available for irrigation purposes. At present it is being used for strengthening the banks and it is also at present used for irrigation. The reason why a bigger credit has not been taken in our estimates on account of extra revenue from the Barrage canals is that in the present situation with low prices Government are advised that it is possible that the first kharif demands may not be realised during the current year. If they are realised, we will get the revenue. But if we do not get it this year, we will get it next year. The statement that water would not

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be available for irrigation will, I hope, not lead to zamindars stopping their arrangements for cultivation. Also I hope that it will not lead other zamindars to assume that this water will be available and not charged for. It will be charged for.

Now, I come to the remarks of the honourable the mover of this cut. He stated—I do not think he stated it on this occasion, but he has stated it on other occasions—that in the United Provinces the Executive Engineer's charge of perennial irrigation comprises 6,000 or 7,000 cusecs and four or five such charges make one Superintending Engineer's Circle. I can assure him he is wrong. The honourable member Sir Charlton Harrison will no doubt give details at a later stage and fully justify our demands for establishment. But I would like to point out now, that the Jamrao Canal is the only perennial canal we have in Sind as a guide for our future requirements. It is our only perennial canal. It carries 3,200 cusecs and comprises two divisions, each Executive Engineer being in charge of 1,600 cusecs. This has been going on for many years, and I have not heard a murmur from the honourable mover or any other zamindar that it is too light a charge. I have held charge of the Jamrao Canals for more than three years and I found it a very heavy charge.

Next, coming to what the honourable member Mr. Haji Mir Mahomed Baloch said, I do not know that I need say very much as his reverberations have been treated very light-heartedly by this honourable House. The honourable member referred somewhat cryptically to a letter addressed to His Excellency the Governor. That letter is not before the House. If I may, however, I should like to read an extract from a letter from the honourable member to the Editor of the "Sind Observer", the last paragraph of which letter reads as follows :—

"I am afraid that the junior staff and the temporary staff is likely to suffer due to the transfer of the barrage works to the Public Works Department. I therefore take this opportunity to inform such members that if they feel that they are being unjustly dealt with, they should supply me with the facts of their cases when I hope to take them up with Government."

I do not know if this entirely disinterested and magnanimous appeal has met with any response, but I should like to point out that if any Government servant thinks that he is being unjustly dealt with there is the regular official channel through which he must send his representation.

The general trend of remarks of the honourable members from Sind is that they cannot afford to pay for what they describe as this extravagant administration, but I should like to point out that if our superior establishment is cut down to a dangerously low level, then, if not the taxpayer, the zamindars themselves will have to pay, because if the zamindars are left at the mercy of the lower subordinate establishment and the lower canal and revenue establishment without adequate and efficient supervision by superior staff, they will get mulcted and they will pay indirectly if not directly. We must have sufficient superior establishment to keep the lower establishment up to their work and under control.

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I do not think I need say any more because the honourable member the Chief Engineer, Lloyd Barrage, Sir Charlton Harrison, will give all details and a complete justification for this establishment.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, lest my Sindhi friends may think that we on this side do not wish to support them in their just demands, it is necessary to add a few words to remove their anxiety especially as they are separating, or at least they hope to separate, very soon and they want our help in seeing that the burden is lightened as much as possible. When the barrage was being constructed during the last ten years—and it had to be constructed within a scheduled time and the thanks of this House are due to the honourable member the Chief Engineer, Lloyd Barrage, for the way in which it has been constructed almost to time when it was said it would be finished—I can understand that a very large number of officers and other establishment was necessary, and perhaps it was also increased latterly in order that the work might be completed in as short a time or in as reasonable a time as was possible. But now that the work is completed almost 95 per cent. and 18 crores have been spent and only about a crore is to be spent, it does strike one as rather an extravagant establishment which costs the barrage 36 lakhs of rupees. It does appeal to me that at present looking at the problem from a broader point of view, and especially from the point of view that you cannot get retrenchment from the people who are themselves interested in not being retrenched, the position does seem rather incongruous. That is the position. The position is that the Engineering Department deserves to be retrenched from the general point of view, but the persons concerned would not certainly like to be retrenched in such a manner as would appear to be equitable or reasonable to outsiders. There is no outside agency, for instance, a secretariat out of this cadre of engineers who could be an arbiter of their destinies, but rather the Chief Engineer who himself was serving perhaps in Sind for some years now comes back and acts as Secretary and thinks there is no room for retrenchment in Sind. The point of view I would like to urge on the honourable member the Chief Engineer, Lloyd Barrage, Sir Charlton Harrison, and even on the Honourable the General Member, is this that it does strike me that, as it is, the establishment appears to be a bit extravagant in this sense that as the main barrage project is completed and the main distribution of the work, either of the water or the revenue which may be coming, will be the only work that will have to be looked after, I would be completely at one in submitting that perhaps a larger establishment on the revenue side will be necessary, because the system in Sind is that there is no land revenue fixed, but after the water is given and taken, land revenue, without the water rate, as we have here, has to be charged and therefore that establishment may have to be strengthened. I have therefore no quarrel about the additional increase in the revenue establishment, but as regards this small cut of one lakh, I should like the honourable member Sir Charlton Harrison or the Honourable the General Member

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for the matter of that, to satisfy this side of the House by accepting that cut in an expenditure of 49 lakhs of rupees. Surely, nobody can say that the estimate is so exact to the last pie that even retrenchment to the extent of 1/50th cannot be effected. I think it is beyond human competence to say that as a matter of fact there is no room for retrenchment; that, even taking for granted the usual five per cent. contingencies or some kind of allowances which are also given or the maintenance and repair charges for buildings which have been constructed so far, I refuse to believe that there is no room under that establishment of 49 lakhs for a cutting down of only one and a half lakhs. That is the general point of view from which I am looking at it, and when we come to the general question, I am going to make a fighting speech on the matter of the establishment. I do note here that having regard to the basis on which the establishment charges of the Irrigation Department are run in other provinces like the Punjab or the United Provinces, which are getting a handsome return of revenue, even they find that our establishment in the Public Works Department or, for the matter of that, the Irrigation Department for the present is on a scale which at least to a lay mind appears to be a bit extravagant. The honourable member Sir Charlton Harrison seems to have made up his mind that the amount cannot be retrenched, and therefore I think this honourable House will be very well advised in voting solid or almost *en bloc* in favour of this cut.

Sir CHARLTON HARRISON: I hope to be able to satisfy the honourable member, by the statement that I shall make, that he is wrong in the comparison he makes with the other provinces.

Rao Bahadur G. K. CHITALE: I am prepared to admit that my comparison may be wrong, but the honourable member Sir Charlton Harrison may take it from me that I never speak without my book. I would ask him, however, to remember that after a particular irrigation work was completed and was in working order whether the proportion of the establishment that was kept on it after it was in working order was on the same scale as we have, namely, five Chief Engineers or so many Superintending Engineers and so on. I know that on the revenue side it has been much more extravagantly staffed, because it was necessary for the reason that in the Punjab more revenue was coming in, and naturally, when there is more revenue coming it is no use our honourable member the Secretary, Public Works Department, saying that there is revenue but we have not shown it because we are very modest. I do not think they are modest because they themselves are not sure whether revenue would be flowing in from next June. That is another point. The point that I am making, broadly speaking, is this, that the mentality of the official benches is that they are always in the right and this side of the House is always in the wrong. They think that, as soon as we go away from this Budget session, they are absolutely free agents and they are not under our thumb. I should think, therefore, that this House would be very well advised, as it did last time, in voting a cut of Rs. 5,00,000. It does not matter how they manage it, but let them

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once for all know that they cannot have what they want every time. As I said, if they cannot make a cut of Rs. 1,00,000 in an expenditure of Rs. 50,00,000, with our consent, then I think they are not worth the job. If you give me Rs. 100 or Rs. 50 and ask me to save a rupee or two from it, I think I am not worth the job if I cannot do it. They are given Rs. 49,00,000 to play with, and surely the Honourable the General Member, or for the matter of that the Secretary, must have a lot of lakhs up their sleeves from which they can surely make this cut. But I should like to hear what Sir Charlton Harrison has to say. Of course, we are not satisfied with the speech of the Honourable the General Member. I wanted to say a lot with respect to the establishment charges, but I am reserving my remarks with regard to them, and I am giving ample notice of it. Apart from it, I should think that this side of the House would be well advised in voting for the cut.

Rao Bahadur S. N. ANGADI (Belgaum District): Sir, I do not dogmatise in matters technical. I do not know whether there is really very extravagant expenditure in the maintenance of the establishment, but when I put a question to the Honourable the Leader of the House, it looked as if he did not listen to it very seriously, and I was very glad when I found that my honourable friend Syed Miran Mahomed Shah made a grievance about the same thing. As regards recruitment he pointed out that Indianisation has not been taking place rapidly, and he made a grievance of it. So far as that is concerned, I entirely endorse the sentiments and feelings of my honourable friend Syed Miran Mahomed Shah, and I want the Honourable the Leader of the House to take note of it and see to it that that grievance is redressed as quickly as possible; and when my honourable friend made a grievance about it, it only means that there must be candidates who are qualified available; otherwise he would not have made a grievance about it at all. If properly qualified Indian candidates are available, there is no reason why they should not be taken up. Indianisation is a very necessary thing, and I do hope that the Honourable the Leader of the House will take a note of it, and see to it, and assert himself in redressing that grievance.

Mr. A. N. SURVE (Bombay City, North): Sir, the implication of item No. 25, so far as I understand it, is that a new service is being created, and our sanction to its creation is being sought. The second point that I would like to mention is that up to now whatever money was expended on the Sukkur Barrage project came out of loan funds, but when we pass this item, it will mean an ultimate annual recurring expenditure of Rs. 2,20,000, and it will have to be paid out of revenue. As long as the money was to come out loans, this side of the House has not any grievance, but when an inroad is going to be made on the provincial revenue, and that too to carry out the Sukkur Barrage scheme, which up to now was being financed out of loan money, this side of the House must be very cautious in sanctioning this new service.

Mr. C. G. FREKE: May I rise to a point of correction, Sir? I think it would simplify matters if I remove this misapprehension which is created. The honourable members' attention has already been drawn to paragraph 196, page 78 of the Blue Book, which points out the basis on which the establishment charges are debited to various budget heads. The estimated establishment charges of the Barrage are shown under this budget head, and at the end of the year they are debited in proportion to works to the Barrage by the Accountant General's office. It is impossible at this stage to separate out the particular items, but the all-over charge is debited *pro rata* at the end of the year. In other words, the establishment charges debitable to the Barrage will be debited to loan funds at the end of the year. There will be no establishment employed on the Barrage construction work that will be debited to revenue.

Mr. A. N. SURVE: I have read the notes on page 78 of the Blue Book, and there we are told that the distinction cannot be made. Still, there is this point that hereafter this item is to be debited to the ordinary Public Works Department account, and the Public Works Department account is a charge on the revenues; it is not a charge to be met out of loan money.

The Honourable Sir GHULAM HUSSAIN: I have already explained to the House that out of the total amount Rs. 28,00,000 for establishment will be debited to the Sukkur Barrage and the remaining to the Public Works Department. We have shown here all the establishment charges. The Accountant General will, at the end of the year, distribute it.

The Honourable the PRESIDENT: Then why not give a plain reply that none of this would be debited to revenue?

The Honourable Sir GHULAM HUSSAIN: I have plainly stated that Rs. 28,11,000 will be debited to the Barrage, out of the total establishment charges, excluding pensionary charges, and we have shown that in the budget.

The Honourable the PRESIDENT: That statement means, I suppose, that none of that expenditure will be debited to revenue.

The Honourable Sir GHULAM HUSSAIN: We cannot say what the exact amount will be. We spent certain amount on establishment. Then, at the end of the year, the *pro rata* distribution is made by the Accountant General. For instance, the total expenditure on the Sukkur Barrage for next year is over a crore. Out of that Rs. 28,00,000 is for establishment and the rest for works, etc.

The Honourable the PRESIDENT: The honourable member may argue that there is a fear that some of it will fall on revenue.

The Honourable Sir GHULAM HUSSAIN: I do not think so.

The Honourable the PRESIDENT: Then there is no definite statement.

The Honourable Sir GHULAM HUSSAIN: The position is quite clear. These are the estimates which we have placed before the Council.

Sir CHARLTON HARRISON: Perhaps, Sir, I might assist the honourable member by saying that these points, as the honourable member Mr. Freke said just now, are dealt with by the Accountant General. It is the Accountant General's duty to see that capital and revenue charges are not mixed up. It is the Accountant General who has to adjust these charges at the end of the year. The honourable member can rest assured that the Accountant General in his responsible position will see that no charge that is properly debitable to capital is charged against revenue. I think that is the simplest way I can put it.

Mr. A. N. SURVE: I am thankful to the honourable member Sir Charlton for the assurance that he has just given, but the statement in the Blue Book is very ambiguous. On page 78 of the Blue Book, paragraph 196, it is stated:

"On account of the amalgamation of ordinary Public Works Department charges in Sind with those of the Lloyd Barrage and Canals Construction Project, it is not now possible to distinguish the establishment and tools and plant which are employed solely in connection with the Project."

That is one statement. Then, in the remarks against item No. 25 (page 215 of the Blue Book) it is stated:

"Government have sanctioned provisionally the amalgamation of all running charges in Sind with those of the Project."

That is to say in one case that the expenses are to be debited to the Barrage Project. And again on page 78 it is stated that this charge would be borne by the ordinary Public Works Department. These statements are clearly conflicting. If it is to be debited to the ordinary Public Works Department, it is a creation of a new service, whose burden will fall upon the provincial revenue. If the burden is to fall on the provincial revenue, this side of the House has to be very cautious. That is the only point I wish to make.

Mr. V. N. JOG (Dharwar District): Sir, it looks from the statement which has been made on page 215 that it is a debt charge. If according to the expectation of Government, Barrage is to be completed before the end of this year, there is then no recurring charge. The first sentence on page 215 is:

"Government have sanctioned provisionally the amalgamation of all running charges in Sind with those of the Project."

If all the running charges are to be amalgamated in Sind, it will be a charge on the revenue. Otherwise I cannot understand why it should be a recurring charge. If it is only temporary until the Barrage is completed, there is no meaning in saying that it will be a recurrent charge. If it is to be a charge on the general revenues and as it is a new service, I think that the House will have to see that no permanent burden is placed on the general revenues.

Mr. J. S. KADRI (Northern Division): Sir, I endorse the grievances of my Sind friends, in so far as they relate to the big Mahomedan section of the population in Sind and also on general grounds. The Mahomedans in general have got a grievance that their representation in public services is very meagre, and this is particularly so in Sind. In Sind, where a

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large establishment is maintained for the Public Works Department and Sukkur Barrage, the representation of Mahomedans in the Public Works and Irrigation Departments is very meagre indeed. This is a matter for sincere regret. When Indianisation is being undertaken in right earnest and promoted even by Government, there is no reason why Mahomedans who form the bulk of the population of Sind should not have a due share in various services in Sind. I find that in many places, retrenchment has proved to be the sword of Damocles on the heads of Mahomedans and backward classes. I say this from my own experience. To cite some concrete instances, I would quote some cases of retrenchment of Muslims in the Public Works Department of Ahmedabad and Ratnagiri districts. I have heard harrowing tales of some Muslims with several years' service to their credit in the Public Works Department having been thrown out of employ——

The Honourable the PRESIDENT: I may point out that, in connection with this item, the grievance of paucity of Mahomedans in that particular service is the point to be discussed and not the general question of recruitment.

Mr. J. S. KADRI: Sir, what I wish to urge is that Mahomedans are not treated fairly in the various services. When so much expenditure is incurred upon a big establishment as that of the Sukkur Barrage which provides employment for a large number of people, the Mahomedans should get a fair share of representation in that service. I hope that Government will see that the orders issued by them for giving adequate representation to Mussalmans in various services, particularly in the Public Works Department, are carried out. On another occasion, I shall take an opportunity of showing that Mahomedans have been often put in the background in the matter of patronage in Government service, on account of the lack of sympathy on the part of the heads of departments in many cases. Coming to the question of expenditure on the Sukkur Barrage establishment, the decrease of only 11 lakhs from its ordinary expenditure, is not at all a matter for congratulation to Government. I think if retrenchment were seriously attempted there ought to have been a bigger cut in the Public Works Department budget of Sind. The honourable members from Sind are justified in objecting to the extravagant expenditure budgeted for the Barrage establishment this year. With these words I support the motion for the cut.

Khan Bahadur ALLAHBAKSH (Sukkur District): Sir, I have heard with interest some of the speeches of honourable members who referred to the representation of Mahomedans in services. But when that question is mixed up with the object with which the cut has been moved, the cut loses its grace. I think, Sir, it is hardly the object of any honourable member in this House that the establishment should be retained, provided due share is given to the Mussalmans or the backward communities. That is hardly the intention of honourable members on this side. The question is whether the expenditure that is now incurred on the establishment is justified or not. That is the only question which

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requires careful consideration of this honourable House. Sir, first of all, I would like to bring to the notice of the members on the official benches, particularly to the Honourable the General Member, that he should have an idea of the establishment—the Barrage establishment and the establishment of the running canals. These two establishments have nothing to do with each other. One is for the purpose of constructing the Barrage canals and as soon as the construction is over, this establishment has nothing to do with the running of the canals. So, we have to consider the establishment for the construction of the canals on its own merits. For instance, if today, I construct two bungalows and engage the necessary number of carpenters and masons, it does not follow that I should retain the same number of carpenters and masons, after the completion of one of the bungalows. So, when the Barrage canals begin to work, the establishment engaged for the construction of them will have to be considered on its own merits.

Coming to the question what would be the minimum establishment necessary to work these canals, I would like to impress on the honourable members of this House that after the opening of the Barrage canals a large area commanded by these canals will come under cultivation, after 15 or 20 years' time. But that does not in any way change the situation because within the Barrage zone we are practically scrapping the old canals and replacing them by new Barrage canals. It is not a question of bringing in any new area which at present is not being cultivated or looked after by the Public Works Department. The area is the same. It may be that in a taluka where we are now cultivating 50,000 acres we may, after the opening of the Barrage, cultivate 70,000 or 80,000 acres. The cultivation figures may thus go from 50,000 acres to 70,000 acres. It does not mean that the area of the taluka is increased; it is within the same area. The area of Sind is not going to increase.

Coming to the question of what the minimum establishment necessary for the Barrage is. My honourable friend Mr. Lane referred to the Jamrao Canals area, and he argued that from the Barrage that canal drew a discharge of only 2,300 cusecs and yet it had two divisions and none of the honourable members had murmured about that. Well, Sir, the times are changing. If an evil exists, it does not follow that we should allow it to exist for ever. In reply to his argument, I would like to bring to his notice that in fixing a division two main factors to be taken into consideration are (1) what discharge of a canal an executive engineer can efficiently manage, and (2) what length of a canal and its branches an executive engineer can efficiently manage. These are the two main factors on which the question of establishment should be decided. Now, I must admit that the honourable member Mr. Lane is an experienced officer of Sind; he has remained in Sind as Superintending Engineer. He will bear me out when I say that the district from which I come is comprised of three main canals. The first is the Desert Canal, the discharge of which is more than 3,000 cusecs. It is a model canal with regulators, distributaries and so on, but it has no

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modules. The second is the Begari Canal, with a discharge of about 8,000 cusecs. The third is the Unharwah Canal with a discharge of about 2,000 cusecs. Now, all the canals of that division draw a discharge of about 12,000 to 13,000 cusecs.

Mr. C. M. LANE: May I point out, Sir, that they draw their discharge for only about three months in the year?

Khan Bahadur ALLAHBAKSH: I am coming to that. I draw from it an inference quite the contrary of what the honourable member implies. The establishment that you require for distributing such a big discharge within a short time must be bigger than the establishment you should require when you have a smaller discharge flowing throughout the year in an automatic manner. In fact, that is my point.

Now, Sir, coming to the length of the canals. The length of the Begari Canal—the main Begari Canal—I am not taking into consideration its branches—will be about 104 miles. Its branches, Nurwah, Sonwah and Choiwah, which have a discharge of about a thousand cusecs and a total length of 60 miles. So that, that one canal with its three main branches has a length of about 160 miles, with a discharge of about 8,000 cusecs. In the same way, the Desert Canal has a length of about 100 miles—including its branches, perhaps more—and a discharge of 3,000 cusecs, and the Unharwah Canal with a length of about 50 miles and a discharge of 2,000 cusecs. Now, I ask my honourable friends who are at the helm of affairs, is it proper, when you have at present only one executive engineer to distribute this discharge of 12,000 to 13,000 cusecs and to maintain a canal length of about 300 miles, is it proper that Government should appoint an executive engineer to distribute a discharge of only about 3,000 cusecs? My honourable friend Mr. Lane pointed out to me that the canals in my district are worked only for three months in the year. He forgets the fact that with an inundation canal it is not so easy to distribute the discharge as with the Barrage canal, because the number of sectors will be larger. Sometime Sir, very early in the *abkalani* we get our water, and then there is a drop in the river and there is no water late in the season. The water that is available should be distributed among the zamindars in order to save the crops, and it becomes a difficult task in the *abkalani* season when the river drops early and there is no water to distribute. That is the difficulty. In the case of the Barrage, you have got the canals working with regulators at every place. I believe the Barrage authorities will be in a position to maintain the levels without any difficulty and to distribute the water. This goes to show that there is no justification whatever to incur such an expenditure on this establishment.

Another point. With the inundation canals, the difficulty is that as soon as these canals have stopped working, that is, after the *abkalani* season, it becomes necessary to clear the canals for the next working season. Naturally, when these canals have to be cleared, you want more establishment to take the levels, to prepare estimates and carry out the

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ordinary repairs to the canals. After the opening of the Barrage, however, there will be no such difficulty. The canals are perennial canals working all the year round, and you will require no establishment to clear the canals or carry out any ordinary annual repairs. That goes to show that there is no justification whatsoever to maintain such costly establishment for the Barrage.

Now, coming to the financial aspect of the project. Sir, every honourable member knows that the future of Sind, whether it is with the Presidency or is separated, depends on its financial position. Certainly, if the Barrage is going to fail, then it will be very difficult to steer out of the difficult position in which this Presidency will be involved. This side of the House is justified in asking the Honourable the General Member to place a statement in the hands of honourable members of this House showing what the income out of the Barrage is going to be after it has started working. That is one point on which we are entitled to be enlightened. [*Interruption.*] My honourable friend Mr. Lane asks at what rate.

The Honourable the PRESIDENT: Is the honourable member likely to take long?

Khan Bahadur ALLAHBAKSH: Yes, Sir.

ANNOUNCEMENT OF RESULT OF ELECTIONS TO RAILWAY ADVISORY COMMITTEES.

The Honourable the PRESIDENT: I have now to announce the result of the elections. Before I do that, there is a very small matter to which I wish to refer. It is the peculiarity of the English language that I thought I might bring to the notice of honourable members. Notice was once taken officially as to why in the Official Reports the error was not corrected. That error is this: when honourable members refer to other members of the House, or outside officers, who are Knights, without the Christian names before them, the English language does not permit it. It is usual to say, for instance, "Sir Charlton Harrison" and not "Sir Harrison," "Sir Ernest Hotson" and not "Sir Hotson." If honourable members do not know the Christian names of the gentlemen, they should take the trouble to find out.

Mr. B. S. KAMAT: It is ordinary grammar, Sir.

The Honourable the PRESIDENT: Now, as to the result of the elections:

G. I. P. Railway.

Mr. A. C. Owen—37 votes,

Rao Bahadur D. R. Patil—26 votes,

Mr. J. G. More—17 votes.

On the G. I. P. Railway Committee, Mr. A. C. Owen is elected.

[The President]

B. B. & C. I. Railway.

Thakor of Kerwada—43 votes,
Mr. A. K. Resaldar—15 votes,
Dr. P. G. Solanki—13 votes,
Mr. J. S. Kadri—8 votes.

The Thakor Saheb of Kerwada is elected.

M. & S. M. Railway.

Khan Bahadur Abdul Latif—48 votes,
Mr. Achrekar—21 votes,
Mr. More—6 votes.

Khan Bahadur Abdul Latif is elected.

The result of election on the North-Western Railway Committee has already been announced: Khan Bahadur Khuhro is elected unopposed.

The House is now adjourned to 9-30 a.m., to-morrow, Saturday, the 27th February 1932.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Saturday, the 27th February 1932.

The Council re-assembled at the Council Hall, Bombay, on Saturday, the 27th February 1932, at 9-30 a.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
DAVIS, Mr. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOVER RORA, Mr.
HARRISON, Sir CHARLTON
HUDSON, the Honourable Mr. W. F.
JAM JAN MAHOMED KHAN, Khan Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.

MACKIE, Mr. A. W. W.
MACLACHLAN, Mr. D.
MATCHESWALLA, Mr. G. E.
McENIRNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MITCHELL, Mr. H. B.
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL Mr. C. N.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. . N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BAHSAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.

NEW MEMBER SWORN.

Mr. D. MacLachlan, I.C.S., made the prescribed oath of allegiance to His Majesty the King-Emperor, and took his seat in the Council.

DISCUSSION ON DEMANDS FOR GRANTS—*resumed.*

Khan Bahadur ALLAHBAKSH (Sukkur District): Sir, I hope I have been able to convince the honourable members yesterday that, taking the facts as they are into consideration, the expenditure on establishment in the reorganised Public Works Department in Sind is out of all proportion to the needs. A few years ago, Sir, it was considered that the post of Chief Engineer in Sind was not necessary and that it should be abolished.

Mr. C. M. LANE: When?

Khan Bahadur ALLAHBAKSH: About eight years ago, when Mr. Shoubridge was Chief Engineer in Sind. However, it was decided to retain the post at that time for the performance of two main duties. The duties which the Chief Engineer in Sind performed before the opening of the Barrage were, firstly, to control the expenditure on repairs to canals and their branches, and, secondly, to inspect the heads of the canals and the river. These were the two main duties, to perform which it was considered necessary to retain the post of Chief Engineer. Now, after the opening of the Barrage, as most of the canals take their heads above the Barrage, it would not be necessary to alter their heads every year or every four or five years, as had to be done before. That has stopped now. Secondly, on account of the perennial supply within the Barrage zone, it would not be necessary to carry out annual repairs to the canals, such as silt clearance and other repairs which are necessary to inundation canals. Therefore, Sir, one fails to understand why two chief engineers are necessary in place of the one that existed before, unless the Government benches can explain that the duties of a Chief Engineer are going to be different from what they used to be in the past.

Then, coming to the duties of the Superintending Engineer, the duties of the Superintending Engineer prior to the opening of the Barrage were to sanction estimates and plans up to Rs. 50,000. After the opening of the Barrage, it would not be necessary to carry out repairs to canals on such a large scale as they had to undertake when the canals were inundation canals. In any case, there is no necessity to retain so many superintending engineers. One fails to understand what these half a dozen superintending engineers will do. Sir, one is surprised when one looks at the Blue Book: practically for every district we have one superintending engineer. Take the Larkana District, for example, which was comprised of two divisions, the Garh Canal Division and the Western Nara Division. These two canals, the Garh Canal and the Western Nara, drew more discharge prior to the opening of the Barrage than now. The area is practically the same now. These two divisions have been split up into four divisions, each in charge of an executive engineer, and there is a superintending engineer over these four executive engineers. Now, I ask Government in all seriousness why they require four executive engineers in place of the two and also one superintending engineer over them for one district only? [*Interruption.*] According to

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the Blue Book, there are four divisions and four executive engineers. Why should Government split up the original two divisions into four divisions and have a superintending engineer to control the four executive engineers in charge of those divisions ? I hope the Chief Engineer in Sind will enlighten us on the point. As I have stated, Sir, before the opening of the Barrage, when the supply was unregulated—there were no modules, no regulators and distributaries and the supply was not assured—when at any time the river might drop, the executive engineer had to take the trouble of inter-rotation to give water to certain areas, take water from one reach of the canal and give it to another and distribute the water. But now when the Barrage is there, the levels are maintained, the regulators are there, it is a regulated supply, one cannot understand why this establishment is required. [*Interruption.*] I do not believe in the use of the motor service. Personally, I would prefer our reverting to the old system of riding on horses or camels. The reason is this. When an officer goes in a motor car, if any zamindar has any grievance, it is difficult for the *Sahib* to stop and hear that grievance; whereas, if he goes on horse-back or camel-back, a man can go to him and get his grievances redressed.

Rao Bahadur B. R. NAIK: Issue a general circular to all officers.

KHAN BAHADUR ALLAHBAKSH: Sir, I have often found some of the non-official members as well as official members comparing the figures of expenditure in this province with the other provinces. To my mind, Sir, it appears that it is not proper that we should compare the figures of expenditure in this province with those in other provinces. I have got my own reasons for making this statement. Yesterday, my honourable friend Khan Bahadur Khuhro quoted some figures to show that an executive engineer in the United Provinces was controlling about 6,000 cusecs. His statement was repudiated by my honourable friend Mr. Lane. I feel, Sir, that it is not fair to either side of the House to make these comparisons without knowing what the conditions are under which the expenditure is incurred. Conditions governing that expenditure are an important factor. Sir, I remember that four or five years ago the question of duty was discussed on the floor of this House; some of the honourable members from Sind thought that the duty in Sind was too high, while the honourable member the Chief Engineer in Sind said that, compared to the duty in Punjab, it was not high. Sir, I took the trouble of going to Lahore and ascertaining things for myself. I was informed that in the Punjab there were various duties for various canals. There were certain parts where there was rainfall; the duty there was really low. In other parts, where there was no rainfall, the duty was higher than even in Sind. So, Sir, there can be no comparison. Coming to the question of the expenditure on the establishment of the Public Works Department in the Punjab and United Provinces, we do not know what the duties of the executive engineers in those provinces are. I am informed that in the Punjab—that might be so in the United Provinces as well—the executive engineers have to perform some duties which they do not

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have to in Sind. In the Punjab they perform the duties of the Revenue Department in the matter of remissions and many other things. There is yet another important factor to be taken into consideration, namely, that both the Punjab Government and the United Province Government incur large amounts of expenditure on roads and buildings, which is not the case in Sind. Naturally, the attention of the Public Works Department officers in those provinces has to be devoted to roads and buildings also. So, Sir, it is no use either the Government benches or the non-official benches drawing comparisons in this manner, irrespective of the conditions obtaining. We have to decide the case of establishment in Sind on its own merits, irrespective of what is done in other provinces of India.

Sir, I hope I have been able to convine this honourable House that at present there are certain divisions in Sind in which an executive engineer is able to control more than 10,000 to 12,000 cusecs of water and to supervise 400 miles of canals and distributaries. That being the case, I would beg of the honourable members on the Government benches not to bring in, for comparison with Sind, other parts of India about the prevailing conditions of which we do not know anything. The Jamrao Canal cannot be made a rule simply because it suits the official benches.

Coming now to the financial aspect of the project, I think, Sir, that at this stage the House is entitled to ask Government what will be the return from the Barrage. It is an undoubted fact, Sir, that there has been an abnormal fall in the prices of agricultural commodities. Apart from the question of remissions and revision of rates necessitated by this fall, we have got to consider the effect of this fall on the estimated returns from the project. There are some interesting figures given by the Sind Financial Enquiry Committee in this connection. When one looks at these figures, one is convinced that the Finance Department of the Government of Bombay has not exercised its full control. From the year 1918 the expenditure on irrigation in Sind has been going up. The result is that there is very little saving left. The expenditure was by way of establishment and repairs to canals. When the financial forecast of the Barrage was prepared, it was shown that the net saving out of the canals in Sind was 40 lakhs, that is to say, putting the expenditure on the one side and the total revenue from the canals on the other and deducting the expenditure from the revenue, the net saving from the canal irrigation within the Barrage zone was 40 lakhs when the financial forecast of the Barrage was prepared.

The Honourable Sir GHULAM HUSSAIN: Was it from the old canals?

Khan Bahadur ALLAHBAKSH: Exactly; old canals, which now come within the Barrage. The net revenue from those canals was 40 lakhs. And in the financial forecast it was estimated that the income over and above this 40 lakhs, after the opening of the Barrage, would

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yield a return of 6 per cent. rising to about 12 per cent. The point is we are entitled to take into account these 40 lakhs which we used to get when the Barrage project was being prepared. We have, Sir, incurred an expenditure of about 20 crores on the Barrage. The interest on these 20 crores would be about a crore. That means to say, we expect a revenue of 1,40 lakhs from the Barrage. Over and above that, there are these establishment charges which amount roughly to about 50 lakhs. Therefore, until we get two crores from the Barrage, we cannot say that the Barrage project is a paying concern. I would draw the attention of the Honourable the Finance Member and the Honourable the General Member to that. I say that 40 lakhs was the net return of these canals and that is shown in the financial forecast submitted by the Government of Bombay to the Secretary of State for India. Roughly, taking the figures as they are, it has been stated that the area at present cultivated in the Barrage zone is 18 lakhs of acres, and in the first few years the area coming under cultivation would be 24 lakhs of acres. Now, Government will have to revise their rates of assessment, because people cannot afford to pay the estimated rates. Taking the rates all round and taking the maximum rates that people will be able to pay, taking all crops together, I think you cannot go beyond Rs. 4 an acre. Now, 24 lakhs of acres cultivated every year, with an average assessment of Rs. 4 per acre will bring in a revenue of about 96 lakhs. Now, the expenditure side, as I have already shown from the figures supplied by Government, will be about two crores. Therefore, there will be a loss of about a crore of rupees every year. I stand subject to correction, and I would request my honourable friend the Chief Engineer in Sind to tell me if he has any doubts about these figures, as otherwise I will have no chance of replying to him. He should contradict me now so that I may have a chance of explaining. Roughly speaking we expect to get an income of Rs. 96 lakhs or a crore as assessment from the Barrage. We used to get 40 lakhs as our net revenue from the pre-Barrage canals, as has been admitted by the Government of India in their financial forecast. Now, there comes the question of 60 lakhs. The expenditure on establishment alone comes to about 55 or 60 lakhs—the least is shown as 42 lakhs. I ask the Honourable the General Member to consider whether he should not cut his coat according to his cloth. When the revenues have gone so low, are we to go on spending money in the way in which it is proposed? Whatever we get from the Barrage is hardly sufficient to pay for the establishment. When are we going to get the interest? This is the position which I am placing before this honourable House. In connection with the reorganization of the Public Works Department establishment in Sind, we must take the facts as they are into consideration. Would it be proper to incur an expenditure of 50 or 60 lakhs on establishment when that is the annual income we expect during the first years of the working of the Barrage?

Sir CHARLTON HARRISON: Did the honourable member say that 50 or 60 lakhs is, or is to be, the expenditure?

Khan Bahadur ALLAHBAKSH: Yes. Do you want to correct it?

Sir CHARLTON HARRISON: I will do it when I speak.

Khan Bahadur ALLAHBAKSH: Now, Sir, we have to divide the expenditure on the canals in Sind into two categories, (1) expenditure for maintaining these canals, and (2) the expenditure on establishment. If we have to reduce the rates of assessment and adjust them to the present conditions, it is also possible for us to reduce the expenditure under maintenance and repairs of canals, because as there has been a fall in the prices of agricultural commodities the rates for clearance, repairs to canal banks and such other things have gone down as also the cost of the establishment such as abdars, muccadams and coolies. If we also adjust our expenditure on establishment to the present conditions, devise some means by which we can reduce the number of chief engineers, superintending engineers, executive engineers and assistant engineers, we may keep the net revenue of the project to a certain extent the same as the estimates. But we find that the figures given in the Blue Book of the establishment for the Barrage to be out of all proportion to the needs. It will not be proper, therefore, for this side of the House to give consent to such an abnormal expenditure.

Sir, yesterday, my honourable friend Mr. Lane pointed out to this honourable House that if the House did not sanction this establishment, the zamindars would suffer. Sir, I have not been able to understand the logic of that conclusion. I do not understand how the retrenchment of a chief engineer and a few superintending engineers is going to affect the zamindars in Sind. There have been a few appeals in Sind from the decisions of the executive engineers, but very few of them have been upset by the higher authorities, namely, the superintending engineer and the chief engineer. And yet there have been no grievances on that score. The policy is that the superintending engineer should not upset the decisions of the executive engineers and the chief engineer should not upset the decisions of the superintending engineers. [*Interruption.*] It is so. I mean the policy is laid down in that way and it is very rarely that the higher authorities upset the decisions of the lower officers. If the argument of my honourable friend is that control is necessary, then I ask where the necessity is of keeping the headquarters of the superintending engineers at Karachi. [*Mr. Haji Mir Mahomed Baloch:* "Now at Sukkur."] If the idea is that the superintending engineers should remove the grievances of zamindars within their circle, why is it that their headquarters are located at Karachi? The supply is now perennial; water is flowing throughout the year; and a zamindar may have a complaint to make at any time of the year. When the canals were inundation canals, there were grievances only during the abkalani season; now, a zamindar may have to complain at any time. Why should he go to Karachi to see the superintending engineer to get his grievances redressed? If there is any need for the superintending engineer to control the executive engineers, then it is necessary that the headquarters of the superintending engineer should be located within his circle. Now that we have a superintending engineer for

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each district, the headquarters of the superintending engineer should be within the district itself. Larkana and Dadu (originally one district) have got one superintending engineer and his headquarters are at Karachi. What is the use of having the headquarters at Karachi ? He should have headquarters within the district, if the object is to control expenditure and redress grievances. The headquarters of the Superintending Engineer, Northern Circle, which comprises the Sukkur District, part of Jacobabad District, and part of Larkana District, if I may put it correctly, is also at Karachi. For six months, or more than six months, in the year he has to remain at Karachi. Now, what control can he possibly exercise over his executive engineers when he is sitting at Karachi ? One is unable to understand what the grounds are to having such a large establishment under the pretence that it is for redress of the grievances of the zamindars. We have not grievances to such an extent that we should give our aproval to the appointment of five superintending engineers and two chief engineers in Sind. It is out of all proportion to our requirements. Sir, the savings that they will effect, the control which they will exercise, and the appeals they will upset are so negligible that it is unnecessary to incur such expenditure. Therefore, I would request the Honourable the General Member and the Honourable the Finance Member to co-operate with this side of the House and control the expenditure in Sind. It is a question of recurring expenditure. The Honourable the General Member said that some works had still to be carried out. It is true that the project has not finally been completed. If they find that the completion of the project requires some more establishment, then it would be proper for the Government benches to ask for that expenditure in a form different to that they have put forward. They could have said, we have to carry out works amounting to 50 lakhs or two crores (whatever it may be) and we require so much extra establishment to carry out those works, and that after that has been completed, which may be after a year or two years, the permanent expenditure required to work these canals will be so much. It is no use bringing in vague demands from which one is not able to understand how much is really required to complete the Barrage scheme proper and what ultimately will be required to work these canals.

With these words I support the cut.

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Sir, I have not been able to understand the grant demanded by Government. I cannot possibly say whether or not these two chief engineers and five superintending engineers, and their establishment are a necessity for the Barrage, after the construction of the Barrage has been completed. But reading the explanation that has been given by the Government, I find that it is a clever attempt on the part of Government to include the existing incumbents in the services already employed

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in the permanent civil works establishment. I find that two new posts of chief engineers are to be created. It is stated :—

"The charges of Superintending Engineer, Indus Right Bank Circle, and Superintending Engineer, Indus Left Bank Circle, should be held in abeyance and the works in these charges should be divided among the five superintending engineers' charges as proposed for the post-Barrage establishment in Sind."

That means in the cadre of superintending engineers three more additions are to be made, and in the cadre of the chief engineers two more additions are to be made.

Sir CHARLTON HARRISON: Quite wrong.

Mr. M. M. KARBHARI: Though this grant is being asked for this year and it has been suggested that if it is necessary the grant will have to be asked for again next year, even then the impression that is created in my mind is that some temporary hands who are now working and who will have to go away after the construction is over have got to be provided for and, therefore, I believe, Government have under the guise of maintaining the works come forward to provide for these people and have asked for a grant. It is therefore very necessary for this honourable House to consider the case on its merits. I believe that we will be justified in not supporting this grant.

Sir CHARLTON HARRISON: Sir, the honourable member from Larkana, who started this debate, has unconsciously given the service to which I have the honour to belong very great praise. I say "unconsciously", because I do not think he has really attempted to see what is done in other provinces and what we propose to do in Sind. I think all will agree that if circumstances are approximately the same, and in one area you require a certain number of men to do a particular job of work and in another area you require a lesser number of men for the same unit—I think, for purposes of comparison, acreage of irrigation is the best unit—you have got to admit that those who work with the lesser number are the more efficient. Now, the honourable member has not attempted to study facts. I would ask honourable members whether they have studied the White Book "*Sind and the Lloyd Barrage*". I do not think many have, certainly none of those who spoke. If they will turn to that book, they will see, as an appendix at the end, a chart which will give them a lot of information which will, I am certain, make them alter their views.

Then we come to the honourable member from Karachi (Mr. Haji Mir Mahomed Baloch). He seems to have arrived here somewhat late and therefore has probably been very rushed. He seemed to me to be in a chaotic rush as regards his statement of facts. This honourable member has, as usual, failed accurately to assimilate the facts. In his hurry not being able to assimilate the real facts he has attempted to create his own facts.

I would now refer to the honourable member Rao Bahadur Chitale's criticisms. He said that possibly there were misapprehensions and he would like to have them cleared. He threatened us with a violent attack

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later on, on the question of general administration, but I think we will await that. He did not seem to have studied this particular White Book on Sind. I am certain that, if he had, he would not have said a great deal of what he did say yesterday. I would ask honourable members, if they have the White Book in their hands, really to study it now and set themselves right.

Then I come to a very efficient zamindar of Upper Sind whom I had also expected to be efficient with regard to his facts when he comes to a debate in this House. But he has fallen away from his high efficiency, and it struck me that he was, perhaps, attempting to talk out time. He knows the real facts about the establishment required in Sind, and I have never seen anyone skate around the facts so successfully as the honourable member from Shikarpur. He, I think, should have taken up the trade of a shopkeeper, because knowing the goods that he has in his shop he attempts to get the very best of them put in the shop-window so as to entice others to come in and see how he can mulct them.

I would like to return to the detailed criticisms made by the honourable member Khan Bahadur Khuhro and by other honourable members from Sind. The honourable member Khan Bahadur Khuhro said, along with others, that one Chief Engineer was enough. It is very easy to say a thing like that because he has never been the Chief Engineer. Now, I have been Chief Engineer of the Barrage and Canals Construction, and I am now the Chief Engineer in Sind. I have not only to carry on the duties of Chief Engineer, Barrage, but I have also to undertake additional duties which have fallen on my shoulders as Chief Engineer in Sind. The honourable member has more than once visited me in my office and I do not think he has ever found me in a long chair, with my legs cocked up, reading a novel. I think he generally found me pretty busily occupied. He says that if you have two Chief Engineers, then one has got to be subordinate to the other. There is certainly no harm in that. Where the duties conflict in any way with two officers on one job, one has to be subordinate to the other. That is probably a very good thing from the point of view of efficiency. I cannot, therefore, accept that as a strong argument in favour of abolishing one of the Chief Engineers. He says that because of that the Joint Chief Engineer really becomes the Personal Assistant to the Chief Engineer. The honourable member is really not as ignorant as he would lead us to believe from the facts he tried to place before the House. He has more than once discussed this question with me and he knows fully what the real facts are. He knows perfectly well that even at the present moment with two Chief Engineers, there has not been the slightest sign of falling off of work and there cannot be. I have on more than one occasion said in this House that one of the most difficult periods is the change-over from construction to new perennial irrigation; from old inundation conditions to new perennial irrigation. The honourable member attempts to make out that the times are so easy now for the Chief Engineer that you can

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easily abolish one Chief Engineer and give the other Chief Engineer a Personal Assistant and all will be well. I know that in his heart of hearts he realises that such is not the case. He has been to me more often during the last six or eight months than he has ever before, and several other well known zamindars in Sind have come to me and to the Joint Chief Engineer. Why? Because they want to know exactly how they stand and they have got to find that out. Where will they go to? They cannot go to the sub-divisional officer, they must go to the heads and rightly so. When you want proper information, always go to the fountain head. That honourable member has done that and so have a great many other honourable members from Sind.

The honourable member from Larkana then referred somewhat cryptically to a letter that has been addressed by him and others to His Excellency the Governor. That letter is unfortunately not before the House, but I understood from what he had to say that they had got some extraordinary basis of "cusecs" as the method by which the Executive Engineers' charges and the Superintending Engineers' charges should be apportioned. I will deal with that in somewhat greater detail when I refer to the extraordinary figures that are given us by the honourable member from Shikarpur. But let me tell the honourable member this that if he cares to proceed with this comparison of cusecs as the basis of a "charge", he will find that he has got an extraordinarily poor case. I just give that information because the point has been brought out in the discussion and the particular letter in question is not before us.

The honourable member then referred to Executive Engineer's charges in general terms. I would like to give a few facts as to what happens in other provinces. As I have said, we may take it that we are all equally efficient, or inefficient, in the different provinces. Next, the Punjab is as near as possible equal to Sind in general conditions. As regards the Superintending Engineers, we find, working on "average" figures, that in the United Provinces one Superintending Engineer has to look after 2 million 437 thousand acres of cultivable area. The annual irrigated area under a Superintending Engineer in the United Provinces is 891 thousand acres. In the Punjab, a Superintending Engineer has in his circle a cultivable area of 1,564,000 or in round figures, 1½ million acres, and the annual irrigable area, or the area irrigated annually under full development, is 1 million 31 thousand acres. In Sind, under the proposals that I have submitted to Government, and which have been most carefully considered by me for the last eight or ten years, it is proposed that a Superintending Engineer's circle shall comprise 1 million 863 thousand acres of cultivable area and that the anticipated annual area of cultivation in a Superintending Engineer's charge will be 1 million 330 thousand acres. That is nearly 50 per cent. more than in the United Provinces and 33 per cent. more than in the Punjab. In comparison, then, I think that there is little to cavil at as regards the Superintending Engineers.

Rao Bahadur G. K. CHITALE: What is the revenue?

Sir CHARLTON HARRISON: That is a question with which my Sindhi friends are very intimately concerned. If they are prepared to bear the water rates the Punjab Government impose on the zamindars of that province, then I will talk about that.

Khan Bahadur M. A. KHUHRO: What will be the area in Sind?

Sir CHARLTON HARRISON: One million 330 thousand acres is the average area which a Superintending Engineer will have to look after.

Now I will take the Executive Engineer. In the United Provinces an Executive Engineer has in his charge a gross cultivable area of 512 thousand acres, or say half a million acres. The annual area irrigated is 195 thousand acres or, call it 200 thousand acres. In the Punjab he has 422 thousand acres of cultivable area with 278 thousand acres of irrigation. We propose for Sind that the Executive Engineer's charge shall be 465 thousand acres of cultivable area with 332 thousand acres of anticipated annual irrigation. If honourable members have jotted down these figures, they will not, after glancing at them, hesitate to agree with me that our proposals bear a very favourable comparison with the other two provinces. The United Provinces have a greater area of cultivable gross acreage per charge, in that their irrigation is scattered; we have for Sind omitted areas that have no irrigation. I have therefore given the most favourable figures for the United Provinces. We stand, I say, vindicated by the figures I have just quoted.

Let me now deal with the Chief Engineers. I have not lost sight of that. Probably honourable members think that I omitted them, in the first instance, on purpose. The figures are not at all favourable to Sind. I will explain the reason for that because I desire to be entirely frank with honourable members. In the United Provinces the Chief Engineer's charge of cultivable area is 6 million 200 thousand acres and he has 2½ million acres of irrigation under his charge. In the Punjab, he has nearly 8 million acres gross cultivable area and he has 5 million acres of annual irrigation. In Sind we propose for the two Chief Engineers an average each of 4 million 657 thousand acres of cultivable area and 3 million 325 thousand acres of annual irrigation. That is to say, a Chief Engineer's charge in Sind, based on the anticipated annual area of irrigation, will be roughly ⅔rds of a similar charge in the Punjab—

Rao Bahadur G. K. CHITALE: What is expected to be the actual?

Sir CHARLTON HARRISON: We hope to have even better figures than those I have mentioned. I will try to give the honourable members a few more figures. There is no question of my trying to hide anything.

As regards the Chief Engineer's charges, they are, as I have said, about ⅔rd the size of a Punjab Chief Engineer's Charge. It was not so long ago that the Punjab had only two Chief Engineers, but their irrigable area was soon so much larger, that they could not carry on with two Chief Engineers; they now have three. If we had one Chief Engineer, we should have something like 10½ million acres of cultivable area

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under one Chief Engineer. I ask, supposing the efficiency is the same in all the provinces, is it fair to expect us to start off with an entirely new system of irrigation with the Chief Engineer in charge of an area which is 25 per cent. bigger than a Chief Engineer's area in the Punjab and 33 to 40 per cent. bigger than that of a Chief Engineer in the United Provinces? Their charges have been built up gradually, very, very gradually indeed. It has taken 40 years to build up the irrigation systems in the Punjab to the present acreage. Are we expected to start straight-off and be infinitely more efficient and infinitely more hard-working and infinitely more capable in every way than our confrères in other provinces? I take it as a compliment that we are expected to be so, because it means to say that the honourable members of this House have a very high opinion of the efficiency of the Public Works Officers in Sind. But, Sir, I think we have got to be practical. The very first persons to howl against any inefficiency in the administration will be the honourable member from Larkana and the honourable member from Shikarpur. They have got as great interests as, or greater interests than, most of the zamindars in Sind. The small zamindar is noisy enough, but the big zamindar, when things go wrong, is noisier still.

I will not for the moment refer to the remarks of the honourable member from Karachi; his interests are purely urban, although he tries to pose, at times, to be an agricultural expert.

Now, Sir, the honourable member from Larkana posed as an expert. I think these "experts" are most dangerous people; I say the honourable member from Larkana posed as an expert. He said "We from Sind know Sind conditions." Well, Sir, I am sure he will agree with me that he knows really very little about what the post-Barrage conditions are going to be, because he has never experienced them. I do not think he has ever really been even once over the Jamrao area, nor even over a part of that area, since the inception of so-called perennial irrigation in that area. I cannot accept, nor do I think honourable members will accept, that he is an *expert*, nor that he can speak with the authority with which he thinks he can speak. Mayhap he will be an authority on Sind conditions in ten years' time, under the post-Barrage conditions, but he is certainly not one now. The honourable member then proceeded to say that he is absolutely certain that there would be no loss of efficiency if the staff is reduced by one-third. Now, Sir, the figures before honourable members of this House are not the figures that we originally contemplated. I know as well as any other honourable member of this House that we are faced with acute financial stringency, and as such I have, along with officers in all other departments, attempted to cut everything down to the bone. Now, Sir, it is very easy to say, as the honourable member from Larkana has said, "Let us cut down our establishments by one-third." It is very simple to say that; it is the easiest thing in the world, but honourable members have got to realise that we shall have sunk, by the end of next year, 19 crores of rupees in these new canals. Are we going to spoil the ship for a ha'penny worth of tar?

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Our ship is far too valuable to be spared that ha'penny worth of tar. If things go wrong in the beginning, it is going to take a very long time to correct them. We are dealing with a business concern of very great capital value, and I am sure there is not a single honourable member in this House who has any claims to business ideas and efficiency who would contemplate starting a big concern without seeing that he has got a really good organisation to back him up in his efforts, especially during the first few years. The honourable member is attempting to undermine our business position. I am absolutely convinced that a great deal of what we have heard now has been, more or less, an attempt—and I think an unsuccessful one-at "window-dressing"; I cannot subscribe to that attempt; it will simply lead us into a position of false security.

Let me now deal with the honourable member, an urban representative from Sind, the honourable member from Karachi (Mr. Haji Mir Mahomed Baloch). He stated that 25 or 30 years ago, there was no Chief Engineer in Sind and that there were only 2 Superintending Engineers. Now, Sir, he has again let himself down badly. He has not got hold of facts at all. Thirty years ago, there were 3 Superintending Engineers in Sind. It is on record that Government found the arrangement working unsatisfactory. That is why they created a Chief Engineer in Sind and abolished one Superintending Engineer. That is for any one to read who cares to attempt to get some idea of how the province has been run in the past. The honourable member said that if there is only one Chief Engineer, he can dash about the country in a motor car, if there are only 3 Superintending Enginers, they can dash about the country in motor cars, and that 12 or 13 Executive Engineers also can dash about the country in motor cars. I was very glad to hear one of the honourable members on the other side appreciate the fact that motor cars are not probably the very best things for getting into touch with the people. I have issued orders—I issued them some months ago—that every Executive Engineer and every Sub-divisional Officer will be required to keep either a horse or a camel, and, in addition if he likes, a motor car; because without using a horse or a camel it is impossible for the Executive Engineers and the officers under them to get into the fields, and it is there and there alone that they can get into touch with the people. It has often been overlooked, but it is a fact that it is essential that Executive Engineers on irrigation should be in the closest possible touch with the cultivators. The Executive Engineer should not expect the cultivator to go and meet him on the main canal. Honourable members opposite might know perfectly well the system that I insisted upon in the Pravara Canals District, that the Executive Engineer shall be constantly in the cultivated area and not outside the cultivation. The honourable member, therefore, is advocating a thing which would go entirely against the interests of the cultivators in Sind. He probably thinks in that manner, because, I daresay, most of his experience of a car has been running about in it in the streets of Karachi, people merely stepping out of their

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houses to meet him on the way. But let me tell him that that is not the situation in irrigated areas. I do not, and I do not think other honourable members will, advocate *that* method of economy. His cry is: "Cut down the number of Executive Engineers, give them bigger charges, and they will be able to do their work efficiently." That method will lead to gross inefficiency, and the creation of discontent among the people and severe loss of revenue to Government.

The honourable member then went on to try and prove, perhaps successfully only in his own mind, that I was trying to increase the number of Assistant Engineers first of all, so that I could get an increased number of Sub-divisional Officers, and an increased number of Executive Engineers in the proportion of so many Executive Engineers under a Superintending Engineer to justify 6 Superintending Engineers; and then, as he said, 6 Superintending Engineers in order to justify 2 Chief Engineers. I really thought at that moment he was merely attempting to evoke laughter in this House; but he did not succeed, until he started his usual method of tub-thumping by saying that the Divisional Officer refers one to the Executive Engineer, who refers him to the Superintending Engineer, who refers him to the Chief Engineer. I think that is too well-worn a theme for us to laugh over. He then went on to say that he did not really understand the meaning of the word "amalgamation", but as far as he could make out, it should stand for a reduction in the cost of establishment. The honourable member often pleads ignorance of English, but, Sir, no one in this House could have put it better; I quite agree with him. The result of amalgamation should in this case mean reduction in cost. If the honourable member can read a chart, I would invite him to come and study my chart afterwards. I have here a chart which I think most of the honourable members can see from their seats. The figure of round about 60 lakhs of rupees was the cost before amalgamation of the Barrage and the Sind establishments. If any man is worth his salt, the moment amalgamation takes place he will see to it that costs are cut down. In the years between 1929-30 and 1932-33, we have brought down the overhead costs from 59 lakhs and odd to Rs. 49,70,000. As the Honourable the General Member pointed out (he included pensionary charges, but I do not include them), we hope ultimately to bring the figure down to Rs. 44,00,000. That is as far as we can see at present. I in my own mind believe that it will be possible to bring it down still further, because of the fall in the cost of living, and the general reduction that will probably continue to take place in the cost of wages. But it is sufficient, I think, to make a forecast up to two years from now. The forecast shows a reduction to Rs. 44 lakhs; actuals may be even below that. That, Sir, is a fairly good reduction. It is a reduction of some 16 lakhs of rupees, which is no small amount.

The honourable member got himself entirely involved and muddled over the figures of cost of establishment and of work. At that point I rather lost interest in what he was saying, and when I looked at the

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opposite benches I felt certain most of the honourable members had done the same.

Sir, I would take this opportunity, which is probably my last in these Budget discussions, of raising a protest at the attitude adopted by the honourable member from Karachi, Mr. Haji Mir Mahomed Baloch. I think this is his second term in this Council. Ever since he has been in this Council he has done nothing but belittle the efforts of the officers connected with the construction of the great barrage and canals. I had hoped that he would have eased the situation by saying something for them, now that the works are nearing completion, and, as the general impression seems to be, a successful completion. I had hoped that he would have had the grace to say that many of his most ill-informed strictures in the past had been totally unjustified. He has not done that, and I personally feel resentment that such an attitude should have been continued over so long a period. When we get on our feet we may sometimes be carried away by rhetorical efforts, but if vilification is continuously to persist, then one feels that there must be something rather more than real, free and well-meant criticism behind it. I would like to give expression to that feeling, because I personally resent it. I do not particularly mind what is said about myself, but I do feel a certain measure of praise is due to the very large staff, who have worked so well with me, for their good work.

The Honourable the General Member cleared a certain number of misstatements. He showed, as I have said, that there has been a very considerable drop in expenditure since the amalgamation started. I have stated that that would probably continue.

I would now turn to the remarks of the honourable member from Hyderabad District, Syed Miran Mahomed Shah. He says that in the past the honourable members from Sind had always trusted Government that their demands were reasonable, and had therefore passed those demands. He says he now proposes to alter that attitude, because the question of the separation of Sind is now becoming really critical. I think the honourable member really accuses himself of a measure of slackness in the past, and now that he and his confrères may have to bear the burden, he wants to tighten up his belt and wishes Government were not so extravagant. But he gave credit for the very good work—and I thank him very heartily for it—done in connection with the construction of the Lloyd barrage and canals, and I thank him on behalf of the staff for his kind remarks. But, Sir, his main song was the burden of debt. He said, what he wanted is relief by increased revenue. He continues harping on the same idea as that of the honourable member from Larkana, that the way to be prosperous is to continue cutting down the staff. Let me tell him that if we are to run the Barrage and the new canals under post-Barrage conditions as a commercial concern, he had best be very careful about cutting down the directing staff. Otherwise, he will still have to sing his song about the burden of debt, and he will not be able to turn to the tune of "relief by increased revenues."

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He then touched on the question of recruitment. He made a statement which I must categorically refute. He stated that the policy had been to recruit outsiders of inferior qualifications in preference to the local product. That is a complete misstatement of the facts and he cannot produce one instance in support of that statement.

I thank the honourable member, Rao Bahadur Chitale, for the reference he made to the efficiency of the establishment connected with the construction of the Barrage canals. That will be very much appreciated by the staff. But he said that he had some doubts about the extent of the establishment and that this cut of one lakh could easily be accepted! I do not think that is really the reason for this debate—the cutting of expenditure by one lakh of rupees. This debate is really to elicit facts so that members may be put wise on the question of the irrigation establishment in Sind. The honourable member said just now that we may have pruned down our demand very considerably. I can tell him this; the demand was personally cut down by me by over three lakhs of rupees before the budget went up to Government. I would ask him and others to continue to place in us their trust, as they have done in the past. I do not think I can be accused of having been grossly extravagant in dealing with the Barrage scheme. If we are able by any possible means to save one lakh, one lakh will be saved. Every member has that assurance that if possible one lakh will be saved and more than one lakh. We ask in the usual manner that the grant be made. If, with the best of our efforts, we are not able to save one lakh, then honourable members will realise that it is really impossible to do so. I trust therefore that it will not be considered by honourable members that we are unreasonable if we oppose this cut of one lakh. Other honourable members also stated that the staff was extravagant. I have given sufficient figures about the Punjab to show that our proposed staff is not extravagant, but is merely what is required. It seems to me that every honourable member opposite assumes that our estimate of the staff is final. If honourable members study the White Book, they will see how we have been reducing the staff. In December 1931, there were two chief engineers, 6 superintending engineers, 31 executive engineers and 121 sub-divisional officers; that was when the amalgamation took place. Since then, up to the coming April, we expect to have 2 chief engineers, 6 superintending engineers, 28 executive engineers and 113 sub-divisional officers. I have reduced 3 executive engineers in the last month and a half. The sub-divisional officers will have been reduced from 121 to 113. By the 1st July next, we expect to decrease the staff by one more superintending engineer,—the executive engineers for that short period remain the same,—and one sub-divisional officer. Further, the forecast for 1st April 1933 is that there will be two chief engineers, 5 superintending engineers, 25 executive engineers; that is, a reduction of 6 executive engineers within 15 or 16 months, and 109 sub-divisional officers, that is to say a reduction of 41 which we expect within 15 or 16 months.

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I think this is going very fast. If honourable members bear in mind that we have got to proceed steadily until we find our feet in our new conditions, I think they will agree with me that we are making every effort to cut down the staff.

Now, Sir, a remark was made by the honourable member Syed Miran Mahomed Shah about recruitment and the honourable member Rao Bahadur Angadi also raised the plea for Indianisation. I must accuse him of not having really studied the staff employed in the Irrigation Department in Sind. I accuse him of having paid no real attention to it; otherwise he would not have said that Indianisation had not proceeded rapidly and that the position was unsatisfactory. Let me tell him—I have left behind the papers—as far as I remember, there are over 60 assistant engineers, out of whom only one is a European, and he is senior in service. The rest are Indians or Anglo-Indians. [*An Honourable Member*: Superintending Engineers?] There are, at the moment, six European Superintending Engineers who have reached this position by promotion according to seniority, combined with efficiency. Four years ago, there were five Europeans and two Indian Superintending Engineers. Fifteen months ago 100 per cent. of the Chief Engineers in Sind were Indians. [*Interruption.*] These figures vary from time to time. Amongst the sub-divisional officers—there are 113 at present—there is not a single European. The honourable member will see that he is at least misinformed when he says that Indianisation is not proceeding apace. It has gone on extremely fast. I think honourable members from Sind will find from the press reports in connection with the opening of the Sukkur Barrage and its successful completion that it has been quoted as a wonderful example of close co-operation between Europeans and Indians in carrying out a very large irrigation scheme.

I now come to the remarks of my honourable friend Mr. Kadri. I think he made an attack on the alleged paucity in the number of Mahomedans on the Sind irrigation establishment. I would like to be frank to honourable members as to our policy in that direction. We all know we have got to face a very great reduction in the temporary staff, among whom there are Mahomedans, employed on the Lloyd Barrage and canals. On account of that a certain number of temporary men have had and will have to be reduced. A great many will have to go. I am sure honourable members will agree with me that this must be in the interests of Government. Bearing in mind communal representation, we have been and are doing our very best; we are taking the very pick of these temporary men and retrenching the others. Honourable members from Sind know what orders I have already issued. When there is an enormous number of candidates, we have to take into consideration whether they are Sindhi Mahomedans, Sindhi Hindus, non-Sindhi Mahomedans, non-Sindhi Hindus, Presidency Mahomedans, Presidency Hindus and other classes. We have got to see whether if he comes from the Punjab, or from other provinces, say Bengal or Madras, he is likely to be assimilated in Sind.

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I have for adjudging efficiency made 5 classes A, B, C, D and E. I have laid down that every single Mahomedan classified down to class D should primarily be retained. This has given them a distinct advantage straightway. I may mention that class C is average and class D is below average. Still, I am accused of laxity in carrying out the policy of filling up vacancies first by selecting Mahomedans in Sind, then Mahomedans from the Presidency. I maintain that I have gone a good deal further than Government contemplated. I said that I would consider non-presidency Mahomedans, provided they were efficient and provided they had learnt the Sindhi language during the 7 or 8 years they have been working in Sind. The simple test has been that they must have a working knowledge of the language; the simple test of reading a piece out of a Sindhi newspaper and conversing intelligently in Sindhi with a peon! If a so-called foreigner goes to work for some years in another country, surely the least that can be expected of him is that he can converse simply in the language of that country? On that principle I decided that I would consider Punjabi Mahomedans who are not below "D" class. I repeat that when a non-presidency Mahomedan whether he belongs to B class, C class or D class, can read a Sindhi newspaper and converse with a peon with some degree of intelligence, that man will receive preference. Now, I cannot be more lenient in the matter, yet I was attacked in a newspaper by an honourable member for my lack of sympathy in dealing with Mahomedans in the question of filling up vacancies. No attempt was made to come to me to enquire what had been done in that connection. There is not a single person in Sind who can justly accuse me of lacking in goodwill in the efforts to increase the number of Mahomedans in the Engineering service. I have been dealing with the engineering staff.

I will now turn to the clerical staff. There are very few men in that class who normally get into touch with the people in the course of their official duties. If they are efficient men, I propose to keep them on.

Coming to the recruitment of Canal Assistants and abdars, the honourable member from Hyderabad did not mention the fact, which he knew perfectly well, that this time last year I had already issued orders that 60 per cent. of the candidates for the canal candidates for these two establishments should be Mahomedans. [*Interruption.*] Government in their orders have laid down a figure of 50 per cent. for Mahomedans—I have exceeded that percentage. I cannot justly be accused—the honourable member who accused me is not here—of lack of sympathy with Mahomedan aspirations for posts in the irrigation department in Sind.

Now, Sir, I come to the remarks made by the honourable member from Shikarpur (Khan Bahadur Allahbaksh) who is also the President of the District Local Board, Sukkur. The honourable member, frankly, disappointed me. He has skated on thin ice, he has made his ice as thin as possible and he has fallen through it. He advanced the same arguments

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as did the honourable member from Larkana (Khan Bahadur Khuhro) with which I have already dealt, about the question of Chief Engineers. He then says, "Let us decide on the merits of the case as regards the number of Executive Engineers required for perennial irrigation." The honourable member tried to disprove the few remarks made by the honourable member the Secretary, Public Works Department (Mr. Lane), by citing the Begari Canals Division charge. First of all, I think he cited the instance of one of the canals in which he is interested—the Desert Canal—with a discharge of more than 3,000 cusecs. That was the old figure and it has been increased to 5,000 cusecs. The second instance he gave was that of the Begari canal with a discharge of 8,000 cusecs, and the third instance was that of the Unhar canal with a discharge of 2,000 cusecs—giving a total according to him of 13,000 cusecs; according to me it is 15,000 cusecs. He says that Executive Engineers should be in charge of divisions on a 'cusec' basis equivalent to the above figures in the Begari canals division. If that is so, Sir, I request the honourable member to think carefully arithmetically; if an executive engineer is given a charge based on a total discharge of 15,000 "cusecs" of water, the Barrage Canals having some 46,000 "cusecs" would require only 3 such officers." Three Executive Engineers to look after the whole perennial irrigation in Sind! I ask him: does he really believe that such a proposition is possible? I think he has delivered himself into my hands.

The honourable member went on to the question of mileage. Mileage plays really no important part at all in the question of divisional charges. For instance, take the Rohri canal. The first division of the Canal covers about 60 miles of main canal of which 47 miles is in the Khairpur State. There he can use a motor car as the honourable member Mr. Baloch advocates. But we cannot take mileage into consideration in all cases.

The honourable member from Shikarpur then dwelt on the dangers of ill-informed comparisons. Well, there also he is on very thin ice. I feel absolutely certain that he has not read the latest edition of the White Book on Sind, nor has he read the budget notes carefully. Nor has he, Sir, assimilated the facts that he should have assimilated when he made that journey to the Punjab which he mentioned. He said he had got facts; I am afraid he has returned with a lot of fiction. The honourable member made out that an Executive Engineer in the Punjab is not only in charge of irrigation, but he has also got a lot of other work, that he has also to look after roads. He will be very surprised to know that an Executive Engineer in charge of irrigation in the Punjab looks after no roads and buildings whatsoever except ordinary buildings on canals. There is an entirely different department for roads and buildings.

Khan Bahadur ALLAHBAKSH: Inspection roads in the Punjab which are open to the public. It is not the same.

Sir CHARLTON HARRISON: Those are peripatetic roads. They have nothing to do with the roads of a province as we understand them in Bombay or any other place. I shall read the note from a statement that I submitted to Government. In that note I drew the attention of Government to the fact. I shall read the note:

"In Sind, in addition to irrigation works, Public Works Department officers are also in charge of provincial roads as well as civil and provincial buildings. All such work in the Punjab and United Provinces is done entirely by the Roads and Buildings branch of the Public Works Department and not by the Irrigation branch. In addition to roads and buildings, the Public Works Department officers in Sind have long lengths of river bunds in their charge, whereas in the Punjab and the United Provinces there are none of importance."

I admit that in Sind they are for the greater part provincial roads in name only. Still, our officers are in charge of civil buildings as well as provincial roads. We have no separate roads and buildings branch as such, barring just in Karachi itself. As regards the river bunds, the honourable member well knows what it meant to us two years ago when there was failure to stop leaks in certain places. We all know what a crisis there was in Sind two years ago. There was a dropping off in efficiency there and we paid very, very dearly for it. I think the honourable member will now agree with me that the information I have given him as regards the Punjab and the United Provinces is entirely in favour of Sind.

Khan Bahadur ALLAHBAKSH: There is no comparison.

Sir CHARLTON HARRISON: The honourable member says there is no comparison. I think those who know the Punjab and Sind will realise that they are very closely similar in every possible way. I think we cannot have a closer comparison.

Then the honourable member went into a long explanation as to what his idea of the forecast of the Barrage should be. I am afraid I could not follow him. He quoted an extraordinary lot of figures. He says we used to get 40 lakhs of revenue in the pre-war days in the Barrage zone on a Rs. 4 assessment. I am going to place two sets of figures before honourable members. The pre-Barrage irrigation in the area commanded by the Barrage canals is, in round figures, over an average of 10 years, 18 lakhs of acres. Let us for the moment set aside the question of assessment. Acreage is the best unit. Under post-barrage conditions we expect to have 51 lakhs of acres——

Khan Bahadur M. A. KHUHRO: In how many years?

Sir CHARLTON HARRISON: Fifteen to twenty years. One enterprising gentleman has come forward with a scheme for cultivating 80 per cent. of an estate of 20,000 acres within three years.

If the honourable member from Larkana and others will emulate the excellent example of that enterprising gentleman, it will be not much more than four or five years before we reach our final figures.

There is a difference of 33 lakhs—I do not think we need elaborate the point. Taking it at Re. 1 an acre, we will have 33 lakhs, at Rs. 2 we will have 66 lakhs and at Rs. 3 we will have 99 lakhs increase in revenue. The honourable member certainly cannot contradict our acreage figures.

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He went on to make his case still worse by taking inaccurate figures, and asked why we should continue a staff costing 50 to 60 lakhs of rupees? The honourable member knows as well as I do that his figures are entirely wrong. The figure in the pre-amalgamation days was Rs. 59 lakhs, and, as has already been pointed out by the Honourable the General Member, it is estimated to be 49·7 lakhs this year. We hope to get down to 44 and eventually to Rs. 41 lakhs. This makes a difference of 50 per cent. on his figures.

The honourable member then went on to say, "Reduce the expenditure on maintenance and repairs." He is quite right, and I have already got on to that question of reducing expenditure on maintenance and repairs. I have made a close study during the last two months of my general control in Sind and I am having the figures tabulated so that I can get to the root cause of the high incidence of maintenance and repairs of the old canals. I think the honourable member would not be very pleased if the investigation results as I expect it will, because I hope that it will be possible to reduce maintenance and repair by tightening up the efficiency of the control of water. He has overlooked that point. Water is slopped about without the slightest idea of economical use, and that is why an Executive Engineer at present can deal with 13,000 cusecs on inundation canals. If the honourable member expects the maintenance and repairs to be reduced, then the whole question of the efficiency of the canal has carefully to be considered; and I think he will find it will mean a very great tightening up so far as the distribution of water is concerned; it will mean very much greater control.

The honourable member then said that in his opinion the Chief Engineers and Superintending Engineers can do very much more work. I am very surprised to hear that from the honourable member Khan Bahadur Allahbaksh, who has been in close touch with the Superintending Engineers and Chief Engineers, and who has more than once expressed sympathy with me on the amount of work that I have had to do. Now, I think he is advocating the abolishment of the men at the head. This has been advocated before and duly criticised. Does he suggest that because a bandmaster does not necessarily himself play an instrument that the band should function without a bandmaster? The result would be that each bandman would play his instrument when and how he liked. The result would be chaos. Because the captain of a ship does not actually steer the ship or scrub the decks it does not mean that he should be done away with. The honourable member, I am sure, would be the first to have him at the helm if he found himself a passenger on a ship which was heading straight for the rocks.

Khan Bahadur ALLAHBAKSH: We have too many captains.

Sir CHARLTON HARRISON: I think not, Sir. I have already covered the points raised by the honourable member from Thana, except his reference to his impression that we were creating more posts so as not to get rid of temporary hands. Well, Sir, if we allowed our ideas

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of mercy to have the better of us, it would be true. But if he was in my position and had to do the heartrending work that I have to do in getting rid of the men that cannot be absorbed in the service, he would realise that I have been giving very careful consideration to this subject. If I had attempted to do what he suggests, there will be a less number of men in Sind seeking new posts. I have not attempted to keep on a single man because, although I know that he will be thrown on to the streets and possibly left to starve, I have not hesitated to remove him if I found him unnecessary.

I trust I have said enough to convince honourable members of this House that we have done our utmost to effect economy. It is very easy to accuse us of not having effected sufficient economy. But I do not know what else one can do than to feel that one has been entrusted with a responsible post and to give a clear assurance and certain facts and figures in support of his point of view that he has done his best. I am sure that honourable members of this House will accept the assurance that I have gone to the utmost limit without endangering the efficiency of the scheme. Sir, we all look forward to prosperity in Sind but we cannot buy prosperity at a reduced or 'sale price'. We cannot, without bitter disappointment, expect to get something for nothing in this world, and if only honourable members will remember that, then I feel certain that the prosperity of Sind will be assured and that if Sind is not separated from this Presidency, Bombay will be only too pleased to keep it within its fold. [*Applause.*]

Mr. S. S. TOLANI: Sir, the honourable member the Chief Engineer has not been able to enlighten us as to why the headquarters of the Superintending Engineers should be at Karachi and not at Sukkur or any other place.

Sir CHARLTON HARRISON: That point was very carefully considered. I think the honourable member from Larkana (Khan Bahadur Khuhro) and the other honourable member, Sir Shah Nawaz Bhutto, will agree with me that it is no fun for an elderly man to have to live in Sukkur. An Executive Engineer, or a Collector or an Assistant Collector can be expected to put up for some time, with the rigours of a really rigorous climate like that of Sukkur; but when a man is getting on in years, he is bound to decrease in efficiency if you expect him to stay in Sukkur, especially during the hot weather. There are certain periods when zamindars do want to get into touch with the Superintending Engineers. They can do that easily during the period from September to May. During the critical period (June to September) when the river is in flood, the Superintending Engineers do go out and see things for themselves, and can easily be met whilst on their *abkalani* tours. I am sure this House will not grudge Superintending Engineers a certain amount of comfort in being in Karachi. It costs Government no more because we have got buildings. We can provide office accommodation for all in one place. In fact by doing so we are in a position to get rid of a hired building in Karachi.

Mr. S. S. TOLANI: What about the daily allowances and the travelling allowances?

Sir CHARLTON HARRISON: They are all on permanent allowances; whether they live in Sukkur or in Karachi, there is no question of daily allowance or travelling allowance to Superintending Engineers. This matter has, I repeat, been very, very carefully considered. I have discussed it with the Honourable the General Member in great detail, and he and I were satisfied, as also were the Lloyd Barrage Standing Committee, that in the interests of efficiency the Superintending Engineers should have their headquarters in Karachi. Let us remember that in the Punjab and the United Provinces and all these other provinces, every single Superintending Engineer has a hill station recess. The officials there are allowed to go up to their hill stations for a considerable period during the hot weather. We have no such hill station in Sind.

Mr. S. S. TOLANI: Then why did you build so many bungalows at Sukkur and spend lakhs of rupees?

Mr. HAJI MIR MAHOMED BALOCH: The honourable member the Chief Engineer, Lloyd Barrage, said that he had consulted the honourable member Sir Shah Nawaz Bhutto, who however says he was never consulted about it.

The Honourable the PRESIDENT: The honourable member Sir Charlton Harrison did not say that he had "consulted" the honourable member Sir Shah Nawaz Bhutto.

Khan Bahadur M. A. KHUHRO (Larkana District): Sir, in my final remarks on this question, I would like first to deal with the remarks made by the honourable member the Chief Engineer in Sind in which he has made an answer to the various speakers who supported the motion. At the very start he misquoted me by saying that I stated in my speech that I was opposed to the retention of two Chief Engineers in Sind on the ground that the second Chief Engineer would be reduced to the position of a Personal Assistant. I merely quoted two alternatives in case the House agrees to the retention of two Chief Engineers. The alternative to which the honourable member the Chief Engineer perhaps looks forward is that he will divide Sind half and half, taking the right bank and giving the other, i.e. the left bank to the second Chief Engineer, and what I said in my original remarks was that should such be the case, he would be controlling the same jurisdiction that one Superintending Engineer controlled in the past and the other Chief Engineer will do the same thing. That means that two Chief Engineers will take the place of two Superintending Engineers that existed before.

Then as regards the main argument that he tried to make out that there is a necessity for two Chief Engineers because the work has increased and that it is more than what one Chief Engineer can carry on, the honourable member the Chief Engineer told us that some expenditure has yet to be incurred and that the barrage is not yet finally completed. We must, Sir, examine that statement closely.

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A statement has been made that the work is yet to be carried on, and we have therefore to see how much expenditure has yet to be incurred on that work. We find that it is only about a crore of rupees still to be expended on this work. We know that we retained only one Chief Engineer in charge of the barrage works. The whole project was intended to cost 20 crores of rupees and only one Chief Engineer was retained for the expenditure of that 20 crores, and now for the remaining construction work of only a crore of rupees, there is absolutely no justification—no single member will support the suggestion that for the remaining expenditure of one crore there is need to retain two extra Superintending Engineers and one Chief Engineer.

As regards the work, the whole work, it seems, after amalgamation, will run under the same administration, and it is rather in the interests of administration that there should be only one Chief Engineer and not two. For the whole Presidency of Bombay, barring Sind, you have one Chief Engineer who is not only Chief Engineer but the Secretary to Government also, and yet for Sind, which is hardly one-fourth part of the Presidency, you are retaining two Chief Engineers. Nobody will disagree in this conclusion that it is pure waste of money. As long ago as 1923, the Retrenchment Committee suggested that there is no need even to retain one Chief Engineer in Sind and that Committee, as every honourable member in this House knows, suggested as an alternative that there is no need to retain two Superintending Engineers in case you retain one Chief Engineer because there was not sufficient work for them. After that, I have got reliable information to state that the late Chief Engineer Mr. Satarawalla, who acted as Chief Engineer in Sind, wrote to Government that there was absolutely no need for the appointment of Chief Engineer in Sind, because there was not enough work for him. I have given the name of the Chief Engineer who made that report and I challenge any Government member to contradict my statement if it is not correct.

As regards the question of the Superintending Engineers, the honourable member the Chief Engineer has quoted certain figures and given a comparison of the Punjab and United Provinces with Sind and in the course of that comparison he quoted certain figures in order to justify his opinion that it is necessary to retain five Superintending Engineers. But, Sir, the argument advanced by my honourable friend from Sukkur still holds good and that has not been contradicted by the honourable member Sir Charlton's arguments, namely, that at present you have practically one Superintending Engineer for one district in Sind, I mean the district that previously existed (now by cutting Larkana into two, you have created two districts). That is another waste of money. In that case, it is undoubtedly true that for a small area, which is held by four Executive Engineers for about 12,000 or 13,000 cusecs, you have one Superintending Engineer. This is really unjustified. An argument was advanced—and the honourable member the Chief Engineer himself agreed to it—that the Begari Canals district has got one Executive Engineer for

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15,000 cusecs of water, and the honourable member the Chief Engineer went on ridiculing that proposal by suggesting that because there is one Executive Engineer for 15,000 cusecs, for the whole barrage, there being only 40,000 cusecs of water, should there be three Executive Engineers? That is hardly any argument at all. I for one am unable to understand his point of view. The argument that was advanced by my honourable friend Khan Bahadur Allahbaksh was that for 15,000 cusecs you have got one Executive Engineer at present in Begari Canals and he is efficient enough to control it and do the work properly. But that does not imply that we are going to ask the Council that there should be only three Executive Engineers for the whole Barrage on that ratio; but what we do really ask the Council is that there should be a reasonable number of Executive Engineers and in my opening remarks I said that there should be 15 Executive Engineers. That is a sufficiently large number that I have suggested in my remarks, namely, 15 i.e. three times the number that the honourable member the Chief Engineer put by way of ridicule. What I suggested was that there should not be 23 but 15, and in fact if I remember aright, the honourable member the Chief Engineer repeated that I suggested reduction of the staff by one-third.

As regards the figures he quoted for the retention of two Chief Engineers, he himself agreed and frankly admitted that the area or the cusecs of water, etc., were much less than what the Chief Engineer in the Punjab or in the United Provinces held control of.

One argument that he gave in favour of retaining 23 Executive Engineers and five Superintending Engineers was that there should be a sufficiently large number of Superintending and Executive Engineers so that they would be able to go round and meet people on the fields and talk to the agriculturists and try to redress their grievances. And yet in the same breath he says that these five Superintending Engineers should be allowed to remain in Karachi. Now, Sir, when these Superintending Engineers go and live in Karachi, how is it possible for them to go and meet people on the fields? These Executive Engineers and Superintending Engineers live in nice bungalows at headquarters. The real reason given by the honourable member is that of climate, they want to avoid the heat and so they want to go and live in beautiful bungalows in the beautiful climate of Karachi and enjoy comfort and luxury. That is at the bottom of the whole thing and there is no other reason for it. They built such nice bungalows at Sukkur at a cost of lakhs and lakhs of rupees, and at one time the honourable member the Chief Engineer himself stated he would be able to turn out more value from them, but now they are lying absolutely vacant and no use will be made of them. Then what for were they built at such huge cost? There is no market for them; nobody is going to buy those bungalows. It is really a very important and a very correct suggestion made by my honourable friend from Sukkur that these Superintending Engineers must live in their own circles. When you have got one Superintending Engineer for Larkana,

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it is but necessary that he should live in Larkana, or at Dadu, to be able to meet people. The Collector of Larkana, who is a Civilian and also a European, does live in Larkana and, if he can do so, I do not see why the Superintending Engineer should find it difficult to take up his residence in Larkana as well. The arguments advanced by the honourable member the Chief Engineer were really fallacious and contradictory to each other. At one place the honourable member says that these officers are to go round and meet the people working on the fields and in the same breath he says that they should be allowed to go and live in Karachi, some 300 to 400 miles away from Upper Sind.

As regards attending to the grievances of the people, certain remarks were rightly made on this side of the House that as a rule none of the decisions of the Executive Engineers are upset by the higher authorities in appeal. I would really put that question to the honourable member in all earnestness at my command. I make bold to state on the floor of this House that in 99 per cent. of cases, the decisions given by the Executive Engineers are upheld in appeal by the superior authorities on the principle of *trusting the man on the spot*. Whatever the Assistant Engineer or the Executive Engineer writes is accepted and not disturbed by the superior authorities because these superior authorities have got rare opportunity of going out and meeting the people as they do not take the trouble of visiting the site and they go on the theory that whatever the Executive Engineer writes must be correct and should not be upset. Of this we have got actual and practical experience. It is no use ridiculing. I have never stated that I am an expert. I did not say while making my statement in moving this cut that I was an expert on engineering problems or an expert on any other question. I merely stated that we have got sufficient experience as zamindars, as we have to deal with these officials, and I do know how the actual administration is run, and so, we come to know about it and therefore we are justified in making the complaints that we make here or in making the suggestions that we make here for the removal of those grievances. It is therefore a sound and a practical suggestion that the officers should live within their jurisdictions and not at Karachi or elsewhere. But, Sir, the Chief Engineer claims to be an expert on this question. Time will show whether that expert knowledge of his is beneficial to this Presidency or to Sind when it is separated, and whether this huge expenditure on establishment is justified, or whether it is going to make this Presidency as well as the Province of Sind bankrupt provinces. It is very necessary to see how much expenditure is justified under the circumstances.

Then, Sir, my honourable friend quoted figures for Sukkur to give an idea of the net revenues of the province of Sind. That was really an important argument, which the Chief Engineer just passed over by saying that he could not properly follow. The argument in a nutshell——

Sir CHARLTON HARRISON: I think I quoted figures.

Khan Bahadur M. A. KHUHRO: He did not reply; he said that he did not follow the figures. Of course, I would not like to repeat them as I do not want to take much time of the House, but I would only like to say in a few words that what my honourable friend meant was that before the Barrage came into effect there was 40 lakhs net revenue from the Province of Sind, after deducting all the expenditure incurred on the Public Works Department. Now, you have to take out those 40 lakhs from the net revenues that you expect after the Barrage comes into force next year. He gave the figure of 24 lakhs of acres of cultivation. The Chief Engineer says that there will be 51 lakhs of acres. But I would like to ask him, in how many years? These 51 lakhs of acres are on paper only, and that area is expected to be cultivated in from 15 to 25 years, when all the land is taken up and when all the land, according to expectations and according to the scheme, is brought under cultivation. But we have very grave doubts whether that scheme will materialise in practice, whether all the land is going to be taken up and cultivated. We have to go on the facts of the cultivation at present being undertaken. The question is whether the present figures of cultivation justify all this establishment. Taking the highest figure of my honourable friend of 24 lakhs of acres, he gave a net revenue of 96 lakhs of rupees at the rate of Rs. 4 an acre. That is what he says. Now the argument which perhaps the Chief Engineer would like to object to is as regards the assessment, but I myself would not like to go into that controversy. So, I have given the highest figure of revenue. Rs. 1,10,00,000 which may be taken as the revenues from the province of Sind, out of which you will have to deduct Rs. 40,00,000 being the revenue before the Barrage comes into force. That practically leaves you 60 to 70 lakhs. Out of that you want to absorb half a crore only on establishment. The balance is 10 to 15 lakhs, and out of this amount you want to pay up the huge amount of interest, aggregating to something like a crore of rupees per year. So, what I strongly object to, and what the honourable members from this side should really object to, is this huge expenditure of half a crore on establishments in Sind. It is a pure and simple waste. This department has been allowed to run so freely. If their statements and their proposals are accepted *in toto* by Government as gospel truth, coming from experts, then ruin will stare this Presidency in the face, and we must look at it with great concern, now that we are on the threshold of separation. But leaving aside the question of separation, whether we are part of the Presidency or whether we are separated from it, the question of finance must be one of vital concern to the honourable members in this House. They know the financial position of this Government. They know there are no extra funds to be frittered away like this. The Finance Department must really exercise sufficient control over the expenditure in the Public Works Department. I think I have answered all the arguments of the honourable member the Chief Engineer in Sind.

Sir, the Honourable the General Member, when he spoke yesterday, said that this establishment had been sanctioned only temporarily, and he would bring it up again before the Council next year. Now, Sir, this

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is rather a vague statement. The expenditure over every department does come before this House every year. But at present, when we are going to accept a new policy of re-organisation of the Sind Public Works Department, this is the proper time when the Honourable the General Member and the Government should really very carefully scrutinise and see whether all this expenditure is justified. The statement of the Honourable the General Member does not at all make it clear whether he is prepared to cut down this expenditure even after one year, or whether some excuse will be found for retaining the same extravagant establishment. We should like to know from him whether, after this one crore is spent, he is going to curtail the establishment by 1 Chief Engineer, 2 or 3 Superintending Engineers and 7 or 8 Executive Engineers, as I have suggested.

The question of the representation of different communities in the service really does not concern this question, because here I have dealt only with the question of the re-organisation of the Public Works Department in Sind and the reduction of expenditure over the department. The question of representation of various communities in the service could only be discussed when there is a general discussion on the lump cut of Rs. 100 or Rs. 1,000 under 41, Civil Works, or a similar head. The Chief Engineer went on discussing that question here. He expressed a good deal of sympathy for the backward classes and his intention of supporting the recruits from the backward classes and retaining their proper proportion in Government service. I am very thankful to him for his remarks, but we have to go by results. The results in Sind with regard to the representation of different communities and classes in his department do not go to prove his sympathies as genuine. I am sorry to remark that the number of Mussalmans and backward class persons in service in that province is very, very low. However, Sir, I would like to deal with this question in greater detail at another opportunity when it comes up. Therefore, I will leave it at that.

In the end, I would make an appeal to the Honourable the General Member to enlighten this House as to what is going to be his policy and that of Government hereafter in connection with these Public Works Department establishments in Sind. With these remarks, I resume my seat.

The Honourable Sir GHULAM HUSSAIN: Mr. President, my task has been much lightened by the lucid speech of the Chief Engineer for the Lloyd Barrage, Sir Charlton Harrison. Sir, we have on one side the opinion of experts that they require certain establishment for the efficiency of the administration of the Public Works Department in Sind, and on the other side we have the opinion of lay gentlemen, my honourable friends the non-official members from Sind in this Honourable House. When there is a difference of opinion between the two, whatever the difference may be, I must look somewhere else: and where can I look? I can only look to other provinces where there are similar conditions and where the irrigation system is nearly the same as in Sind or almost

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identical. Such a province is the Punjab, where there are similar conditions, and where there is perennial irrigation. The honourable member the Chief Engineer informed this House that in the Punjab there are not only 2 Chief Engineers but 3, and he gave us the details of the work of each Chief Engineer in the Punjab. Taking that into consideration, when we have asked for only 2 Chief Engineers in Sind, I do not think our demand is at all excessive. Again, taking the remaining establishment and comparing it with that of the Punjab, I think our establishment can favourably compare with that of the Punjab.

Mr. HAJI MIR MAHOMED BALOCH (In Urdu): Punjab is eight times larger than Sind.

The Honourable Sir GHULAM HUSSAIN: The Chief Engineer has actually quoted the figures of the total acreage and the area which each Executive Engineer, Superintending Engineer and Chief Engineer has to look after. Well, Sir, it is impossible—I am also a layman—to convince those who refuse to be convinced.

Now, Sir, when I spoke last, I made it very clear to this Honourable House that my demand for establishment was for next year only, and that we would again place the details of our establishment before this House. The Honourable House may rest assured that I and the officers of my department are trying our best to reduce the expenditure on establishment, and our *bona fides* is clear. We have reduced expenditure on establishment to the extent of 11 lakhs, and every year, every few months, we will go on reducing it, without impairing efficiency.

Now, Sir, we should not confuse the issue. The issue before the House is whether we require for the next year the establishment that has been proposed. When I once again come before the House with proposals for establishment, that is in 1933-34, then the Honourable House may again criticise me if the establishment at that time is excessive. At present, no honourable member has been able to show that it is excessive, because in addition to the ordinary duties of the Public Works Department, we are carrying out capital works of Rs. 1,19,00,000. I have not heard from honourable members a single word to show that for the next year, for which this establishment is intended, it is excessive. When I bring it up again, if they find it excessive, by all means they may do what they like.

Then, with regard to the headquarters of the Superintending Engineers, honourable members said that these officers will stay at Karachi, enjoying the cool climate of the place. But, Sir, I might tell them that they will tour from September to May, and those honourable members who come from Sind know that every officer of the Public Works Department in Sind goes out on an *abkalani* tour even in summer. So, almost throughout the year they will be accessible to the zamindars.

Another criticism that I heard from the members of this House was that we are not Indianising. Sir, I have been connected with the Public Works Department both as Minister in charge of Roads and Buildings and later as Member in charge of Irrigation, since 1921, and I assure

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honourable members that we have been carrying out the policy of Indianisation. I feel proud to tell him that we had an Indian Secretary in the Public Works Department, not once but twice—Mr. Framji and Mr. Moraes. Then coming to Sind, we had two Indian Chief Engineers, Mr. Vartak and Mr. Satarawalla. We had two Superintending Engineers. So, it is not the case that we are not Indianising. Even the few Europeans we have, are excellent officers. No less a personage than the honourable member Sir Shah Nawaz Khan Bhutto bestowed encomiums on them at the Round Table Conference sub-committee. I would like to read the following passage from it:

"In 1929, in my own province of Sind, we had an abnormally heavy rainfall, and the river rose to 80 feet, the gauges recording the highest maximum ever attained on the River Indus. But in this important district we had fortunately European—English—engineers in charge. All the people of Sind were in a state of anxiety, because it was feared that almost the whole of our Province would be drowned, that it would scarcely be possible for us to save our lives, while property we never expected to save. What we found was that these European engineers, with their subordinate staff, maintained a constant watch on events and set up defensive bunds, with the result that, fortunately, the whole Province was saved from a disaster which none of us expected to escape. Unfortunately the system prevails of lending officials to other Provinces—unfortunately from our point of view, because in the following year almost all the best engineers had been taken away. In 1930 we were left with almost all the important charges in the hands of Indian engineers, and though they were very efficient engineers, they lacked a certain sense of responsibility, which we Indians have not as yet realised to the same extent as our European colleagues. In 1930, however, we had not the abnormally heavy rains which we experienced in 1929, the river rose only comparatively slightly and yet all the bunds gave way. Some of the Indian engineers were having a very pleasant time, and apparently could not make up their minds to surrender their comforts and go and watch the bunds day and night as the European engineers had done. On one occasion I found a European engineer maintaining the watch by himself..... .....as a result of that calamity,.....in one district about 300 villages were drowned; in another district about 250, and in a third about 150."

The Honourable the PRESIDENT: How were the Round Table Conference interested in this?

The Honourable Sir GHULAM HUSSAIN: So, honourable members will see that the small band of Europeans in Sind are doing very good work. As has been pointed out, we have been Indianising; but the very few Europeans we have there are very good officers. Now, I assure this Honourable House that I have listened with great interest to their speeches and criticisms. I will bear everything in mind, and when the honourable member the Chief Engineer brings his proposals for establishment again, I will look into every item and try to give satisfaction to this House. With this assurance, I hope the honourable member will withdraw his motion.

Khan Bahadur M. A. KHUHRO: I am glad to hear the assurance given by the Honourable the General Member that he will scrutinise carefully and curtail the expenditure for the next year. In view of that assurance, I withdraw the motion. I had thought that he would easily accept this small cut of about 2 lakhs as it would not affect him much; but since he does not agree to that and gives the assurance to reduce expenses next year, I withdraw my motion.

Motion, by leave, withdrawn.

Rao Saheb P. D. KULKARNI (Poona District): Sir, I beg to move:

"Reduce by Rs. 100. Irrigation Development and Research Circle—(*d*) Total—III—Superintending Engineer—Voted—Rs. 20,800 (Public Works Department, E. Page 31)."

My object in moving this cut is to place before this House the feelings of the irrigators of the Deccan about the working of this Department. This so-called beneficial work was started in 1915. One sub-division was formed at that time calling it a new scheme. Then afterwards this was converted into a separate division in the year 1917 and in 1927 this was called by the bombastic name of "Irrigation Development and Research Circle." This has remained for the last 15 years or more at an expense of 29 lakhs of public money. This circle is in charge of one and the same officer for years together and this research and development circle has not availed itself of the co-operation with the Agricultural Department or with the heads of the special branches that have been started in that Department. I asked a question to secure information about the educational qualifications of this special officer, who is entrusted with this important work which costs us above 28 lakhs of rupees at this bad time of financial stringency. Not only that, the Department causes the greatest inconvenience to the irrigators and at the same time takes the credit of decreasing the revenue of Irrigation. This expert has not been transferred from the present place for the last 10 years. As I am told I really do know his educational qualifications, which are only as ordinary as any one else in the Department. He is a B.A. And what other qualifications has he? He is a B.A.I. which qualification has been acquired, I can see, by many other engineers also: His qualifications do not stop here. He has once gone to America and stayed there for a long period of 40 days. He has taken 40 days' education in America and on the strength of that, he has been appointed a special officer on a salary of Rs. 1,950, overseas allowance of £13 and a travelling allowance of Rs. 90 per month.

What precious work is done by him? I do not know his work but it is given in the Review of the Administration of the Bombay Presidency, 1929-30: ".....examine and supervise Rain and River gauge works." That is the first work of this expert. Another work of his is the classification of soil and sub-soil and to work out the drainage work in water-logged lands. This work is being done meritoriously by the experts working under the Agricultural Department. Where remains the need to burden this presidency's finance with the heavy costs of this officer? The great and meritorious achievements of this officer is what is called Block formation and revision of blocks. This is the great achievement reported to his credit. But this has decreased the revenue and caused the greatest inconvenience to the irrigators. This system really speaking has become very unpopular——

Sir CHARLTON HARRISON: The block system was initiated by Sir M. Visvesvaraya some 30 years ago and not by Mr. Inglis.

Rao Saheb P. D. KULKARNI: I know, but Sir M. Visvesvaraya initiated it in a different line and Mr. Inglis adopted it in such a strange

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way that it causes the greatest inconvenience and loss to the irrigators of Deccan.

The Honourable the PRESIDENT: I have not yet been able to catch the honourable member's point—whether his objection refers to the officer or to the post itself.

Rao Saheb P. D. KULKARNI: I take objection to the continuing of the office at least in the way in which it is at present working. If it is to be conducted in this way, it is better that it should be abolished once for all. I do not want to make any remarks against the officer holding that office personally, but the office being altogether useless and very costly is fit to be abolished.

The Honourable the PRESIDENT: I thought the honourable member went into the qualifications of the officer.

Rao Saheb P. D. KULKARNI: Because this officer has been posted there as a specialist. He has been working there for the last 10 years and yet I do not find any special qualifications in him.

The Honourable the PRESIDENT: I think what the honourable member wants to convey to this House is that there is no need of this post.

Rao Saheb P. D. KULKARNI: The development and research methods followed by this department are responsible for so many inconveniences. I am not the only person to complain about this, but there are thousands of applications against the working of this Department. They have been sent to the Secretary to Government and other responsible officers. I am sorry to say that these applications made their way in the waste paper basket. When questions are asked in this connection, elusive answers are given by the Government and all our efforts are baffled thereby. There is a decrease of crores of rupees in the income from irrigation revenue, while we are told that it is slightly decreasing. Government reports and resolutions say that there is a loss of only half a crore of rupees on this investment. (*Vide* Government Resolution, Public Works Department, No. 2353/27 dated 26th January 1931.)

All of the grievances of the people against this department have been narrated in the applications which have been sent now and then to Government. They have also ventilated their grievances in the conferences of irrigators held recently. Government have not yet cared to look into them. I shall refer to the few grievances which were put forward by the applicants repeatedly.

(1) That the charge of water is recovered in the case of Rabi crops even in the cases where actually not even a drop of water is taken.

(2) In case of overlapping crop of sugar cane, the charge is levied in the first instance for the block in which it stands and a separate charge is taken for the overlapping crops of sugar cane.

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(3) Though blocks are not utilised for crop by the irrigator yet the charge is required to be paid for the same when there is the application for getting water to his block in the beginning.

(4) The rates of water are not changed, though the prices of jaggery, sugar and all produce from sugar cane have gone down.

My another grievance is this: By the control of this Department the irrigators are placed in the position of a servant who has two masters to serve. It is very difficult to please two masters at one and the same time. The Executive Engineer, Deccan Irrigation Circle, is one of the two masters of the Irrigators in the Deccan and the Superintending Engineer, Research and Development Circle, is another one. They are both controlling the area and the irrigators who want to get water have to labour under very unfavourable circumstances. This double government is the worst type of the kind and the irrigators have to swallow these quinine pills. In order to have this grievance redressed, resolutions after resolutions have been passed by many conferences, many questions have been asked in the Council, but nothing has been done up till now to give relief to them. I, being the representative of those irrigators of my district, am expressing their grievances. Not a single grievance has been exaggerated by me in my speech here. Last time we were told that a committee would be appointed to investigate into the grievances of the irrigators and that the irrigators would be afforded an opportunity to place their grievances before this committee. But, alas, what sort of committee was appointed by the benign Government? The committee appointed was asked to see how the income of Government from irrigation could be increased. All our grievances were set aside. There was not a single word in the terms of reference of that committee that was brought into existence to investigate into the grievances of the irrigators.

The Honourable Sir GHULAM HUSSAIN: Is that so?

Rao Saheb P. D. KULKARNI: Yes. I spoke to a responsible member of that committee and was told that the committee was only to see how the income could be increased. I was invited to give evidence before the committee, but I had nothing to do with the problem before the committee and eventually cared not for their work. At the time of the discussion of my resolution I was told that a committee would be appointed to give a patient hearing to the grievances of irrigators in Deccan. That committee, it seems, has not been appointed as yet. At least it is not functioning on the promised line. That is my grievance. This is the only place where I can ventilate my grievances before the public and the Government where there is some chance of getting the grievances redressed. I request my honourable colleagues to support me in this effort and help me in getting this wrong of irrigators redressed which I cannot get redressed elsewhere. With that intention in my mind I tabled my motion of this cut. Last time in Poona Session when I opened this question there was no supporter to me. Perhaps that was one of the reasons why the grievances were not

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considered then and there. I do not know if Government intend to appoint some committee or at least some responsible officer to make the necessary enquiries in the matter. If they do so, and prove that the grievances are not real but are told in an exaggerated way, I shall take back my allegations made on this floor and express my regret for wasting the time of the House. But I have full confidence that the time of the House will be very well spent and will be very helpful to improve the present state of the irrigators and the contentment of the people will be helpful also in recouping the deficit in the revenue seen in the recent years. With these words, I move the cut motion.

Question proposed.

Mr. B. S. KAMAT: Sir, I was just looking round to see whether any honourable member who advocates the question of looking into the grievances of the irrigators would be in the House to support the motion of the honourable member, Rao Saheb Kulkarni. I regret none is present here.

So far as I am concerned, I regret to say I cannot share the view which the honourable member holds in respect of the Research Circle. And in stating his case, I fear, Sir, he has entirely missed the issue. The Research Circle is no doubt responsible for making certain rules for the equitable distribution of water to irrigators. The honourable mover of this cut has made it a grievance that the committee which has now been appointed to look into the finances of the Deccan irrigation did not look into the question of irrigators' grievances about these rules. Speaking on behalf of this Financial Improvement of Irrigation Committee, let me assure my friend that it was absolutely outside the purview of that committee to go into the question of the working of those rules which apply to the irrigators. But so far as the specific grievances about distribution of water are concerned, I do think, so far as my knowledge of the question goes, that it is not true that these grievances were not enquired into by some other conference or committee. I remember some 6 or 7 years back I had the privilege of presiding over a conference of irrigators at Baramati; and ever since then I believe the irrigators both in the Baramati tract and the Ahmednagar district and other tracts of irrigation have been agitating over the question of the rules about distribution of water. And further, so far as I know, various conferences have been held between Government and the irrigators of the various tracts, through their representatives—either presidents or secretaries of the irrigators' associations,—and they have been heard and in a good many respects the rules have been modified. That is with reference to the rules and the grievances under the rules.

But, as I said, Sir, the honourable mover has missed the whole issue. The issue is: is the Research Circle necessary or not? The issue is not whether the rules are necessary. In any case whether you have the Research Circle or not, the rules would be necessary. Whether the special officer in charge of Research Circle goes or remains, there will have to be certain rules for the distribution of water. There will have to

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be some control, as there is some control everywhere. If I understand the objects of research rightly, I for one hold that the Research Circle is absolutely necessary. That point has been emphasised——

Rao Saheb KULKARNI: If the work is conducted in the present way, then the Department is certainly unnecessary.

Mr. B. S. KAMAT: The importance of research in irrigation matters has been emphasised by the Royal Commission on Agriculture. For the information of the honourable members of this House who do not probably realise the importance of research in irrigation matters, I may tell them that wherever there is a system of distribution of water as in the Deccan, there is bound to be one evil, namely, waterlogging and what is called salt efflorescence of the land. A good many people must have seen how lands, which get too much of flow-water and which are practically flooded for the purpose of sugarcane irrigation, get a sort of a salt surface on the land and the land becomes so damaged and useless for agricultural purposes that it practically goes out of use, and if there is no research to remedy this evil such as by drainage or other methods, the loss to the irrigators themselves and to the lands would be enormous.

I have recently had occasion to inquire into the question of the damage by waterlogging to various lands in the Deccan and I find that on the Nira Left Bank Canal no less than 9,000 acres of land which could be irrigated have become damaged and gone out of use; similarly, on the Godavari no less than 17,000 acres have gone out of use because of the damage done to them. The same thing is perhaps true of the Pravara Canal. On the whole, something like 40,000 acres would be irretrievably damaged if there is no research circle to find out how to reclaim the lands and bring them back to use. That is the value of research. This question was discussed by the recent Retrenchment Committee and this is their verdict. With reference to this Research Circle, the Retrenchment Committee say on page 19 of their report:

"46. We have considered a proposal to abolish the Irrigation Development and Research Circle. Evidence has been given to us that this Department has been instrumental in saving large sums in construction both in Sind and the Presidency."

So far as the Deccan is concerned, I may quote one instance where the Research Circle has been able to effect economy, namely, in the case of the Vir Dam, which I expect the honourable mover knows about. This dam was thought at one time to be necessary and something like 99 lakhs of rupees or a crore of rupees was provided for the construction of that dam. But owing to the results of the work of the Research Circle it was found that the water could be so utilised that probably this dam would be unnecessary, and thus 99 lakhs of rupees will be saved. I think that is due probably to the research work done by the Research Circle. Furthermore, the majority of the Retrenchment Committee goes on to say:

"Hydrodynamic experiments carried out by the Superintending Engineer in charge of this circle have led to the more economical designing of aqueducts and sluice gates and have gone a long way towards solving problems connected with the deposit of silt which occur on most canals but are of particular importance in Sind. In the Deccan

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successful methods have been evolved of dealing with the menace of water-logging and salt. Drainage schemes have been carried out and salt land has successfully been reclaimed and its fertility restored....."

Finally, the Report says it would not be wise to interrupt the research work of this Department. Recently, in connection with the Committee in which we are investigating certain problems of irrigation finance, I had the privilege of going round the Deccan Canal tracts and wherever we went, evidence was coming forth asking for drainage channels for the purpose of reclaiming these water-logged lands; cultivators came forward and frankly admitted that drainage schemes are necessary. Not only that, but they even went a step further and said that they would be willing, if their lands could be reclaimed for them and made fertile again, to bear some of the cost of reclamation. That is to say, they fully appreciate the advantages of cutting drainage channels into their lands, taking out the excess water and so reclaiming the land that it is rendered fit for use again. That proves the value of drainage and therefore of the research circle. On the whole, therefore, a case has been made out that the research circle ought to stand, and if my honourable friend has got at the back of his mind the idea that by giving this motion for a cut the whole of this circle should be abolished, then I think he is either labouring under a misapprehension or perhaps he is ignorant of facts.

Having said that, let me also say in frankness that there is a certain amount of plausibility in what he urged. If, as I said just now, cultivators have appreciated the value of drainage to their lands, it is also true, as the honourable the mover has pointed out, that there has been, throughout the Deccan Canals, a great deal of discontent with reference to the rules and how these rules are framed and in a way enforced either by the officer who is now the Superintending Engineer or by the subordinate staff of the other Circle. That is a fact which I cannot deny; but, Sir, the discontent by the enforcement of rules is removable and can be removed by carrying the matter to the Honourable the General Member in charge. The remedy is either to get the rules modified or relaxed or, as has been suggested, Government can in its own way remove these serious hardships under which the irrigators are labouring. For instance, the Superintending Engineer in question is perhaps the author of what is called the Block system and the Bund Rule system. What happens in actual practice is that, although the object of the rules is perfectly good and intended for the benefit of the cultivators themselves, in the actual carrying out of these rules, there is a certain amount of a lack of elasticity or discretion on the part of those who carry out the rules, viz., the subordinates and the lower officials of the department. For instance, these rules lay down that the whole field should be cut up into half an acre plots if water is not to be wasted. These half-acre or 20-guntha plots are very difficult for the illiterate cultivator to arrange. While, therefore, the cultivator is unitising his plots, if it so happens that the half-acre plot exceeds even by a few feet or a few yards the exact prescribed size, then probably the subordinate official of the department

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refuses to give him water in proper time either because the plot has fallen short by a few gunthas or exceeded by a few gunthas, and the cultivator suffers in his crop. Naturally this causes a great deal of discontent and it is this discontent which is reflected perhaps in the large number of petitions to Government to which the honourable member referred. While, therefore, there is a case to remove this discontent by looking into the rules and making the rules so simple and intelligible to the cultivators that they can easily follow them, and to introduce a certain amount of elasticity into these rules, I do not think there is a case for entirely abolishing the research circle. This is the real distinction between the right view and the view of the mover. I therefore think that men who have been conversant with this problem should take the view that, while research is quite necessary for the future benefit of the cultivators themselves, all that is necessary now is so to simplify the rules that they can be followed easily without a great deal of effort by the cultivators, bulk of whom are illiterate, but for whose benefit the department is really working.

I would therefore urge the department and the Honourable the General Member to look into the rules and so modify them, if necessary, as to make them easily followable by the illiterate cultivators, rather than entirely remove the Superintending Engineer or do away with the research circle altogether.

Mr. N. E. NAVLE (Ahmednagar District): Sir, as this is a cut of only a hundred rupees and the general policy of the department is under discussion, I wish to offer a few remarks with regard to the administration of the block system which is obtaining in the Deccan Canal tracts. Sir, this House remembers very well that I had tabled a resolution in the June-July session at Poona recommending to Government the abolition of the block system. Government very well knows what great difficulties the agriculturists under the Deccan Canals have been put to owing to the introduction of the block system in the Deccan Canals. I think it was only yesterday that to a question put in this House the reply given by the Honourable the General Member was that in nearly 500 acres yearly, though sugarcane is not cultivated, still the water cess is being levied by Government. If we were to calculate at the rate of Rs. 66 per acre, which is the rate obtaining at present, we can easily see what a large amount is being recovered by Government without sugarcane being cultivated on such a vast area as 500 acres.

The Honourable Sir GHULAM HUSSAIN: Did they not apply for it?

Mr. N. E. NAVLE: They may have applied for it, but is it not a fact that it is because the block system is obtaining under the Deccan Canals that you are entitled to recover your duties for these 500 acres? Had there not been the block system obtaining in the Deccan Canals, you would not have been able to recover your dues for these 500 acres, because

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there is no cultivation, and in justice you are not entitled to recover your dues for acres which are not cultivated.

Sir, the evil of the block system is patent. The irrigators have complained against it times out of number, by holding conferences and passing resolutions and sending deputations. The Honourable the General Member knows it very well that he has received several deputations from time to time, and strong complaints have been made against the block system. I was talking about the resolution I had tabled at the July session; the Honourable the General Member was very kind and the Secretary to Government, Irrigation Department, was very sympathetic in accepting my resolution on behalf of Government. But what is the effect of the acceptance of that resolution? They have not given effect to it. The promise is on record that they would start an experiment of stopping the block system at least as far as the Godavari and Pravara canals are concerned. What is the good of a promise if it is not acted up to? I ask the Honourable the General Member what is being done about that promise?

Sir, my honourable friend Mr. Kamat rightly referred to the bund rules also. Sir, the injustice of these rules is quite patent. The agriculturists are put to great difficulties, and they are being harassed over the bund rules. These rules are not modified. Government knows that the agriculturists find it very difficult to follow the various intricate rules in practical working. So, in view of the promise to stop the block system at least as an experimental measure, they should start that experiment straightway by doing away with the system at least in the Godavari and Pravara canals, and amend the rules of the bund system in such a way that the agriculturists will be satisfied with them.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, I believe I will be right in thinking that the object of the motion is not so much to ventilate grievances as to see that the research division disappears. At least, that is the view that I take of it, and there are very cogent reasons as to why in these days of financial stringency we ought not to have this luxury, if as a matter of fact it is proved that it is a luxury to the satisfaction of this House.

Now, Sir, the honourable mover of the motion has given the history as to why and how this research circle was started. It was started, I believe in 1915, and the term is being renewed every five years, and my impression is that the present period of appointment of the officer expires in September 1932. If that is correct, and I know that it is correct, then it is for the Government to make out a very strong case indeed as to why, in these days of financial stringency, the post of this special officer should be continued after September 1932. I believe, Sir, departmentally, perhaps negotiations might be going on for the continuance of it, but we know nothing of it, and I would like to take this opportunity to say that Government will be very well advised in retrenching for the present at least that circle. That does not mean retrenching the particular officer, whose services may perhaps be made

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available for the solution of the larger questions which are pending in Sind under Barrage conditions. The work that he was doing so long has been almost completed. There were certain works budgeted for, which were intended to occupy this officer for some more time, but we find that the dam at Vir, costing 90 lakhs, has been abandoned by Government on further advice, and, looking to the present estimates of expenditure on works for this circle, so far as the Deccan is concerned, I find that there are about a lakh of rupees worth of works or it might be works of Rs. 1,20,000 to be executed by the agency of the research circle, out of which I believe that the expenditure on the officers and other charges comes to about a lakh. Now, Sir, the point of view that I would like to press on the attention of Government is this, that every bit of the work that this officer was expected to do, viz., classification of all the lands fit for sugarcane and for other crops, or perhaps the classification for other crops and part of the work of rectangulation on a smaller scale, has been done, and is almost mapped out. Not only that, but almost all the schemes of drainage—and drainage is one of those subjects which requires some kind of expert knowledge, not very much expert knowledge, but we will assume for the sake of argument that it does require expert knowledge—are now ready. But it is also certain that the Government is financially not in a position to finance these schemes. On the Pravara, on the Godavari and on the Nira Left Bank, these drainage schemes are ready, but no funds for them have been or could be allotted owing to the present stringent times. Now, we have this research circle under a Superintending Engineer. He has an Executive Engineer under him and a lot of other assistants, and the usual establishment, including the works that are to be executed comes to about Rs. 1,20,000. Now, Sir, he was entrusted no doubt with the work of remodelling the Nira Left Bank, in order to bring more acreage under irrigation. That work at the sanctioned cost is also finished, and it is to his credit that we have got about 19,000 acres of new land which is now brought under irrigation. That result would have been satisfactory also if as a matter of fact there was a demand for more irrigation. But the demand for irrigation is also lessening on the usual scale, and is now down by at least about one-fourth. Under these circumstances, I should think that Government has to make out a very strong case for the maintenance of this circle.

Now, there is another point which I would like to make. It may be said, as has been said, that a lot of lands are going out of cultivation, because they are spoiled by water-logging, thus becoming unfit for cultivation, or that they are spoiled by some kind of salts getting mixed up with the soil. They are either water-logged or spoiled by salt efflorescence. No doubt, there is a large acreage of that due to want of drainage at the proper time. Then again, the result is that parts of these lands are reclaimed at a cost which varies from Rs. 100 to Rs. 150. It might be said, from the point of view of Government, that they are at present worth at least Rs. 400 an acre. But these are all book values.

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What is the use of saying that some lands to the extent of 200 acres they have reclaimed are worth about 8 lakhs when there are no buyers? Not only that, but when the area of irrigation is actually contracting on account of various economic factors and other difficulties which are coming to surface, mostly on account of this method, it may be given up. I know that the bagayatdars are utterly discontented and dissatisfied, maybe for good reasons or bad reasons. But the fact is there. You must not shut your eyes to that. If you want that your scientific method should succeed, it is commonsense that you should meet that particular factor. No doubt, some lands are reclaimed and some money also is being made out not on field conditions but on demonstration farms in which the officers themselves keep account. They say that the expenditure meets the income. But the bagayatdars do not admit. They say that it may be so for one year, but if you take the results for a continuous period, the value of the reclaimed plot and the plot in a virgin area in which irrigation has been going on for years will not be the same. I cannot say how; but, I will say this much. If Government's policy is to run this as a business concern, you must sell out the reclaimed lands, even at the cost price, so that you can invest this money for another programme. But the present methods of Government are unbusinesslike and they go on spending at one end in order to show expansion and the existence of the scientific methods, oblivious of the other end whether it brings in any revenue or not. So far as I know, these lands are not being sold. Neither are these lands let out nor do they bring in any money. You are not able to find purchasers, and at least if you let out the lands for at least Rs. 50 an acre, it will be encouraging. But you do not. You departmentally manage these lands and keep accounts departmentally. You have got your establishment charges, skilled labour and all these which go to make up deficiency in ordinary field conditions which do not operate there. Therefore, your results are not correct.

There is another point. There are certain methods demonstrated as a result of the existence of this department in designing drainage schemes, but it is no use going in piecemeal. You must have drainage right through, which would benefit the whole strata of these fields, of which the subsoil level will be such that the water will be drained off in the nearest nullah. That is the correct system. I think the cultivators or bagayatdars have no objection to that. I know also this that several schemes have been made, but I am asking across the table why you have stopped the finance this year. You have no finance. You cannot have finance for a considerable number of years. Your own property to the extent of 19,000 acres was spoiled. You cannot improve unless you are put in possession of funds on the basis of Rs. 250 of expenditure per acre. Where is the good of maintaining a department and an officer of his rank, at least to cater for him, particularly when it amounts to a great hardship to the bagayatdars? This is not realised by the officers and, for the matter of that, by Government. You know that applications for

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lands which are brought under irrigation have to go through two officers,—the research officer and the superintending engineer. It is too true to say that the application takes a longer time than otherwise was the case before this department was started. The cultivators are delayed in planting the sugarcane for which they have to go in for the concession of overlapping and the rest. The point at issue is whether this circle is needed or not. If this circle is needed, you must give them sufficient financial help, in order that they might execute these works. If you lop off the drainage schemes of the Deccan and if you lop off a lot of other works which were going on on the Nira Left until the extension works, which you find after experience are not bringing in any revenue, may I ask where is the commonsense in continuing the policy which you find neither popular with the people nor brings you any money worth the name? Government will be very well advised in economising every little pie. I thank the honourable member Sir Charlton Harrison for stating that in irrigation matters you must economise and economise to the last pie. You must not spend it; you must not spend it with your bad agents or incompetent agents. I agree with you. That is the correct thing to hear; when we find that we have no funds at the present moment, a splendid opportunity has come to us, namely, that the period of the Research Circle which was started five years ago, is coming to an end in September 1932. Why should not the Honourable the General Member and the Finance Department, under the conditions I have mentioned, abolish it altogether, or if not abolish it altogether, keep it in suspended animation? The officers would be available; they might work somewhere else. Then, when finances are available, you might restart it. I admit that. But to have a luxury of this kind—this is not the time for it. This part of the House does not indulge in recriminations. They do not pay. It is too true that the other side is too strong for us. They can invent reasons and put us into such a mess by an array of figures that it is not possible to give any effective reply. But I am sure that if the Finance Department, which is the arbiter at least of the purse-strings, take it into their head to look into this department, they will agree with us. I am quite sure myself that if this department, or this particular branch of it, goes to the pruning knife of investigators like Sir Frederic Gauntlett, their eyes will catch this particular luxury. And even though Sir Frederic might not be in favour of pruning it altogether, I am sure that he will spare us at least this expenditure. I know it becomes very difficult for the Finance Department, especially when the matter comes from experts, to cut it down, when the experts say that it is necessary and desirable to have that department. Naturally in such cases the Finance Department do not have the last word. The Secretariat comes forward and says, "We want it. The Department is doing such useful work and therefore it must be retained." But even then,—that is the second string to the bow,—why should you have a Superintending Engineer in our attenuated condition? Why can you not get along with smaller funds, with an Executive Engineer? The Executive Engineer in charge

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of Research has been there for a number of years; he belongs to the Imperial Service. He must have picked up his business. After all, it is not so technical. In that case there is no reason why you should not do away with the Superintending Engineer. I do feel very strongly that this is waste which cannot be justified this year.

Mr. HAJI MIR MAHOMED BALOCH (in Urdu): On a point of information. In the demand the 10 per cent. cut in salaries has been shown. Has the travelling and house rent allowance been increased by 20 per cent.?

Mr. C. M. LANE: Sir, the honourable mover of this cut has stated that his intention is to criticise the office, not the officer. Well, the last honourable speaker was not, I think, in the House when the honourable House was addressed by the honourable member Mr. Kamat. The very well-informed and able exposition of the case which was presented to us provides an adequate answer to the criticism which has subsequently been made.

The first criticism was that this was in 1918 a sub-division and it has now become a circle. Well, everything begins in a small way and grows with subsequent development. This Circle is doing most extraordinarily useful and valuable work. That has been admitted by the Retrenchment Committee which was recently appointed by this House and Government, I think, are in a very strong position in continuing this Circle with their recommendation behind them. This recommendation reads, "The examples quoted illustrate reasons which have led the majority of us to come to the conclusion that it would not be either wise or economical to interrupt the scientific researches and practical application of experiments carried out by the Superintending Engineer." This will be the ground on which, in due course, when the time comes, we will apply to the Secretary of State for renewing his sanction to this Circle.

The honourable member Mr. Kamat, though he supported retention of the Circle, subsequently criticised our rules. I absolutely agree that something has to be done about our irrigation rules. For the past three years I have been trying to do something in the direction of simplifying them. I claim that something has been achieved. But I now hope that we will be able to go further and I am awaiting with interest the report of the Deccan Canals Financial Improvement Committee which, I know, is going to be of extraordinary value to Government and is going to help us in simplifying the rules and their application. That, Sir, is one of the particular points which we are taking up and which we will keep in view.

The honourable the Deputy President (Mr. Navle) referred again to the question which was lately asked in this House touching on the area not cultivated in blocks. He said that it works very hard on certain cultivators—500 acres not cultivated but charged for. Well, Sir, I do not think his was a correct statement of the case, because it absolutely ignores the block rates. The block rates are concessional rates. We do not charge in a block for each acre at Rs. 60. The actual block rate

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is somewhere about Rs. 21 per acre. In the case of cane outside the blocks we charge Rs. 45. So the area in the blocks is charged Rs. 21 as against Rs. 45 charged for the area outside them. The honourable House will agree that we are not therefore so harsh towards the cultivators, as the question and subsequent comments seemed to indicate.

The honourable member Rao Saheb Kulkarni said that he had no objection to the person holding this appointment, but he expressed some doubt about his qualifications. Mr. Inglis is a Bachelor of Arts and a Bachelor in the Engineering Arts of the Dublin University, which is not a common degree. He is also a Member of the Institution of Civil Engineers. Those are his academic qualifications. Apart from that, Mr. Inglis has devoted a lot of time, while on leave and sometimes on deputation out of India, to research work in America and elsewhere. He is in touch with experts in this particular line all over the world and he is generally recognised as an authority; certainly as far as India is concerned, he is accepted as an expert and an authority. He has recently been in Sind doing work in connection with the Barrage and at the present moment he is in Lahore meeting other research officers.

I do not think I need say anything further as regards the justification of the appointment concerned and I hope that, in view of the very well-reasoned and authoritative exposition of the case which the honourable member Mr. Kamat gave, the honourable mover will see his way to withdrawing the motion.

Rao Saheb P. D. KULKARNI (Poona District): Sir, as is presumed by the opposite side, it is not the case that I do not realise the importance of development and research work in these matters. What I want to say is that it is not now necessary to have an independent and costly department for that small work in these days of financial stringency. The work is already there and there is another department which has taken the same subjects in their hands. That department has already made its own progress along the same lines. It has so many specialist officers who can very well take the place of this research circle with some amount of economy and advantage. The Agricultural Department has got in their hands drainage schemes and irrigation development work. And all these matters can be worked efficiently by the experts from the Department. The line of work is given in that department's Administration report. From the report it can be safely said that the activities of the development and research circle can be very well placed in the hands of the Agricultural Department. The Department can make much progress along the desired lines. There are several officers in that department quite competent to take this work in hand and there will thus be no need to maintain another independent officer and his establishment. We can do away with this Superintending Engineer and Executive Engineers under him and their staff also. Many schemes are lying idle for want of funds. The money saved by doing away with the Research Circle could be utilized in financing those schemes. When we have no money to finance the existing schemes, ready with the

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Department, then what is the good of preparing new schemes without the hope of getting them financed in the near future? The work of draining etc. can be very well conducted by the Agricultural Department which is sufficiently equipped to take it up in their charge.

These are all things told in the report of the Department that there is a chemist, and soil physicist and an expert in drainage and water-logging work. These works have been already taken in hand by the Department as can be seen by a reference to the second chapter of the report under the head "Agricultural development." You will find there that this work is already taken in hand by that Department seriously.

As to the other thing which is said about the recommendations of the Retrenchment Committee, I may say that I do not think that any member—except one—has gone and actually seen the irrigation and seen the circle and studied the works going on there. I do not think that the members of the Retrenchment Committee have, from their own experience, recorded their judgment in the Report, of which much is done here. There was only one member on that committee who had first-hand knowledge of the working of the circle, and that honourable member has given his own opinion in the concluding part of his speech made before us,—I mean the honourable member Mr. Kamat. He has given his own opinion about the working of the irrigation rules at the hand of this Superintending Engineer and about the ways and modes in which the rules are applied in the Deccan Irrigation Circle and about the methods which are in use there now.

My request is that the Honourable the General Member, who has got sympathies for the public, should consider this question more sympathetically. He should take the grievances of the people as his own. Sir, at the time of reply it may be said, "Do they not apply for getting water in the blocks?" Yes, they do apply for it. But there lies the real root of the grievance. The people who apply for the irrigation of their blocks have not got enough foresight of the future things, and Government should not take undue advantage of their illiteracy. The old system of giving water on the presentation of passes should be restored. We must allow some margin for the illiteracy of the agriculturists. So many forecasts of even educated people, we are told, proved to be totally wrong. Will not this little margin be allowed to illiterate people for miscalculating their forecasts of their crops? And because they happen to make a mistake in their forecasts, are they to be fined with such a large amount, in the way now narrated by the honourable the Deputy President in his speech on the motion moved by me?

To put the whole thing in a nutshell; firstly, Government should come forward quite prepared to abolish this circle; secondly, its activities should be transferred to the Agricultural Department with no extra establishment given to them; thirdly, the application of the irrigation rules should be made in such a way as to be beneficial, first to the irrigators and then to the Government also. These three things can easily be achieved, I think, if the Honourable the General Member

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will take it into his mind and give a promise that he will look into the grievances of the people. The committee as promised will be appointed to look into the grievances of the irrigators. He must not go on increasing the debt of promises. I hope that the promise given in the matter will be soon realised. Requests made by the irrigators may not be kept on an upper shelf just like his promise of abolishing the block system on the Godavari and Pravara canals. So, I am going to see my way to solve the problem provided a satisfactory reply is forthcoming from the Honourable the General Member.

The Honourable Sir GHULAM HUSSAIN: Sir, the honourable mover of the cut has himself admitted the utility of this circle; but he suggests that instead of continuing this Division, the work should be transferred to the Agricultural Department. As far as my knowledge goes, there is no officer in the Agricultural Department who can take up this scientific research work in regard to drainage, waterlogging, etc. Therefore, the suggestion that this work should be transferred to the Agricultural Department is impracticable.

Now, Sir, the very good work that this division has been doing has been admitted by all, especially by my honourable friend Mr. Kamat. Now, in addition to the present work that this officer is doing in the Deccan, we are utilising his services for the Sukkur Barrage, in connection with the big drainage schemes and waterlogging there. Hence, there are more allowances shown in the budget for this officer, because he has to travel from the Deccan to Sind.

Mr. HAJI MIR MAHOMED BALOCH: He used to do it before?

The Honourable Sir GHULAM HUSSAIN: Never. He has to go from Poona and come back again to Poona. Naturally, taking into consideration the distance between Poona and Sind, there is an increase in his travelling allowance charges.

As regards agriculturists, I have the greatest possible sympathy for them. Whenever they have asked me for interviews, I have granted them, and I and my staff have held conferences with them. I have listened to their grievances every time, and I myself admit that some of the rules are very complicated, and we are trying our best to simplify them. In fact, before this also we have redressed many of their grievances. I am sorry that none of the honourable members mentioned the grievances that have been redressed. Now, Sir, as soon as we get the report of the committee that we have appointed, we will consider the various rules and try to simplify them, and I hope that will meet the wishes of the irrigators.

Rao Saheb P. D. KULKARNI: Sir, I ask for leave of the House to withdraw my motion.

Motion, by leave, withdrawn.

The Honourable the PRESIDENT: The House is now adjourned to 2 p.m., on Monday, the 29th February 1932.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Monday, the 29th February 1932.

The Council re-assembled at the Council Hall, Bombay, on Monday, the 29th February 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
DA GAMA, Dr. ACCACIO
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOVER RORA, Mr.
HARRISON, Sir CHARLTON
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JAM JAN MAHOMED KHAN, Khan Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.

KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACKIE, Mr. A. W. W.
MACLACHLAN, Mr. D.
MATCHESWALLA, Mr. G. E.
MCELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MODAK, Rev. R. S.
MODI, Sardar DAVAR T. K.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. C. N.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED, MIRAN MAHOMED SHAH
SYED, MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WADKE, Mr. B. P.

NEW MEMBER SWORN.

Dr. Accacio da Gama made the prescribed oath of allegiance to His Majesty the King-Emperor, and took his seat in the Council.

STARRED QUESTIONS AND ANSWERS.

POLICE IN NAWABSHAH.

*Mr. HAJI MIR MAHOMED BALOCH (Karachi City): Will Government be pleased to state—

(1) whether it is a fact that complaints against the police of Nawabshah district have been reported in newspapers;

(2) whether the attention of Government has been drawn to the complaints published from time to time in the daily "Alwahid" of Karachi;

(3) if the reply to (2) is in the affirmative what steps Government have taken in the matter;

(4) whether Government are aware of the written allegations made by one Mahomedkhan Pathan to the Commissioner in Sind and the Deputy Inspector General against the police administration of Nawabshah district;

(5) what steps have been taken by Government on those allegations;

(6) whether it is a fact that Mahomedkhan had informed the Government that the police wanted to put him to trouble by false cases against him;

(7) what was the date of his arrest;

(8) whether it is a fact that his bail application was not granted;

(9) if so, what were the reasons for rejecting his bail application;

(10) whether it is a fact that police had openly declared to the people of Sukrand taluka that any zamindar or any public man who defends the man will be put to trouble?

The Honourable Mr. G. A. THOMAS: (1) Yes.

(2) Not until the receipt of this question.

(3) No action has been taken as the complaints were not of a specific nature.

(4) A petition was made by him to the Deputy Inspector General of Police for Sind.

(5) The allegations made in the petition were found to be false.

(6) No.

(7) 5th April 1931.

(8) and (9) He was released on bail when he produced a surety.

(10) No.

Mr. HAJI MIR MAHOMED BALOCH (In Urdu): With regard to part (5), it is stated 'The allegations made in the petition were found to be false'. Why was no prosecution launched against the man who made that false allegation in the petition and the press against the police?

The Honourable Mr. G. A. THOMAS: I have no information on the point. If the honourable member gives notice, I will find out.

Mr. SHAIKH ABDUL MAJID: The date of the arrest of the man is given as 5th April 1931 and it is stated in answer to part (5) 'the allegations made in the petition were found false'. I want to know whether this man made this petition to the Deputy Inspector General of Police before he was arrested or after he was arrested?

The Honourable Mr. G. A. THOMAS: I ask for notice.

TRAINING COLLEGES FOR MEN: PRIMARY TEACHERS.

*Rao Saheb B. G. DESAI (Kaira District): (1) How many colleges for men for training primary teachers are there in the Presidency?

(2) How many of these colleges had the 1st, 2nd and 3rd year classes in the year 1923?

(3) what was the number of scholars admitted and how many applicants were refused admission in each of these training classes in each college in the year 1923?

(4) how many of these colleges have been abolished and how many training classes are being continued in the remaining colleges?

(5) (*i*) are scholarships still given to students in these colleges;

(*ii*) if so, how many scholarships are allotted to each college and what is the amount of each of such scholarships?

(6) in which of these colleges have training classes been abolished and from what year?

(7) what are the reasons for reducing training classes in these colleges?

The Honourable Sir RAFIUDDIN AHMAD: (1), (2) and (3) The attached statement "A" gives the information asked for.

(4) The following are the names of the Training Institutions that have been closed since 1923:—

Bombay Division.

1.	Government Training School, Umbargaon, District Thana.	Closed in April 1924.
2.	Government Training School, Alibag, District Kolaba.	Transferred to Bhiwandi, District Thana, in December 1924.
3.	Government Training School, Ratnagiri.	Closed in 1927.
4.	Government Training School, Nasik.	Transferred to Narayangaon, District Poona, as Rural Training School, in August 1929.

Central Division.

5.	Government Training School, Satara.	Closed in 1930.
6.	Government Training School, Sholapur.	Closed in 1925.
7.	Government Training School, Ahmednagar.	Closed in 1927.
8.	Government Training School, Jalgaon.	Closed in 1925.

Northern Division.

9.	Government Training School, Surat.	Closed in 1923.

10. Government Training School, Broach. — Closed in 1923.

11. Government Training School, Nadiad. — Closed in 1923.

The Honourable Member's attention is invited to the accompanying statement "B" with reference to the latter part of this clause.

(5) (*i*) Yes.

(*ii*) No fixed number of stipends has been allotted to each Training Institution. The value of each stipend at present is Rs. 12-8-0 per mensem in the Presidency, and Rs. 15 per mensem in Sind.

(6) Please see the "remarks" column of the accompanying statement "B".

(7) The attention of the Honourable Member is invited to Educational Department Press note, no. 1994 dated the 11th October 1923, in which the reasons are stated. A copy of it is available in the Reading Room for Members of the Legislative Council.

STATEMENT "A"

Clause (1) of the Question.	Clause (2) of the Question.	Clause (3) of the Question.				Remarks.
Name of the *existing* Colleges (or schools) for men for training primary school teachers in the Presidency.	Institutions in column 1 which had the I, II, and III year classes in the year 1923.	The number of scholars admitted in the year 1923.				
		III year.	II year.	I year.	Total.	
1	2	3	4	5	6	7
BOMBAY DIVISION.						
Government.						
1. Government Training School, Bhiwandi, District Thana.	Did not exist in 1923.	..	..	..	..	
Recognised.						
2. Marathi Primary Teachers' Municipal Training Class, Bombay.	Do. ..	..	..	..	..	
CENTRAL DIVISION.						
Government.						
3. Training College for Men, Poona.*	All the 1st, 2nd and 3rd year classes.	32	81	67	180	*The information in regard to the number of applicants refused admission in each of the Training classes in these institutions cannot be traced.
4. Urdu Training School for boys, Poona.*	The 1st and 2nd year classes.	..	15	34	49	
5. Rural Training School, Narayangaon, District Poona.	Did not exist in 1923.	..	..	..	..	
6. Training College for Men, Dhulia.*	All the 1st, 2nd and 3rd year classes.	15	75	72	162	
Recognised.						
7. Union Training College, Ahmednagar.*	Only the 1st year class.	..	..	4	4	

Clause (1) of the Question.	Clause (2) of the Question.	Clause (3) of the Question.				Remarks.
Name of the *existing* Colleges (or schools) for men for training primary school teachers in the Presidency.	Institutions in column 1 which had the I, II and III year classes in the year 1923.	The number of scholars admitted in the year 1923.				
		III year.	II year.	I year.	Total.	
1	2	3	4	5	6	
NORTHERN DIVISION.						
Government.						
8. P. R. Training College for Men, Ahmedabad.	All the 1st, 2nd and 3rd year classes.	28	64	77*	169	Gujarati side.
		17	14	32	63	Urdu side.
						*The number of applicants refused admission to the First year class was 28. Information in respect of other classes is not available.
9. Urdu Training School, Ahmedabad.	Did not exist in 1923.	..	..	..	..	
Recognised.						
10. Mission Vocational Training School, Ankleshwar, District Broach.	Do.	..	..	..	..	
SOUTHERN DIVISION.						
Government.						
11. Training School, Dharwar.	All the 1st, 2nd and 3rd year classes.	6†	23†	65†	94	†Information regarding applications for admission rejected is not available.
SIND.						
Government.						
12. Training College for Men, Hyderabad.	All the 1st, 2nd and 3rd year classes.	17‡	18‡	52‡	87	‡189 candidates for the 1st year class and 59 for the 2nd year class were refused admission to the Training College in 1923. The 3rd year class was abolished from 1st August 1923.

STATEMENT "B"

Name of the Institution.	Number of Divisions in 1931-32 of			Remarks.
	Third year.	Second year.	First year.	
GOVERNMENT TRAINING INSTITUTIONS.				
Bombay Division.				
1. Government Training School, Bhiwandi, District Thana.	..	..	1	

Name of the Institution.	Number of Divisions in 1931-32 of			Remarks.
	Third year.	Second year.	First year.	
GOVERNMENT TRAINING INSTITUTIONS—*contd.*				
Central Division.				
2. Training College for Men, Poona.	..	1	4	The 3rd year class was abolished in December 1923. One division of the 2nd year class was abolished in the year 1927-28.
3. Urdu Training School for boys, Poona.	..	1	1	
4. Rural Training School, Narayangaon, District Poona.	..	..	1	
5. Training College for Men, Dhulia.	..	..	3	The 3rd year class and one division of the 2nd year class were abolished in 1927-28. The remaining division of the second year class was abolished in 1930.
Northern Division.				
6. P. R. Training College for Men, Ahmedabad.	..	1	2	The 3rd year class and one of the two 2nd year classes were abolished in 1924.
7. Urdu Training School, Ahmedabad.	..	..	1	The Urdu 3rd year class was abolished in 1926, and the Urdu 2nd year class in 1924.
Southern Division.				
8. Training School, Dharwar .	..	..	1	The 3rd and 2nd year classes were abolished in 1923. One division of the 1st year class was also abolished in the same year.
Sind.				
9. Training College for Men, Hyderabad.	..	1	1	The 3rd year class was abolished from 1st August 1923.
RECOGNISED TRAINING INSTITUTIONS.				
Bombay Division.				
10. Marathi Primary Teachers Municipal Training Class, Bombay.	..	..	1	
Central Division.				
11. Union Training College, Ahmednagar.	..	1	1	
Northern Division.				
12. Mission Vocational Training School, Ankleshwar, District Broach.	..	..	1	

Rao Saheb B. G. DESAI: In reply to part (7) it is stated that a copy of the circular is available in the Reading Room of the Members of the Legislative Council. I enquired in the Reading Room, but I could not find it there. Will the Honourable Minister please put a copy on the Council table?

The Honourable Sir RAFIUDDIN AHMAD: A copy will be supplied to the Library.

GRAZING FEES.

*Mr. G. S. GANGOLI (Kanara District): Will Government be pleased to state—

(*a*) whether grazing fees are recovered as arrears of land revenue;

(*b*) whether the Collector of the district has any voice in levying or ascertaining the amount payable as grazing fees, or whether he is merely an agent of the Forest Department for the recovery of the same;

(*c*) whether it is a fact that every person who owns cattle has to pay the grazing fees;

(*d*) who is to decide the question, in case of dispute, as to whether any cattle do or do not graze in a particular forest area;

(*e*) what is the procedure to be followed in such a case?

The Honourable Mr. W. F. HUDSON: (*a*) Yes, when necessary.

(*b*) The Collector of the district has full power to decide such matters in respect of cattle which graze solely in areas in charge of the Revenue Department. Forest Officers are competent to decide such matters in respect of areas in charge of the Forest Department.

(*c*) No, only in forest villages the grazing fees are ordinarily levied on all cattle.

(*d*) The Collector of the district.

(*e*) If any person is aggrieved with the decision of the Divisional Forest Officer, he may represent the matter to the Collector.

Mr. G. S. GANGOLI: With regard to part (*b*) it is stated: "The Collector of the district has full power to decide such matters in respect of cattle which graze solely in areas in charge of the Revenue Department. Forest Officers are competent to decide such matters in respect of areas in charge of the Forest Department." Has the Collector no authority over the Forest Department?

The Honourable Mr. W. F. HUDSON: If the honourable member reads the reply to part (*e*) of the question, it is stated there: "If any person is aggrieved with the decision of the Divisional Forest Officer, he may represent the matter to the Collector."

Mr. G. S. GANGOLI: Even prior to the decision of the Forest Officer?

The Honourable Mr. W. F. HUDSON: The Collector does not decide in regard to areas which are within the Forest Department.

Mr. G. S. GANGOLI: With regard to part (*c*), may I know whether we are to pay the fee whether there is grazing area or not?

The Honourable Mr. W. F. HUDSON: I do not know really. I should not think so.

Mr. G. S. GANGOLI: With regard to (*d*), the Forest Advisory Committee, consisting of the Collector, Assistant Collectors, the Divisional Forest Officers, President of the district local board and a member of this Council, came to the conclusion that the Collector must have power to grant relief?

The Honourable Mr. W. F. HUDSON: I do not remember. Perhaps the honourable member has a copy of the report. He himself must know the answer to his question.

Mr. G. S. GANGOLI: I was one of those persons on that body which came to the conclusion that the Collector must be authorised to grant relief in such cases.

The Honourable the PRESIDENT: Has the Honourable Minister in charge any information?

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I did not follow him.

The Honourable the PRESIDENT: An application was sent to the effect that the Collector should be authorised to receive complaints in regard to such matters.

The Honourable Dewan Bahadur S. T. KAMBLI: If the honourable member gives me notice, I will find out.

Mr. G. S. GANGOLI: The advisory committee consisted of the Collector, Assistant Collectors, the President of the district local board and an M.L.C. They came to the unanimous conclusion, that if people are to be taxed, even though there is no grazing area, the Collector should have the authority to decide such matters. The Collector said that he has no such authority at present and unless Government give him that authority he cannot do so. This we reported to Government in November last. Have Government received such a report from the Collector, and what is their decision?

The Honourable Dewan Bahadur S. T. KAMBLI: If the honourable member gives notice, I will find it out.

CURRENCY NOTES: EXCHANGE.

*Mr. G. S. GANGOLI (Kanara District): Will Government be pleased to state—

(*a*) whether of late currency notes cannot be freely exchanged for coins in towns and mofussil areas;

(*b*) whether it is a fact that in the Sirsi and Siddapur talukas on market days villagers had to return the commodities purchased for not possessing monies less than the smallest currency notes as traders had not the coins to pay the difference;

(*c*) whether they are aware that merchants charge an amount up to Rs. 2 for payment of cash to exchange a Rs. 100 currency note as *watav*;

(*d*) if they are not, whether they will institute an inquiry to ascertain the fact and remedy the evil;

(*e*) whether it is a fact that in all sub-treasuries mostly currency notes and not coins are held in balance;

(*f*) whether it is a fact that circulars or orders have been issued by them not to pay out coins in disbursements?

The Honourable Sir GOVINDRAO PRADHAN: This subject pertains to the Central Government and the Honourable Member's question should be asked in the Central Legislature.

Mr. G. S. GANGOLI: Cannot the Government take the initiative in the matter to ease the situation?

The Honourable Sir GOVINDRAO PRADHAN: This has been brought to the notice of the authorities concerned and they have taken steps.

LIQUOR SHOP NEAR MOSQUE, NADIAD.

*Mr. J. S. KADRI (Northern Division): Will Government be pleased to state—

(*a*) whether they have received any fresh complaints from the Mussalmans of Nadiad (District Kaira), regarding the continuance of a country liquor shop in the vicinity of their mosque, in spite of clear orders of Government for its removal;

(*b*) whether the local excise inspector has been conniving at the non-removal of the shop;

(*c*) what steps have been or are to be taken by Government for securing prompt compliance with their order?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) Yes.

(*b*) No.

(*c*) Inquiry is in progress regarding the selection of a new site for the shop.

Mr. J. S. KADRI: With regard to (*c*) it is stated that an inquiry is in progress regarding the selection of a new site. May I know, Sir, who is responsible for finding out the site?

The Honourable Sir RAFIUDDIN AHMAD: The Department is finding out another site as the municipality is objecting to give the site selected.

Mr. J. S. KADRI: Will it take long to select the site?

The Honourable Sir RAFIUDDIN AHMAD: That I cannot say.

Rao Saheb B. G. DESAI: What is the distance between the liquor shop and the masjid?

The Honourable Sir RAFIUDDIN AHMAD: That has all been replied to in the last session.

Rao Saheb B. G. DESAI: It is not so. I put that question. The Honourable Minister wanted notice. I gave notice of the question in August 1931 and it has not been replied to as yet.

The Honourable Sir RAFIUDDIN AHMAD: When the answer is received to that question, the honourable member will get the information.

Rao Saheb B. G. DESAI: In the meanwhile I want to know what the distance is. An inquiry must have been made by this time and the distance may be known to Government?

The Honourable Sir RAFIUDDIN AHMAD: I cannot say.

Rao Saheb B. G. DESAI: Is it a fact that those applicants who object to the location of the shop at the present site used to lease the very Masjid premises for the liquor shop?

The Honourable Sir RAFIUDDIN AHMAD: The honourable member must understand that Government have decided to remove this shop.

Rao Saheb B. G. DESAI: It may be that Government have decided to remove the shop. I want to know whether it is a fact that those Mussalmans who objected to the location of the shop did lease their masjid area for the liquor shop in the past?

The Honourable Sir RAFIUDDIN AHMAD: I do not know. I am not concerned with that.

Rao Saheb B. G. DESAI: May I know the reason?

The Honourable Sir RAFIUDDIN AHMAD: That is immaterial to the question of the honourable member.

Rao Saheb B. G. DESAI: Does not the question arise as to whether it is a fact that the Mussalmans who objected to the location of the shops had willingly leased their own premises for the shop? My information is that these very masjid people used to let their premises for the location of the shop?

The Honourable the PRESIDENT: The Honourable Minister has informed the House that Government have decided that the shop must be removed.

Rao Saheb B. G. DESAI: I understand that the liquor contractors in the Broach District or at least some of them are Mahomedans.

The Honourable Sir RAFIUDDIN AHMAD: I want notice.

IRRIGATION CESS: FORFEITURE OF LANDS FOR DEFAULT IN PAYMENT.

*Rao Saheb P. D. KULKARNI (Poona District): Will Government be pleased to state—

(*a*) whether it is a fact that the lands of those who make default in paying irrigation cess in time are confiscated by Government;

(*b*) if so, how many acres of land have been thus acquired by Government in the area irrigated under the Deccan Canals;

(*c*) whether it is a fact that the Credit Co-operative Societies have to purchase the lands in case of failure of payment of the arrears due to them by the irrigators of the lands under Deccan Canals;

(*d*) if so, how many acres of land have been secured thus by the societies in this District particularly out of the land under the command of the Deccan Canals?

The Honourable Mr. W. F. HUDSON: (*a*) No. In case of default the right, title and interest of the defaulter are put for sale under section

155 of the Land Revenue Code. When this is done, it may happen that the land is bought by some third party, but if not, it may be bought in by Government for a nominal amount, and brought on to the Government khata. In this latter event, the land may remain on the Government khata, or it may after a greater or less interval be put up to sale by auction or it may again be restored to the former occupant on his paying an amount equal to the arrears for which the land was originally put up to sale.

(*b*) The compilation of the figures regarding the area of land brought on to the Government khata would involve an amount of labour incommensurate with their importance and Government are therefore not prepared to answer this clause.

(*c*) Yes.

(*d*) The compilation of the figures required would involve an amount of labour incommensurate with their importance and Government are therefore not prepared to answer this clause.

MARCHING OF TROOPS: COSTS.

*Mr. N. N. PATIL (Kolaba District): Will Government be pleased to state—

(*a*) by whom the cost incurred on account of the movement of the troops through the villages and cities in the mofussil during the past few months was borne;

(*b*) the total cost so incurred;

(*c*) at what places and by whom were the troops entertained in the Kolaba district?

The Honourable Mr. G. A. THOMAS: (*a*) By the military authorities.

(*b*) Government have no information.

(*c*) So far as Government are aware, the troops were entertained at the following places by certain non-official gentlemen:—

Taloge Budrukh.
Panvel.
Jasai.
Urun.

Mr. N. N. PATIL: With regard to part (*b*) am I to understand from the reply that Government did not get any information from the Military Authorities? Or they did not give it?

The Honourable Mr. G. A. THOMAS: The answer is given there: "Government have no information."

Mr. N. N. PATIL: My point is this: whether the Government tried to get this information when it was asked for?

The Honourable Mr. G. A. THOMAS: The Military Authorities are not under the control of this Government. If the honourable member wants the information he can apply to the Military Authorities.

Mr. N. N. PATIL: Will not Government be pleased to disclose the names of the non-officials who entertained the troops?

The Honourable Mr. G. A. THOMAS: Government are not pleased.

Mr. N. N. PATIL : May I know whether it is a fact that the troops were entertained at Vindhana, a village near Chirner ?

The Honourable Mr. G. A. THOMAS : I have given all information in my possession.

PROVINCIAL SERVICE : PENSION.

* Mr. SHAIKH ABDUL MAJID (Karachi District) : Will Government be pleased to state—

(*a*) the number of officers from the Provincial Service, who have put in service for 25 years or more ;

(*b*) whether they intend to send these officers on pension ; and fill their vacancies by such persons as would otherwise be removed from service ?

The Honourable Sir GOVINDRAO PRADHAN : (*a*) In view of the answer to (*b*) it is considered unnecessary to collect the information required which is not readily available.

(*b*) It would be inconsistent with the policy of retrenchment to pension such officers who are still capable of useful service unless it is intended at the same time to abolish their posts.

SESSIONS CASES, TATTA : PUBLIC PROSECUTOR.

* Mr. SHAIKH ABDUL MAJID (Karachi District) : Will Government be pleased to state —

(1) whether sessions cases of Tatta Division, Karachi Division, are tried and disposed of in the Sessions Court of Hyderabad, Sind ;

(2) whether Mr. Parsram Tolaram, Assistant Public Prosecutor of Karachi, attends to these cases at Hyderabad ;

(3) the cost separately for travelling allowance and fees paid to him during 1929-30 and 1930-31 ;

(4) why Government do not send all Tatta cases for Hyderabad Sessions to some Public Prosecutor at Hyderabad ?

The Honourable Mr. G. A. THOMAS : (1) No.

(2), (3) and (4) Do not arise.

Mr. HAJI MIR MAHOMED BALOCH (In Urdu) : Where are the sessions cases of Tatta tried ?

The Honourable Mr. G. A. THOMAS : At Tatta.

Mr. HAJI MIR MAHOMED BALOCH : Are not these cases tried at Hyderabad ?

The Honourable Mr. G. A. THOMAS : I have already said 'No' to the first part of the question.

SYED MIRAN MAHOMED SHAH : Is it not a fact that some Tatta sessions cases are tried at Hyderabad ?

RELIGIOUS ENDOWMENTS ACT, 1863: APPLICATION TO BOMBAY PRESIDENCY.

* Mr. J. S. KADRI for Mr. SYED MUNAWAR: Will Government be pleased to state—

(*a*) why the Imperial Act XX of 1863 (an act to enable Government to divest itself of the management of religious endowments) has so far been applied only to the District of Canara under Bombay Act VII of 1865 and rules made thereundef;

(*b*) how the management of religious Endowments and appointment of committees for the same under the said Act of 1865 has been working;

(*c*) whether they are in a position to state that 65 years' experience of the working of the Act in Canara has been sufficient to point to the desirability of bringing the Act into force in other parts of the Presidency;

(*d*) if so, when Government intend to apply the Act to the rest of the Presidency?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) Act XX of 1863 was specifically enacted for the purpose of relieving the Boards of Revenue in the Presidencies of Bengal and Madras of the administration of land and benefits arising therefrom granted for the support of mosques and Hindu temples and for other religious uses. When the Act was enacted, the district of Kanara was a part of the Madras Presidency and so it applied to that district. On the transfer of that district to the Bombay Presidency the Act was made applicable to it by special legislation in virtue of its previous application. As the Act of 1863 was intended to apply only to the presidencies of Bengal and Madras it was not applied to the other parts of the Bombay Presidency.

(*b*) The working of the Act has not been very satisfactory, first because of some of the defects inherent in the Act itself and secondly because of the apathy of the Committees and the indifference of the community to launch and finance civil suits to enforce better management.

(*c*) and (*d*) As the whole question of the better management of the Wakfs and Religious Endowments is under the consideration of Government the object embodied in the suggestion of the Honourable Member would receive due attention.

TEXT BOOKS: ENCOURAGEMENT TO AUTHORS.

* Rao Saheb R. V. VANDEKAR (Nasik District): (*a*) Will Government be pleased to furnish details of the special scheme inaugurated for the encouragement of authors of text-books in the vernaculars?

(*b*) When was the scheme inaugurated?

(*c*) What results have so far been achieved from it?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) and (*b*) In 1924 Government published the following notice for general information:—

"The question of encouraging the production of books in the Vernaculars suitable for literate adults who wish to continue their

education has for some time past been under the consideration of Government. Books are required on the following subjects :—

"(1) Agriculture, including the subsidiary subjects of Botany, Zoology, Veterinary Science, and Meteorology ;

(2) History and Geography ; Administration ; Economics, Political Science.

(3) Domestic Science, including Hygiene and First Aid, Common Diseases, Nursing, etc.

"2. Applications are invited from persons competent to write on any of the above subjects in any of the Vernaculars of the Presidency. Applicants should supply evidence of their fitness to undertake the work. The applications should be submitted to the Director of Public Instruction, Bombay Presidency, Poona.

"3. Government are prepared to give to selected authors a subsidy up to Rs. 2-4-0 per octavo page. They, however, reserve to themselves the option of acquiring the copyright of any of the publications on payment of a sum equal to the original subsidy after the first edition is exhausted, and selected authors will have to enter into an agreement in this connection."

Government also appointed Committees of experts in each of the three groups of subjects mentioned in the notice, which were to consist of a President and two members. Each Committee was to lay down the course to be followed in the books to be printed so as to serve the object in view, viz. to provide books in the vernaculars suitable for adults who as children only attended school upto the vernacular standard IV. The Committee was authorised to select suitable authors from among those desirous of writing books on these terms. A copy of a Press Note of 1928 on the subject is placed on the Council table.

(c) Five books, written as a result of this scheme have already been printed or are in the Press. The scheme is temporarily in abeyance as a measure of economy.

(*Press Note.*)

With the compliments of the
Director of Information, Bombay.

P-136.
27/6/28.

Government have appointed three Committees to select suitable authors to compose books in the vernacular on the subjects of (1) Agriculture, etc., (2) History, Geography, etc., and (3) Domestic Science, etc. It has been decided that (1) Each Committee should lay down the course to be followed in any book or in each book of any series of books on the subject entrusted to them so as to serve the object in view, namely, to provide books in the vernaculars suitable for adults who have left school after completing Vernacular Standard IV and who know the vernacular only or whose knowledge of English is very slight, (2) Each Committee should select the author who, in their opinion, is best fitted to write a suitable book or series of books, (3) Each Committee will recommend the rate of subsidy to be given by Government to the selected author, the rate not exceeding Rs. 2-4-0 per octavo page, (4) After any book has been finally approved by the Committee the President of the Committee should require the author to print and publish it within the stated period. The limit of expenditure for the production of books on the subject entrusted to the Committee should be Rs. 2,000. If more funds are required the sanction of Government will have to be obtained. The following persons have been nominated to serve on these Committees—

I.—AGRICULTURE, ETC.

President.

(1) Dr. Burns, Economic Botanist.

Members.

(2) Rao Saheb Bhimbhai M. Desai, Deputy Director of Agriculture, Gujarat.

(3) Rao Bahadur P. C. Patil, Professor of Agricultural Economics, Agricultural College, Poona.

II.—HISTORY, GEOGRAPHY, ETC.

President.

(1) K. S. Vakil, Esquire, I.E.S., Educational Inspector, Northern Division.

Members.

(2) Dr. S. G. Panandikar, Professor, Elphinstone College, Bombay.

(3) Mr. R. P. Kar, Professor of Science and Geography, Secondary Training College, Bombay.

III.—DOMESTIC SCIENCE, ETC.

President.

(1) Miss R. Navalkar, I.E.S., Lady Superintendent, Training College for Women, Poona.

Members.

(2) Mrs. Gulbai H. Warden, B.A. (Bom.), M.A. (Columbia University), S.T.C.D., Bombay.

(3) Lady Vidyagauri Ramanbhai Nilkanth, B.A., Ahmedabad.

RENT CONTROL, BOMBAY.

* Mr. B. P. WADKE (Bombay City, South): (*a*) Are Government aware that the tenants in the city of Bombay are suffering great hardships on account of heavy rents, unemployment and depression of trade and industry?

(*b*) Do Government intend to take any relief measures in the matter?

(*c*) If so, what immediate measures do Government intend to take in the matter of rents?

The Honourable Sir GHULAM HUSSAIN: (*a*) The matter has been brought to the notice of Government.

(*b*) and (*c*) After careful inquiry and consideration, Government have come to the conclusion that there is no case for the revival of the Rent Act in the City.

Mr. B. P. WADKE: Is it a fact that the Bombay Municipal Corporation and Bombay Tenants' Association have requested Government to take measures in that direction?

The Honourable Sir GHULAM HUSSAIN: They have. But Government have taken their decision after careful enquiry and consideration.

Mr. B. P. WADKE: Government have stated that after careful enquiry and consideration Government have come to the conclusion that there is no case for the revival of the Rent Act in the city. May I know what that 'careful enquiry and consideration' is?

The Honourable Sir GHULAM HUSSAIN: They have themselves made enquiries. I may draw the attention of the honourable member to the enormous increase in the 'To Let' boards in the city within the last few months.

Mr. B. P. WADKE: Already existing premises are occupied with heavy rents and the poor citizens are asking relief from Government. Would it not be better if Government help them at this juncture by introducing the Rent Act for reduction of rents in the city by 25 per cent.?

UNSTARRED QUESTIONS AND ANSWERS

SHEEP AND CATTLE BREEDING.

Khan Bahadur D. B. COOPER (Satara District): (*a*) Will Government be pleased to state what action has been taken to put into effect the following resolutions passed at the meeting of the Provincial Board of Agriculture in Poona on the 26th and 27th September 1927, page 58 of the proceedings, resolutions Nos. 3 and 4:—

"3. Adequate facilities should be given to irrigators to start cattle breeding and sheep breeding and small dairies which would supply large amounts of bulky manures."

"4. Railway authorities should be requested to lower rates for transport of manure by rail, in proportion as they lower the rates for other commodities"?

(*b*) If this has not been put into effect, what are the reasons therefor?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) The first recommendation is somewhat vague and general. If any concrete proposals are put forward the Agricultural Department would consider them favourably. The Director of Agriculture has at the July 1931 Irrigation Conference stressed the importance of fostering the livestock industry, in any suitable form, on the Deccan Canals, as development is governed very largely by the manure supply, and has recommended that a development policy for the Canal Areas should be formulated comprising, *inter alia*, the promoting of Agricultural Industries, such as, sugar-making, dairying and fruit-farming.

As regards lowering of rates for transport of manure by rail, the Railway authorities have been approached from time to time with requests to reduce the rates. As a result, the rates have been reduced. A statement showing the reduced rates is placed on the Council Table. In 1925 the Madras and Southern Maratha Railway stated that they could not quote lower rates. Government considered the resolution of the Provincial Board of Agriculture in 1927 and decided that a good case for further reductions could not be prepared.

(*b*) Does not arise.

Statement showing information required in clause (a) of the question.

Freights for manures other than Oil Cakes.

B. B. & C. I. Railway.

Distance in miles.	Rates per maund in force.		Remarks.
	Before 1st July 1922.	Sanctioned subsequent to 1st July 1922.	
	Rs. a. p.	Rs. a. p.	
25	0 1 3	0 0 10	Subject to a minimum charge of Rs. 20 per 4-wheeled B. G. Wagon.
50	0 2 5	0 1 5	
75	0 3 1	0 2 1	
100	0 3 9	0 2 5	
150	0 5 2	0 3 1	
200	0 6 7	0 3 10	

Freights for Oil Cakes.

B. B. & C. I. Railway.

Distance in miles.	Rates per maund in force.		Remarks.
	Before 1st October 1925.	Sanctioned subsequent to 1st October 1925.	
	Rs. a. p.	Rs. a. p.	
50	0 2 5	0 1 5	
75	0 3 1	0 2 1	
100	0 3 9	0 2 5	
150	0 5 2	0 3 1	
200	0 6 7	0 3 10	
250	0 7 11	0 4 6	
300	0 9 4	0 5 3	
350	0 10 2	0 5 11	
400	0 11 0	0 6 8	
450	0 11 10	0 7 1	
500	0 12 8	0 7 6	

Freights for all manures.

G. I. P. Railway.

Distance in miles.	Rates per maund in force.		Sanctioned subsequent to 1928.
	In wagon loads prior to 1st June 1928.	In small consignments prior to 1st October 1928.	
	Pies.	Pies.	
100	·20	·333	·10 pies for any distance.
150	·37	·380	
200	·37	·713	
250	·71	·713	
500	·71	·913	
700	·81	1·043	
above 700 ..	·81	1·143	

AGRICULTURAL ENGINEERING SECTIONS: ORGANISATION.

Khan Bahadur D. B. COOPER (Satara District): (*a*) Will Government be pleased to state what action has been taken on the following recommendation of the Royal Commission on Agriculture in India, page 109, paragraph 106 of their Report:—

"Research into problems connected with agricultural machinery and implements will not take that place in the estimation of the Agricultural Departments which is justified by its intrinsic importance

unless the Agricultural Engineering Section of the Departments is completely reorganised"?

(*b*) What reorganisation has taken place in the Agricultural Engineering Section of this Province?

(*c*) If no reorganisation has been carried out, what are the reasons for not doing so?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*), (*b*) and (*c*) The recommendations made by the Royal Commission on Agriculture on the point were considered by Government but they were unable to give effect to the proposals for the reorganisation of the agricultural engineering section in view of financial conditions.

AGRICULTURAL IMPLEMENTS AND MACHINERY.

Khan Bahadur D. B. COOPER (Satara District): (*a*) Will Government be pleased to state what action has been taken on the following recommendations of the Royal Commission on Agriculture in India, page 109, paragraph 104 of their report:—

"The second essential is that the pumping and boring operations should be completely separated from work on agricultural implements and machinery"?

(*b*) As the boring work has been stopped in this Presidency, what steps are to be taken by the Agricultural Engineering Section to carry out researches in improved implements to replace the existing 1,188,000 antiquated wooden ploughs which are in use in the Presidency proper at present?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) The Honourable Member is referred to the reply given to his question No. 2 above.

(*b*) The Agricultural Engineer has been giving his special attention to designing a seed drill suitable for cereals, cotton and other crops and capable of sowing through a wide range of depths and widths and a winnowing machine for dealing with jowar, bajri, wheat and rice. He has been permitted by Government to take out patents on behalf of Government for—

(1) a modified Orient plough,
(2) an improved plough share, and
(3) a seed drill.

Power cultivation with tractors and tractor implements have received considerable attention and the Department of Agriculture has been co-operating with a firm in the Dharwar District which has undertaken contract work. Classes for drivers of (*a*) oil engines and (*b*) tractors have been held.

LAND REVENUE COLLECTIONS.

Mr. A. N. SURVE (Bombay City, North): (*a*) With reference to Press Note, No. P. 217/12th September 1931, of the Director of Information under the caption "Land Revenue Collections", will Government kindly state if a press note of this kind is issued annually?

(*b*) If not, what are the reasons for its issue this year?

(c) Will Government state explicitly what is meant by the last sentence of the said note, commencing from "When the circumstances of the year" and ending with "land revenue staff under their control"?

(d) What were the amounts of the total demands and the collections for the Presidency proper for the year 1929-30 as against the total demand of Rs. 387 lakhs and collections Rs. 383 lakhs for the revenue year 1930-31?

(e) Did the prices of all agricultural commodities sink to a lower level than they did during the year 1929-30?

(f) Will Government state, in a tabular form for each of the divisions and for the years 1928-29, 1929-30 and 1930-31 (1) the amounts of—

(i) remissions and suspensions;

(ii) Takavi advances;

(iii) suspensions of Takavi;

(2) the number of coercive processes under sections 152, 148, 154, 155, 153 and 157 of the Land Revenue Code?

The Honourable Mr. W. F. HUDSON: (a) A press note of this kind was issued for the first time in 1930.

(b) These press notes have been instituted in order to give the public early information on the subject since the Land Revenue Administration Report which gives fuller information requires several months for its preparation and publication.

(c) The meaning of the sentence is already clear.

(d) Demand 385 lakhs.

Collection 373 lakhs.

(e) Yes.

(f) The information for the years 1928-29 and 1929-30 will be found in the appendices to the Land Revenue Administration Reports for those years, copies of which are in the Council Library. Information for the year 1930-31 is not yet ready, but will be published in the annual report in due course.

DISCUSSION ON DEMANDS FOR GRANTS—(*resumed*).

Rao Bahadur B. R. NAIK (Surat District): Sir, I move—

Reduce by Rs. 1,000 "Grants-in-aid, Rs. 8,45,000 (Civil Estimates, page 281)".

Sir, the object of moving this cut is to bring to the notice of the Honourable Minister in charge of this department that the grants-in-aid to district local boards for communications have been greatly reduced. In the year 1921-22, the grant made to district local boards in the presidency for communications was 15 lakhs and odd. It was then increased to 19 lakhs in the time of my honourable friend the Leader of the House who was then Minister, that is, in the year 1925-26. The grant remained at that figure for four or five years and then was reduced in the time of Dewan Bahadur Harilal Desai to 16 lakhs. During the current year, it was reduced from 16 lakhs to 11½ lakhs; and for the ensuing year the budget grant is Rs. 8,45,000. It was stated the other day by the Honourable the Finance Member that the cuts had been

[Rao Bahadur B. R. Naik]

made proportionately in all the departments and no department had suffered more or less in comparison with another department. Now, I ask the Honourable the Finance Member whether this reduction of more than 120 per cent. in the grants for communications is in the same proportion to the retrenchment effected by Government in other grants. This grant, Sir, represents the only direct service which the villagers receive for what they pay in the shape of taxation. The keeping of roads in good repair and increasing the mileage of roads should form an important item in the budget of this presidency. It has also a great bearing on the land revenue of the presidency. If the roads are in good condition, the villagers get better marketing facilities for their produce than when the roads are bad. This grant now represents only 1½ per cent. of the total land revenue of the presidency. I would ask the Honourable Minister in charge whether it would be possible to maintain the roads of the district and taluka local boards from this meagre amount. Government have in their possession 6,346 miles of metalled roads and 3,026 miles of unmetalled roads, and they spend about Rs. 500 per mile for the maintenance of metalled roads and about Rs. 150 a mile for the unmetalled roads. According to the grants which they propose to allocate to the district local boards, the district local boards will get about Rs. 100 a mile for metalled roads and Rs. 30 a mile for unmetalled roads. I do not want to weary the House with details of the figures for unmetalled and metalled roads for the various districts and municipalities. This is the figure I have taken from Government records. I will, however, take the instance of Gujarat. Out of the total provincial roads of more than 9,000 miles in the presidency, Gujarat has got only about 800 miles. Compare this with the Deccan—I do not grudge the Deccan its length of provincial roads—which has a total mileage of provincial roads of 5,400. My only object is to bring this disparity to the notice of the Honourable Minister who must have noticed the condition of roads in Gujarat, as he hails from there. Take also the instance of Surat, whose district local board has got a road mileage of about 500. The Surat district local board used to get a grant of one lakh of rupees a year, which comes to Rs. 200 per mile, for the maintenance and repairs of roads. It was then reduced to Rs. 86,000 in 1929-30; then to Rs. 76,000 in 1930-31; and during the current year to Rs. 46,000. From Rs. 200 per mile, it has now come down to less than Rs. 100 per mile. I maintain, therefore, Sir, that the district local boards have been very badly treated. The roads, Sir, are maintained for the benefit of the agriculturists and it is up to Government to see that the grants for roads are increased and not decreased.

In connection with the question of grants to district local boards for roads, there is another point which I wish to bring to the notice of the Honourable Minister in charge. Recently his department has been fond of issuing circulars to district local boards, some of which it is not possible for the boards to carry out. I do not want to take the time of the House by giving the details of all the circulars, but I will cite one. A circular has been issued to the boards saying that estimates and

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programmes for works of communications should be submitted to the Executive Engineer of the District monthly, so that the Executive Engineer might report on the works. I do not mind the Executive Engineer or any big Government officer looking after the interests of the general tax-payer by seeing to it that the money is properly spent. But the Executive Engineer will ask his sub-overseer, who may be drawing Rs. 150 or Rs. 100 per month, to inspect the works carried out by the qualified engineers of the district local board. Is this a position that the Honourable Minister in charge would like? The qualified engineers of the district local boards would not like their works being scrutinized and criticised by the sub-overseers of the Public Works Department. Moreover, Sir, as I said, there are certain directions given in Government circulars and orders which it is not possible for the board to carry out. It is no use issuing orders and circulars which it will not be possible for the board to carry out. Such orders will hamper the progress of works and lead ultimately to the grants lapsing. Recently there is a tendency on the part of the Local Self-Government Department to interfere more and more in the administration of the district local boards. If they have no confidence in the district local boards and think that they are not efficient and capable enough to carry on their administration, I would prefer Government taking back the administration from the district local boards to their interfering at every stage with the details with which the boards are primarily concerned. This cut pertains to the grants-in-aid given to the local boards, and, therefore, I am not going to deal with other subjects which I propose to take up later on. I would only impress on the Honourable Minister that the cutting down of the grants-in-aid for the maintenance and repairs of communications is not a judicious and wise step. The roads will go from bad to worse as the years go on, and, ultimately, future Governments will have to spend greater sums of money than now to repair them. Government always ask for our co-operation in the passage of taxation Bills. But what are we to say to the people whom we represent if they tell us, "The reward for your going to co-operate with Government is that the grants which stood at 19 lakhs in the year 1921-22 have been reduced to 8 lakhs, more than 120 per cent.?" The Honourable the Finance Member says that the cut has been proportionate. I am very much surprised that the Honourable Minister in charge of this department did not press forward his claim strongly and firmly. Perhaps he did not look into the point very seriously: if he had done so, I am sure he would have stood firmly on this question.

With these words, I move my cut.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City): Sir, I support the cut moved by my honourable friend Rao Bahadur Naik. I find that the grants-in-aid have been reduced from Rs. 19 lakhs to 16 lakhs, then to 11 lakhs and again to 8½ lakhs in 1932-33. When the grants were 19 lakhs, Sind got 4 lakhs; when they were 16 lakhs, Sind got 3; when they were 11 lakhs, Sind's portion was only Rs. 2,15,000; and

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we do not know what Sind is going to get when the grant is being reduced to 8½ lakhs. The Karachi district local board got Rs. 39,000 when the grant was 19 lakhs, Rs. 27,000 when it was 16 lakhs and Rs. 18,000 when it was 11 lakhs and what it is going to get now we do not know. The total length of District Local Board roads in Karachi District is about 1,700 miles, and the grant which the Government gave last year is not even Rs. 10 per mile. With this grant, how can you expect the local bodies to keep the roads in a good condition? Government receive wheel tax, petrol tax and so many other taxes from Sind. Why should they not spend the whole amount on the improvement of roads? The best remedy for all these ills is to separate Sind from the Presidency. It is nearly now 5 years that I have been complaining about the condition of roads in Sind and inadequacy of provision of funds for improvements and maintenance. The last Honourable Minister when told about these had replied that it was for want of metal that in Sind it was so. But I had informed him half of the Western Sind possessed quarries all along and everywhere and that it was only an excuse for not doing anything for Sind. The petrol tax has provided Bombay Government with Rs. 56 lakhs, out of which Sind received only Rs. 6·52 lakhs. Major portion, Rs. 3·76 lakhs, was spent on improvements to Kotri Railway bridge only. It leaves only Rs. 2·76 lakhs out of Rs. 56 lakhs for Sind roads. What an injustice? It is quite clear from this that Government officers do not intend doing anything for Sind roads.

The province of Sind has been entrusted to the care of P. W. D. officers, and they spend lakhs of rupees yearly on the construction of motor roads by widening bunds on the Indus river and canals. Formerly these bund tops used to be 6 to 8 feet. Now the P. W. D. officers have constructed bund tops measuring from 10 to 12 feet. If they can spare lakhs of rupees on the construction of these bund roads for use of officers only, why should they not allot a proportionate amount for the improvement of other public roads? These bund roads are not open to the public. They are to be used only by officers and recently Members of the Council have been allowed to ply their cars on them. What sin have the public of Sind committed to be prevented from using these bund roads when they pay for them and roads are enjoyed by officers only? I hope the Honourable Minister will reply to these questions and do the needful.

The Honourable Sir GHULAM HUSSAIN: Sir, in response to the appeal of the honourable member who spoke last, I would like to make a few observations. I must admit that this grant has been cut down from 19 lakhs to 16 lakhs, from 16 to 11, and now from 11 to 8 lakhs. But regarding this accusation against Government that they have not proportionately cut down the grants for roads, I must explain. This grant appears under 41, Civil Works, which is in charge of the Honourable Minister for Roads and Buildings, and the Honourable Minister for Local Self-Government is not concerned with it. But if honourable members

[Sir Ghulam Hussain]

see the grant under 41, Civil Works, they will find that there has been a proportionate cut in that grant also. Again, if honourable members scrutinise and see what Government have provided for their roads and buildings, which are worth crores of rupees, they will find that it is only Rs. 36 lakhs for the whole Presidency. It used to be—I am speaking from memory—Rs. 54 or 55 lakhs formerly. Honourable members will therefore see that there has been a proportionate cut under both heads. Under one head, it has been reduced from 11 lakhs to 8½ lakhs; under the other, it has been reduced from 54 to 36 lakhs.

Rao Bahadur B. R. NAIK : It has been reduced from 19 to 8½ lakhs.

The Honourable Sir GHULAM HUSSAIN : We are talking of the last figure. Honourable members will now see that the cut has been proportionate. Government have not got money enough even to maintain their own valuable buildings and roads.

The argument which the honourable member from Surat (Rao Bahadur Naik) advanced, namely, that the local board roads would go out of repair, applies also to Government roads as well as to Government buildings. However, I admit that the demand is a reasonable one, and I shall request the Honourable the Finance Member—who is not here now—to try to increase that grant as soon as we get a windfall.

Rao Bahadur S. N. ANGADI : I hope the Honourable the Leader of the House will not forget to inform him.

The Honourable Sir GHULAM HUSSAIN : As regards the roads in Sind, the Honourable Minister in charge will reply to the complaint made by the honourable member Mr. Baloch. But I will reply to his complaint about bunds. I have myself seen those bunds. They are *kacha* bunds. They are maintained by the Public Works Department for the purpose of inspection and not for joy rides. If we had no bunds, we would require more establishment. Otherwise, how could we go on inspecting the canals ? We have, as a special case, given permission to honourable members of this House to use those bunds. If we allow everybody to use them, they will soon get out of order. That means the Council will have to give us more money for maintaining them. In the interests of economy, we are not allowing every one to use them. If honourable members undertake to give us a larger amount, we will keep them open for the public. But that will interfere with the inspection work.

Khan Bahadur ALLAHBAKSH : Title-holders are allowed to use them.

The Honourable Sir GHULAM HUSSAIN : And all of you gentlemen come in.

Once again, I assure the House on behalf of Government that Government will seriously reconsider this question.

Khan Bahadur ALLAHBAKSH (Sukkur District) : Sir, one grievance of district local boards, not only in the Presidency but in Sind, is regarding the policy of Government in interfering with the administration of the

[Khan Bahadur Allahbaksh]

district local boards. Recently, Government have issued a Resolution whereby they have allowed officers of the Public Works Department in Sind to inspect the works of local boards. Well, Sir, the spirit in which Government have issued the Resolution is commendable and laudable. But the question is whether it is practicable for the staff of the Public Works Department to supervise the work of the local boards. The grant to local boards is very meagre. Each district local board gets Rs. 30,000 or Rs. 40,000. This grant is utilised for the purpose of spreading grass on the roads—Rs. 5 here, Rs. 10 there and so on. Now, in the beginning of every month, the district local board has to send returns to the Public Works Department. When the officers come to inspect the work, there is nothing to inspect. The Public Works Department officers do not know what work was done; they only come and have a look at the roads. Secondly, it is not possible to know whether 100 bundles of grass were spread at a particular place or whether 10 bundles were spread. Even if the officers were to know it, we are not able to understand what use it will be to Government. The argument might be advanced that there might be some leakage which might be stopped by the Public Works Department officers.

Rao Bahadur S. N. ANGADI : There is greater leakage in the Public Works Department.

Khan Bahadur ALLAHBAKSH : That is exactly the point. There are black sheep in every department of Government. I do not say that the staff of the local board is above board. Local boards are in the same position as Government themselves in this respect. But the non-official office-bearers—presidents, vice-presidents, presidents of taluka local boards, vice-presidents, managing committees of taluka local boards—all these are in a better position to know the facts and stop any leakage. But Government have only got their officers—Executive Engineers, Sub-Divisional Officers, Overseers, etc. If there is any leakage in expenditure incurred by Government, how can Government detect it ? There is no supervision at all. In the case of local boards there is strict supervision. Big officers of the Public Works Department like Superintending Engineers, Chief Engineers and so on, come only once a year. But even if they come, they do not check the work ; they are not supposed to check it. [*Interruption.*] I do not say that. They do not check the work. Therefore, what is the use of asking the district local board to send returns every month to the Public Works Department ? Moreover, the local board has to engage extra staff. It is not possible to check works costing Rs. 1,000 or Rs. 2,000. Extra staff has to be engaged to prepare these returns. That is one grievance. If these returns were going to serve some useful purpose, then we would have said, " All right ; let us give Government some satisfaction." But if Government are not going to trust their own district local boards, then I would say that it is much better that we should have no reforms. It is much better that we should have no district local boards, if Government cannot trust their own corporations. [*Interruption.*]

[Khan Bahadur Allahbaksh]

I now come to another point, namely, the question of the treatment which is meted out to district local boards. There are certain roads which are known as provincial roads. Some portions of provincial roads are maintained by Government and some portions are maintained by district local boards. That is to say, some of the provincial roads are transferred to district local boards. They do not vest in the local boards, but for the sake of maintenance, they are transferred to the local boards. Now, the amount that is spent on provincial roads maintained by Government, though they are *kacha* roads, varies between Rs. 300 to Rs. 500 per mile, whereas the amount of grant to district local boards for maintaining the provincial roads transferred to them is between Rs. 15 to Rs. 20 per mile. If there is any criticism about the condition of the roads it should be faced by the local boards. On that question I made a representation to Government, suggesting that the best thing for the Government to do would be to take back these provincial roads from the local boards, or that the grant given to the district local boards should be the same as that given to the Public Works Department. To that representation I received a reply from Government that they cannot afford to continue this grant.

Mr. S. S. TOLANI : What else could you expect ?

Khan Bahadur ALLAHBAKSH : This is the treatment that is meted out to the district local boards not in Sind only, but all over the Presidency.

Another grievance which my honourable friend Mr. Baloch just made was that the inspection paths should be opened to the public. The Honourable the General Member replied that we would in that case require more establishment to maintain those inspection paths and bunds. It is true that Government may have to spend more money, but it will pay Government in an indirect form, because certain tracts in Sind are not being properly cultivated at present for want of communications. The district local board has got no money to maintain them, Government cannot afford to do so, and therefore the best thing would be to open these inspection paths to the public. In the past it was customary for such inspection paths to be left open to the public and the left bank inspection path was always open to the public when there were camels and tongas, but after the introduction of motor traffic, naturally the right bank of the canal has been made motorable and it is open now only either to the officers of the Public Works Department, or Government gazetted officers or title-holders and members of this honourable House. If that statement is not contradicted that these inspection paths were open in the past to the public, then I see no reason why the inspection paths should not be put in proper order—I mean the left bank of the canal—and allowed to the public. In the Punjab, Sir, the banks of the canals are open to the public. When at every stage, the Government of Bombay make comparison (when it suits them) with the Punjab Government and point out that they themselves have so much

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establishment and have so much expenditure as compared with the Punjab Government, I see no reason why in this particular instance, Government should not follow the Government of the Punjab.

With these few remarks, I support the cut moved by my honourable friend.

Sir SHAH NAWAZ BHUTTO (Larkana District): Sir, I also would like to record my protest by associating myself with previous speakers. It is possible that most of the honourable members concerned with district local boards may not be fully aware how this Government Resolution came into existence. One junior officer, unfortunately, who did not have enough experience of the working of the local boards, how they managed to put particular roads in fine order on special occasions when high officials are to pass on them or even of administration, when he went about touring in his division did not find the same comfort that special repairs provide, he took it into his head that money was not properly spent, and so he made a reference to Government through his superior officials and suggested that this kind of check is necessary. When the opinions of the district local boards were invited on his suggestion, I for one suggested to Government—at least I made the recommendation—that it would be nothing short of a scandal if works done and supervised by district local board officials, who are almost as responsible as Executive Engineers or Assistant Executive Engineers, should be open to criticism by a petty sub-overseer. It is not possible for an Executive Engineer or even for an Assistant Executive Engineer to go about inspecting works worth Rs. 200 or even Rs. 500, as, according to the limits laid down by the Public Works Department themselves, the Executive Engineer only inspects work of the value of 5 or 10 thousand rupees. I am not quite positive about this, but my honourable friends may be knowing a good deal more about this, namely, that works costing Rs. 200 or under Rs. 500 are inspected only by the petty subordinate officials such as sub-overseers. I submitted my own views that it would be better for the district local board to let Public Works Department officials carry out repairs of roads and other works out of the grant received from the Government. Would Government be prepared to spend money on construction and maintenance of roads and to make their own officials obtain a certificate from the district local board? I would like to know how Government officials would feel if they were put in that position. I believe they would not consent to it.

I just took charge the day before I left Larkana for the Council session, and before I left I understood that my district local board has refused to provide all the copies of estimates that are called for every month. To prepare copies of plans and estimates for these small works, they will have to employ three or four additional clerks which district local boards cannot afford to do. They have asked the Public Works Department to send their own staff to the district local board office to copy out these estimates and other details because the district local board is not in

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a position to comply with it. I understand, however, that some of the Executive Engineers have reported to their own superiors or to the Commissioner in Sind that it is not practicable at all to carry out the Government Resolution under these circumstances, as they have not got the requisite establishment to send to district local board offices for the work of collecting all these details. Under these circumstances, it is just reasonable that the Honourable Minister should see his way to have this absurd Government Resolution cancelled as soon as possible. Nobody objects to control if some practicable method is suggested.

As for the grants, even my district local board some years back received about Rs. 1,09,000, but during the last three years it has been gradually reduced out of all proportion; last year we received Rs. 35,000 to Rs. 38,000. We have got about 1,600 miles of roads and every time any high officials of Government such as Honourable Ministers or Executive Councillors have gone about on my roads, they have given preference to these roads over the roads maintained by the Public Works Department. What an anomaly that we can maintain these roads by spending only 100 rupees a mile while it costs the Public Works Department five hundred rupees! That is a department where there is considerable leakage and Government should at least now open their eyes and be more careful if they are serious to effect savings. If they are really keen to stop leakage, that is the department which needs effective control. It is certainly distressing that the roads which, with the help of Government, we have spent lakhs and lakhs of rupees on are now going from bad to worse and it will not be possible, without spending huge sums, to bring them up to a condition in which they are now, when better days return, if they are once allowed to go bad. It will be very hard on the district local boards if Government continue their miserly policy towards the grants which are made to district local boards, which are more or less dependent on these Government grants to maintain them in order.

With these words, I fully associate myself with the remarks made by the honourable members who have preceded me.

Rao Bahadur S. N. ANGADI (Belgaum District): Sir, I do not wish to make a very long speech, but I would like to point out that I am partly amused and partly provoked by the kind of circular which has been recently issued. I say that the Public Works Department should be the last department to be entrusted with the work of inspecting works done by district local boards. It is notorious that the Public Works Department is the worst manager of its own works. I found, and it will be found, that even the establishment charges of the Public Works Department are infinitely higher than the establishment charges of the district local boards. That is a matter of common experience and every one knows that the Public Works Department has been very extravagant and its extravagance is being criticised very often here and, as I pointed out, if there is any leakage, it is in the Public Works Department itself

[Rao Bahadur S. N. Angadi]

and instead of a circular being issued to the district local boards in this fashion, I should have expected Government to issue a circular to the Public Works Department to have their roads inspected by the engineers of the district local boards. That would be a good thing to show how economical the district local board engineers are and how extravagant their own people are. I have seen many Public Works Department roads and I find that there is an expenditure of Rs. 500 on maintenance of metalled roads, and if such roads are compared with those prepared by the district local boards, one would be simply staggered, and I can assure this House that if this sum of Rs. 500 is spent on district local board roads, I might guarantee that our roads would be absolutely better than the roads in the possession of the Public Works Department. I know, of course, that for swelling the charges the highly paid officers are also to a certain extent responsible, but even apart from that I do find that the Public Works Department's administration is certainly far less satisfactory than that of the district local boards.

Why I said that I was partly provoked was that, as was pointed out by my honourable friend Rao Bahadur Naik, you cannot expect an Executive Engineer to go and see every little work done by the district local board and that the only men whom he would find it possible to send around to go and see these small works would be the sub-overseers or some one who is superior to the sub-overseers. When the district local boards are maintaining engineers on Rs. 500 or Rs. 600 or Rs. 700 or Rs. 800, do you want your overseers or sub-overseers drawing Rs. 100 or so to go and inspect the work done by the district local board engineers ? If Government have a sense of prestige, does not the district local board also have a sense of prestige ? Or is it that the district local boards are supposed to have no prestige, and no self-respect and no pride ? This ought to be understood by Government. At any rate, it is not that only from this stand-point I criticise this particular circular. It is absurd to ask the Public Works Department's sub-overseers to go and inspect work done by the district local board engineers. So I think the sooner the Honourable Minister sees his way to withdraw the circular, the better for him and better for the Government.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, I associate myself with the feelings given expression to by my honourable colleagues who represent district local boards here. You will, Sir, excuse me if I cannot avoid a little repetition of arguments because it has become so necessary to impress upon the minds of Government who are always adamantine to the demands of local bodies and they want always to impose their own wish upon the local bodies——

The Honourable the PRESIDENT: A method must now be found out to do without repetition of arguments.

SYED MIRAN MAHOMED SHAH: We have just listened to speeches by honourable members coming from the Presidency to the effect that it is possible for local boards to carry on their work efficiently without supervision by Government officers. Lest it should be said that

[Syed Miran Mahomed Shah]

it is only from a particular quarter that they are receiving complaints and not from others, I can even quote instances by which I can show the comparatively low prices that we have incurred for the maintenance of our roads. I have just constructed a road of 7 miles across Ganja Hill just close to Hyderabad town and it cost me only Rs. 400 and, although it was rocky, I have made it so nice as compared with the road constructed by the Public Works Department that the Executive Engineer, who had only a couple of months before criticised my administration severely, came and saw it and gave me a compliment by calling it a Royal Road.

Apart from the principle of local self-government under which we are carrying on our institutions, it is even impracticable to impose this condition upon us that we should supply Government departments with innumerable estimates that we prepare for minor works. There are classifications under which work of Rs. 500 has to be inspected by a sub-overseer, work of Rs. 1,000 by a particular sub-divisional officer and work of Rs. 5,000 by Executive Engineer and so on, but under the district local board the engineer carries out all works, small or big, and it is certainly preposterous that work done by our duly qualified engineers should be inspected by Government officials of the status of sub-overseers, especially where our engineers are of the same status as the Executive Engineers of the Public Works Department. So that, I would earnestly urge upon the Honourable Minister for Local Self-Government that, as early as possible, he should withdraw this circular, which is not practicable and which is creating any amount of discontent and resentment in the minds of the local bodies all over the Presidency.

Rao Bahadur S. K. BOLE: Sir, I am not a member of any district local board. So I had no intention of participating in the debate, but it is said that there is much leakage in the Public Works Department. I admit that, but I say there is some leakage in the district local boards also; and the way in which the district local boards are constructing their roads is very peculiar. I shall cite one instance. In the Alibag Taluka of the Kolaba District, there is a road which is called the "*javai*" road, because the road was constructed for the convenience of the son-in-law of the gentleman who happened to be the President of the Taluka Local Board of Alibag at the time. That road was not wanted by the public; still, it has been constructed. In this way the presidents of district local boards and taluka local boards are having the roads constructed. Sir, there is a village called Thal in the Kolaba District. There are two roads there. Sanction has to be given by the district local board to the taluka local board for the construction of the roads. One road leads through the locality of the advanced classes and the other road leads through the locality of the masses. More grants are given to that road which leads through the locality of the advanced classes.

Khan Bahadur ALLAHBAKSH: Is all this relevant, Sir? It has nothing to do with the point under discussion.

Rao Bahadur S. K. BOLE: What I am saying is relevant. When they criticise the Public Works Department, I am entitled to criticise the expenditure of the local boards on roads. There may be more leakage in the Public Works Department, because it is a vast Department, but it must be admitted that there is some leakage in the local boards also.

Sir, when the people of Thal village ask for a grant for the road leading through the locality of the masses, only meagre grants are provided for it; their requests are not heeded. In this way some of the district local boards are carrying on their business.

I want to draw the attention of the Honourable Minister for Local Self-Government to one other thing. I am told that sub-overseers get Rs. 100 salary. I do not know what the overseer gets, but if an inventory is made of the properties that are made by some of these overseers and sub-overseers in the districts, it will be seen what amount of wealth they possess.

The Honourable the PRESIDENT: These remarks are more relevant to the general discussion.

Rao Bahadur S. K. BOLE: I have brought it to the notice of the Honourable Minister.

The Honourable the PRESIDENT: This is the season for leakage.

Rao Bahadur S. K. BOLE: With these remarks, Sir, I resume my seat.

Rao Saheb B. G. DESAI (Kaira District): Sir, I have had 12 years' connection with the local boards, and I know the manner and the enthusiasm and keenness with which the members are attempting to do the local board work. But I would agree that some sort of outside inspection and control by the Government is essentially necessary. Of course, it is true that the inspection may be done by officers of sufficiently high rank, and should not be entrusted to overseers of low rank. As far as my experience goes such inspection has generally been found to be wholesome and helpful though there are stray cases in which the inspection has degenerated into interference, but these are rare cases, and I do not think it has caused much trouble to the district local boards at least in the Northern Division. I do not know what the experience of my honourable friends from Sind is, but as far as the Northern Division is concerned, I do not know of any such instances where there was any trouble on account of this inspection.

Sir, I support the honourable mover of the motion, Rao Bahadur Naik, in his protest against the rather unjust treatment that is given to the Northern Division in the matter of the grant for roads. Government should at least hold the balance even and pay sufficient grant to the Northern Division, at least in proportion to the high amount of land assessment which the Northern Division pays, granting that the roads are made for the convenience of the agriculturists who directly pay these assessments. If we scrutinise these figures, it would appear that the

[Rao Saheb B. G. Desai]

Northern Division has always been paid less than its due, and I trust that Government will look to these inequities and try to set matters right.

As far as the general administration of these roads is concerned, it is no doubt true that the management of roads by the local bodies has been more economical than management by the Public Works Department and hence the interference of the Public Works Department should be avoided as far as possible. With these words, I support the protests raised by the honourable member Rao Bahadur Naik.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL *rose.*

The Honourable the PRESIDENT: The honourable mover of the motion has the right to reply. If the Honourable Minister is going to wind up the debate, then a chance must be given to the honourable mover of the motion.

Rao Bahadur B. R. NAIK (Surat District): Sir, I have nothing much to say in reply to the various criticisms offered by honourable members from the mofussil. But I should like to take up the thread of the argument of the Honourable the Leader of the House. He said that there is also a reduction in the grants for provincial roads. I do admit that there is a reduction in the grant for provincial roads. Let us take the year 1930-31. The grant to provincial roads in that year was Rs. 50,00,000, and this year it is about Rs. 37,00,000. Let us, on the other hand, take the grants to local boards. In 1930-31 the amount was Rs. 16,00,000, and it has now been reduced to Rs. 8,45,000. In one case the reduction is from Rs. 50,00,000 to Rs. 37,00,000, and in the other case it is from Rs. 16,00,000 to Rs. 8,45,000. I therefore maintain that the reduction in the grants to provincial roads and to district local boards is not in equal proportion. Moreover, even at the reduced grants which are allocated for the ensuing year for provincial roads, it comes to Rs. 500 per mile for metalled roads and Rs. 150 per mile for unmetalled roads, whereas the reduced grant to the local boards gives us Rs. 100 a mile for metalled roads and Rs. 30 a mile for unmetalled roads. I again repeat it, in districts like Surat and Broach, where there is black soil, where there is no metal available, I ask will even the Chief Engineer in Sind (Sir Charlton Harrison) be able to repair a metalled road at Rs. 100 a mile ? So, there is a reduction in the grants, but the reduction is not proportionate in both the cases. Therefore, the reduced grant to the local boards should be immediately restored by finding out another 8 lakhs. In a big budget of 14 crores for the Presidency, if Government will take upon themselves to make up this grant, I am quite sure they will be able to find the 8 lakhs from somewhere.

Sir, I do not deny the right of Government to inspect the local board works. I admit that the expenditure of the taxpayers' money should be properly looked after. Perhaps, my honourable friend from Kaira did not follow me on this point. He has got a very long connection with the district local board there, and with due deference, I say we have no objection to the inspection by Government engineers, or even by higher officers of Government. But the circulars which have been

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issued are absurd in themselves. They want every month the estimates of all the works that are being carried out by the taluka and district local boards and the progress reports of those works to be submitted to the Executive Engineer. Sir, these roads are not being constructed out of only Government funds. The district local boards have also to provide certain funds of their own for the purpose, and therefore I say some of these circulars are absurd, which, with all their care and caution, no district local board will be able to carry out. I think it has rightly been pointed out by some of the honourable members from Sind that this is very much resented. No self-respecting president of a district local board would swallow such circulars as have recently been issued, nor would a qualified engineer put up with such things. It is not the sub-overseers alone who will inspect the works, but even mistries will do it, where the Public Works Department engineer has no time to do it; and what will the engineer do? He will say *ditto* to what the road clerk, or the mistry, or the sub-overseer has to say. Therefore, I say these circulars should be withdrawn. Moreover, it causes unnecessary interference and delay in the execution of works. There should not be any unnecessary interference, so far as the district local boards are concerned. As I say, as far as the expenditure of the taxpayers' money is concerned, Government have every right to watch over it. I do not say that there is no leakage in the district local boards. There may be some leakage,—it is in every department; but I think the district local boards are more economical than the Public Works Department. There is no doubt about it at all. As an experimental measure, let Government give over some of their roads to the district local boards, who maintain their qualified engineers, for a couple of years and see how these roads are maintained more economically.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: Sir, I can assure this honourable House that there can hardly be anybody present here who is more keen than myself to see the cut of Rs. 3,00,000 restored in the grant to local bodies for the maintenance and repairs of roads. In fact, when this question of retrenchment in general was under the consideration of Government some months ago, I had made a very strong minute, pointing out the great desirability of reducing no further this particular grant, and I think that I had made out then a much stronger case than my honourable friend Rao Bahadur Bhimbhai Naik is able to do to-day. And, Sir, having been very intimately associated for many years with the district local boards and their administration, no representation on this particular occasion from the members of the district local boards and no criticism or commentary, however convincing it may be, and no appeal to the Government's sense of fairness and equity are necessary—I can assure this honourable House —to awaken me to the realisation of the fact that the financial resources of the district local boards are very limited, very inadequate to meet their ordinary needs and requirements without the Government's grant-in-aid. In fact, I can also admit that this cut on the top of the cessation of boring operation activities is really very hard. But this honourable

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House has to look to the other side of the question also. During the last decade all the departments of Government have been thrice retrenched. Recently the Honourable the Finance Member, on behalf of the Government, appointed the Retrenchment Committee. They have done their little bit. After that, Government of their own accord effected very appreciable retrenchments which were not contemplated or which were not possible for the Retrenchment Committee to do. After that, Government passed general orders to reduce the expenditure to the extent of 10 per cent. on establishment. Even then, as you have already been informed by the Honourable the Finance Member, we have not been able to balance our budget, with the result that several money Bills which are on the anvil now have had to be restored to. Assuming for argument's sake that all these money Bills get the sanction of authority of this honourable House and passed into law, even then we are told by the Honourable the Finance Member there is going to be a great deficit. In the Retrenchment Committee's Report on page 16, Public Works Department, we stated :

"We have given this subject much thought. It would seem that, as financial considerations have greatly reduced the number of new works which can be taken up there should be a corresponding decrease in the establishment charges and in the total expenditure."

This is on page 17.

"We are agreed that it should not be less than 14 lakhs."

They are referring to a cut.

"The cut may be found not only by the discharge of establishments but by reduction of grants for repairs both of the Irrigation and Road and Building branches of the department. We know that certain risks will be run in reducing the maintenance grant for canals and that too long postponement of repairs to roads and buildings must involve heavier charges in the future. We consider .....that this risk should be faced."

Rao Bahadur B. R. NAIK : Has the Retrenchment Committee recommended reduction in the grants to local bodies ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL : Not to local bodies. What I am trying to make out is that even at the risk of loss of efficiency, even at the risk of increased expenditure in future years, the Retrenchment Committee has recommended that certain risks ought to be undertaken by Government and have proposed a cut of 14 lakhs of rupees. Is it not then fair that the district local boards also must try and retrench their expenditure even at some risk ? That is my point. If they did that, probably this cut of 3 lakhs of rupees may not cause them as great hardship as they seem to think it would.

Sir SHAH NAWAZ BHUTTO : Within the last three years the cut amounted to Rs. 11 lakhs.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL : We are considering only the last 12 months.

In spite of all the efforts on the part of Government to effect all possible retrenchment, this honourable House has been clamouring for further retrenchment. You, Sir, will admit that unmistakable outbreaks of

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zeal and enthusiasm for retrenchment at any cost have occurred in this House. Now, what do we see to-day? We are told that we are parsimonious, we ought to spend more than what we are doing. I can assure this honourable House that, though it is not possible to get any money from the Honourable the Finance Member to bridge this gulf, I shall try my very best, I will watch the position, and will seize the first opportunity of re-opening the question with a view to see whether any more money could be got, so that I may be able to contribute towards making up this cut of 3 lakhs of rupees.

Sir, with regard to Sind, I must confess my ignorance of that beautiful country. I did make up my mind to visit Sind about three months ago, because I had recognised the great advantages of visiting this place and making acquaintance with the people on the spot; but this very question of retrenchment came in my way and I had to give up the idea of visiting Sind. But I shall take the first opportunity of visiting Sind, after which I hope I may be able to render a better account of myself than I am able to do in connection with all questions pertaining to the province of Sind. [Rao Bahadur S. K. Bole: Before separation.]

There has been a complaint with regard to the interference on the part of Government, so far as supervision is concerned. The honourable members who complained must realise that so long as Government continue to contribute any amount towards the maintenance and repairs grants, they are entitled to have a certain amount of supervision, in order to see that the money which they give is well spent. I do not think there can be any resentment on the part of district local board authorities for legitimate supervision which Government should and will exercise at all times. If this kind of supervision is really an interference, as it is made out by some honourable members, then certainly it is desirable that the man in charge ought to look into the matter. I promise to go through the resolution again and see whether the interpretation that some honourable members of this House put upon it is possible, in which case I can assure this honourable House that the resolution would be suitably modified.

With regard to the handing over of Government roads to the district local boards, I may assure this honourable House that this recommendation also of the Retrenchment Committee is receiving consideration at the hands of Government. In view of this explanation that I have been able to tender and in view of the assurance which I have given this honourable House, I may be permitted to hope that the honourable mover will be good enough not to press this cut.

Rao Bahadur B. R. NAIK: In view of the sympathetic reply given by the Honourable Minister, I wish to withdraw my motion.

Motion, by leave, withdrawn.

The Honourable the PRESIDENT: I must inform honourable members, perhaps they are aware, that the discussion under this head will go on till 5-12 this evening. There are yet a few more cuts, some of which may not be moved. Those honourable members who wish

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to move their motions must understand that the question must be put at 5-12.

Mr. V. N. JOG (Dharwar District) : Sir, I beg to move :

"Reduce by 5 lakhs—Total Demand—Rs. 1,27,77,000 (B. Page 12)."

The whole demand is for Rs. 1,27,77,000—partly Reserved and partly Transferred. In moving this cut of 5 lakhs I wish to bring to the notice of this House that the expenditure on the Public Works Department including Irrigation and Civil Works is too high and it is quite possible to reduce it by 5 lakhs. No doubt, the Honourable Minister just now told this House that there is a great enthusiasm on the one hand for retrenchment and on the other hand there is a complaint that certain reductions in the grants to the local bodies have been made and so more money should be found out. That would apparently seem inconsistent. The whole situation arises because right sort of retrenchment has not been made. Wherever retrenchment is possible, it has not been cared for at all ; wherever retrenchment is not possible, there it has been made. From this point of view I am going to place before the House certain considerations. With regard to this, Sir, I will point out that the expenditure on original works and repairs has been considerably reduced. Compared to this reduction the charges for establishment are very heavy. So, it is quite possible, at least for some years to come, to keep a less costly establishment.

I am also going to say that certain other reductions can be made with regard to various other items ; for instance, tools and plant. Up to the year 1926-27 on tools and plant only 1½ per cent. was charged ; now the practice is to charge 3 per cent. on tools and plants. So also, the expenditure on establishment. Up to a certain year, the charge was 21 per cent. ; recently it was increased to 24 per cent. I am here speaking of the average. In individual circles and individual works, it is probably more, and in some cases abnormally high. We were reminded in this House the other day about the fallacy of averages and per capita figures. In this case, the Public Works Department have slipped into this fallacy ; they have been budgeting for heavier establishments than are necessary. I will take first "41, Civil Works." At page 4 of the Civil Works Budget Estimate, you will find that the provision for "Original works in progress and new works," including "Communications" is only Rs. 20,82,700, and that for "Repairs" Rs. 36,99,000. The total is about 57 lakhs. Just below that, the provision for establishment is shown as Rs. 31,33,000. So the cost of establishment on works costing 57 lakhs is 31 lakhs.

The Honourable the PRESIDENT : Has the honourable member seen the foot-note ?

Mr. V. N. JOG : Even taking Rs. 3,82,000 shown in the foot-note, it comes to 27 lakhs or 28 lakhs. So, taking only Civil Works, the establishment cost comes to more than 50 per cent. The average cost of establishment should on the other hand only be 24 per cent. To meet

this argument they may say that the establishment carried under Civil Works is the residue left after apportioning the cost to other major works under XIII, 55-Irrigation, etc., and that is why it works out to a higher figure than 25 per cent. Even taking that into consideration, I will just beg the attention of the House to page 46 (Civil Works Budget Estimate), where the figures of establishment for Roads and Buildings and for Irrigation from 1921-22 up to 1930-31 are given. It will be seen that the establishment expenditure on Roads and Buildings was 19·26 per cent. of the total outlay on works and repairs; it went up to 24·96 in 1927-28, when the rule that 24 per cent. should be charged for establishment charges was made. The percentage went on rising to 25·03, 25·26 and in 1930-31, it was 32·35. My point is that the expenditure on establishment in the Roads and Buildings branch has gone on rising, and there is room for curtailment under this head. Then, you will be pleased to note why this 24 per cent. charge for establishment was made for the Irrigation branch. It seems to me it was because the average of the previous years was taken. The honourable member the Chief Engineer is laughing, but I will wait for his explanation if my reasoning is in any way faulty. I find from the table mentioned that from the year the construction of the Lloyd Barrage was begun, the cost of establishment charges under irrigation went up, due to the high salaries paid to the irrigation officers. In 1921-22, "Construction of Irrigation, Navigation, Embankment and Drainage Works" cost in establishment Rs. 11,53,734, and "Percentage on the total outlay on works and repairs in the Irrigation branch" was 33·59. "Total establishment charges" in the Irrigation branch in 1921-22 was Rs. 32,11,115; it went on increasing to 64 lakhs, 66 lakhs and so on, until it reached 69 lakhs in 1929-30. Compare then the percentage charges shown under Roads and Buildings with the percentage charges under Irrigation (columns 8 and 14 respectively). While the percentage charge under Roads and Buildings has been going up, the percentage charge under Irrigation has been going down, although the expenditure column under Roads and Buildings establishment has been going down instead of going up. The combined percentages of expenditure on establishment under Roads and Buildings and Irrigation have been in 1921-22, 24·26; 1922-23, 25·38; 1923-24, 25·87; 1924-25, 24·35; 1925-26, 21·23. These figures have remained more or less constant, and that is why 24 per cent. was taken as the average, I think. I submit, Sir, that this system of taking averages is faulty. In 1921-22, the average cost on establishment under Civil Works was only 19·26. I want to lay emphasis on this, because with the completion of the Lloyd Barrage and the reduction of the high cost of establishments under that head, the time has come to reconsider what percentage establishment under Public Works Department should bear to the total outlay on works and repairs. Just as it has been brought down on the irrigation side, it should also be brought down on the Civil Works side. No doubt, the reason for the higher percentages on the Civil Works side has been explained in the footnote. But there is also a sentence "The question of devising a more accurate formula to

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measure establishment charges is under consideration." The point I am making in moving this specific cut is this: Government have always been telling us that this question will be considered and attention paid to it, but for some reason or other the matter is being postponed and no serious attention is being paid to the real cut which has to be made.

During the discussion of the last item but one, which took place on Friday and Saturday, it was stated that Government had made considerable reduction in establishment. I have gone through the several figures, but I find that the reduction is not so very prominent as it was claimed to be. If you simply take the figures, there is a case made out that there is a reduction of about 8 lakhs. But what the Retrenchment Committee and the members on this side of the House meant by reduction was real reduction in establishment and not reduction in pay. I will show later that the reduction in establishment is very small. I will crave the indulgence of the House while I refer to page 45 of the *Civil Works Budget Estimate*. There Government say that 8 lakhs have been reduced; the Honourable the General Member also stated that 8 lakhs had been reduced. But you will find, Sir, that that reduction of 8 lakhs is not due to retrenchment in establishment but due to the cut in the pay by ten per cent. Paragraph 2 on page 45 gives the total net estimated cost of all Public Works Department establishment charges for 1932-33 as Rs. 90,01,100. Then it gives the various figures for the various years. Then there is a note under paragraph 3 which says:

"Even considering that the next year's demand is inclusive of the saving of about Rs. 7,21,000 resulting from the temporary cut in pay of establishment in this Department it compares very favourably with the budget and revised estimates for 1931-32 and actuals for 1930-31 and 1929-30."

It will look like a saving in establishment, but if we analyse the whole position, it is not really a saving in establishment. Rs. 7,21,000 have been saved by means of the cut of 10 per cent. and the remaining amount saved can be ascribed to the reduction of establishment in the sense in which the Retrenchment Committee and members of this House required. When large amounts were being spent on original works and communications, the maintenance of this establishment was justified. But now when there are no original works and there is no possibility for years to come to take up new works, there is no necessity of maintaining such a large establishment. Even up to this date so many temporary establishments have been maintained, and they naturally add to the expenditure on establishments.

Then, Sir, you will see that certain deductions have been made in sub-head 2 in paragraph 2 (page 45 of the Public Works Department Estimates). That shows that Government have not been getting what they used to get from other Governments, Departments, etc., for services rendered. A sum of Rs. 2,81,000 has to be deducted. Formerly the deduction amounted to Rs. 4,62,300 and the actuals for 1930-31 were 5 lakhs. But we have deducted only Rs. 2,81,000 for the coming year. That shows that we are not getting from the other departments and

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Governments what we used to get for services rendered to them. That possibility of our hands being used by other Governments or Departments has also disappeared. A note has been taken of this in paragraph 3 which says :

"The result would have been more favourable had the estimate of recoveries from other Governments, Departments, etc., for establishment charges on works carried out by this Department on their behalf not dwindled."

While other departments have been curtailing their programmes this Department has not seen its way to curtail its establishment charges on account of financial stringency. In this connection, I wish to bring to the notice of this House the recommendations of the Retrenchment Committee. If you turn to page 17 of the final report, you will find that the total retrenchment which they had suggested was Rs. 14 lakhs. They also say in paragraph 46 (page 20) :

"The majority of the non-official members wish to put on record their opinion that no further reduction should be made in this grant (Grants to Local Bodies for Public Works)."

But we see that 3 lakhs have been cut down from the local board grants. On page 16 of the report they say :

"It would seem logical that, as financial considerations have greatly reduced the number of new works which can be taken up, there should be a corresponding decrease in the establishment charged and in the total expenditure."

The recommendation of the Retrenchment Committee that expenditure on further works should be curtailed has been accepted, but with regard to the corresponding decrease in expenditure in establishments, their recommendation has not been accepted.

The Honourable Dewan Bahadur S. T. KAMBLI : Will the honourable member please read the next sentence ?

Mr. V. N. JOG : I have read that. It says :

"We are aware that there have been heavy reductions in establishment amounting to over Rs. 8 lakhs in the last few years and that the staff now in existence is claimed by the Department to be the minimum necessary to maintain the existing works."

So that is the case put forward by Government. But I have not been able to see that actually 8 lakhs have been curtailed from the year 1923-24 I went through the figures but I could not arrive at the figure of 8 lakhs. I will be very pleased if the other side shows that from the year 1923-24 up to date the total retrenchment in the expenditure on establishment is Rs. 8 lakhs—retrenchment in the sense the Retrenchment Committee meant it—in the personnel, leaving aside the cut of 10 per cent. in pay and the reductions in pensionary charges. I know how the figure is made up, and if anybody who goes through the figures is not careful enough, he is likely to be deceived. I have gone through these figures. I confess that I have not been able to arrive at this figure of 8 lakhs claimed by Government.

Now, pursuing the point from where I left it, I shall refer the House to Statement No. I which shows the action taken by Government on the recommendations of the Retrenchment Committee. On page 29 of that statement you will find that they have reduced 14 lakhs under

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the head "Repairs". The whole amount saved is Rs. 20,97,400 which is made up thus :

	Rs.
Works in progress	3,17,700
New major works	1,24,700
Discretionary grants	2,54,000
Repairs	14,01,000

They reduced this 14 lakhs only under Repairs and not under Establishments. The statement also says :

"A total cut of Rs. 28,18,400 has been made of which Rs. 20,97,400 is under Civil Works and Rs. 7,21,000 is in Establishment."

Again, that will rather put us off our guard. The cut is not in establishments ; it is in pay.

I submit that the Government have not given effect to all the recommendations of the Retrenchment Committee. The Retrenchment Committee of 1924 made various suggestions and only some of those suggestions have been accepted, but the suggestions with regard to the cutting down of the personnel have not to an appreciable extent been accepted. Government themselves had appointed an officer to go into this question. When the Retrenchment Committee of 1924 made certain suggestions, they were not acceptable to Government. Government appointed their own officer to go into the whole question, and one Mr. Shah was appointed. I do not want to take the time of this House. His report is very clear. He has suggested in all a cut of Rs. 11,77,000. You will find that on pages 105 and 106. He has also given a list of officers to be retrenched. Government are still considering the report. In this statement in the column headed "Action taken by Government" Government say that the reorganisation committee will go into this question. It simply means that they want to postpone action on the recommendations. They have got experts in their own department. If they seriously try I am sure that they can give effect to the recommendations, but, I submit, Sir, that the mentality has to be changed. Government are trying to find out a way to defend their own expenditure and they have no intention of exploring avenues of retrenchment. They are satisfied that the depression will last for some years to come and that we cannot find money enough to maintain this department. It is therefore time that they should effect some genuine retrenchment.

As you, Sir, have asked me to substantiate this cut without going into the question of policy, I will broadly suggest how the cut that I have suggested can be made. The total establishment charges including pensionary charges come to 90 lakhs. If establishment charges are reduced from 24 per cent. to 21 per cent. we get 2¼ lakhs. Then I come to the next item "Tools and Plant". The officer who was deputed to look into this question has stated that there must be a cut of

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1½ per cent.—instead of 3 per cent. it should be brought down to 1½ per cent. I am reading from page 3 of Mr. Shah's recommendations:

"I have pointed out that the present reduction in tools and plant charges of 3 per cent. is double of what used to be accepted right till 1927 and in view of the fall in prices of tools and machinery, it is no longer justified. It is higher than that of some of the other provinces of India and should be brought down by strictest economy." I have suggested that the tools and plant charges which stand at about 5 lakhs per annum should be reduced by Rs. 2·34 lakhs by reducing the expenditure on carriage and repairs of tools and plant by 50 per cent., by reduction of expenditure on the other heads by 40 per cent. and by transfer of expenditure on office furniture from the tools and plants grant to the ordinary contingent grant of the various officers concerned."

This has not been done. There was also a suggestion that ·8 should be reduced. Even that it seems,—I am not certain—has not been done.

There is a note to which I would also like to refer in passing. The figures of tools and plant are given on page 47 of the Civil Works budget. An abstract is given there. No doubt, as Mr. Shah has found, it was Rs. 5,24,000. So, it is rather quite possible that an error may have crept in and that there is a reduction, but it is on account of the reduction in original works or reduction actually on communications, etc., that the whole of that has really come, and it is Rs. 3,47,000. At page 47, the note is:

"These amounts represent 3 per cent. on the provisions made for works and repairs."

So, practically there is no reduction at all——

The Honourable Sir GHULAM HUSSAIN: From 5 lakhs to 3 lakhs.

Mr. V. N. JOG: That is because the original works have been reduced and therefore the percentage has been reduced but there has been no reduction of a real character in the cost percentage itself. I think I have made myself clear. What I suggest is that we can reduce this charge to 1½ per cent. as prices have fallen all round. The 1½ percentage was actually there till 1926-27. Owing to the post-war conditions there may have been a rise in prices, but those prices have gone down in various ways, and it is therefore quite possible to reduce this percentage still lower. The honourable member the Chief Engineer, Public Works Department, shakes his head and indicates that he does not agree to what I state, but here his own officer has gone into the question and has shown that it is quite possible and therefore if we can halve this figure of Rs. 3,47,000, we can get the figure of Rs. 1,73,500 a year. All that has been given at the end of Mr. Shah's report and Mr. Shah has come to the conclusion that a reduction of 11 lakhs is feasible, and my demand is only with respect to five lakhs. My demand I wanted to put at a cut of 10 lakhs, but I did not like to make such a heavy cut and therefore I have reduced it to half. If Government seriously think about this and if the Honourable Minister for the Transferred Department and the Honourable Member for the Reserved Department, who are both our own men, put their heads together, they can relieve the position of the Honourable the Finance Member who is sitting between the two now looking to the one and now to the other and wondering who will come to his aid, and in this way the Honourable the Finance Member will be relieved of some of his embarrassments.

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The point which I wish to make again is that we can make enough reduction if we only have the will to do so. The answer may be given to us that this is only a matter of accounting and that it will not give us any real or appreciable reduction, but when we take out this money and lock it up here there is a general outcry that the other departments are not getting sufficient money. Therefore, if we can relieve some of this burden and effect some saving, then, I submit, Sir, the grievances of the other departments could be certainly removed. I will quote only one instance to show how and where savings are possible. It has been said up to this time that charges on the Irrigation Department are being increased on some excuse or other. In the pensionary charges up to this time in the Irrigation Department they were charging 14 per cent. and there were charges for allowances and pension charges, superannuation charges. This is what appears on page 45 :—

"The rate of adjustment was 14 per cent. till now. This rate was considered excessive and hence the Government of India have directed that it should be decided with reference to the rate of interest on the loan taken from that Government in a particular year."

Why I am laying stress on this matter of accounts is that if these departments are given more money than they require then as was complained by my honourable friend Rao Bahadur Angadi, there is bound to be leakage. There are leakages in every department, but we must try to see that the scope for leakage is reduced——

The Honourable Sir GHULAM HUSSAIN : How can we infringe the orders of the Government of India ?

Mr. V. N. JOG : You may represent to the Government of India that this rate is considered excessive, as that Government have directed that it should be decided with reference to the rate of interest on the loan taken from that Government in a particular year.

The Honourable Sir GHULAM HUSSAIN : We were first asked to provide 14 per cent., and now we have been asked to lower it, and therefore we are charging 7½ per cent.

Mr. V. N. JOG : The Government of Bombay can make out a case again for still further reducing it. May I enquire whether the Government of Bombay are paying 7·25 per cent. ? Is it not 6 or 6·5 per cent. in certain cases ? Still Government wants to tax this province with 7·25 per cent., i.e. one per cent. more.

Mr. C. G. FREKE : Sir, may I explain ? The percentage which is debited to the Irrigation Department is dependent upon the rate of loan money, but it is not at all the same. If the rate of loan money rises, the pensionary charge falls. It depends also upon the life-tables upon which actuarial calculations are based. A pensionary charge is the amount set aside such that, accumulating at compound interest, it will, at the end of a man's service, be sufficient to provide his pension, and consequently, if the rate of interest rises, the amount which you have to set aside each year falls and *vice versa*. It is not at all the same as the rate of interest charged upon the loan money. The reason for the change is also a revision of the life-tables.

Mr. V. N. JOG : This 7·25 per cent. is an average.

The Honourable Sir GOVINDRAO PRADHAN : It is not the rate of interest at all. It is based upon the life-tables.

Mr. V. N. JOG : The Government say " the rate of interest on the loan taken from that Government in a particular year." My point is, has the Government of India up to this time charged more than 7 per cent. or more than 6½ per cent. interest ?

The Honourable Sir GOVINDRAO PRADHAN : That is not the rate of interest.

Mr. V. N. JOG : I would only say in passing that if you say that you cannot reduce the permanent establishment, you may at least reduce the temporary establishment which I see mentioned on almost every page. I particularly refer to temporary establishments on pages 17-18, 28 and 29, which can certainly be cut in half. If you make a reduction there, you may be able to get some money there.

I believe I have sufficiently shown how I came to this 5 lakhs, the amount which is suggested even by the Retrenchment Committee. That committee has also suggested the retrenchment of one Superintending Engineer's Circle, Mechanical or some portion of the Special Officer's establishment, and if all these various sources of retrenchment are considered by Government, then I see no difficulty in their being able to effect a savings of 5 lakhs. They have given assurances in the past that they will make an attempt at reduction and I hope they will give us another assurance in this matter also, in the manner in which they did when the cut of salaries was moved here. On a cut like this only we can force the Government to make retrenchment and not on a cut on general policy, and therefore I have tried to offer a few suggestions in favour of the motion I have made. With these remarks, I commend this cut to the House for its acceptance.

Question proposed.

Mr. P. L. BOWERS : Sir, the honourable member from Dharwar made a sweeping statement regarding our alleged failure to effect any economy or any reduction in our establishments and claimed that he could show the way by which we could make a reduction of 5 lakhs. By a reference to page 45 of the Civil Works Budget, he points out that our reduction in establishments of 7 lakhs is entirely due to the cut of 10 per cent. in pay, but he does not take into any consideration the reductions in establishments which have already been carried out while we have been investigating what retrenchment is possible after considering Mr. Shah's report. If he looks at the statement on page 45 he will see that the actuals for establishment in 1930-31 were Rs. 1,04,98,104, for 1930-31 and the revised estimate for 1931-32 was Rs. 99,39,500 and our estimated demand for 1932-33 is Rs. 90,01,100. So, we have reduced our establishment charges by 14 lakhs in the last two years, out of which 7 lakhs, as he points out, is due to the ten per cent. cut in pay. This has been effected by making a very considerable number of reductions in our district establishments. During the last two years we have closed down or amalgamated several district establishments, which naturally has

[Mr. P. L. Bowers]

resulted in a large reduction in pay and we have now got what we consider the safe limit. It is quite unfair to say that because we are spending so much less on works, we can therefore make a corresponding reduction in establishments. Our establishments, for the most part, are district establishments looking after a number of works scattered over a vast area, and as a man can only look after a certain area he can only carry out repairs or maintenance work and such new works as are required in that area. If all new works in the area are cut out, he has still to cover that area in looking after repairs and maintenance works. It might be possible to give him new works up to the value of 2 lakhs without having to increase his establishment by the smallest percentage, but as he must keep moving about in his charge looking after such repairs as are in progress it is not possible to effect economies by increasing the size of his charge on account of the reduction in cost of new works in his charge. You cannot for example expect a mustering clerk on a bicycle to travel 40 miles, instead of the average of 20 miles or so a day because you have reduced the amount of money to be spent in his charge, and therefore you cannot fix for every man the extent of his charge in terms of the amount of money to be spent in it. I think that the reductions that we have carried out, are as far as we can go for the present, but the Superintending Engineers have been asked to make further investigations. We have given them all a figure by which they are to try and bring down their expenditure on establishments, and they are reviewing the whole of their establishments very carefully. Certain additional cuts may be possible, but I am afraid that we shall not be able to reach the figure which the honourable member from Dharwar held out as the goal which we should aim at.

Mr. V. N. JOG: Begin with the mentality that you can do it, and you will be able to do it.

Mr. P. L. BOWERS: We have examined it so often; it is rather difficult to find out any way of doing it.

I may point out, if I am allowed to refer to the speeches of honourable members who spoke on the question of the local board grants, who criticised the grant to the Public Works Department and the amount of grant to the local boards, that next year the Public Works Department grant of Rs. 37,00,000 is only 74 per cent. of last year's grant, while the local board grant is 80 per cent. of the previous year's grant. The honourable member Rao Bahadur Naik has also pointed out that they could work very much cheaper than——

The Honourable the PRESIDENT: That is not relevant to the point under discussion. The honourable member should have got up then.

Mr. P. L. BOWERS: I had not the opportunity, I will now stop if you require me to.

Mr. C. M. LANE: Sir, I am afraid I was not able to follow the honourable member Mr. Jog very closely. He seemed to me to run

[Mr. C. M. Lane]

about from one end to the other of this 41, Civil Works budget. He then went on to refer to Mr. Shah's report and then to the Retrenchment Committee report, copies of which I am afraid I have not got with me here.

As regards the incidence of establishment charges, Sir, I personally am directly concerned with the Irrigation branch. I think we in this Branch have done, in fact I am convinced that we have done, all that we can actually do in the way of reducing establishment up to date. We are still being driven to it, and under protest I am making further reductions, but I think we are now reaching a dangerous limit. I hoped that the honourable member Mr. Jog would throw some flowers to me or give me congratulations for it, but I am afraid that they are not forthcoming. If he will look at column 14 of the statement on page 46 of the 41, Civil Works budget that he referred to, he will see that our establishment charges have fallen in the last four years on Irrigation from 26 per cent., 25·51 per cent., 23·26 per cent., finally to 21·60 per cent. I think that is a fairly valuable contribution to the economies of this Government.

Mr. V. N. JOG: I have referred to it.

Mr. C. M. LANE: It is impossible to bring them down much further and it is impossible to lay down any fixed percentage figure which they shall be.

The honourable member referred also to the statement on page 47 of the same 41, Civil Works budget. This was in connection with the tools and plant provision, the total of Rs. 3,47,900 under all heads; and he drew attention to the footnote which says "These amounts represent 3 per cent. on the provisions made for works and repairs." But I would point out that the footnote has an asterisk, and the asterisk appears only against 6 items. The whole of our provision is not calculated at 3 per cent. and we are working on a very much lower figure generally. Mr. Shah was appointed to go into this question. Mr. Shah, a Deputy Accountant General, was put on special duty to examine and make suggestions as regards such economies as he considered practicable. Mr. Shah made suggestions, which were considered by Government, and as far as we found it practicable we have carried them out. We carried out and effected all such economies recommended by Mr. Shah as we found possible. But I, being responsible for my department, was entirely unable to agree that all of Mr. Shah's suggestions were practicable. The figure of provision for tools and plant is very largely swelled by an item of Rs. 1,75,400, Construction of Irrigation and Navigation, under 55. That is largely for the Barrage. If that came out, our figure would be much reduced. I do not know if the allocation of tools and plant charges is clearly understood by the Finance Department. I have tried very often to find out how this allocation is made, but I am afraid it is beyond me. I can only say, Sir, that we are, as I have said, cutting down establishment absolutely to the bone, and as regards contingent grants and tools and plant, we have made such reductions as are possible.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, the honourable member representing Dharwar district (that is my own district), seems to be under the impression that the Public Works Department is not doing its best in cutting down expenditure, as required under the present financial stringency. In this respect, I may frankly tell him that he is entirely in the wrong. The expenditure of the Public Works Department was specially examined by a very competent officer, Mr. Shah. His recommendations had been for some time under the examination of Government, and such of them as could in the opinion of the Government be carried out have been carried out. When I asked my honourable friend to read the second sentence in the paragraph relating to the Public Works Department in the Report of the Retrenchment Committee, my honourable friend was rather unwilling to read it, but when I pressed him a second time to read it, he did so, and further made a certain comment upon it. I shall read the sentence, which is very significant, and though the Retrenchment Committee, which was appointed *inter alia* to go into the expenditure of the Public Works Department, has been graceful enough to admit the broad and and plain truth contained in that sentence, my honourable friend is not inclined to admit that truth. Here is the sentence:

"We are aware that there have been heavy reductions in establishments amounting to Rs. 8,00,000 in the last few years."

Here is an admission made by the Retrenchment Committee, but my honourable friend refuses to give credit to this admission. I do not know what sort of admission will please him. If the Retrenchment Committee's statement is not to the liking of my honourable friend, I do not think any statement from me or any other person in this House will satisfy him, as he appears to be determined not to be satisfied with any statement of facts.

Rao Bahadur G. K. CHITALE: Is that saving not due to the completion of certain irrigational works?

Mr. V. N. JOG: I would request the Honourable Minister to give us details of how these 8 lakhs are made up.

The Honourable Dewan Bahadur S. T. KAMBLI: Then, with regard to the percentage charges, the honourable member, the Chief Secretary, Public Works Department, has pointed out that it is a little bit difficult to explain the same in the short time at our disposal.

Then, Sir, I come to the last part of the honourable member's speech. He pointed out that there are certain departments dealing with expert business which can safely come under the retrenchment axe. I may take it that he referred to the Consulting Architect to Government and his department. I may inform him, Sir, that very important reductions have been made in this department, and the saving of a sum equal to Rs. 4,000 a month has been effected in that department. This was done after the report of the Retrenchment Committee.

Mr. V. N. JOG: It is Rs. 48,000 a year.

The Honourable Dewan Bahadur S. T. KAMBLI : It will be seen, Sir, that the saving is nearly more than half of the expenditure incurred over that department. Then, Sir, the Retrenchment Committee, on page 17 of their report, say :

"We are not at one as to the extent to which a reduction of expenditure can be enforced but we are agreed that it should not be less than 14 lakhs. The cut may be found not only by the discharge of establishments but by the reduction of grants for repairs both in the Irrigation and the Roads and Buildings branches of the Department."

With regard to this, I would assure my honourable friend that we have carried out a reduction of not less than 14 lakhs in the budget under discussion in this Department.

Mr. HOOSENALLY RAHIMTOOLA : In repairs alone, and not in establishments also ?

The Honourable Dewan Bahadur S. T. KAMBLI : The Retrenchment Committee did not recommend the reduction in "Establishment" alone. I believe my honourable friend was a party to the Retrenchment Committee's report. He is aware that they did not recommend that the reduction must be in establishment alone ; it may be from any other source also.

Then, Sir, the Retrenchment Committee have made certain recommendations, which will cost more than the existing expenditure. That they have admitted in paragraph 40 of their report. They want to put the whole department under a Civilian, and they admit that such a course will in the first few years cost more than the actual expenditure now incurred. Sir, such a costly experiment cannot be made now under such a financial stringency. I assure the honourable member that we have been doing our best in the matter of reducing expenditure in this department. But I am afraid he is not going to be satisfied with any assurances. He seems to be determined to take this cut to a division, in which case, Sir, he may take his chance. However, I may inform him once more that we are very sincere in our attempts to reduce expenditure in the Public Works Department.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City) (speaking in Urdu) : On a point of information. I want to ask the Honourable Minister whether it is not a fact that in 1921-22 the establishment charges were 19 per cent., whereas in the budget for the next year the charges are 50 per cent.

The Honourable Sir GHULAM HUSSAIN : Sir, we cannot apportion particular establishment to particular expenditure. It is impossible for us to do that. Now, Sir, honourable members must realise that the works of the Public Works Department in the shape of roads and buildings are scattered all over the Presidency. How can we then say that because we are spending 5 lakhs on a particular work, therefore the establishment for that work ought to be in proportion to the 5 lakhs ? No particular establishment can be apportioned to any particular roads and buildings in various parts of the Presidency. That is impossible. Therefore, that cannot be the proper criterion of judging the expenditure under Civil Works. You ought to take into consideration the fact that our roads and buildings are scattered all over the Presidency.

Mr. HAJI MIR MAHOMED BALOCH (speaking in Urdu): In column 8 of the statement on page 46 of the P. W. D. Budget Estimates for the next year the establishment charges for 10 years are given. I want to ask Government whether it is not a fact that in 1921-22 the charges were 19 per cent., in 1930-31 32 per cent., and now the charges are 50 per cent.

The Honourable Sir GHULAM HUSSAIN: I have already replied to that.

(*After recess*)

Mr. V. N. JOG: I wish to make a request. In this discussion, we have not had full two days, as on Saturday last we had one hour less; instead of 4½ hours, we had 3½ hours. I request that the time may be extended by one hour.

The Honourable the PRESIDENT: We have always counted one sitting, whatever the period, as a full day.

The Honourable Sir GHULAM HUSSAIN: We are prepared to carry out the wishes of the other side.

The Honourable the PRESIDENT: Shall we carry it on till 5-30? That would mean half an hour only, if we carry on this discussion till 5-30. There are two honourable members who want to speak and they should manage it within 10 minutes each. Under the law the discussion should be finished within two days.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Mr. President, on this matter I do not think that it can ever be considered that the Retrenchment Committee's proposals, even in the way the Honourable Minister read out, are binding on this House. Apart from that phase, I should think it does look rather very important that the working expenses of our Public Works Department including Irrigation are such as cannot be justified, having regard to the working expenses in the other similar provinces. It must be a very anxious concern to Government itself, because the House will realise that we are getting only a margin of about 9 lakhs of rupees by way of profit. As there is no time to refer to the books, I will speak from my impression that there is a margin of 9 lakhs of rupees between the revenue and the working expenses. I believe the Honourable the Finance Member will bear me out. With a heavy expenditure of about 13 crores on irrigation works, the revenue we get is altogether disproportionate with the investment we have made so far, even apart from the question of Lloyd Barrage and other schemes it involves. Thus it is also necessary to bear in mind that it is too true that you cannot reduce your establishment all at once. There is no doubt also that the establishments which are on permanent footing cannot be taken away or reduced. But I may as well draw the attention of this House to the tendency of bringing the men who are on the temporary staff for several years on the permanent cadre and thus swelling still more the cadre of permanent people. This is a vicious circle indeed. Apart from intrinsic considerations, I will put it to the House that, if they were to read Mr. Shah's criticisms on the working of this Department, they will find that it is quite true that

[Rao Bahadur G. K. Chitale]

we have plenty of room for retrenchment, even to a possible limit of several lakhs of rupees.

Then, one more point I would like to make. At all times it is an incongruity, as they have always been saying, that the department which is to be retrenched is to be retrenched on the authority of the people who are supposed to be affected by it. Naturally, therefore, we cannot make out a case to the satisfaction of those people who are likely to be retrenched. Government also are in a pitiable position in this sense that the Honourable Minister who is in charge of this department is always new to the various working, but we might say that with all his great abilities, whatever he may be, it is not possible for a layman in the position of a Minister to make headway against the dead weight of the vested interests. However skilful he might be and however clever he might be, and however much his sympathy towards this side of the House, it is too much to expect him to be quite a match to the weight that they would bring to bear on him. Therefore, the Honourable Minister's position in such discussions on the floor of this House must be one of indifference—indifference in this sense that he is also one of us, though he may be for the time being on the other side. He knows his own limitations and we know ours. Though he has all sympathies with us, instead of saying *ex cathedra* what Government have done is right and what we suggest is all wrong, I do emphasise that in such matters the popular Minister, as one responsible to this side of the House, should not merely rest with seeking assistance from his official secretaries; he may bring to bear upon the question his own considered view, so that it might convince us. So far as the discussion has gone on in this House, it must be said to our regret that the Honourable Minister, whenever he stands, whoever he may be, does not rise to that height which is necessary to justify a particular position which he wants to take on behalf of Government. That is our complaint. It must not be misunderstood that we are insisting on a particular proposal being put before the House and even take it to a division. It does not mean that a particular censure motion should be passed on our Minister. What we insist on is this. We do honestly think that there is enough room for retrenchment and, therefore, those of us at least who have studied these subjects, come with an open mind, and when we move a particular motion, we do so with the best of motives, which cannot be cavilled at. At least so far as this side of the House is concerned, it will do well for the Honourable Minister not to challenge it because he has got the weight of vote behind him and ask us to go to a division. It is absolutely absurd.

The Honourable Dewan Bahadur S. T. KAMBLI: The honourable member has misunderstood me.

Rao Bahadur G. K. CHITALE: The words are there.

The Honourable Dewan Bahadur S. T. KAMBLI: My statement was made in response to the honourable member Mr. Jog's statement in his speech.

Rao Bahadur G. K. CHITALE : May be a misfortune. But I should like that the Honourable Minister who happens to be a popular Minister ought not to take up that attitude, which of course sometimes is capable of being misunderstood. But we do expect that the Honourable Minister who is one of us on that side ought to assist us. He must marshal facts which are within his knowledge and which are not open to us. For instance, when my honourable friend challenged him in so many words, let the Honourable Minster satisfy this House how this cut of 8 lakhs has been made. The Honourable Minister's position was that he should have come forward with facts and figures and satisfied us. Instead of doing that, he asked him to read the Retrenchment Committee's proposal, but he himself did not read the sentence which is next to it. As far as I know, the Retrenchment Committee says distinctly :

"They state that there is a minimum beyond which it is not possible to go with safety and that the existing staff is included in and not additional to the necessary minimum."

The next sentence is this :

"We hold, however, that in view of the paramount necessity of reducing expenditure a further cut must be made."

Therefore, that position which has been taken up by the Retrenchment Committee should have been elucidated by the Honourable Minister. When we expect that an earnest effort is made to cut down expenditure on establishment, Government may take it that it does carry conviction to a certain extent. I think it is his duty to convince us. As a matter of fact, when he was asked to say how that 8 lakhs of rupees was made up, I think it is his duty to convince us. It will not do to challenge us. What would the outside world think and say ? They will say : "The popular Minister who should be on the popular side does not belong to the popular party, but he has merged himself in the reserved part of Government and stands on their own legs and backed by the official bloc." That official bloc is going to disappear. It ought not to be the position of the Honourable Minister, who must take up every problem from his point of view with sympathy and attention and then come to a certain conclusion.

As regards the general question of establishment, I think there is enough room and I am absolutely sure, if Sir Frederic Gauntlett were to go into it, he is sure to cut. They have no case. There are certain matters which are quite open and I think, Sir, the Honourable Minister will do well in assuring this part of the House that he will do his best to cut down the expenditure to the bone.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu) : Sir, I support the cut proposed by the honourable member Mr. Jog. But before I give facts, figures and arguments in support of this cut, I beg permission of this honourable House to take this opportunity to reply to the irrelevant observations of honourable members on the Government benches in answer to my speeches in this House. Whenever I have attempted to expose the maladministration in any Government Department or tried to bring up here the question

[Mr. Haji Mir Mahomed Baloch]

of excesses committed by officers on the spot, it was said by Government members that I was a resident of Karahi and so could not understand the affairs of rural Sind. I strongly protest with all my force against this conduct of Government. It is really surprising that the honourable member the Public Works Department Secretary read from a cutting of newspaper some portion of a letter of mine, but why has he omitted to read the other cutting sent to Government exposing scandals and corruptions in the Department? Will he permit me to send that too to the press? It is nearly six years since I came to this Council and for the last seventeen years I have been an elected member of the Karachi municipality. There is no place of any importance in Sind in rural areas which I have not visited or that there is any grievance of rural people chich I do not know. In connection with Council and Assembly election campaigns, I have visited every village in Karachi and Hyderabad Districts and am fully aware of the scandals of different departments and specially Public Works Department. And more, I make bold to state that no other non-official member of this Council has taken so much interest as I have done in the construction work and administration of Lloyd Barrage. In spite of all this, the Chief Engineer, Barrage and Secretary to Government, Public Works Department, when unable to meet my criticism based on facts and figures, simply try to throw dust by saying that I live in Karachi and do not know anything about Sind. I am further surprised at Sir Charlton Harrison's speech when he states that even all other members who had the misfortune to take him to task for extravagant expenditure, are also as ignorant as myself about Barrage affairs. And he alleges that they have not seen this book or that book. But what about the consistent supporters of Government who have differed from Sir Charlton Harrison? They are big Jagirdars and Zamindars of Sind, who pay thousands of rupees as annual land assessment to Government. They have been considered sober and informed people, and titles have been conferred on them. Are they also ignorant like me? I say this with emphasis that it is Government officers and pillars of Government who are really ignorant about conditions and needs of Sind. They come from 7,000 miles and have become conversant with Sind, while we the inhabitants of the soil do not know our conditions and needs!

Will the honourable member Sir Charlton Harrison kindly inform this House as to what reply he has given to the statements of facts and figures placed before this honourable House by the honourable members Khan Bahadur Allahbaksh and Khan Bahadur Khuhro? They know intimately the conditions obtaining in all the parts of Sind. They are the supporters of Government and Government have made them Khan Bahadurs. Khan Bahadur Allahbaksh has shown that the working expenses of barrage will be equal to the income. At least their remarks ought to carry weight with Government. Khan Bahadur Allahbaksh stated the other day that before the Sukkur Barrage was taken up the net income from irrigation in Sind was 40 lakhs from the Barrage zone.

The Honourable the PRESIDENT: The honourable member has got very limited time. He should speak to the motion before the House. This is not a general discussion.

Mr. HAJI MIR MAHOMED BALOCH: The Barrage establishment is included in this grant.

The Honourable the PRESIDENT: The temporary establishment is being continued. It has to be pointed out how retrenchment to the extent of 5 lakhs can be made.

Mr. HAJI MIR MAHOMED BALOCH: I wish to ask the honourable members of Government benches, namely, the General Member, the Chief Enginer in Sind and Public Works Department Secretary to please inform me and this House whether it is a fact that the net income was 40 lakhs. And, if so, for how many years before the opening of Barrage Canals has Government been receiving this net revenue of Rs. 40 lakhs? Further, I desire to know from these gentlemen as to when again the Barrage zone will pay even this Rs. 49 lakhs as net income after commencement of working of Barrage Canals. The capital cost of the work is Rs. 30 crores including establishments, accumulated interest charges. Government will have to pay even interest on capital by further borrowing, debiting the capital cost. Another most important point for consideration is that the cost of establishment provided in the original estimates was only Rs. 2 crores. It was revised and raised in the 2nd revised recapitulation to Rs. 2·88 crores. But the actual expenditure on establishment up till end of March 1933 will be Rs. 3·16 crores. The Works would still have to go on for 3 years more before they can be completed. That is, total cost on this head will be Rs. 4 crores nearly which is double the cost provided in the original estimates. Why this 100 per cent. increase, please? Will the honourable member Sir Charlton Harrison answer the query?

Mr. V. N. JOG *rose.*

The Honourable the PRESIDENT: The honourable member said that he did not want to give a reply.

Mr. V. N. JOG: I do want to reply. I said I did not want to move the next item in my name.

The Honourable the PRESIDENT: How much time will he take?

Mr. V. N. JOG: Only five minutes. Sir, with regard to the statement that the Honourable Minister made that the Retrenchment Committee had accepted Government's case that a reduction of 8 lakhs was made, I have made it quite clear in my speech that the figures which were before the Retrenchment Committee are not before the House. I requested the Honourable Minister to place before us the figures which were before the Retrenchment Committee. The only figure he quoted was a cut of Rs. 4,000 per month, which means only Rs. 48,000.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I said that that figure was with regard to the Specialist department, namely, the department of the Consulting Architect to Government, the reduction

[Dewan Bahadur S. T. Kambli]

of the establishment of which was carried out in accordance with the recommendation of the Retrenchment Committee.

Mr. V. N. JOG: If Government had the figures with them they ought to have put them before us. As only one instance has been cited, I submit that Government have no figures to lay before us. I am not saying this merely from inference. At page 46 (Civil Works Budget Estimate) figures have been given showing the expenditure on establishment on Civil Works. You will be pleased to see that they give figures for ten years. From these figures, you will see that there is only a retrenchment of about Rs. 33 lakhs. It was brought down 31 lakhs for two years and again it was 34 lakhs in the year 1921-22; now it is Rs. 29,91,000. I have stated that on account of the Sukkur Barrage the figures were rising on the side of Irrigation. The total establishment charges both for Irrigation and for Roads and Buildings was 100 lakhs and odd in 1928-29 and for 1930-31 Rs. 97,13,342. In this connection I will also show that the previous Retrenchment Committee had recommended *seriatá* various reductions. The saving estimated by that committee was Rs. 14,82,170, but the approximate saving effected was only Rs. 3,80,664. The present Retrenchment Committee have repeated the suggestions made by the Committee of 1924. At the most the saving is Rs. 3 lakhs. I may be allowed, even at this stage, to know how this sum of 8 lakhs has been made up. I submit that the case has not been made out against this cut.

With regard to other matters also, the Secretaries have not been able to satisfy us with facts and figures. Therefore, I request that the Honourable the General Member and the Honourable Minister should accept this cut and seriously set to work to effect retrenchment to that extent.

The Honourable Sir GHULAM HUSSAIN: Mr. President, before I deal with the arguments that have been advanced by the honourable mover of this cut, I will assure honourable members on behalf of these benches, whether belonging to the reserved or transferred departments, that we have always felt and continue to feel responsible to the other side.

The honourable mover of the cut has suggested three sources to meet this sum of 5 lakhs—firstly, establishment (permanent and temporary); secondly, tools and plant; and thirdly, pensionary charges.

First I will deal with establishments. I refer the honourable member to page 45 of the Estimates. We have provided for 1932-33, for establishment, excluding pensionary charges, recoveries etc. Rs. 89,65,400. In 1931-32 it was Rs. 1,02,57,800. Now, this figure of 89 lakhs includes new revenue establishment which costs Rs. 3,86,000. Honourable members will thus see that the actual establishment for 1932-33 will be 86 lakhs as compared with Rs. 1 crore and odd in 1931-32——

Mr. V. N. JOG: That is budget estimate.

The Honourable Sir GHULAM HUSSAIN: Actuals also. If the honourable member turns to page 45, he will see that the revised estimate

[Sir Ghulam Hussain]

was 1 crore, whereas the demand for 1932-33 is 86 lakhs. That means, we have asked for 14 lakhs less. We have cut down to the tune of 8 lakhs. That is included in this. The other day when we were discussing the Irrigation Budget, I pointed out to the honourable members that before the amalgamation there were 7 Superintending Engineers, and now we are providing for only 5 and one for three months. There was a large number of Executive Engineers, and we have reduced the number to the minimum. Again, if the honourable member turns to page 46, he will find that the percentage on the total outlay on works and repairs in the Irrigation Branch is 21·60 for 1930-31. We should not calculate it on the capital expenditure, because though you might spend a little, there is the management and distribution of water, for which we have to maintain establishment. It is not that because we spend 5 lakhs therefore the establishment should be in proportion to that amount. That ought not to be the criterion at all.

Coming to roads and buildings, honourable members should bear in mind that this time we have a very small capital expenditure. That is, we have reduced the expenditure to be incurred on new works and works in progress and repairs. But honourable members should remember that we have to carry out these works throughout the Presidency. Therefore, you cannot say that because we have reduced this expenditure we must also reduce the establishment. Besides, this establishment for roads and buildings includes the Secretariat charges. The Electrical Engineer's department is included in this establishment. The Electrical Engineer does not carry out repairs or construction of roads or buildings. Yet his department is included in the establishment. Again, the Consulting Architect and his establishment; that is included under this establishment. If you exclude all that, you will see that the establishment charges come to much less. The Electrical Engineer and his establishment do not carry out the actual execution of work. Honourable members will thus see that the establishment charges are not extravagant. To satisfy the other side of this House further, we are referring this whole question of P. W. D. establishment to the expert committee, and we shall instruct that committee to give this honourable House or their representatives an opportunity to give evidence before that committee. I assure the House that, as far as my department is concerned, I have been carefully scrutinising my establishment charges. Besides, next year I am going to place all items before you as new items of expenditure.

Coming to the question of tools and plant charges, my honourable friend Mr. Jog quoted the recommendations of Mr. Shah. If he cares to come round to the Secretariat, I will convince him that we have adopted the recommendations of Mr. Shah and have actually reduced the expenditure as regards tools and plant. I am speaking from memory, but I am sure I am right. The figures which the honourable member quoted were recoveries which we make from other departments at the rate of 3 per cent.—we do not actually spend. If honourable members

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turn to page 47 of the Estimates, they will find the item "50, Military Works (Central) Rs. 200" and other items which are central grants. We include tools and plant charges because we carry out works for other departments and charge the Central Government at the rate of 3 per cent. on account of that. It does not mean that we are actually spending 3 per cent. on tools and plant. Actually, we are spending much less than that. I am as sure as anything that we have given effect to Mr. Shah's recommendations and cut down expenditure on tools and plant to nearly 2 per cent.

Now I come to pensionary charges. The complaint is that the percentage was 14 and now it has become 7. I may remind the honourable member that at this time the rate of interest is higher and we have to provide less for pensionary charges. If the rate of interest is lower, we have to provide a larger amount. Those are the rules laid down by the Audit Department as well as the Government of India, and we have to follow them. Therefore, we have provided 7 and odd per cent. under pensionary charges.

I am sure honourable members of this House will agree with me that there is absolutely no room for the cut of 5 lakhs proposed by the honourable member Mr. Jog. We have already cut down establishment charges, we have cut down tools and plant charges. The honourable member is under a wrong impression with regard to pensionary charges. After my explanation, I hope he will withdraw his motion.

Question put, and negatived.

Original demand put, and agreed to.

41, Civil Works (Reserved).

The Honourable Sir GOVINDRAO PRADHAN : Sir, I make a demand for Rs. 2,25,000 under "41, Civil Works, Reserved."

Question put, and agreed to.

37, Miscellaneous Departments (Transferred).

The Honourable Sir RAFIUDDIN AHMAD : Sir, I make a demand for Rs. 27,000 under "37, Miscellaneous Departments, Transferred."

Question put, and agreed to.

37, Miscellaneous Departments (Reserved).

The Honourable Sir GHULAM HUSSAIN : Sir, I make a demand for Rs. 4,47,000 under "Miscellaneous Departments, Reserved."

Question put, and agreed to.

35, Industries (Transferred).

The Honourable Sir RAFIUDDIN AHMAD : Sir, I make a demand for Rs. 3,67,000 under "35, Industries—Transferred."

Question proposed.

Rao Saheb P. D. KULKARNI (Poona District): Sir, I move:

"Reduce by Rs. 100—A-6, (5) Grants-in-aid, Contributions + Donations—Expenditure in connection with the Committee of Direction for Industrial and Technical Schools—Rs. 15,603 (C. E. page 271)."

My reasons for moving this cut are these: The population of this presidency mainly consists of agriculturists. Their percentage is about 60 and the relation which agriculture bears to industry is very close. They are two sides of one coin. One is the obverse and the other is the reverse of the coin. To have an efficient Industries Department is a great necessity. But I am constrained to make my remarks against the present way of working of the department and hence I move the motion of cut. This Department is proved to be useless. It is not giving any useful service to the public which is expected from it in the time of real need.

Looking to the working of this department, I remember one Marathi proverb "मिळमिळीत सौभाग्यापेक्षा ढळढळीत वैधव्य बरें" which means that it is better to be an out and out widow rather than have an old and useless husband. Instead of having an unworkable department of industries like the present, I say, it would be better not to have any such department at all. The Director of Industries is supposed to be the head of the department and yet some subjects which ought properly to be under his control have been withheld from him. All technical schools and institutions of professional education are controlled by the Director of Public Instruction independently. So also all professional colleges and schools and arts schools are under the charge of the Director of Public Instruction, and their curriculum is settled by certain other officers. In their working the Director of Industries has got very little hand. Let me cite an instance in point, namely, the supervision of working of the Factories and the inspection of boilers. These two works are managed by the Collector of Bombay and the person who is particularly fit for the work, namely, the Director of Industries, is barred from taking charge of these works. The Director of Industries is the proper person who should inspect all the boilers and the factories working. He would have an opportunity, thereby, of getting good experience of the working. Then he will be able to conduct his own work more ably if he were put in charge of factory inspection and inspection of boilers. Not only that but he would be able to give the benefit of his experience to the other persons conducting those factories in this part of the country. This suggestion has been made to Government by the committee long ago but no ear was turned to it. A committee is in existence for fixing the curricula. After so many complaints were received the Director of Industries has recently been admitted as one of the ordinary members of the committee. In fact he must be the Chairman of that Committee. Non-official members who are experts in various branches of the Industries and who have got real experience of their working must have got place on the committee. But the committee is mostly formed of official members and no non-official expert elected by the public is represented thereon at present. This

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committee is not supposed to do what the public really wants from it. They have made very little progress in the way of improvement of their industries. The real reason is as long as the foreign industries are to be kept in a flourishing condition then the policy of the Government in safeguarding of interests of these industries is sure to come in the way of the improvement of the industries that are here in India. Therefore to remedy the matter the first step is to make majority of non-official element in that committee. Otherwise, there is no hope of improving this department.

The department of Industries in India was opened in 1917, but it is making no progress, to tell the truth it is receiving an Irish promotion at the hands of Government. The other important point is unless we get for our industries State-aid, there is no hope of any improvement in the present state of things. There is no instance where an industry has prospered without such aid. Look to the report of the Director of Industries in this connection and you will find that out of many hundred factories and industries in this Presidency, only two were willing to come forward with applications for State-aid and the result is one never returned to the Government being disheartened seeing the rate of interest fixed on the loan offered to him in the form of State-aid. Another was declared to be unfit for being given a loan! These are two glaring instances showing the fate of applications for State-aid. Under these circumstances, it should never be expected that there would be an improvement of our industries. I assure that as long as this attitude is taken by the Government over industries will never flourish under the adverse conditions. India, or this Presidency should never dream of improving its industries until the present mode of the working of this Department is not given up for a better one. There must be sincerity of mind underlying every action and only when work is taken in hand with that sincerity it flourishes. I doubt whether the working of this department is conducted with that sincerity by Government. And under such circumstances what useful purpose can be served by the Director of Industries? If the requisite facilities are given for the working of this department, then and then only the sincerity of Government in the success of the working of this department will be proved, otherwise not. I suggest three or four ways for the good of the Indian industries and if they are adopted by Government as their declared policy for the improvement of industries, I can say, then and then only this department will be fit for being given any grants, otherwise it is no use spending money for the mere show which is made every year under the name of the working of the Industries Department of the Government of Bombay. The three ways I suggest are :—

1. There should not be free trade policy. It must come to an end in favour of the indigenous industries of India. They should be protected when they are in their childhood and due nourishment must be given to them by Government in time.

2. Levying of special duty on foreign goods imported into India and prohibition of export of raw products out of India are the two

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necessary steps fit to be taken by the Government in the interest of the indigenous industries of India.

3. Inducing British merchants to divulge their trade secrets to Indian students, so that there will be a great hope of expanding the Indian industries in no time. Trade secrets are never divulged by them. In the past during the days of the regime of East India Company trade secrets were forcibly taken from Indian workers, and now we are placed in such a pitiable position that we have not got any industries of our own and we are deprived of the means of livelihood by the loss of industries and we have been virtually turned into beggars in absence of any industry in our hand. Such a bitter result of that working of the hands of the servants of East India Company has been seen now, that of Dhulia Rangaris, i.e., the dyers in the district of Dhulia, and weavers of the other parts of the Presidency are reduced to beggary by the taking away of our trade to their country.

Until the Swadeshi movement is nourished here on the lines suggested by me under the three different heads I have given, there is no hope of saving our Industries any more. It is a tradition well established in all countries not yoked under foreign rule that when a country wishes to have flourishing industries, it is the Government of that country who takes the utmost care to buy Swadeshi goods for their departmental use. Also they take serious objection to the purchase of foreign goods in any Department. As an instance of this point, I will just quote "a question and answer" of the British Parliament. This will convince the House how the Britishers themselves are very particular about purchasing nothing but goods of British make by the British Government. The question was :—Mr. J. W. Maclure (Lancashire, Stretford) :

"I beg to ask the First Commissioner of Works whether the chairs in the Reporter's gallery and furniture in other parts of the House are of foreign manufacture ; and why preference is given to foreign over British trade."

The answer was :—Mr. Akers-Douglas (Kent, St. Augustine's) :

"The only furniture of foreign manufacture in the House of Parliament consists of a limited number of chairs which were two years ago supplied to some of the rooms occupied by representatives of the press on account of the lightness of the articles and their special suitability for the purpose. Except in such particular cases, preference is always given to articles of British manufacture." Hansard, page 483, 11th August 1896.

Look at this spirit ! Undoubtedly it is a commendable spirit. We must adopt it. The purchase of goods for Government must be made on this line ; if we and Government really want our industries to flourish we must follow it very faithfully. It is with this idea that I suggest that we must make at least a small beginning. And that is the idea behind the motion of cut which I have moved here now. On the committee of direction there is almost an official representation, cent. per cent. Let us have majority of non-official members on that committee and that will be a small beginning in right direction. With this intention I move this motion of cut and the House will consider my suggestion in a good light and sympathetic way.

Question proposed.

Rao Bahadur R. R. KALE (Bombay University): Sir, I am not going to traverse the wide field relating to this question of industries as the honourable mover has done, but I wish to confine myself to the particular expenditure which is being incurred on this committee of direction for industrial and technical schools. I want to put before the House the whole question of this Committee in order that the House may know and the Honourable Minister for Education may know whether the money which is being spent in these days of financial stringency is at all being spent in a proper manner. Sir, this Committee of Industries was constituted in the year 1913 when there was no Director of Industries to take charge of it. It was proposed that the Director of Public Instruction might look after it, but it was pointed out that as things were, his hands were already full and he lacked the necessary technical or expert knowledge and so it was thought necessary to constitute a committee to do the work which properly belonged to a Director appointed by Government. In other provinces, Sir, these schools for technical and industrial education are in charge of the Director of Industries, which posts have been in existence in other provinces for a long time. Here, however, now that the post of Director of Industries has been instituted after full deliberation, I do ask whether there is any necessity for this Committee of Direction, as it has been called. Sir, there is the local board industrial school in my place, viz., Satara. It has been in existence for many years, and hence I am in possession of certain facts which do go to show that this Committee of Direction is not doing any useful work. The expenditure in connection with this committee is shown as Rs. 15,603. My submission is that a greater part of this expenditure is altogether a waste, and I will just proceed to show how.

It was pointed out by the last speaker, the honourable mover of the motion, that this Committee of Direction consists of certain persons, and there is an officer called the Secretary. The Secretary to this committee is not a whole-time servant of the committee at all. He is the Principal of the Victoria Jubilee Technical Institute. Being the Principal of that Institute he gets his usual salary. I do not know exactly what his pay is, but it must be the pay of his cadre. Over and above this, this gentleman is paid a certain sum for working as the Secretary of the Committee of Direction, and the cost of that is included in the amount of Rs. 5,000 for establishment charges. I understand that the major portion of this amount of Rs. 5,000 goes towards the Secretary's pay, and there is a small amount for the pay of a clerk, a peon and other office expenses. My submission is that this Secretary, being connected with his own work in the V. J. T. Institute, has no time to devote to the work of the Committee of Direction. Besides, what is the work which he does for that committee? I understand that this committee meets off and on, for a few minutes may be. I do not know whether really any deliberative work is done in that committee, and this officer acts as Secretary to the committee. My submission is that the V. J. T. Institute has its own establishment, its own clerk, peons, etc. But so far as this special committee is concerned, I want to ask the Honourable

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Minister to go into this question and ascertain for himself what amount of work is turned out by this establishment. So far as the Secretary is concerned, I am told he also does the work of visiting certain institutions. As a matter of fact, Sir, it is the Inspector who is specially appointed for this purpose who carries on the inspection throughout, and now that we have a Director of Industries, he also goes round to inspect various concerns. I take it that this function was assigned to the Secretary because there was no Director of Industries at one time. Now that we have a Director of Industries, who goes round on his other work, he may inspect a few of the institutions, if it is necessary to check the work of the Inspector. As a matter of fact, I do not understand why the Secretary should be enabled, only for this purpose, to visit various places in the Presidency, with the expenditure of his travelling allowance added to his salary. As I know from some experience, it is in fact impossible for the Secretary to be away from his other duties, as he has to discharge his duties in connection with the V. J. T. Institute. Therefore, at week-ends, or perhaps at some other time during the month he visits places, say, from Poona or from Bombay to Sholapur, or from Poona or Bombay to Satara, and in a day he inspects half a dozen schools or perhaps more. Altogether there are 32 such schools in the Presidency, and they are spread over all parts of the Presidency. Now, imagine, Sir, a flying visit to two to three places—from Bombay to Ahmednagar, and on his way inspecting the Ahmednagar and Poona schools in a day. I mean to say that one can imagine what kind of work he must be in a position to do. It will be absolutely impossible for him, I believe, to do any kind of real inspection work at all. And it is unnecessary, as I have said. Therefore, I do submit that this appointment of the Secretary is not necessary. A large amount is provided for him. There are no details given of the expenditure. In the report which I have in my possession, Rs. 5,000 are shown as the cost of the Secretary and the establishment, but I understand that at least half of the amount must be for his pay and a part of the rest for his clerk, peons, office expenses, etc. So, when we are here trying to retrench and find out how the money is spent, and whether that money is properly applied or not, does it not stand to reason that we should consider this question? The Committee of Direction was appointed as a temporary measure, because there was no Department of Industries, I understand, in 1913. Much water has flown under the bridges since then, and the question now is, is it necessary to continue the existence of this committee? As I said, the Director of Industries is well able to take care of these technical schools which are spread over this Presidency.

Further, Sir, we have another item in this amount of Rs. 15,000, which is for inspection charges; and there is also the item of examination fees. Of course, so far as the inspection charges are concerned, there is the Inspector who inspects, and I have nothing to say about it. But I am told that the examination fees come to something like Rs. 8,000, or

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they may be a little more or less. I also understand that the examiners and supervisors are sent out from Bombay. My question is, is all this necessary when we have in the local places people who can supervise ? So far as the examination is concerned, it may be a written examination by means of papers, or, as is done in the School of Art for the practical examination, where the models in the school are taken over to other places, and the examinations held in that way. It is unnecessary to pay fees to all these examiners. I knew of a case in which there was an examiner who did not know the vernacular at all. He set the paper in English. The pupils who are studying in the technical and industrial schools are not as a rule persons who can answer or even understand questions which are set in English. Then, what is done ? They are translated. The clerk, or whoever may be under the examiner, translates the questions, and the answers are translated into English. In that way the examinations take place and the papers examined. The examiners must know Kanarese, Gujarati and Marathi, because these schools are spread over the whole Presidency, and if the examiner happens to be a man who knows only English, certainly it is simply absurd to expect him to do the examination work in the proper way. I understand that the examiners, including the supervisors, are all sent out from the staff of the V. J. Technical Institute. Why send these people to long distances and pay them examination fees and travelling expenses ? So, all this expenditure on examination charges and also the expenditure on the Secretary seem to be really a waste, and the Institute also suffers. The Committee of Direction, as I understand, does not do any of this work at all. It is an honorary body. It may be there for consultation—I do not mind. When the constitution of the committee was decided upon, no doubt the reason given was that the Director of Public Instruction may be concerned with education generally, but with regard to this technical branch he could not be expected to devote either his time or his attention to this particular branch, not being an expert in it. I was told the other day by the Honourable Minister that control is transferred to the Director of Industries ; I did not understand exactly how. Perhaps he will be better able to enlighten me now in what way it is transferred. So far as I see, and I was told by the honourable mover, he is a member of the committee ; he is an ordinary member of it, in fact ; not even the Chairman. Hence I do not see how he can be said to be placed in charge of this particular department, as he should be.

Then, Sir, there is another point, viz., that the certificates which are issued to the students who pass out of the various institutions, are not given under any Government stamp or seal, to indicate that the holder of the certificate is a person who has passed out of a Government institution. Therefore, there is the difficulty of its being recognised as a valuable qualification. Really speaking, the Government of Bombay are conducting these schools and incurring this expenditure, by giving grants to all the various schools spread throughout the Presidency, and

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it should be the Government of Bombay which should issue a diploma or certificate, or whatever it is, under their own seal and signature, so that it will carry some weight. Otherwise, if the students coming out of these institutions do not possess the necessary certificate from the Government, naturally they do not carry any weight in the market. Therefore, I submit that the time has come when the whole question of this Committee of Direction requires to be investigated, and if any money is saved it ought to be diverted into other channels. I know that the Department of Industries is starving. In fact, there are not enough funds at the disposal of this department. There was a time when the Director of Industries was for a time dispensed with, and the reason was that he had not sufficient funds at his disposal. And what could he do without money ? That was the reason why the post was abolished, and the department was run by some other persons. Now, however, the Council having decided that it is a necessary department, and the need of encouraging rural industrial concerns and industrial and technical education being paramount, I think the more money is devoted to these purposes the better, and therefore the Honourable Minister will do well to see whether more funds could not be placed at the disposal of this department. Out of this Rs. 15,000 at least Rs. 10,000 may be released. Here is an opportunity for him to divert Rs. 10,000 which may be saved to the Department of Industries, in order that the Director may be able to do some other substantial work in his department. I know from my own knowledge that the Director of Industries is doing very useful work, but he is handicapped for want of funds. He cannot do much and we want much to be done. I think even in this financial stringency, it will be possible for Government to consider this question and really give as much money as it can, at least this Rs. 10,000, which will be saved by effecting economy in the direction I have suggested. I therefore submit that the House will support this cut, not with a view to cutting down money but with a view to having an assurance from the Honourable Minister that he will look into this matter and do his best to comply with the suggestions that have been made on this motion.

The Honourable the PRESIDENT : The honourable member Rao Bahadur Naik's motion for a cut of Rs. 100.

Rao Bahadur B. R. NAIK : Can I go into general discussion ?

The Honourable the PRESIDENT : The Rs. 100 cut is with the object of raising a general discussion. There is no other speaker. The Honourable Minister for a reply.

The Honourable Sir RAFIUDDIN AHMAD : Mr. President, I am in cordial sympathy with what the honourable mover has said with regard to the improvement of this department. Allow me to inform this House that this department was on the verge of extinction. It was about to be decided that, as there was not money enough, there should be no department of Industries in accordance with the indecent simile used by the mover that it would be better to be a widow than to have a useless

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husband. I did my best and the department was saved, and now I am doing my best to galvanize and invigorate it.

The mover stated that there was an official president of the Victoria Jubilee Technical Institute. No, Sir. The president is Mr. Hooseinbhoy Lalljee who is not an official. With regard to the other statement that the schools are not inspected and examined by the Director of Industries, I may state that a majority of these schools are already brought under the control of the Director of Industries. A few have been left for special reasons. With regard to the Victoria Jubilee Technical Institute, it has its own constitution. It was established partly by public money and therefore there are certain rules which the society is still following. At one time the University was trying to get the whole of this Technical Institute under them. [Rao Bahadur R. R. Kale: They are still trying.] They are still trying and therefore we do not want to do anything in haste. The whole question is being examined of technology and I hope in course of time to see that some good constitution comes out of it, although there are a number of difficulties. With regard to the examinations, I was very much surprised myself about them when a question was asked in the Council as to the fees that are paid to the examiners. I went into the whole question. This examiner did not know any vernacular and the answers had to be translated for him. It was a very troublesome and complicated system. So, I myself went into it. I am entirely of opinion that the whole process must be changed. But the question as to how it should run in future is being examined and on account of the number of other considerations, we had not taken it up. But it is being rightly taken into consideration by the Department of Education. [Rao Bahadur R. R. Kale: We are concerned with the Secretary and his establishment.] That also, as I said, is an old system. It has been continued, but we are trying to mend the whole system. The whole situation is under revision and it cannot be done in a day. I shall take all the suggestions made by the honourable member for the University and also other suggestions made by the honourable member Rao Saheb Kulkarni into consideration.

With regard to the 4 or 5 complaints of the honourable mover regarding the foreigners and their tricks of trade or their unwillingness to teach our people the technicalities of certain trades, that is a different matter and cannot be taken up by this department. You must take into consideration what you are spending for it. Do you think that 2½ or 3 lakhs will be enough? You will want at least three crores for that. But for the money you spend I shall see that we get the value for it. I have myself sent work to the Director of Industries, for instance, the examination of cloth for uniforms in the Forest Department. I myself see to it that the cloth purchased is Indian. I always give preference to Indian cloth over English cloth. To say that the Director of Industries should do everything in a short time, that is asking too much of me. I am thankful to the honourable members for making useful

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suggestions. I shall take into consideration these very useful suggestions and I hope to announce on a future occasion what has been done in this matter.

Rao Saheb P. D. KULKARNI: Sir, I beg to withdraw the motion

Motion, by leave, withdrawn.

Rao Bahadur B. R. NAIK (Surat District): Sir, I beg to move—

"Reduce by Rs. 500 total demand Rs. 3,66,500 (C. E. page 268.)"

The Honourable the PRESIDENT: The honourable member's motion pertains to Industries only, not Fisheries.

Rao Bahadur B. R. NAIK: I am not going to touch Fisheries. In moving this cut my object is to raise a general discussion on Industries. Though I notice with satisfaction that the amount provided for industries this year appears more than that provided in the last year, this is due to the transfer of the amount for technical education from the head education to this head. But the question is not whether a few thousand or a lakh more has been provided or not. The question is whether development of industries is being tackled on right lines in this presidency. This presidency is mainly an agricultural presidency, where there is plenty of raw material and cheap labour available. I want to ask the Honourable Minister in charge of this department, what has been done till now by this department to develop the cottage industries of the presidency? If you refer to page 268 of the Civil Estimates, you will find that out of the provision of Rs. 3,66,500, Rs. 42,490 is for direction, Rs. 12,552 for superintendence, Rs. 51,728 for industrial education, Rs. 2,38,870 for scholarships and grants-in-aid to technical institutions, and only Rs. 20,878 for industrial development. Out of Rs. 2,38,870 provided for industrial education, Rs. 1,77,000 is for grants to local bodies and non-Government technical schools. Now, if this department is there only to distribute half the amount provided under Industries to local bodies and non-Government technical schools, I maintain that there is no necessity of maintaining this department. The Education Department could as well make the grants to local bodies and technical schools from their funds as has been done in previous years. What I really urge is that the development of industries—of what I call cottage industries—has not been taken up seriously by this Government. It is most disappointing that the development of cottage industries has not been taken up till now by the various Ministers who have held charge of this department. It has been often stated and it has never been contradicted that the miserable economic condition of the agriculturists is due to the decay of cottage industries. In ancient times they had incomes from cottage industries to supplement their agricultural incomes. But, as we all know, those industries died out as they could not exist in competition with machine-made goods and no encouragement was given to them by the State. Those industries were never revived and not even an attempt was made to revive them. This is a grave charge on this Government.

The Honourable Sir RAFIUDDIN AHMAD: What has died out?

Rao Bahadur B. R. NAIK: I am speaking of cottage industries.

The Honourable Sir RAFIUDDIN AHMAD: Will the honourable member mention what industries he means by "cottage industries"?

Rao Bahadur B. R. NAIK: Handloom, for instance. If my honourable friend the Minister for Education will take the trouble of studying what cottage industries existed in India, he will find out from many authoritative books that in addition to the handloom there were many other handicrafts, carpentry, smithy, basket-making, cane-making, rope-making and other cottage industries, which supplemented the income of the agriculturist population, and that is why in old times the agriculturist population were able to make both ends meet. If you do not want to go to the West, why not take a leaf from the East, Japan? Go to Japan, and you will find what they are doing there. In Japan 160,000 handlooms are working, being managed and supervised by the Government of Japan. They are financed by their Government and their products are sold by Government in the market. The Japanese Government have supplied small machines and electric power in order to enable them to compete with the machine manufactures of the West. Much has been done in Japan and is being done to-day. India, which has greater resources than Japan in raw materials and labour, should be able to do much more than Japan. Japan does not produce any cotton; she has to import cotton from this country or from somewhere else; and yet, she is in a position to compete, especially in hosiery and underwear.

The Honourable Sir RAFIUDDIN AHMAD: Does the honourable member include the cotton industry in this?

Rao Bahadur B. R. NAIK: Not the mill industry, but the cottage industry which is thriving in Japanese villages. There are many manuals issued on the subject about Japanese cottage industries, and if the Honourable Minister in charge of this portfolio will take the trouble of reading them, he will find what is being done in Japan. I am not talking of the textile mill industry; I am talking especially of the hosiery industry which is competing with the hosiery industry of the other parts of the world. So, I say there is plenty of scope in this presidency if Government were to take up this question seriously.

The Honourable Sir RAFIUDDIN AHMAD: May I ask the honourable member one question? Will he kindly enlighten the House on how much money Japan is spending over this cottage industry?

Rao Bahadur B. R. NAIK: Sir, it is not a question of money. Whatever amount might have been spent on the development of industry would have been well repaid. Suppose you spend a crore of rupees on the development of cottage industries. The result will be that the purchasing capacity of the people will be increased and they will be in a position to pay more taxes direct or indirect. Therefore, you should not look to the

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expenditure side of this question. I say that is the greatest stigma on the Government. They have not done anything for the revival of cottage industry which is practically dead. I do not know why they have not done that, but the fact remains that they have not done that. That is why the economic condition of the country is such as we find it to-day. We always clamour and talk about depression, but we must try to see in times of depression that people can get something to tide over the depression. It is no use talking about depression. I would rather give crores of rupees to the industries department than take out a pie from it, because it produces wealth, it gives bread to lakhs of starving people in the Presidency. This House will be always prepared to grant as much as you demand for industries. Instead of 3 lakhs you may ask 3 crores and this side of the House will not grudge you the amount provided it is properly spent.

My point is that development of industry has not taken place. We are at present maintaining a Director, a very able man whom I know very well, on a pay of Rs. 2,000. He is not appointed to that post to give scholarships and grants to the Victoria Jubilee Technical Institute and other institutions. That work can easily be done by the Director of Public Instruction, or even the Deputy Director of Public Instruction can do that. We have appointed an expert, an England returned man, and we must take up earnestly the development of cottage industry. There is ample scope for the advancement of that industry. Take the manufacture of cane chairs. There are industrial schools which are conducted in isolated places by private enterprise or by local bodies which should be encouraged. There are also so many industries from timber, etc. My object in moving this cut is to show that Government has not done anything practical so far as the department of industries is concerned. They ought to have paid and they now should pay—it is late, but still there is some hope—their earnest attention to this department and try to revive old industries which have disappeared. With these remarks I move the cut.

Question proposed.

Mr. G. S. GANGOLI (Kanara District): Sir, I want to support the honourable member Rao Bahadur Naik in what he said, namely, that we are willing to allot not only lakhs but crores for the development of industries, because industry alone is the salvation of the poverty-stricken masses. Industry alone can help the Government out of their heavy debts of 70 crores and help to lighten the burden of taxation and to improve the status of the agriculturists of this Presidency.

The Honourable Minister asked us to point out what industries there are. I shall inform him——

The Honourable Sir RAFIUDDIN AHMAD: Those industries which are dead.

Mr. G. S. GANGOLI: I come from a place just adjoining the Mysore province. In Mysore province we have got the sandal oil industry, sandal soap industry and so on. In our district alone there are lakhs of rupees worth of sandal wood trees. I do not know why sandal oil and soap industry should not be started in our district also. I do not know why a factory cannot be started by Government for this purpose.

I do not quite agree with the honourable member Rao Saheb Kulkarni that it is Manchester alone that prevents Government from helping industry. Even apart from Manchester, there is America, there is Japan. We are sending so much money outside. Even Gandhiji has said that he would give preference to Manchester over any other country. I do not think we are justified in saying that Manchester is preventing Government from helping industry. It is in the best interests of Manchester if the industries thrive in this country because the purchasing power of the people will be increased.

I therefore request Government to come to the help of our cottage industries. We are willing to sanction crores of rupees. We are willing to sanction even fresh taxation if the money derived from it is to be utilised for the development of industries, because on it depends the prosperity of the population.

Take the mango pulp industry in Kanara. It is patronised by His Excellency the Viceroy. Recently the manager of the firm sent packages for the entertainment of the Round Table Conference delegates. What is the fate of this industry? The proprietor approached Government for timber which grows extensively in our district. The proprietor wanted to take some timber at his cost. But he could not get the permission from Government.

Then there is the sugar industry. We have one at Keelar just near the famous Gersoppa falls. The proprietor of the concern is a poor agriculturist. He does not know even the A.B.C. of English. He has not attended any school. The factory is situated just near the famous Gersoppa falls. He has got vast areas of sugar cane cultivation. Within a limited scope he can sell 5,000 to 10,000 maunds of sugar at the same rate at which Java sugar is being sold in Bombay.

Then there are sandal wood carvers. Many people in Bombay and some honourable members of this House have purchased several carvings made in Kanara. But they the poor carvers are not able to get sandal wood from Government at cheaper rates. If the State of Aundh can patronize the Kirloskar iron works or the Ogale's glass works, why cannot our Government encourage such industries?

Then there are cane works in our district. But we cannot take cane from the forests. The forest guards and foresters haul us up before the Magistrate if we take cane from the forest.

These are some of the industries of my own district. Without the improvement of industries, how is the condition of poor agriculturists to improve? How is their purchasing power to increase? If there is one constructive suggestion which this side of the House can put forward,

[Mr. G. S. Gangoli]

it is that Government should improve our industries. Otherwise people will be starving. They are already on the verge of starvation, bankruptcy and I do not know what.

This is a very important subject and I do not think it deserves such a light treatment at the hands of Government. I am opposed to the reduction of even a single pie out of this grant. Agriculture at present is the only vocation which should pay. But does it pay? I shall read a paragraph from the report of the Agricultural Department for the year 1930-31, page 164. Under "General Remarks" the Department says:

"Even the moneylenders and sowcars consider it risky to advance any loan for the cultivation of stable crops and the effect of this depression is likely to be seen in future cultivation. The general indebtedness has been increased in some parts of the Kanara district. Great difficulty has been felt in collecting revenue. The poor cultivators are not in a position to hold out their produce until better prices prevail and as a result, almost all the produce has passed into the possession of the merchants and sowcars at the cheapest possible rate."

This is the state of affairs and this is the biggest industry which the Presidency has. Perhaps the Honourable Minister and some members of this House are not aware that these poor agriculturists have not implements to plough their fields. For a man to be able to plough his field, he must at least have a pair of bullocks. Not having the bullocks, two men drag the plough and do the work done by bullocks. They must have shovels, axes and other implements with which to do their work. But many in Kanara have them not. If this is the state of affairs in the greatest industry of this Presidency, I do not know what good are your scholarships and your colleges which turn out graduates in agriculture and arts and science. I would, in conclusion, only request the Honourable Minister that even if it be necessary to have additional taxation, he should do so and help this industry to show better results.

With these few remarks, I resume my seat.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, I rise to support the cut moved by the honourable member Rao Bahadur Naik, and in doing so, I wish to throw some light on the cottage industries of Sind, a part of this Presidency lying at a distance of 800 miles, and it is likely that honourable members of this House imagine that we are living in a desert and that it is only by the use of the water from the mighty River Indus through the blessings of which that part of the country is being cultivated and inhabited. But I am glad to assure them that though our country is a small and apparently poor country, there is at least this consolation that we give to the world the best of fine art. I think our Sind art is very much like that of Kashmere and those honourable members who have had the opportunity of purchasing that art or of seeing the humble cottages in which this art is being carried on, ought really to feel it to be their human duty to develop that art even from the purely sentimental point of view, if not from any other. Because when we see the art and also have a look at the artist and the

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manner in which he carries on his life, we feel very sorry and our heart goes direct to them. I myself have visited their cottages and have seen that excellent art is being actually carried on, and I feel that it is really the duty of everyone of us and that it is also the paramount or parental duty of Government to extend a helping hand to those artists so as to save the art and the artists from extinction. I can quote a number of cottage industries that are indigenous and are being carried on in an unostentatious manner, viz. wooden lacquer work, enamelled pottery, printing of woollen and cotton cloth, weaving woollen cloth, carpet-making, woollen durries, embroidery and so on and all other innumerable arts being carried on in cottages——

The Honourable Sir GHULAM HUSSAIN: Pottery.

SYED MIRAN MAHOMED SHAH: The Honourable the General Member reminds me of his country and it shows that he has got an appreciation for that industry, namely, pottery, and I think there must be some articles which must be reminding him of these poor artists living in penury in those far-away cottages and thatched huts, hardly knowing how to make the two ends meet even in the best of times. The wooden enamel work, lacquer work, etc. which we call by the name of Hala art is really such work of fine workmanship that I am deeply touched to see the human hands which turn it out and live a beggarly life. I know the artists working in those arts are deep in debt. I have inquired into their condition, but I am not sure whether either the Honourable the Minister or the Director of Industries has ever gone and visited them; if they had gone there and enquired, they would have known how deep in debt those poor artists are. They would have known that those artists do not get enough to maintain themselves or their families. When I asked some of those artists, they simply complained that they had not got the market in which to sell their products. Such a fine art, but they do not know how to dispose of their manufactures! Almost everyone of them is in the hands of the sowkar, the moneylender, to the extent of Rs. 1,000 or so, so that they do not expect to be able to return that debt even within the period of 15 or 20 years.

Now look at the carpet-making industry of Sind. Nobody will imagine that Sind is capable of producing such fine carpets as are obtainable in Persia. This carpet-industry, which at present is only a cottage industry, is worth being developed and, if that is done, our Sind-made carpets will easily compete with Persian and other foreign makes. What nice woollen cloth they make out in the sandy Thar Parkar district! There are heaps of sand in that district and under those very mounds of sand also there are cottages in which this woollen cloth is being woven. Very fine and beautiful printing of cloth is done there, and cloth printed there is being used for curtains and other purposes.

My honourable friend the Minister just now put a question to the honourable mover of the cut and asked whether the honourable mover

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would be able to point out a single industry which has died during the regime of this Government——

The Honourable Sir RAFIUDDIN AHMAD: I asked whether in *my regime* any industry had died.

SYED MIRAN MAHOMED SHAH: I cannot point out a single industry which may have or may not have died in the regime of the Honourable Minister himself, but I may assure him that it is a fact, and an undoubted fact, that gradually such industries are dying out. Nobody goes to their help, although what they want is a little finance and a good market. If those artists are properly financed and are shown how and where to market their products, and if only Government were to take it into their heads to organise and establish a central concern for the purposes of disposing of these articles of Fine Art manufactured in the cottages of far-off Sind, that will do very well for them because those artists do not want anything else; they do not want any other kind of help from Government; they want only a little sympathy and a little organisation because they are very illiterate, deep in ignorance; they do not know the world outside, they do not know whether or not there is appreciation of their work outside the limits of Sind. I have often purchased some of these art manufactures for presentation to some of my friends in Bombay where I find there is an incessant demand for this kind of art work. I do not know why this very necessary contact between the artists and the consumer should not be established through Government agency. Even recently I brought an enamelled chair and presented it to a friend of mine. He asked for six more and they were supplied. Now he wants one more chair of that kind. There should be some central agency which could establish this contact between the artists and the consumers. It is really the bounden duty and a paramount or a parental duty of Government to establish such a central agency for the benefit of cottage industries. I am not an agent working for these poor artists, but all the same, I am proud to be one of those who take some interest in their welfare and I am doing what one individual can do to make their goods more popular than they are in this part of the Presidency, whenever I happen to be here. It is, I say, the paramount or parental duty of Government, because Government are in the position of parents of the people and they owe this duty to these poor artists. It is quite within their competence to establish some agency which will establish the necessary contact between the artists and the consumer. A little financial help to the artist will do much. You may organise them on a co-operative basis or you may lend them loans and thus prevent them from falling into the clutches of the sowkars and their exorbitant rates of interest. Even if this much is done, the poor artist will be saved from the oppressive methods of the moneylending sowkars. But do anything and save these poor people from extinction, as otherwise with them their art will also perish.

To cut down the establishment of the Industries Department or to cut down the provision made for that department would be the greatest

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grievance one could have and I for one would be dead against such a proposal. I know it for a fact that there was a tussle in the Retrenchment Committee over this department, but the members of the committee are unfortunately not in touch with the poor artists living in and carrying on their art in cottages. The people living in high skies only look at the pay of the Director of Industries and rush to the conclusion that all this money is being devoured by that officer, namely, the Director of Industries who does nothing according to them. That is not so. Somebody is required to organise and carry on his duties, but he cannot do so if he is not supplied with adequate funds, in the absence of which funds he finds himself considerably handicapped. I do not on that account blame the Director of Industries and what I would suggest is that the Honourable Minister should arrange to place at the disposal of the Director enough money to enable him to organise and finance these artists on the lines suggested by me. If there is a peasant, but if he has not got a plough, how is he going to plough the field and how is he going to reap a harvest if he is not able to plough the field? He must have the plough, he must have the bullocks, he should have the requisite material with which to carry on his ploughing and sowing. He should also have the seed, he should sow that seed and then, when the seed sprouts into a crop, he should cut it and reap his harvest. Similar is the case of the Director of Industries without funds. But if he has got no money of his own and none is supplied by outside agencies like Government or co-operative societies, he can make but little headway. What I want to point out, therefore, to the Honourable Minister for Education and what I also urge strongly is that, if they want to save these poor people from starvation, if they want to solve to some extent the great question of unemployment, then they should make this their concern. A little honest effort and a little active support on the part of Government will meet the needs of these people. Nowadays we cannot solely depend on the agricultural industry, we know how hard we are hit; the zamindars in Sind know what their real condition is and that what they earn they merely earn to be able to pay off the money which they owe to Government in the shape of land revenue.

This is the condition of everyone of us who represents the zamindar class; and our *haris* are starving. I think we are simply giving them an opportunity to imbibe principles of socialism and Bolshevism. It is no use carrying out big works, appointing large establishments and building palatial buildings for them, and all those things. But you have really to come to the help of the sons of the soil, who are really earning for Government, who are really contributing ultimately to the coffers of Government. If Government are not really taking steps to save them from starvation, they are failing in their fundamental duty towards humanity, and they are not fulfilling their fundamental duty as rulers of this country. With these few remarks, I support heartily the cut moved, and urge upon the Honourable Minister to take the earliest steps

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to finance this department properly and to organise it on a proper basis.

The Honourable the PRESIDENT : The House is now adjourned to 2 o'clock to-morrow, Tuesday, the 1st March 1932.

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Tuesday, the 1st March 1932.

The Council re-assembled at the Council Hall, Bombay, on Tuesday, the 1st March 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A. K. J.
BECKETT, Mr. R. H.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
DA GAMA, Dr. ACCACIO
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
HARRISON, Sir CHARLTON
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JAM JAN MAHOMED KHAN, Khan Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM

JOG, Mr. V. N.
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACKIE, Mr. A. W. W.
MACLACHLAN, Mr. D.
MATCHESWALLA, Mr. G. E.
MCELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. C. N.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH

SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WADKE, Mr. B. P.

NEW MEMBER SWORN.

Mr. R. H. Beckett made the prescribed oath of allegiance to His Majesty the King-Emperor, and took his seat in the Council.

STARRED QUESTIONS AND ANSWERS.

L.C.P.S. DIPLOMA HOLDERS: ADMISSION TO OPHTHALMIC DIPLOMA EXAMINATION.

*Rao Saheb B. G. DESAI (Kaira District): Will Government be pleased to state—

(*a*) whether they are aware that the percentage of blindness and of various other eye diseases is much higher in this Presidency and that it is increasing from year to year;

(*b*) if so, do they intend to widen the scope of diffusion of special knowledge in Ophthalmics by encouraging and facilitating the study and specialization by doctors practising in the rural areas and diploma holders in that branch of medicine and surgery and thereby provide efficient eye-specialists in the country;

(*c*) whether they are aware that the L.M.P. diploma holders are allowed to appear for the L.O. diploma examination after about one year's practice in the Madras Presidency;

(*d*) whether they intend to adopt a similar measure allowing the L.C.P.S. diploma holders of this Presidency to appear for the D.O. diploma examination held in Bombay?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: (*a*) No.

(*b*) Government do what they can by supporting the Blind Relief Association and otherwise to make eye specialists available in rural areas.

(*c*) Government have no information.

(*d*) In this Presidency the examination in Ophthalmology is open to graduates in medicine and surgery of the Bombay University or of any other University recognised for the purpose by the Bombay University. This examination is regulated by the Bombay University and not by Government.

Rao Saheb B. G. DESAI: Are Government contemplating or thinking of moving the University of Bombay to adopt the same system as is adopted by the University of Madras?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: That is not the idea of the Government at present.

GUN LICENCES: CANCELLATION DURING CIVIL DISOBEDIENCE MOVEMENT.

*Mr. G. S. GANGOLI for Mr. V. N. JOG (Dharwar District): (1) Will Government be pleased to state the total number of gun licences given in the talukas of Sirsi and Siddapur in the district of Kanara as standing at the end of the years 1929-30 and 1930-31?

(2) What is the policy followed by Government in issuing licences to the holders?

(3) Is there any condition in the licence that the licence-holder should not join any political movement?

(4) How many gun licences have been cancelled or suspended in these talukas during the *satyagraha* movement?

(5) What are the causes that led Government to cancel or suspend these licences?

(6) What is the procedure followed in renewing those cancelled or suspended licences?

(7) Were the guns restored after the call-off of the *satyagraha* movement by Mahatma Gandhi?

(8) If not, what are the reasons therefor?

(9) If they were restored, when did such restoration take place?

(10) Is it a fact that the villagers whose licences were cancelled or suspended live in the midst of forests and are exposed to the ravages of and dangers from wild animals and beasts?

(11) Have any fresh conditions been imposed or new undertakings demanded from licence-holders whose licences were cancelled or suspended owing to *satyagraha*?

(12) If so, what are the conditions or undertakings?

The Honourable Mr. G. A. THOMAS:

(1) Siddapur taluka	..	543 in 1929-30 and 418 in 1930-31.
Sirsi taluka		778 in 1929-30 and 748 in 1930-31.

(2) Licences are given on application at the discretion of the licensing authority to persons who are considered fit to possess arms and who are not likely to misuse them or to allow others to do so, provided the licensing authority is satisfied that the applicant requires the arms for the purpose stated in his application.

(3) There is no such explicit condition, but the first condition of the licence is that it is given subject to the provisions of the Arms Act. One of the provisions of the Act (section 18) is that the licence is liable to be suspended or cancelled if such a course becomes necessary for the security of the public peace. If any licence-holder joins a political movement

which is subversive of law and order, the licence is liable to be suspended or cancelled under the condition mentioned above.

(4) Siddapur taluka—50 licences were cancelled and 68 suspended.
Sirsi taluka—9 were cancelled and none suspended.

(5) The licences were cancelled or suspended by the District Magistrate on the ground that a state of lawlessness existed in the talukas and that the persons concerned took an active part in the movement which created the lawlessness and aimed at the subversion of Government.

(6) The parties concerned have to submit applications to the licensing authority asking for the restoration of their licences.

(7) 60 out of 127 suspended or cancelled licences have been restored or re-granted.

(8) In some cases no applications were received for their restoration or re-grant. Out of the 64 applications received 4 were rejected because in the case of three the applicants were in a position to pay their land revenue but persistently refused to pay it, and in the fourth case the applicant being a patil had withheld payment of grazing fees and had resigned his post.

(9) 47 suspended licences in the Siddapur taluka were restored on the dates mentioned below :—

Number of licences.	Date of restoration.
3	3rd March 1931
1	19th March 1931
2	30th March 1931
1	31st March 1931
3	29th June 1931
1	2nd July 1931
13	31st August 1931
1	17th September 1931
1	18th September 1931
3	18th October 1931
3	12th November 1931
2	13th November 1931
2	31st December 1931
5	9th January 1932
1	12th January 1932
5	29th January 1932

13 cancelled licences in the same taluka were re-granted on the following dates :—

Number of licences.	Date of restoration.
8	28th August 1931
1	18th September 1931
1	10th October 1931
1	11th November 1931
2	9th January 1932

(10) Not all of them.

(11) No.

(12) Does not arise.

Mr. G. S. GANGOLI: With regard to the reply to part (8) of the question, what is the name of the person who resigned as patil, and when did he resign?

The Honourable Mr. G. A. THOMAS: I do not know.

Mr. G. S. GANGOLI: May I know who conducted those enquiries, and whether the persons concerned were given a hearing?

The Honourable Mr. G. A. THOMAS: What enquiries?

Mr. G. S. GANGOLI: As to their association with the civil disobedience movement or the like; or were their licences summarily withheld?

The Honourable Mr. G. A. THOMAS: The District Magistrate.

Mr. G. S. GANGOLI: With regard to (10), can Government give a single instance wherein the licensee does not come from a forest village?

The Honourable Mr. G. A. THOMAS: I would refer the honourable member to the answer, "Not all of them."

Mr. G. S. GANGOLI: I requested for the name of a single person who does not hail from a forest village.

The Honourable Mr. G. A. THOMAS: I referred the honourable member to the answer to his question. All the villagers are not exposed to the ravages of and dangers from wild animals and beasts.

WINGATE SCALE: APPLICATION TO THE KONKAN COLLECTORATE.

*Mr. N. N. PATIL (Kolaba District): Will Government be pleased to state—

(*a*) whether they propose to apply the Wingate scale to the Konkan Collectorate;

(*b*) if not, the reasons therefor?

The Honourable Mr. W. F. HUDSON: (*a*) It is presumed that the Honourable Member is referring to the Kolaba district. The answer is in the negative.

(*b*) The Wingate scale is intended for the Deccan, and not for Kolaba. In any event Government cannot undertake to extend it now in view of the present financial stringency.

The Honourable the PRESIDENT: What is the Wingate scale?

The Honourable Mr. W. F. HUDSON: It is a scale for the remuneration of patils in the Deccan laid down by Sir George Wingate a long time ago.

FRAUDULENT COMPANIES.

*Mr. A. K. RESALDAR (Ahmedabad and Surat Cities): (1) Will Government be pleased to state if they have come to any decision as to how best to put a stop to the abuse of the dividing principle of several so-called insurance companies working in the Bombay Presidency which, as stated in reply to an interpellation by Dr. Dixit of Surat during the last Council session, was under the consideration of Government?

(2) Has the attention of Government been drawn to the recent judgment of Mr. Gundil, Additional Sessions Judge of Poona, in what is well-known as the Poona Insurance Fraud case in which, while convicting the accused, he expressed the hope that the legislature of the country will undertake suitable legislation to stifle recrudescence of such pestilential companies like the one he had the misfortune to deal with in that case ?

(3) Will Government be pleased to state whether they have submitted any suggestions in this connection to the Government of India ?

The Honourable Sir GOVINDRAO PRADHAN: (1) The subject is Central, but Government have drawn the attention of the Government of India to abuses capable of being remedied by legislation.

(2) Yes.

(3) Yes.

PATILS: PAY AND DUTIES.

*Mr. A. N. SURVE (Bombay City, North): Will Government kindly state—

(*a*) the number of patils in the Presidency proper;

(*b*) the classes of patils according to the duties they discharge, e.g., revenue, police or other duties;

(*c*) (*i*) the number of patils in each of the districts of the three Divisions,

(*ii*) the number of those who discharge—

(x) police duty,

(y) revenue duty,

(z) police and revenue duties combined;

(*iii*) the remuneration they receive;

(*iv*) the scale or scales, which regulate the remuneration (copies of Government Resolutions prescribing the scales may please be laid on the table);

(*v*) the list of duties that a patil (police, revenue or combined) is required to perform;

(*vi*) whether a patil is a full or part-time servant of Government;

(*vii*) whether the hours of his duties are fixed, or whether he is required to perform duties at all hours of the day;

(*viii*) the list of Acts under which he is required to discharge his duties ?

The Honourable Mr. W. F. HUDSON (*a*), (*b*) and (*c*) (*i*) to (*iii*) A statement marked "A" giving the requisite information is placed on the table.

(*c*) (*iv*) Subject to the modifications specified below the scales of remuneration are those at pages 499–506 and 534–537 of the Bombay Survey and Settlement Manual, Volume II. The remuneration for patils in the Kanara District (page 537 of the Manual) was increased in 1921 by 50 per cent. with a minimum of Rs. 12 for each patil. The scale of fixed allowance for the Kolaba District (pages 534-535 of the Manual) was increased in 1923 by 50 per cent. while the special allowances for places of importance in the district were fixed at Rs. 30, Rs. 20 and

Rs. 10. The remuneration for the Ratnagiri District (page 536 of the Manual) was revised in 1923 and fixed as follows :—

Population.	Remuneration.
	Rs.
Below 500 ..	12
Between 500–1,000 ..	24
From 1,001–2,000	30
Upwards of 2,000 for every 1,000	6 up to a maximum of Rs. 48

The special allowances of Rs. 20 and Rs. 10 for places of importance in the district were raised in 1920 to Rs. 40, Rs. 30, Rs. 20 and Rs. 10. Besides the remuneration stated above, patils are remunerated as shown below for other work done by them :—

Local Fund—

	Annas.
For collection of Rs. 5 to Rs. 10 ..	2
Do. Rs. 11 to Rs. 25	4
Do. Rs. 26 to Rs. 50	8
Do. Rs. 51 to Rs. 75	10
Do. Rs. 76 to Rs. 100	12
For every further sum of Rs. 25	4 (more)

Cattle pound—

½th of the collections on account of the pound, subject to a maximum of Rs. 120 per annum.

Irrigation revenue—

According to the scale for land revenue, subject to a maximum of Rs. 150.

Grazing fees—

6 pies in the rupee.

A copy of the Survey and Settlement Manual is in the library. Government do not consider it desirable to place copies of Government Resolutions on the subject on the table.

(c) (v) The main duties are mentioned below :—

Revenue.—Collection of land revenue and other Government dues and supervision of the village boundaries; preservation of irrigation works and other Government interests in the village; safe custody of Government money in their charge; helping in the preparation of village accounts and records; keeping a close watch over and reporting occurrences affecting the civil administration of the village, its boundaries, or Government interests; reporting epidemics of contagious diseases.

Police.—The Police Patil is the head of the village police and is responsible for affording information regarding crimes etc. He has to watch the movements of suspected persons, hold inquests, report and detect crimes, maintain the birth and death register of the village, and perform the duties laid down for him in the Cattle Trespass Act, the Criminal Tribes Act, the Abkari Act, the Forest Act, the Criminal Procedure Code, the Arms Act, the Salt Act and the Village Police Act.

(c) (*vi*) The patil is not a full time servant of Government unless he is a stipendiary.

(c) (*vii*) No specific hours of duty have been fixed.

(c) (*viii*) The Bombay Land Revenue Code, V of 1879.
The Bombay Village Police Act, VIII of 1867
The Cattle Trespass Act, I of 1871.
The Bombay Hereditary Offices Act, III of 1874.
The Bombay Abkari Act, V of 1878.
The Indian Forest Act, VIII of 1878.
The Indian Arms Act, XI of 1878.
The Bombay Irrigation Act, VII of 1879.
The Bombay Village Sanitation Act, I of 1889.
The Bombay Salt Act, II of 1890.
The Criminal Procedure Code, V of 1898.
The Village Panchayat Act, IX of 1920.
The Criminal Tribes Act, VI of 1924.

Statement "A", showing the number and classes of patils in the Presidency proper and the remuneration paid to them.

District.	Number and classes of Patils.				Remuneration.
	Revenue.	Police.	Revenue and Police.	Total.	
1	2	3	4	5	6
					Rs.
Northern Division—					
Ahmedabad	48	56	595	699	47,120
Kaira	37	122	496	655	34,339
Panch Mahals ..	37	88	411	536	27,090
Broach	135	141	271	547	24,815
Surat	11	21	756	788	60,884
Thana	37	19	1,538	1,594	40,509
Central Division—					
East Khandesh ..	1,639	1,070	762	3,471	84,083
West Khandesh	295	261	958	1,514	51,974
Nasik ..	328	263	1,372	1,963	60,771
Ahmednagar	168	167	1,214	1,549	63,287
Poona	172	170	990	1,332	50,943
Satara	421	365	988	1,774	63,728
Sholapur	173	169	560	902	36,843

District.	Number and classes of Patils.				
	Revenue.	Police.	Revenue and Police.	Total.	Remuneration.
1	2	3	4	5	6
					Rs.
Southern Division—					
Belgaum	92	93	1,049	1,234	68,507
Bijapur	91	86	1,057	1,234	45,024
Dharwar	113	127	1,337	1,577	74,549
Kanara	..	..	732	732	46,691
Kolaba	78	539	1,043	1,660	51,895
Ratnagiri	..	..	1,318	1,318	33,662
Bombay Suburban District ..	1	1	63	65	4,351
Grand Total ..	3,876	3,758	17,510	25,144	9,71,065

Mr. A. N. SURVE: With regard to (*c*) (*vi*), the reply is "The patil is not a full time servant of Government, unless he is a stipendiary." May I know where these stipendiary police patils are employed—in which part?

The Honourable Mr. W. F. HUDSON: I think this question should be addressed to my honourable colleague (the Home Member). I have answered this omnibus question out of courtesy to the honourable member, but I am not in a position to answer his supplementary question. I do not know whether my honourable colleague is, but probably he is not.

CHARCHA-MANDAL, BARSI.

*Rao Bahadur R. R. KALE for Dr. V. G. VAISHAMPAYAN (Sholapur City): Will Government be pleased to state—

(*a*) whether the Charcha-Mandal at Barsi is a political body;

(*b*) whether it ever held any meetings since its inauguration;

(*c*) what is the strength of its membership?

The Honourable Mr. G. A. THOMAS: (*a*) The Mandal engaged in political activities.

(*b*) and (*c*) The Honourable Member should address these questions to the Mandal.

LAND IMPROVEMENT LOANS.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to furnish in a tabular form the amount allotted to each of the Divisional Commissioners during the years 1927-28, 1928-29 and 1929-30 for grants in the shape of land improvement loans and the amounts actually spent in each Division for the above purpose during the aforesaid years?

The Honourable Mr. W. F. HUDSON: No separate allotments are made to the Divisional Commissioners under the Land Improvement Loans Act and the Agriculturists Loans Act for the grant of advances to cultivators, but a lump sum is provided for loans under both the Acts. The Registrar of Co-operative Societies is, however, provided with an allotment to be utilised solely for advances to co-operative societies under the Land Improvement Loans Act. The information required by the Honourable Member is furnished on these lines in the accompanying statement.

STATEMENT

Name of Officer.	1927-28.		1928-29.		1929-30.	
	Amount allotted under the Land Improvement Loans Act and the Agriculturists Loans Act.	Amount spent under the Land Improvement Loans Act.	Amount allotted under the Land Improvement Loans Act and the Agriculturists Loans Act.	Amount spent under the Land Improvement Loans Act.	Amount allotted under the Land Improvement Loans Act and the Agriculturists Loans Act.	Amount spent under the Land Improvement Loans Act.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Commissioner, N. D. ..	15,79,000	25,955	39,73,500	33,335	2,94,500	46,620
Commissioner, C. D. ..	4,55,000	1,36,028	2,27,000	39,836	2,36,250	79,020
Commissioner, S. D. ..	4,40,700	3,55,201	4,11,900	3,50,324	4,10,440	3,51,812
Registrar of Co-operative Societies ..	3,50,000*	1,02,270	3,50,000*	50,097	3,50,000*	66,636

* These amounts represent allotments made under the Land Improvement Loans Act only.

DEMANDS FOR GRANTS.

35, Industries.

Question again proposed:

"Reduce by Rs. 500, Total demand, Rs. 3,66,500, 35—Industries."

Sardar Davar T. K. MODI (Surat City): Sir, I rise to make a few remarks with regard to the Directorate of Industries. I sympathise with the honourable members who have made various suggestions, but, Sir, I must confess that I am greatly amused with regard to them, as they want so many things to be done in a meagre budget grant of Rs. 1,20,000. The honourable mover of the cut has traversed a wide range of subjects which he wants to be tackled by this department. The honourable member from Sind (Syed Miran Mahomed Shah) gave a very interesting account of the industries of Sind which could be aided by this department. The honourable member from Kanara referred to the sandalwood industry and the oil and other products which can

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be made out of sandalwood. Now, Sir, all this requires that the Director be supported by experts in the subjects most in demand in this Presidency. If that be not the case, then the department can be of very little value. The Director at present has got an Industrial Engineer and an Industrial Chemist and a small number of weaving masters. With this staff under him, it could hardly be expected that he could do any work of utility or usefulness to the various industries. Since 1919 we have got a Director of Industries. In the beginning, Sir, he happened to be an I.C.S. officer; a great fuss was made about it, and since 1926 we have got an Indian officer holding this post. But although an Indian has been in charge of affairs, we have so far seen nothing phenomenal done by this department. I am not unaware of the fact that the last report made by this department shows some satisfactory work done, but what I am trying to make out is that the little work that the department has been able to do does not justify the great expenditure which we incur after it, unless we are prepared to make a very adequate provision in the budget for the development of this department. For a large number of years it will not be possible to make any adequate provision in the budget, and therefore it is of no value to maintain this department, and it had better be abolished, done away with, and Rs. 1,20,000 saved a year and used for better purposes. The department may be revived when better times come, and then it should be a fully equipped department, not the nucleus of a department as it exists at present.

Sir, the honourable member for Surat District made many valuable suggestions. A suggestion was also made that even at a considerably higher cost this department should be maintained, but the honourable member for Surat District regretted that the grants given to district local boards for communications were cut down. He will also probably refer to the cut in the educational grant, and I am sure that when the Land Revenue head is under discussion he will tell us that the agriculturists are too poor to pay the land assessment, that they are very heavily assessed. And, Sir, he voted against the Finance Bill. Now, that is a highly inconsistent position. He wants grants to be maintained, he wants this department to be developed, and yet, on the ground of the poverty of the agriculturists, he refuses to vote any supplies to Government. That being the position, my humble suggestion to the Government is to do away with this department, and if it is done away with, I for my part will not weep and wail. Although I am interested in cottage industries, I can say that this department has done nothing substantial towards improving those cottage industries.

Dr. M. K. DIXIT (Surat District): Sir, the remarks made by my honourable friend to my left (Sardar T. K. Modi) who just preceded me amused me very much. When several honourable members on this side are crying for having the grant to industries increased by leaps and bounds, my honourable friend advocates that this department should be abolished altogether. Now, Sir, if there is any department in the whole of the Bombay Government which requires encouragement

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and assistance with a view that the presidency may be in a better position to be able to pay taxation, it is the Department of Industries which should be aided to the greatest extent possible. He said that a department like that is doing very little good and therefore it should be abolished. I may tell him that the present staff which is given to the Department of Industries is small and consists of a small number of weaving masters or assistants to help weaving industry, the industrial chemist and the industrial engineer, and I may say for his information and for the information of the House that they are doing very good work. The industrial engineer who has been employed for some time past, has been doing very very useful work in the city of Surat which the honourable member has the honour to represent. So far as I have been able to gather, that officer has been staying in Surat for some months and he has visited the little workshops of silver and gold thread industries. Surat is doing very large amount of business so far as silver and gold thread industry is concerned. It can compete very well with the imported materials from France and Germany. With the help of this industrial engineer, the Surat Gold and Silver Thread Association has been able to invent a small machine of their own to help them in a work which they were doing with ordinary manual labour. This gold and silver thread industry can be developed to such an extent that it is quite possible in future to stop altogether importation of these threads which are very useful in preparing cloth for women's wear and which is being distributed all over the country from foreign places, France and Germany. Under these circumstances, it is no good running down the industrial engineer and the industrial chemist who have been doing very useful work—their humble best—as far as funds permit. We should, on the other hand, impress upon the Honourable Minister in charge of this portfolio to press for further demands to improve the industries which have been dying out or have died for want of encouragement. If more funds are made available, I think the Director of Industries will be able to help the industries of the country to a great extent. I am glad to find that the Honourable Minister has been able to find larger funds than there were last year. At one time it was talked that the Industries Department should be abolished owing to financial stringency. One is really glad to find that the department has been allowed to live and has actually been able to get more funds for its development. With all the emphasis that I can command, I would press upon the Honourable Minister to get more funds for this department.

Also some remark was made by the same honourable member regarding the voting of my honourable colleague Rao Bahadur Bhimbhai Naik against the present finance Bill, which has passed the first reading and which is at present in the select committee stage. When the honourable member Rao Bahadur Naik voted against the Bill, he made his position quite clear that the maximum taxable capacity of the people had been reached and therefore he did not want any further taxation to be levied. I understand from my honourable friend (Sardar T. K. Modi) that the honourable member Rao Bahadur Naik is quite capable of

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defending himself and I need not take brief in his behalf. The Industrial Department is being revived and we should not throttle it at this stage and we must see that it is developed as quickly as possible.

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Sir, the very great need of this presidency is the development of the villages. We know that 75 per cent. of the population are agriculturists and we also at the same time know that the agriculturists in the villages have got more spare time, that is to say, six months in the year. During these six months, they are idle. Most of our trouble is due to this idleness; they are compelled to be idle during six months in the year. While going through this book, I find that the items that are made by Government are more of the nature which would draw the village population to industrial life in the cities. But I think that the object should be to find work for the people in their villages during spare time. What I mean to say is that every district has not the same conditions prevalent. The necessities for the cottage industry of Thana may be different from the necessities of cottage industries of Belgaum. For instance, take Thana. It is a place rich in its forests. The agricultural population should be taught to utilise the forest produce to the best advantage. They should be taught carpentry and work these forest products in their spare time. If we do like that, I think we can make those people contented and happy. I suggest therefore that more money should be spent on the construction and reorganisation of industries which will give enough work to the agriculturists in their spare time, so that they may not leave the villages and agriculture for want of work in spare time and go to the city to the detriment of agriculture.

Mr. SHAIKH ABDUL AZIZ (Central Division): Sir, during all these 5 or 6 years in this honourable House, I have heard only one honourable member saying that this department should be abolished—I think the honourable member from Surat (Sardar T. K. Modi) is an exception. All the other honourable members have emphasised that we should have this department. What we insist upon is that this department should have enough funds to enable it to do its work properly. Now, it may be pointed out that Government have not got money to allot to this department. As Government have no money, it is no use saying that this thing should be done and that thing should be done. My point is that, though during the last two or three years the financial stringency has been felt by Government, nothing substantial has been done during the last 10 years. Loans have been taken out for several productive works. Loans were taken for the Back Bay and 20 crores have been borrowed for the Sukkur barrage; when those schemes were sanctioned in this House, it was expected that the money would be spent properly and that those works would prove productive. But now we know what the fate of Back Bay has been. As regards the Sukkur barrage we hope at least that it will be successful. What I want to know is why money has not been borrowed for the development of industries. So many states, like Mysore, are giving state aids to industries. Hyderabad is

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doing something in that direction. If Government is sincere I consider that they should invest money on industrial development which is certain to be productive.

From the year 1923, there had been an advisory committee. That committee has recommended that state aid should be given to industries, and that an Act on the lines passed by the Madras Government should be passed. Since the recommendation of the advisory committee, nothing has been done in the matter. Every time in the report we see that Government say that they were willing to give some help if some company came to them for loans. There were four or five companies who applied for help to Government. Those companies were doing useful work and they also offered to give surety to Government. Still Government refused loans to those companies. That is the way in which industry has been neglected in our country.

I only wish to point out that a work which can be done with a very small amount, that too has not been done. Such works have been recommended by the Director of Industries himself. He has made the following recommendations with regard to the handloom and weaving industry: I quote it from the annual report of the department of industries, 1925-26.

"A central buying agency and an exhibition sale-room may be established in large towns to buy and dispose of the articles made by cottage craftsmen."

This is another recommendation:

"Propaganda may be instituted for educating the taste of the public for indigenous art crafts and other articles manufactured by cottage craftsmen."

I think this thing requires a very small amount of money. Such things also have not been done by the Industrial department. There are so many other recommendations made by that committee. But nothing has been done in the matter. The weaving industry is on the point of death; if Government do not come to its aid, a time will come when the weavers will have to resort to some other course. I am very sorry to state that. In the Delhi conference, the weavers have passed a resolution that they have no occupation at all, because they cannot compete with the mills.

On account of mill competition, they were compelled to seek other sources of work. They resolved that those who earned their livelihood by weaving should wear clothes made by hand-weavers. Now, unless Government comes to their help, they will be compelled to have recourse to stronger measures in their struggle for existence. I therefore request that Government should come to their help. Otherwise the industry will die completely. About 10 lakhs of people live by hand-weaving, and in order to exist they will be compelled to have recourse to methods which will not meet with the approval of Government.

Mr. B. S. KAMAT : Sir, I had no intention of speaking on the question of industries, as the question of industries is such a well-worn subject, at any rate to experienced publicists in India and there is hardly anything new that one can say about it. But the remarks of my friend from Surat (Sardar Modi) require that a few observations should be made. The honourable member advocated that because this grant is so small that nothing can be done by the department, it should be entirely dropped. In advocating this principle, I think he has missed the whole point. And, further still, it was rather amusing to hear his reason when he accused another honourable member from Surat (my friend Rao Bahadur Naik) that if at all he wanted money for this department, he should not have voted against the taxation bills. I venture to say, Sir, that the honourable member Sardar Modi, in looking at the financial policy of the Government of Bombay, has not taken the correct perspective of the matter and has failed to see that money for this department could be made available if there had been proper management of the finances of Bombay. I for one hold that the industries department is the step-daughter and the Cinderella of the Government of Bombay ; and it is so because, in my opinion, certain, departments are getting an undue share of the spending at the hands of Government. Only yesterday we were talking about the Public Works Department and the Irrigation Department. I frankly say that if you take a proper perspective of the funds and the resources at the disposal of the Bombay Government and the way they spend on these two departments, many people will agree that the Public Works Department including irrigation is the department which is too much favoured and pampered at the expense of the department of industries which gets very little share of the spending. Indeed, I do think that the department of industries can thrive even if a few crumbs from the Public Works and Irrigation Departments are thrown over to this department. It does not take a long time to illustrate this point. I think we have something like Rs. 1,27,00,000 to be spent over the Public Works Department this year, a year of attenuated finances. Add to that what we spend on irrigation. Take a perspective of what we have been spending on these two departments, say, during the last five or six years since 1925-26 onwards. You will find that generally the Public Works Department absorbs more than a crore of rupees and the Irrigation Department absorbs somewhere between Rs. 75 to 90 lakhs. Both these departments put together ever since 1925-26 will show an absorption of something like 2 crores. I am speaking about these departments simply to bring out the contrast. Now, it is true that the development of the Presidency requires bridges, roads and *kucheries* and hospitals and so on, and I must say to the credit of the engineers that they have done this fairly well during the last 10 years since the reforms. But my complaint today is that they have been overdoing it, and we could have got for the Industries department a great deal more if they had curtailed their zeal and their enthusiasm in the matter of that development towards the Public Works and Irrigation branches.

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I will illustrate that point further by another factor. A few days ago the Honourable the Finance Member, and I believe the honourable member the Finance Secretary, in a dispute as to how much was spent during the last few years on residential buildings, told us that it was not 15 crores but only 3 crores——

The Honourable Sir GOVINDRAO PRADHAN: Also on roads, bridges, and so on.

Mr. B. S. KAMAT: Well, I am not disputing the correctness of the figure. But such is the zeal of the Public Works officers—in every building, for instance a public building like this Council chamber—such is their idea of the dignity and greatness of the Bombay Presidency, that they probably overspend for ornamentation and architectural features to the extent of 25 to 30 per cent. I do not see why all that should be necessary and why that extra amount should not be transferred to the Director of Industries. I see the honourable member Mr. Bowers shaking his head. Take, Sir, the case of this Council chamber. The teak wood panelling along the walls is simply in imitation of the Legislative Assembly or perhaps some building in Whitehall. We could do without it. I do not see why we should have such fine flooring, so slippery—as if some members were not slippery enough without it.

I maintain, Sir, that in view of these facts you can hand over the crumbs of the Public Works Department and the Irrigation Department to the Director of Industries and he can spend them with a great deal of benefit for the public of this Presidency.

Now, as regards the question how to finance industries, I am not going into the whole list of larger as well as smaller industries; or rural and secondary occupations for agriculturists. It is easy to suggest a list. The question is one of finance. The honourable member from Surat wanted to find out means how to finance industries. The answer was given by another friend of mine,—I mean Mr. Shaikh Abdul Aziz,—when he referred to what other provinces are doing. He referred to Madras. In Madras there is the State-aid to Industries Act. I believe Bihar also has it. And in Punjab they also have some sort of an arrangement of giving public loans for industries. In this province we have no such Act at all, although for the last 10 years people have been clamouring for it. The Honourable the Finance Member may turn round and ask: "When there is no money in the Government coffers, what is the good of having an Act?" The answer to that is simple enough. If you have a State Aid to Industries Act, it does not necessarily mean that every industry clamouring for finance must be given aid from your current revenue. It only means that people know that there are certain conditions laid down, and if a particular industry, either big or small, satisfies those conditions, well, they can come and ask Government for a loan; if there is no money from ordinary revenues the Government of Bombay can borrow and assist the industry, just as they assist with loans certain public bodies where Government have considered it an

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advantage to borrow money and advance it to such bodies. I need not mention what those bodies or departments are—they are so very familiar to us. For instance, the Development Department, the Sukkur Barrage the irrigation schemes in the Deccan, and so on. For the purposes of these schemes they have borrowed money, ultimately for the benefit of the agriculturists and the general public. Similarly we can as well urge that they should borrow and assist certain industries also. I think the Industrial Commission of 1916-18 has emphasised this view. It has shown that certain industries, if they deserve assistance, should be given assistance either from their ordinary revenues or if the general revenues do not permit from borrowed funds. I believe the same fact has been endorsed by the recent Provincial Banking Enquiry Committee. They too have pointed out that in certain cases it might be necessary to give such assistance. This much, Sir, with reference to the question of finance.

Now, a word with reference to the personnel of the Department of Industries, a reference to which has been made by one or two honourable members. A few years ago the post of Director of Industries was held by an I.C.S. officer. I believe the Royal Agricultural Commission has pointedly drawn attention to this fact, and the majority of that Commission have taken the view that the Director of Industries should be a man of administrative experience rather than a technical man. I venture to quote a little dissenting minute to that opinion of the Agricultural Commission, in which I have pointed out my view that the Director of Industries need not necessarily be an administrative officer or an I.C.S. gentleman, and that he could be a man of science, but it would be better if he is also a man with business experience and a sense of commercial possibilities of certain industries. Again, the same is the view, Sir, of the Industrial Commission; it is this: that as far as possible it is preferable to have at the head of the Department of Industries a man who is a technical man, but it is preferable if he combines the qualifications of having some business talents. If such a man is not available—I recognise it is very difficult to get a man combining all these qualifications—I would urge that howsoever eminent the man may be in the technique, he should be assisted by an advisory committee of men who are well versed in industrial and commercial practical experience. There was such an arrangement a few years ago. Such an advisory committee has been abolished; and I am only drawing attention to the fact in order to bring to the notice of Government the necessity of reviving the system of the advisory committee to the Director of Industries.

Now, with reference to the other two officers of this Department and the remarks of my honourable friend Dr. Dixit. Undoubtedly the gold thread industry has been improved of late at Surat. While touring in connection with the work of the Bombay Provincial Banking Enquiry Committee I have seen the gold thread machines at Surat; and we made special investigations to find out what the condition of things was and what it is present. Undoubtedly there has been an improvement in

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that matter. Well, this industry is one of the biggest industries of Surat and of the Bombay Presidency. That fact is there; but, on the other hand, I should draw attention to the fact that a great deal of public comment has been made on the fact that although there is at the head of this Department an electrical engineer, an industrial engineer in addition has been taken up. That is to say, out of the three officers in this department, there are two engineers—one an electrical engineer and the other an industrial engineer—whereas on the chemical side there is only one man. I do not know whether even this one post is going to be retrenched. I do not think that the chemical side of this department is sufficiently reinforced. There are various chemical industries in this Presidency which require to be fostered and that can be done only if the chemical engineer is a capable and experienced man, a man with a great deal of imagination and enthusiasm. I think that we must strengthen the Industries Department on its chemical side.

With reference to the remarks which fell from one or two honourable speakers that certain crafts and arts are dying out and that they can be revived by Government coming to their help, it is true that some of these arts, such as those in Sind to which my honourable friends referred yesterday, are probably not as vigorous as they were some years ago. Their marketing requires attention. The fact must be remembered that in these days there is competition of mechanical production, and no manual production can hold its own as long as we have mechanical means of production.

To a certain extent, therefore, we must expect that old arts may crumble unless something is done in order to prop them up as far as possible. Again, if we look at the pros and cons of this question, it must be said in fairness to this department that if not for the old arts a great deal is being done with reference to modernising the weaving section of industries in this Presidency. Also we must not forget that another department of Government, I mean the Agricultural Engineering section of the department, is doing a great deal towards introducing industries in the rural areas, especially for cottage industries. Men who go round the Presidency with an open mind may be able to see for themselves how many rice mills and grinding mills have arisen, how many little ginning factories are coming into existence and such like agricultural industries which were unknown in India in former times. A number of small factories have grown up and those who go round will be able to see how men with small capital can start small industries. Indeed, such is the competition now that if a man with a small capital wishes to start say a small flour grinding mill he will find the whole field congested even in small villages. The imports of machinery, either of a small kind or of a big variety, will simply show that if some industries are dying, other industries requiring machinery are coming into existence all over the country right from Sind down to Dharwar. It is not, therefore, entirely true that all industries are dying, that nothing new is being done by Government. In fact, I think, Sir, that a number of new industries

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are coming into existence in this Presidency and the countryside is being gradually industrialised.

When I say this I do not, however, mean to say that the Director of Industries cannot do anything more. I think that if he has imagination and also funds at his disposal, there are a great many things which he can do. The question of unemployment especially of the educated middle classes is a very pressing and urgent question before the Presidency. There are heaps of educated men, B.Scs. and others who are passing their examinations and are suffering from unemployment. There are a good many new small chemical industries which could be started and to which impetus could be given by this department if there is a real effort to do this sort of business.

Technical advice in respect of new industries which are foreign to this country, I mean, manufacture of a good many small articles of everyday consumption in every home, could be encouraged by the department if there is the facility for doing so, especially in respect of technical advice on the chemical side.

Then again, with reference to the training of foremen and craftsmen, I do not think the Bombay Government is doing as much as ought to be done and as is being attempted in two provinces to my knowledge, Madras and the Punjab. This is being done partly by the arrangement which one of my honourable friends suggested, namely, by show-rooms, or something like an exhibition room in which all kinds of works of art could be collected together occasionally and where the craftsmen should be brought together once or twice in a year and a sort of a spirit of healthy rivalry should be brought into existence amongst them and where fresh ideas could be put into their heads, where expert advice could be given for improvement, where training in and facilities for new business could be imparted, where they could be shown new patterns, new methods and new ideas of conducting their business could be instilled into them. I think Bombay Government is not to my knowledge attempting to have such exhibitions where the craftsmen could be brought together. Indeed, there are many directions in which this department can work provided it is supplied with funds, and I for one would urge upon Government not to starve the Industries Department but to spare a good deal of money from the other departments to which I have just now referred. If this is done in right earnest with a sincere will, I think we can scrape together for promotion of industries far more money than the pittance of a lakh of rupees or even the three lakhs, which has been given to this department up to now.

Rao Bahadur S. N. ANGADI (Belgaum District): Sir, I do not wish to make many observations in connection with the cut. It was suggested by one of my honourable friends Sardar Modi that the sooner this department is done away with, the better. I am not one of those who hold that view and I do say that if there is any department which ought to be encouraged very much, it is this department of industries. And now, Sir, it has been pointed out by my honourable friend Mr. Kamat that many

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rice mills have sprung up in the mofussil, that there are many factories all over the Presidency, and that they all show signs of prosperity and so on! Of course, that is one view of the matter, but I do feel that there is not much encouragement to the department in the sense that there is not any industrial education which is what the people stand in need of. You will see, Sir, that whenever a question is raised with regard to this department, it is sometimes asked of us, as if every member of this House should come with all the knowledge of every industry in his head, to point out ready-made schemes. It is not possible. All that we are concerned with is this that we know as a matter of fact that industry is a thing through which our salvation lies, in which the salvation of the people lies, and that it ought to be encouraged as much as possible. With this in view, we offer certain criticisms which should be taken in the spirit in which they are offered. Otherwise, I want to know from Government why is it that we maintain this department at all unless it is for spreading industrial education and unless it is for spreading knowledge of industries amongst the people? If the suggestion that the department should be done away with was made by the honourable member Sardar Modi for the reason that it is not spreading industrial knowledge and so on, then I entirely agree with him. It is of course no use merely maintaining experts unless you maintain them to find out different ways and means, to find out new industries, to find out possibilities of development, and if the department has not been doing it, well, the sooner it is done away with the better. But I take it that the question for our consideration is whether the department has been given full freedom which ought to be given to it, which in other words means whether the Government of Bombay are placing at the disposal of the department as much money as they ought to. If there are no funds we cannot expect the Director of Industries to show miracles, it all depends on the money you give to the department. The Madras Government and the Punjab Government, as was pointed out, give sufficient funds and they are doing a lot of things in the matter of encouraging industries, while we here, rather the Bombay Government, have not been doing anything. So, in that way the question is whether this Government ought not to find more money to be placed at the disposal of the Director of Industries. I know of course the Director of Industries has been receiving over a thousand letters and so on from the various people in the Presidency. From his report we find a number of things mentioned therein, that a thousand letters were received through the post and had to be answered by post. We also find it mentioned there that 100 to 150 people were interviewed by the Director of Industries and were supplied with information, but all that I do not think will really solve the problem of industrial education. Something very substantial has got to be done and it is not merely a question of answering a thousand letters or interviewing some 100 or 200 people. Something more substantial than that has got to be done, and to do that, the Honourable Minister should place at the disposal of the department enough money. We must see that proper industrial education is given in the Presidency and unless that is done

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I do not think that we can have industrial education in the near future or in the way in which we ought to have it.

Again, Sir, I would only point out that we are asked to indicate what industries should be developed and what are the possibilities. To that I have already replied that it is not our business, we only say that it is a good thing and industries ought to be developed. But apart from books, if any Government Member were just to go casually to a shop in the Crawford Market, he would find a variety of articles in any shop and it ought to be seen by the Director of Industries whether any of these things which are in the shops could be made by our people here and if there are any such possibilities, whether they could be explored or not. These are all matters which ought to be attended to by the Department of Industries and also by the Government.

We find, Sir, that on the outbreak of the War, there was a considerable encouragement given to industries and it was so because the supply of articles imported from Germany and other countries was at once stopped, and Government were compelled to throw themselves upon the resources of the country and all of a sudden there was sufficient encouragement given to industries, and we find from one of the books which have been published by Mr. Holland, who was the Chairman of the Munitions Board, that many articles which were never manufactured in India were manufactured at very short notice. I would especially point out that the dyeing of khaki could not be done without a substance called chrome-alum imported from Germany, but that substance came to be manufactured at one of the Madras mills. It was of course a surprising thing to know that, but it came to be done under providential compulsion if I may say so. But it is not this kind of encouragement that we want and advocate. The encouragement that we are after is encouragement which springs from the heart. If there is real encouragement, there is no reason why our industries should not be developed at all.

Similarly, you will find, Sir, that in the Punjab carpenters did a lot of wooden work for the Army. It was done in such a manner that the work done was considered to be cheap and most efficient, and also turkey-red soil which was imported from the United Kingdom was made at Madras from indigenous castor oil and Indian made sulphuric acid. All this was as soon as the War broke out, which proves that under compulsion it is quite possible for India to manufacture all these things which are now being imported from foreign countries. So, I want to suggest that it is not under compulsion that there should be encouragement, but encouragement should come from the Government. Government should have proper regard for the interests of the people and they ought to encourage these things. It is for them to find out whether there are possibilities of development, it is for them to maintain experts which they do at such a heavy cost to the tax-payer and it is for them to ask the Director of Industries to find out whether there are not possibilities of development. It is the duty of the Director of Industries, and if he cannot do that or if he does not do that, then sack him off. What is the use of maintaining him and his department? But, as I said

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before, to enable the Director to make his services fully useful to the Presidency, Government should place at his disposal sufficient funds, without which you cannot expect him to do more than he is already doing.

We know that the excuse of financial stringency is always put forward. To that my honourable friend Mr. Kamat has made a reply, but it may be casually pointed out that, apart from such criticism, when the Government of Bombay had to make provision for carrying out the recommendations of the Lee Commission, the Bombay Government suffered itself to be saddled with an additional expenditure of ten lakhs. We do not know how that money came to be made available, how Government were able to come by ten lakhs. What I want to suggest is that if Government have a real heart they can certainly find out some money for this purpose also. If they can find out ten lakhs at one stroke, I fail to understand how they would not be able to find out one or two lakhs for the department of industries. Unless this is done, how are we going to have satisfactory progress at all?

Again, Sir, the only industrial activities useful to the people at large, from our Government's point of view, are found in Indian jails. That is what I find. It is in the jails that people are taught weaving, carpet-making, furniture-making, tent-making and so on. A variety of articles are made in the jails, and I ask, are you going to teach your citizens that if they want to have some industrial education, they had better go to jail? Is that the way you are trying to spread industrial education? Is it not more fair and in the real interest of the mofussil people, in the interest of agriculture, that something must be done? There is a surfeit of men with literary education in the country and that type of education has reached the extreme point of diminishing returns. When this is so, is it not fair that Government should find out other ways of providing a livelihood to its citizens? So, looking at this question from that broad point of view, I do say that the Government of Bombay have been giving very scanty attention to this department. This department ought to be encouraged. The Government of Madras, if I remember correctly, in 1928 or 1929 had budgetted for 17 lakhs for the Industries Department, while here we find only Rs. 1,20,000 provided. What a difference it is! In Madras they are able to allot Rs. 17,00,000, which comes to more than 12 times our provision. Therefore, I say, taking all these matters into consideration, it is not fair that this department should be neglected. It is equally important along with the department of primary education, and we find, Sir, that the tendency is to make the axe fall as heavily as possible on such departments as are useful. So, I do hope that Government will have regard for our feelings, and see to it that, as far as possible, the grants to such departments are not curtailed. With these words, I support the honourable mover Rao Bahadur Naik.

Mr. V. N. JOG (Dharwar District): Sir, it is not that this motion has been moved with the view that there should be any real curtailment

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in the Industries Department, but the object of the motion is to point out that this department is not properly treated.

Sir, if we look to the figures which have been mentioned with regard to this department, it is only the pay and the travelling allowance of the various officers of the department that we see But the question is, what are the Director or the Superintendents or other officers to do, if really they are not given material upon which they are to work? We find under "Contingencies" an amount of only Rs 3,000 provided for "Experimental works," and an amount of Rs 1,000 for "Agricultural exhibition" Really, the services of these officers are not properly utilised, and it is in this sense that I think the honourable member Sardar Modi said that if this department is to be treated in this fashion, it is better if it is done away with Therefore, the complaint on this side is that since the beginning when this department was started, it has not been properly treated Sir, the Honourable Minister who is in charge of this department, was one of the persons on this side of the House who was complaining that this department is not properly treated and no sufficient funds are provided for it I might remind this House that it was the practice, whenever any Minister or Member of Government rose to make a demand—it was rather the policy before making a demand—to make a short speech and show what programme of work was intended in that department What is the position now? We find it is simply a formal business A Minister rises, there is a demand made for so many lakhs, and he sits down It is impossible for honourable members to understand what programme of work is intended to be pursued by that department, or how it is going to be developed, we have no enlightenment now with regard to it In the Industries Department so many items have been shown, involving an expenditure of over a lakh of rupees, but we have not been told how the various industries are going to be developed, or what programmes are going to be followed No light has been thrown on the programme of this department

I remember, Sir, that in the year 1925, the then Minister who was in charge of this department stated that he was contemplating the introduction of a Bill for giving monetary aid to small industries That Bill, which was announced as far back as 1925 has not been coming forward. I think it was the Honourable Mr Jadhav who stated in 1925 on the floor of this House that he was contemplating the introduction of a Bill to give monetary help to cottage industries That was one of the programmes which he had chalked out, and he stated it when he made a demand for the Industries Department In the past, Sir, a complaint was made from this side that our industries are starving for want of proper persons at the head of the Industries Department. Honourable members on this side thought that the department was in the hands of a person whose interests rather clashed with the interests of this side of the House, and therefore the complaint was repeatedly made that the department should be in the hands of an Indian, and actually, in the year 1924, this department was practically done away

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with, because it was at that time in the hands of an I C S. officer, or a person whose interest might perhaps conflict with the interests of the country Now we find that though the abovementioned cause of the backwardness of the Industries Department has been removed, and though the department is in the hands of an Indian, he has not been given sufficient funds to work with, and we now find the same results as we found in the past. With the change in personnel, we have not improved at all The change from an I.C.S. Director to an Indian Director was meant for this, that if there is an industry which requires encouragement, being an Indian the Director of Industries might encourage it, whereas in the other case there might be certain obstacles placed in the way of encouraging that industry, because there are various interests in India which conflict with one another Therefore, it was pressed from this side of the House that the department must be in the hands of an Indian. Sir, it is not that the Honourable Minister in charge is ignorant as to what industries are being carried on in India and which of them require development We know that the Government of Bombay had appointed an officer—if I remember rightly, it was Mr. Hogarth—to go round and make a survey of industries. If they want a list of industries, they have only to look into their papers, and they will find a number of industries which require encouragement, but the only difficulty is that the Government are not serious enough to find the money for it, because, I must say with regret, the interests are somewhere conflicting. There is not the mentality to encourage Indian industries, because there would be a clash with other industries; and this department, although there is a change of personnel, is not allowed to come forward.

The other day, when I was speaking on the subject of the loans to the Improvement Trust, I was just referring to the total amount which this province was going to borrow. Just at that time, the Honourable Member in charge cut me short, because it was a subject which was not connected with the point under discussion—it was not pertinent to the question of the loans to the Improvement Trust What I was pointing out was that the amount of Rs 4,41,00,000 out of loan money has been frittered away in various activities, but the money was not given to the departments which stood in need of funds In this connection, I would like to ask, when we are going to borrow money for various other purposes, why not borrow money from the loan fund for industrial improvement, and thus furnish the Industries Department with the necessary resources ? Now, the Bill for giving State aid to small cottage industries is over-due. If there is a State Aid to Industries Bill, provision can be made in it for helping small industries financially. It is not necessary that we should find money from our general revenues for the purpose. If Government is ready to help small industries, persons who want to start them might come forward to borrow money from Government, just as the Bombay Municipal Corporation and the Bombay Improvement Trust have done, at a certain rate of interest, and the burden of the debt would not fall on the presidency's finances. If there is any

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such provision, even small industrialists might be very willing to borrow money at the rate that Government usually demands, and in that way there would be no burden of debt thrown on the province Sir, the Honourable Minister in charge, when he was on this side of the House, was crying out that the Industries Department was receiving step-motherly treatment Now that he is the Minister in charge, I hope he will find his own way to introduce this Bill for giving monetary assistance to cottage industries And that is in the interest of the Government themselves Government are now spending such a large sum of money in the working of the ordinances and to maintain order and peace in the country. But have the Government considered to what at least a part of the agitation is due? It is simply due to unemployment in the country. It is simply the economic question mostly. There might be political considerations, I admit, but the whole trouble is due mostly to economic conditions Everywhere there is unemployment—unemployment among the educated classes, unemployment among the middle classes—and this unemployment problem could be solved by the Industries Department If cottage industries are everywhere developed, if industrial schools are started, and if Government find money to develop these industrial schools and the cottage industries, I think the question of unemployment would be solved, and there would be peace in the country, and the money which we have been spending over the enforcement of ordinances and the police could be saved. The people are now unemployed, their brains are idle, and Government will understand the results of these idle brains So, it is in the interests of Government themselves that they must seriously consider this question. Otherwise, we will be simply having so many officers carrying on correspondence, giving advice, and doing practically nothing else They have not got the material I do not blame them They are all good persons, they are experts. But the complaint is that they are not given the proper material to work upon; they have no material with which to start new industries. The only industry which I find they are tackling, is weaving Formerly, there was the pottery industry I know here and there there are certain schools, but from the details I find there are only the weaving assistants But weaving has all along been an industry in India. It does not require help to that extent, because it is not a very new industry What we want are industries which will develop the material condition of the province. We want to see that so many articles which are consumed in our daily life should be produced in our country, which would give employment to our own people Instead of ordering the articles out from outside, from foreign countries, we should see that they are produced in our own country, so that the money which is going out of the country is retained in the country. Government know the problem, but they are not serious enough to consider it and help to find a solution for it

There are one or two other circumstances in this connection which I would like to touch Sir, not only are Government not helping cottage industries, but when there are other persons who are helping these cottage

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industries, I have been seeing that certain obstacles are put in their way, sometimes directly and sometimes indirectly. I think the Honourable Minister is aware of it that certain industries are being helped and developed in all the villages now Take for instance hand-spinning and hand-weaving. Everywhere people have been taking to this industry. Everywhere there is hand-spinning and hand-weaving going on And what do we find Government doing? They are putting checks upon the progress of that industry. No doubt, it might be to quell political disorder and political agitation, but the result is to give a set-back to this industry It might be done intentionally, or through inadvertence, but we find that over-zealous officers working these ordinances have been going and searching Khadi Bhandars and sometimes attaching them This is purely an economic question There may be certain persons in charge of those institutions having certain political opinions. Because those persons hold such views, is it fair that that institution which serves as a market for the sale of such products should be closed down? Khadi Bhandars are merely markets for these articles. But I do not want to quote the names of the many Khadi Bhandars and Swadeshi shops which have been locked up by the police. By closing down these Khadi Bhandars and other institutions Government have stopped the hand-spinning and hand-weaving industry To this extent the hands of the Director of Industries are restrained. I read in newspapers that a certain police officer prohibited a man wearing a khadi cap from going to a certain place Persons wearing white caps are stopped, their names taken down and several other questions asked of them What is the result? The white cap may be a sign of a political faith, but many wear it as a matter of economy and an encouragement to Swadeshi. But there is the fact that during the last two or three years an enormous number of caps—the result of hand-spinning and hand-weaving—have been produced in India In their zeal to put down this political sign, they are likely to give a set-back to the cap industry Therefore, we ought to look upon this department as one giving facility and solving the economic difficulties of the people Unless this department gets more funds, there is no prospect of any material development in India. This is the only department which, if fully developed, can solve and remedy many of the evils which India is subject to. Therefore, I appeal to the Honourable Minister in charge to see and find out large resources and bring in a Bill to give State aid to indigenous industries. Then only there will be a justification for the maintenance of this department Otherwise, as my honourable friend Sardar Modi said, I am inclined to say that it would be better to abolish this department This department should not exist simply to fill in forms to show to the world that we maintain an Agricultural Department, and an Industries Department and so on. This is not a substantial encouragement With these words I support the cut

Mr. J. S KADRI (Northern Division). Sir, I would dwell on one aspect of the problem, which has not been touched by the other speakers,

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and that is the educational side of industrial training This aspect is very important, in so far as it affects the general welfare of the public at large I find that the Department of Industries is not co-operating closely with and co-ordinating its efforts with those of the Educational Department That is the reason why tangible results are not accruing from its activities What I would suggest is that the Department of Industries should work in direct concert with the Educational Department and introduce suitable industrial training in primary schools, because primary school is the cradle where all elementary education, secular as well as industrial, should begin. In most of the western countries, as well as in Japan and other enlightened countries of the world, we find that industrial and manual training is not divorced from literary education If we want to foster industries in our country, school children should be encouraged to cherish a love and taste for industrial work I think we should lose no time in effecting a radical change in the educational system of our presidency with a view to adapt it to the industrial needs of the country Unless we infuse in our little children a passionate love for home industries from their very infancy, it would be difficult to have such industries fostered in this country It is no use taking up adults for industrial education. It is the budding youths who can, if well trained from early years at school, become skilled artisans and turn out to be ardent promoters of useful industries in the country At present too much attention is paid to the teaching of the Three R's and too little to the training of the hand and the eye in our schools To remedy this defect, I suggest that the Educational Department should combine simple industrial and technical training with secular education in our primary schools, so that in course of time, the little children may acquire skill in the use of their hands and eyes in the technique of some useful and beneficial handicrafts and may be able to utilise their education in the Three R's (reading, writing and reckoning) to better purpose Too much time and energy of pupils at school are consumed in learning the Three R's, but in many progressive countries, now-a-days, greater importance is attached to the Three H's—the training of the hand, the head and the heart This training is considered to be more useful and beneficial for children and I think that it should receive special attention in our schools Unless our whole educational system is remodelled and revolutionised, there will be very little chance for the country to rise in the scale of industrial prosperity In my opinion, therefore, it is very necessary that we must go to the root of the problem and arrange that elementary industrial instruction is imparted from the very beginning in our primary schools

If this suggestion is taken up in right earnest, there would be no need for large additional expenditure and it may be possible to turn out much useful work in industrial training in our primary schools, with means already at our disposal But I do not mean by this that no additional expenditure should be incurred in promoting industrial education Certainly, more money is needed to enlarge the scope of industrial and technical education. I think this House, if it is really in right earnest, can manage to divert or appropriate a reasonable amount from other

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departments, for example, the Public Works and the Irrigation Departments and earmark the same for industrial and technical education Unless we press Government to do that, there is very little hope for this department to expand and develop as rapidly as we desire With these words, I would urge upon this side of the House the necessity of putting up a united front for more funds for this department and advising Government to appropriate funds from other departments, from the money-spending and fat departments, for the highly important and useful Department of Industries

Mr HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu) Mr President, I support the motion that has been moved by the honourable member Rao Bahadur Naik If we look into the budget, we find that the provision for industries since 1927 had been gradually curtailed and it was only in 1931-32 that the provision was increased appreciably and the same amount is retained for the next year also The total provision of Rs 3 66 lakhs includes Rs. 2 39 lakhs for technical education leaving only Rs 1 28 lakhs for Industries proper The mere statement that *pulav* is very good for taste will not satisfy the hungry man and keeping up the department for the sake of name will not improve our Industries He must eat it and get satisfaction from it Other provinces in India are spending annually between Rs. 5 to 10 lakhs.

In Sind, there is silk industry and dyeing industry—many other industries which have a world-wide reputation In Hyderabad, very fine shawls are made, but the industry is fast dying for want of encouragement These manufactured articles are appreciated in western countries where Sindhis are doing business. In America and Japan these articles are in demand There is another industry of wood carving work and small tables, chairs and so on with ornamental work are made This industry does not even get the concession of reduced railway freight A few yards from this Hall, there is a famous Sindhi firm where articles manufactured in Sind are sold The American and other western tourists purchase them and carry them to their countries This provision is only a pinjrapole, i e an institution to feed officers only . We do not want it In Hala and Nasarpur, there is a very famous industry of clay tile works with glaze and enamel which lasts for centuries In Sind 5 lakhs of people used to depend for their livelihood upon craft work and artistic works Government is spending lakhs and lakhs of rupees over the Police Department at the cost of such nation-building departments as the Industries Department, but nothing is done to revive these dying industries.

Mr. President, I do not want to take much time of the House. In my opinion instead of accepting this meagre sum of Rs 1,27,000 for this important department, it is better to reject the whole grant I shall just quote what the Honourable Minister in charge of this Department,

[Mr. Haji Mir Mahomed Baloch]

when he was on this side of the House, said. I am reading from the Debates of 9th March 1926 I am sorry I do not know much of English, but I shall try to read the passage

"I wish, Sir, there had been a Minister who was a public man before being a Minister who was responsible to the public demands and who had a strong personality. Sir, you will pardon me if I say that when you, for instance, were on that bench and when Sir Chunilal Mehta was on that bench,—that is Ministers who had some public experience,—then, Sir, we knew you could get what you wanted Why? Because you could fight and offered to resign if your legitimate demands were not listened to and granted——"

The Honourable the PRESIDENT May I suggest to the honourable member that the honourable member next to him might read that portion?

Mr HAJI MIR MAHOMED BALOCH. I have finished reading the portion, Sir. Only one sentence

"But what is the use of our complaint when we know the personal element in the Minister was wanting?"

That is what the Honourable Moulvi Saheb said when he was on this side of the House Why does he not follow his own suggestion and resign and join us if he does not get what he wants for his department? This is a very important nation-building department and we are not going to be satisfied with a sum of Rs 1,27,000 I request honourable members to support me in what I say.

Rao Bahadur S. K BOLE Sir, the Honourable Minister asked the honourable member Rao Bahadur Naik to let him know what were the cottage industries of this Presidency I am going to point out to him some of the cottage industries of the Konkan——

The Honourable Sir RAFIUDDIN AHMAD I did not ask what were the cottage industries I asked which of the cottage industries suffered during my Ministership.

Rao Bahadur S. K BOLE. That I cannot say I will just bring to his notice some of the cottage industries——

The Honourable the PRESIDENT In that case the honourable member, I suppose, is not going to speak?

Rao Bahadur S K BOLE I am going to point out what cottage industries there are in this Presidency with the object of getting support of the Honourable Minister if he finds sufficient funds May I speak, Sir?

The Honourable the PRESIDENT Yes, if the honourable member wishes to speak

Rao Bahadur S K BOLE At Malwan there is a pen factory where nibs are manufactured They are not inferior to foreign nibs Sir, once I had been to see the late Police Commissioner Mr Edwardes and he told me that he was using the Malwan Swadeshi nibs and he found them superior even to foreign made nibs I do not know how many officers are following his example and giving their support to indigenous industries

[Rao Bahadur S K Bole]

Sir, there are men who can manufacture these and other kinds of articles, but they do not get any encouragement Had the proprietor of the pen factory been supplied with sufficient funds and had orders been given to him, then he would have started his factory on a bigger scale

When I went to Vijaydurg I saw button factories Buttons are made of cocoanut shells of various shapes, but no orders are given to them by Government or the public So they cannot cope with the competition If sufficient capital is given to them, they would start their business on a bigger scale and that would be to the benefit of this Presidency

In the Konkan there are lots of cocoanut trees Many sorts of articles can be made out of these trees from their branches and nuts. Rope can be made out of cocoanut fibre But no encouragement is given to the people living in the Konkan So also there are bamboo trees Baskets etc could be made on a large scale out of these trees if support is given Then there are cane industries, match industries There are so many industries, but for want of support and encouragement they are not thriving. Nobody cares to look at the cottage industries.

One of my friends came from Japan and he told me that in Japan there are factories, not on a large scale as in Bombay He told me there are pencil making factories and these are carried on even by women. About 50 women get together and carry on the business, and they are competing with foreign pencils In that way if Government gives encouragement to our people to carry on cottage industries, I think our industries will be carried on, on a larger scale

Mr. L. R GOKHALE (Poona City) Sir, while dealing with the question of industries, I think we should direct our attention towards the question of commercial education, in connection with industries When an article is prepared, it is very essential that that article should be pushed in the market, and for that special training is necessary Not only industrial education, but also commercial education is wanted in connection with the various industries I think, Sir, there is no doubt in the minds of many of us that there are many industries—cottage industries—which require encouragement I may mention, for instance, the toy-making industry There are a number of toys that can be made out of small pieces of tin and iron—the small fishes that come from Japan are made of tin There are also so many other articles made out of wastage If that industry is encouraged and taught in India as a cottage industry, it will give a great deal of impetus not only to young boys but also to other people I am told that something like 60 lakhs of rupees are spent on purchasing these toys from foreign countries If that be so, is any effort made by the Industries Department to encourage this industry ?

There is another industry—the manufacture of china jars In this Presidency china clay is available in many places, but for want of help and special technical knowledge this industry does not prosper Many

[Mr. L. R. Gokhale]

people have attempted to prepare china jars in India but there have been many failures The simple reason is that there is no guiding hand available

I must mention another industry—lace making industry Lace making is very popular in this Presidency It is flourishing in cities like Poona, Nasik and elsewhere If a new direction is shown to lace makers, I am sure this will be a very paying concern I am told that this lace is nowadays used in England and other countries for ladies' shoes, and a piece of lace which costs about a couple of rupees in India is sold in foreign countries at something like Rs 8 or Rs 10 English ladies, I am told, are very fond of laces which they use on their shoes. If an attempt is made by the Industries Department to introduce changes in this industry so as to bring it up to date, I am sure it will bring a good deal of money from foreign countries But I find that this department takes no interest whatsoever in this important matter

Several foreign countries have kept their agents in big towns like Bombay and Karachi Interested in the industries of their countries, they try to push on sales of their wares in this country They take real interest in the progress of their respective countries Let us compare this with what is being done by the Industries Department of our Presidency Is there any agent going round in the cities or in the country and trying to gain knowledge as to the cottage industries? You must gather information about these industries by visiting various places, villages and towns Unless that attempt is made, there is no hope for our cottage industries It is the duty of the Minister in charge and Government—of course with the help of the people—to try to find out ways and means to encourage these industries I know another industry, for instance cane-making This industry can be properly utilised Among our people there are some castes or some people who from heredity acquire special aptitude for the cane-making business, but that business is now going out of their hands That is equally for the reason, in the first place, that they are not able to collect the necessary small capital which they require for the purchase of cane; and, secondly, they are not able to find customers for the articles prepared because they are not accustomed to go out of their villages or towns and to go round the country and sell those articles which they make We hold here no industrial fairs, no exhibitions where these articles can be exhibited Has the Industries Department arranged one or two exhibitions for these cottage industries where their products could be exhibited and customers secured for them? There are a hundred and one ways in which an honest effort could be made to promote these cottage industries Therefore, my object in supporting this cut is to point out the various cottage industries and especially the methods by which these industries could be substantially helped by the Government and the experts in these various manufactures

As regards the present Industries Department, I may say one thing Once there was occasion to consult the head of the department as regards the industry of extracting oil and he was asked what information he could

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give. The gentleman who went to consult him was asked by him to give his figures and ultimately he was told that it was very difficult to have oil extracted in India in competition with foreign oil He was further asked to show how vegetable ghee could be made, but the gentleman was told that it was very difficult to compete with foreign vegetable ghee That was not what was wanted from that officer He was wanted to show the ways and means by which this vegetable product could be prepared in India so as to compete successfully with foreign manufactures Vegetable ghee is being sold in the Presidency now on a very large scale and is taking the place of ordinary ghee I am sure that if proper attention is paid to this industry by the department, that industry will be a paying concern. It is an industry capable of yielding a substantial monetary help to the manufacturers who are extracting oil in the Presidency Even in this direction I found that no special information could be available and no help could be obtained 'There are a number of ways in which the department could be materially useful to the people, but the only thing is that it is more or less a 'department which is formally there for the purpose of collecting statistics but really and actually gives very little help to actual manufacturers or those who are interested in the particular manufacture of any particular article' Unless this mentality is given up by the department, no earthly good could be achieved from the existence of this department That department ought to know that its office in Bombay is not all that is wanted. Has that department agents going round the Presidency? Has that department tried to ascertain what possibilities there are in the materials available in the Presidency?' 'They have got their office in Bombay where three or four officers sit together and make a long report. Beyond that, practical education is not given, 'practical effort is not made to encourage industries.

Also, I would suggest that there should be an effort made in co-operation with the Education Department to have industrial classes or classes with industrial bias in the primary and secondary schools. That attempt is not being made. I am sure that if the local boards in the various districts are approached, they would be very willing to co-operate with Government and the Industries Department to have industrial bias classes In fact, in the whole Presidency there are hardly more than half a dozen schools where industrial education is imparted. Why, I do not know. Why should you have very few industrial institutions? Is it not possible to attach industrial bias classes to the existing schools, primary and secondary? That experiment ought to be made The money spent on education up to now has been almost a failure in many respects. Boys who take education ultimately look to service as their goal, they are not inclined to follow the professions of their parents or of their caste and they become in both ways unfit, unfit for the profession for which they were intended and trained, and unfit for public service. In that way there is such an amount of wastage of money and material, which ought to be looked into My suggestion therefore would be that the Industries Department's duties should be to

[Mr L R. Gokhale]

t.y to approach the various institutions maintained by Government and in consultation with them, efforts ought to be made to introduce industrial bias education. After a boy finishes his fourth vernacular standard, if he is given some additional instruction in industries, that will stand him in good stead in after-life

I would suggest also one more method to promote industrial advancement of the people There should be collection of information showing the castes of people interested in particular handicrafts If that is done, material will be available for introducing or encouraging certain handicrafts in certain villages or towns. I know that the present census reports do not collect information from that point of view, but what they give is only what professions the people are following, without trying to ascertain or to give information as to what professions these persons used to follow previously If that information is collected by the department, they can successfully do it and upon the information collected thus, it will be possible to start or give impetus to various industries in various towns and villages That attempt should be made and I feel sure that we shall have prosperous industries, at least prosperous cottage industries in many parts of this Presidency. It is not known how many industries we have We have noticed in the papers that there has been a very great increase in the number of sheep in some districts of the Bombay Presidency The increase of sheep is so large in some of the districts that it was questioned what it was due to, and it was found ultimately that it was due to the demand for wool from the sheep due to the Gandhi movement because the people wanted Indian wool and therefore kept more sheep and the result was that the number of sheep has grown treble in some districts. This fact is testified to in a Government report where it is said that this increase is due to the Gandhi movement In that way, if an honest effort were made to give impetus to the industry the country will be benefited in many ways It is for this reason that I suggest that there should be a thorough overhauling of the department and that department should be put upon an actual, practical line of work. Industrial work does not mean collecting of information or maintaining of an establishment It means actual, creative work in industries, encouraging existing industries, and upon these lines alone, this department should be allowed to exist, otherwise, its purpose is not achieved by its mere existence If that department wants to be allowed to continue, then it should adopt some of the practical lines of work suggested by me and some other honourable members who have preceded me, otherwise it would be no use spending more money on that department

Rao Bahadur B R NAIK (Surat District) Sir, from the general discussion on the subject of industries it will be seen that each and every honourable member who took part in the discussion has emphasized the necessity of expanding this department and spending much more money than is at present spent on it, except perhaps one honourable member Sardar Modi I do not take the honourable member Sardar Modi very seriously as I hold the view that perhaps he does not know

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what industry is. I presume his ignorance because if he knew about industry, Sir, he ought to have referred even by a word to one of the oldest and largest industries which exist not now only but have been existing for years in the city which he is privileged to represent in this House I refer to the gold and silver thread industry and also silk industry of Surat My honourable friend Sardar Modi said that no more money should be spent on the Industries Department and asked why I voted against the Finance Bill if I wanted more money to be spent on this department But surely, Sir, my honourable friend did not want me to vote for the Finance Bill for the expansion of industry or for the expansion of primary education or for the uplift of the rural areas, but he wanted me to vote for the Finance Bill to maintain the high standard of salaries being paid in this Presidency which are much beyond the capacity of the general taxpayer; and therefore it is, Sir, that I did not vote for the Finance Bill

Coming to the general discussion, it has been said that Government have no funds; but in my opening speech on this cut I have said that when the present Government, i e, since the Montford Reforms, took over the administration, the Government had a surplus balance of a little over 4½ crores If they had a mind to do something for the most important subject of industries, they could have taken some steps in the direction of giving aid to industries by spending, out of a total budget of 14 to 15 crores, 10 to 15 lakhs or so a year on the development of industries In my opinion it was not at all difficult to do this if only they had the will to do it, but, as I said, they did not do anything of the kind for this important subject I was very much pleased at the quotations which were read out by the honourable member from Karachi, Mr Baloch The present Honourable Minister who is in charge of this department, when on the non-official side of the House, taunted the Government side that this subject of industries ought to have been handed over to a popular Minister and should not have been left to a Government Executive Councillor Now it is an irony of fate that that very department is in his own hands and we see its fate At least we have got a right to expect from you, Sir, (I mean the Honourable Minister for Education), that suitable steps should be taken on right lines to expand the activities of the Industries Department, which is a most important subject As has been rightly pointed out by my honourable friend to my right, by the expansion of industries not only the general public but even the Government itself is benefited, probably Government is benefited more than the public in general I fully endorse the views which have fallen from the mouth of the honourable member Mr. Kamat, but I am not prepared to admit that the ginning factories in rural areas have been introduced by the efforts of this department or by the efforts of the Agricultural Department of this Presidency. They have come into existence long before the coming into existence of the Agricultural Department It is the merchants importing ginning machineries who have introduced the ginning factories in the mofussil towns and in the villages So also the remarks about rice mills are not

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what I agree with *in toto*. That however is a very contentious point, namely, whether the rice mill has done good to the ordinary ryot or to the ordinary agriculturist When there were no rice mills in the country, the labourers, the agriculturists, during surplus time, used to do this kind of work and earn something for themselves and save some money So, it is a very contentious point, whether by the increase of rice mills you are improving the economic condition of the rural masses

The subject of industries is so important that in other civilised countries a separate portfolio is maintained, namely, the portfolio of Commerce and Industries as we have got in the Central Government It should not be a very subsidiary subject of the Honourable Minister of Education with a grant of about Rs 1,27,000 or Rs 2,00,000 or Rs 3,00,000 only I therefore urge upon the Honourable Minister—and I am sure he must have the interests of this department at heart—that he will try his utmost to increase the grants for this department. Not only that, but there are various ways of improving the economic condition of the rural masses, by reviving the industries that were in existence in the country My Honourable friend the Minister wanted to know what cottage industries this side of the House wanted to revive The names of so many cottage industries have been given to him by the various honourable members who have taken part in this debate, and I do not want to repeat them again There are hundreds and thousands of small industries known as cottage industries which can be revived at very little cost, if Government want to revive them It will not cost much It simply requires the organising power of the department, and of course a little help. The department has to lead those people, just to initiate them Afterwards, as soon as the initiation has taken place, all these industries will be revived and will come into existence again With these remarks, I move my cut.

The Honourable Sir RAFIUDDIN AHMAD Mr President, I am extremely obliged to the honourable members for their very useful and fruitful suggestions Sir, in my days of greater freedom and less responsibility, when I was sitting on the opposite benches, I may have no doubt uttered many irresponsible things In the particular speech which has been quoted—I was going to say, not quoted, but which was prompted and squeaked by the honourable member opposite—I am given to understand that I had said that the duty of a Minister is to get money, and if the Minister has any personality he does get money for his department Well, Sir, I hold to those words I do not know if I have any personality at all, but I do claim that of all the departments under Government, the Industries Department is the only department which has not undergone a cut

Mr. B. S KAMAT Thanks to the Retrenchment Committee

Mr. V N JOG I say that it has undergone retrenchment, I will show how From the remarks relating to the expenditure under this head, given on page 71 of the Blue Book, it will be seen that they have

[Mr. V. N. Jog]

taken industrial and technical education from the head of "Education" and brought it under the head of "Industries"; if you omit that, it will be seen that it has undergone a cut It is stated in the note:

"Excluding the provision on this account, the net provision on account of Industries is less than that of the current year"

They have taken technical and industrial education from the head of "Education" and put it under this head So the figure is Rs 3,00,000 If that is omitted, there is really a cut in the Industries Department

The Honourable Sir RAFIUDDIN AHMAD I am very much obliged to the honourable member for the correction, but that is no correction What I mean to say is this take primary education and compare its cut with that of industries

Rao Bahadur S. N ANGADI That is again your own department.

The Honourable Sir RAFIUDDIN AHMAD Take any other department you like Here the provision of Rs. 1,27,000 is an increase over current year's provision So, there is an increase and not a decrease. And I can tell honourable members that it required a good deal of fighting even to maintain this department.

Mr B S KAMAT You must thank the Retrenchment Committee also for it

The Honourable Sir RAFIUDDIN AHMAD I am extremely thankful to the Retrenchment Committee for many mercies, personal and public. But I want to say that some of the members of the Retrenchment Committee—I would not name them—were not in favour of even maintaining the department for the reasons put forward by the honourable member Sardar Modi There is that view—a very sound view—that if this department is not working satisfactorily, why keep it at all? But then I did my duty and said, if this department is not working to the satisfaction of the aspirations of the public, it is not its fault; for that reason you ought not to stifle an infant. I think that I deserve some credit for the retention of the department and I shall do my best to improve it.

Now, with regard to my honourable friend from Dharwar, who stated in his speech that on account of these ordinances people are frightened and get nervous, and even leave off their occupations Sir, when I was on the opposite benches, I used to be a very great supporter of my honourable friend the member from Dharwar All of a sudden I was sorry to see that for three years he had disappeared, and one day he came to me, very nervous himself I told him that his occupation was that of a politician and he ought to have continued in the House He said he had many difficulties I am very glad to say that he has abandoned that attitude of non-co-operation, and has again come here

Mr V. N JOG On a point of correction, I was never absent for three years. I was absent for one session, as I had resigned.

The Honourable Sir RAFIUDDIN AHMAD I mean his disappearance by resignation. Whatever it was, for me it was very bad, because we

[Sir Rafiuddin Ahmad]

used to receive such useful suggestions from him. I am very glad he has come back, and come back very independent, and he is giving very useful suggestions.

Now, with regard to the criticisms of my honourable friend Mr Gokhale, he says there ought to be some publication as to how these arts and crafts are doing, and where they are being neglected Now, this department is responding to his demand We had sent an officer on tour—Mr. Fernandes He travelled about, and he has written a report about the arts and crafts of the Presidency, which was lying unpublished and which I took the responsibility of publishing, it will soon be placed in the hands of honourable members

Now, take another industry My honourable friend Mr Gokhale is a distinguished fellow-citizen of mine He knows there is the paper industry in Poona, the Junnar *wahi khata* paper industry, which was dying out. I went to Junnar I sent the Director of Industries there. He took down all their complaints, and he is doing everything he can to support that industry

Now with regard to the Industrial Engineer, you had the testimony of the honourable member from Surat (Dr Dixit) that very useful work was being done by that Industrial Engineer in Surat, and I think my honourable friend the mover of the cut will also support the remarks made by the honourable member Dr Dixit

Then, Sir, I said that I wanted a list of industries which were alleged to be neglected by this department now Instead of that list, a catalogue is repeated here of the industries which have disappeared since the presence of the British Government That is a very long time ago now, and I cannot go over all those industries I think honourable members will have some mercy upon me—that I should be responsible all of a sudden for all these industries It is their duty to encourage this tiny little infant of the Industries Department To maintain it is a herculean task Even Hercules himself would not be able to do it Therefore, I think these demands are not practical demands Practical demands were made by my honourable friend opposite, Mr Kamat I always listen to him with very great respect, and the suggestions which he has made would duly receive my attention He has burnt midnight oil on tomes which very few people have seen

Then, Sir, the honourable member from Kanara, Mr Gangoli, told me about the sandal wood industry in Mysore and about the prosperity of that state under a Mahomedan Minister The states have got their own programmes But the local conditions are different. Besides, timber and sandal wood are not my department Those remarks should be addressed to the Honourable Minister of Agriculture and Forests In a way, all departments belong to "Industries" But I am not responsible for all of them "All the work that could be done by this particular department within two or three years has been done I am willing to accept any suggestions for improvement But I cannot undertake to improve the whole system of industrial development. Even political economy is brought into this debate. Also khaddar, and swadeshi depots,

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and what not. All these matters are foreign to the present debates. I may, however, add that I will do my best to improve this department. The honourable member from Dharwar (Mr Jog) asks me to introduce a bill to give loans to small industrialists I think those remarks should be directed to my honourable friend the Minister for Finance. If the House will grant me more money later on, when times improve, of course many of the things suggested will be carried out.

Mr C G. FREKE Sir, I just wanted to correct a misstatement of fact. The honourable member Mr. Jog has stated that there has been retrenchment in this department, and has quoted a certain paragraph of the Blue Book The Honourable Minister's statement is absolutely correct If the whole of the paragraph is read, it will be found that the decrease in the revised estimates as compared with the budget estimate is due mainly to retrenchment including the 10 per cent cut in pay in the current year. If the actual figures of accounts are taken, it will be seen to be 1,24 in 1930-31, 1,26 revised estimate of the current year after the cut, and excluding the only transferred head of "technical education" the budget estimate for next year is 1,27 The only retrenchment which has been made in this department is the general 10 per cent. cut in pay, which has been made in all departments I wanted to correct this, as a mere statement of fact

Mr V. N JOG. Excluding the provision on account of technical education, the net provision for next year for Industries is less than that of the current year.

Mr C. G FREKE. Naturally, that is because of the 10 per cent. cut in pay

The Honourable the PRESIDENT The reasons are different The reasons are those which the honourable member Mr Freke has just given

Rao Bahadur B. R NAIK. After listening to the speech of the Honourable Minister, I beg leave of the House to withdraw my motion.

Motion, by leave, withdrawn

Original demand put, and agreed to.

The Honourable Dewan Bahadur S T KAMBLI Sir, I make a demand of Rs. 23,96,000 under 34, Agriculture.

Question proposed

Mr V. N JOG (Dharwar District): Sir, I beg to move:

"Omit item 23—Statement E—Entertainment of an additional Special Auditor and clerks in the Co operative Department—Rs. 8,301 (B page 214)."

In moving this cut, I submit that there is no necessity of appointing one more special auditor with a staff At present, there are three special auditors. It is found on page 266 of the White Book These three special auditors will be sufficient to cope with the work of these institutions or banks which have a capital of Rs. 50,000 or more. Banks have got their own auditors as internal check and inspection I think it is not necessary

[Mr. V. N Jog]

to incur this additional expenditure during the present financial stringency. The reason given is :

"The work done by the special auditors and their staff is a sort of agency work on behalf of the institutions concerned and so long as they pay for their audit, Government must arrange that the statutory audit is efficiently conducted"

Besides these, the banks and the societies are paying the local auditors they appoint There is a local audit as well as audit by the three special auditors, who do so once a year The work is not much. Therefore, I think there should not be an increase in the audit staff. Then, the argument may be advanced that the societies are charged for the audit and so there will be a surplus for Government That is not the idea. If Government have a surplus, my suggestion is that they should give additional grants to the Co-operative Institute and other similar bodies who, in addition to the propaganda they are doing, have been carrying on a certain kind of supervision The central banks which lend money to the various affiliated societies have got their own inspectors So, I submit that there is internal check as well as Government check If Government have any surplus money, it can be utilised usefully The Co-operative Institute which is doing very useful work has addressed many memorials to the Honourable Minister for more grants Their grants have been reduced from Rs 34,000 to Rs. 25,000 In this budget, it is still reduced and brought down and only Rs 18,000 has been provided Even strong protests have been made by the Institute in its letter to the Honourable Minister during the last month. They state that all the activities of the institute will have to be stopped. Therefore, if there is any surplus left, instead of spending on an additional auditor and staff, they can give to the Co-operative Institute But, that is not the direct point here and I shall refer to it later on. It may be argued by Government that we cannot earmark any money like that Whatever it may be, I submit that the additional special auditor should not be entertained

Question proposed

Mr L R GOKHALE May I have some information from the Honourable Minister? I want to know whether the societies will be charged for this service rendered and the money that is now spent will be recovered from them

The Honourable Dewan Bahadur S T KAMBLI : Audit fee is levied from the societies and the auditors are paid out of the proceeds of such fees. There is no burden on Government at all. This is sufficiently explained in the printed note in the Blue Book.

Mr L R GOKHALE : There is no special charge for auditing. It is the usual charge If this money is not spent ; it is a saving to Government.

Mr G. S GANGOLI (Kanara District) : Sir, there are other cuts also proposed under co-operation and there is one by me also. So far as the honourable member Mr. Jog's cut is concerned, I think it is reasonable in this sense which I am going to point out. There is no need of additional auditor at least this year For the last two years we know. I think the

[Mr G S Gangoli]

Honourable Minister also knows, there are very few fresh advance's to the societies There is nothing more to be audited At least for the last one year the working of more than 70 per cent of the banks is at a standstill The money advanced to agriculturists is not forthcoming There is nothing particular to audit The Honourable Minister himself was saying that there was no particular audit——

The Honourable Dewan Bahadur S. T KAMBLI: When and where was such a statement made ?

Mr G. S GANGOLI: I said "he may agree"

I know there is want of auditors I know that one special auditor is auditing banks in 10 districts For two years this special audit is done once This is unnecessary at present, because there is no bank working as before I have tabled a question on this subject and I can show from the answer that 90 per cent. of the banks are at a standstill, because moneys advanced to the agriculturists and others are not forthcoming So, there is no particular need for audit, There is no work also Since there are other cuts, with this suggestion alone, I support the honourable member Mr Jog's motion

The Honourable Sir GHULAM HUSSAIN Sir, I am very sorry that the honourable members opposite should move a cut in regard to a nation-building department. For so many days I have been hearing the complaint that Government have cut down the nation-building departments I am amused to-day to find that a cut is proposed by the other side in one of the nation-building departments. Agriculture is one of the greatest nation-building departments. I think that cuts like this moved in the nation-building departments are very discouraging to the Honourable Ministers They have been blamed for not asserting themselves and when they do assert themselves, this sort of treatment is meted out to them

Coming to the merits of the cut, the argument is that there are 3 special auditors already, and therefore there is no necessity for any more. Honourable members have not realised that the societies or urban banks have risen from 150 to 250 There were three auditors when there were 150, and for 100 more the Honourable Minister has brought a very modest demand for one more special auditor. It is not for the smaller societies, but it is for the banks that he wants an extra auditor. An argument was advanced that these were days of depression, the creditors did not return the money, and therefore there would not be much work

Mr G S GANGOLI: May I know one point of information? If you start fresh banks, for one or two years they do not require audit

The Honourable Sir GHULAM HUSSAIN When money is not being returned, in my humble opinion, there is greater necessity for audit, so that there may not be any embezzlement or leakage This money which the Honourable Minister is spending on the 4th auditor is charged to the society, and it is not coming out of the provincial revenues for honourable members to be anxious about it I think every honourable member

[Sir Ghulam Hussain]

will agree with the Honourable Minister that there ought to be a special audit, because once people come to know that their money is not safe in these banks, nobody will come forward to invest their money in them. In the interests of the country, all these co-operative banks ought to be a success. And for them to be a success, there ought to be a special auditor in addition, as the number of banks have increased from 150 to 250. And the Honourable Minister has made a very modest demand for one more special auditor only

(*After recess*)

Rao Bahadur G K. CHITALE (Ahmednagar District) Mr President, the Honourable the Leader of the House rightly insisted on the policy that as far as possible no cuts should be moved in the nation-building departments I accept his view But, after all, the means to that end, namely, the appointment of a special auditor—does it really go to build up that nation or that department of the nation? Well, that is the only position that I wish to put forward I am wedded to this department from its very start, and I would not like that department to be starved into a position which would make it inefficient But, at the same time, may I ask the Honourable Minister in charge of this department and the Honourable the Leader of the House to remember the fact that in this Co-operative Department we had two old stalwarts in Sir Vithaldas Thackersey—poor soul is now dead, but we have a building in his memory which is going to be knocked off to the first bidder—and Sir Lalubhai Samaldas? It appears to us quite clear that the splendid institution, namely, the Bombay Co-operative Institute, which has been reared, reared at very great inconvenience by these stalwarts, is being almost famished, famished to such an extent that all its activities are likely to come to a standstill As a member of that Co-operative Institute which has been doing very good work for so many years in the past and which has in fact built up the department of co-operation—these paid servants never rear any department, they sometimes cut at the root of it—as a member of the Institute I should think that if there was a tie between strangling an institution which builds up the nation and the appointment of a special officer, this House will vote and vote solidly in favour of that nation-building department by rearing up such a useful institution and giving all help possible I should think it pertinent to enquire whether the managers of that institute have not gone on bended knees almost to the Honourable Minister in charge and requested him not to cut down the present grant of Rs 25,000, which was the grant last year, to Rs 18,000. This reduction in its grant in fact curtails all its activities as it has been compelled to abolish all its propaganda officers The Honourable the Leader of the House, therefore, if he is logical and consistent, ought to uphold my view, if, as I said, there was a tie between the two views

My honourable friend said that the number of societies has gone up from 150 to 250 and that the work is too much for the present staff He further said that there will be no charge on the revenues because there

[Rao Bahadur G K Chitale]

will be additional fee I should think that that part of the argument is fallacious I know that all banks are charged a certain fee If there are 250 banks with a capital of over Rs. 50,000, they are charged an audit fee at a varying rate which goes to the general revenues It is not earmarked for this or that purpose, because we have no such method of accounting Now, if that fee is being collected from all those banks which come under its sway and the staff is paid out of that amount, I think the argument is fallacious, because, as I have said, we do not have special compartments of finance. The method that has been followed up to now will no doubt continue My point is this, increase in the number of societies from 150 to 250 is not confined to last year The number has been increasing and they are growing as the result of so many years' efforts of those people who are in that particular field of action. I therefore do not think that the number has suddenly grown necessitating the appointment of a special auditor with the necessary staff. If that number was there, if the fee was being levied, then where is the necessity of having a new auditor's appointment sanctioned in a lean year? The Honourable the Leader of the House, as is usual with him, is always fair and perhaps he thought it proper to intervene at an earlier stage of the debate simply with a view to disarm opposition In this particular instance, I would appeal to him to do his best to save an institution which, if once wiped out, it will take years to revive This cut in its grant will be the unkindest cut of all and it is the duty of Government to come to its help rather than make an appointment of this nature

Again, may I point out that there is a good deal of substance in what the honourable mover of the cut said, namely, that it is true that on account of the depressed condition of the last two years, the work of the special auditors even in banks has decreased considerably. I might inform him that this is first-hand knowledge No doubt that does not mean that the work is made smoother I do not mean to say that, but the transactions that take place, the debit and credit entries are so few that the special auditors who used to take about a week to audit a bank's accounts about four years ago, can surely finish that work in a shorter period Thus their time is saved Suppose for instance that the existing 3 auditors were auditing 250 banks—80 banks each If another auditor is appointed, each man's share will be 60 banks The question that must be considered by the Honourable Minister in charge and by the Honourable the Leader of the House is whether it is or is not possible that on account of the lessening of the work by about 20 per cent. the same work could be done by the existing staff I do think that like every other department, we have a tendency of first staffing That is our first duty in nation-building, like the Director of Industries, engineers, chemists, and several other appointments They are drawing their pay. Nation-building activities come later on Let us get as much milk as possible out of the nation first Therefore, it seems to me that though he is an ardent devotee of nation-building, it ought to be his first care to see the whole problem from that point of view. I also do feel almost

[Rao Bahadur G K. Chitale]

ashamed when I make that kind of appeal to deaf ears, when you are prepared to kill an institution which has been doing good work for a paltry sum of Rs 7,000 or Rs 8,000 which you cannot spare and then you come in with a proposal to spend it on the salary of a new person, a thing which this House should never allow, and even if it is possible to do so, I would pray and I would urge that looking at it from that point of view the Honourable Minister in charge should go deeply into that question of the existence of the Co-operative Institute itself If he were to assure me that I am wrong in my facts as is usual for Government members to say, I would certainly tell him that he is wrong in his facts and that I am right in mine " I am right because I have got first-hand knowledge and he is in the wrong because he is in the wrong box That is all Personally I am against inefficiency Does not the Honourable Minister know that owing to the depression inefficiency is bound to be there ? Does not the Honourable Minister know that Government itself as inefficient, not only in this department but in several departments ? The very necessity to retrench 1½ crores is a candid confession that it is going to lower the efficiency If that is so, I say no case is made out for entertainment of a new service by addition to the cadre, and I should think the several points of view which I have urged will appeal to the Honourable Minister in charge I do not take it as a censure motion Let not the Honourable Minister nor the House take it as a censure motion because it is not one, and even if it is taken to a division, let him not take it as a censure motion and frighten us, poor fellows, on this side who are as innocent as children, who are always frightened to think that our popular Ministers take such motions in the light of a censure motion and lobbying is done and so on That is not the point of view from which I have spoken on this item The point of view is, as I said, that what I feel most is that if you insist upon a cut of about Rs 7,000 in an institute which is doing very good and useful work, and which cut is likely to lead to its non-existence, then I should think that the alternative between this and the other is to help that institution first and naturally the Honourable Minister will find that he has no funds , and, if he has these funds, I refuse to believe that they cannot be paid for that institution As I said, it is not so, because if he comes in that particular form and therefore it cannot be used for that particular purpose, that is only a lame excuse and has no substance For all these reasons, I should think that the Honourable Minister will be well advised in withdrawing this motion and in helping the institution I would say that I would very gladly leave that particular case to the arbitration of the Honourable the Leader of the House himself. I will say that if he finds the existence of that institution necessary, it is likely to end in that, then I accept his verdict and will allow this motion to pass, but let him look into it from that point of view , and I hope, Sir, that this House will not be frightened by a censure motion being carried. It is not a censure motion and it ought not to be taken in that light. I would appeal to all my friends with all the earnestness at my command and say " Let us get out of this particular

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habit of frightening ourselves, and do insist upon a principle, as I have said, that there is a case between a new officer being appointed and a case of killing an institution which is doing good work Then I hope that the vote of the House will be with me in such tremendous proportion that we will be able to impose our will on the Honourable Minister I hope, Sir, that I will succeed at least in this effort of mine, if I do not succeed in the arbitration proposal which I have made to the Honourable the Leader of the House.

Mr. V. N JOG (Dharwar District): Sir, I am thankful to the honourable member for Ahmednagar who has explained the whole situation with regard to the Bombay Provincial Co-operative Institute

With regard to the objection that was raised by the Honourable the Leader of the House that we should not move any cuts on the nation-building departments, that objection has been very well met by the honourable member for Ahmednagar . Really this cut will not in any way go against the building of the nation We would be very averse to move such cuts, but the real activities which would go to build the nation are neglected and we have seen what neglect is there when we were discussing the last motion on Industries.

Then the Honourable the Leader of the House and also the Honourable Minister perhaps think that it is not a charge on the revenue because this is coming out of the fees which are recovered from the societies, but I think that it is an error because the fee of the audit of the respective societies has been already fixed by rule 29 of the Co-operative Societies' Rules.. It has nothing to do with the appointment of a number of special auditors The fee is there and it is being recovered according to the capital of the various banks Do Government mean to say that simply because this auditor is not appointed they are going to recover less from societies ? It is not at all so. The fee is recovered there and it is in the the general revenues, and simply because a special auditor is increased, they are not going to increase the fees which are already there.

With regard to the number of societies put by the Honourable the Leader of the House, who said that the number has increased from 150 to 250, I do not find anything of the sort in the annual report for 1930-31. There the number of societies including all the societies have been given on page 8 of the report and they do not even come to 250, but this fee which I am talking about in connection with the appointment of special auditors has nothing to do with the agricultural societies These special auditors have to do simply with the district central banks and the urban banks whose working capital is Rs 50,000 or more. I find that there are only 20 district central banks and in the last year there were only 76 urban banks They have now been raised to 82, the increase is only 6. As against that, it has been pointed out that many of the urban banks have not got any new loan transactions because they have not got funds and the only thing the auditor has to do is to check the past accounts, there being no new loan transactions, and he has to see

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whether this lending has been made in consonance with the rules or contrary to the rules, or if there is any other mistake committed So, I submit that at least at this present stage when there is not much work this money will be saved

There are various cuts which bear upon primary societies I am not mixing them with the present motion I am only speaking as regards the post of special auditor I mean to say that any saving that could be effected by the abolition of the proposal to create a new appointment could very well be utilised in supporting the Co-operative Institute I trust the Honourable Minister will be pleased to accept this cut

The Honourable Dewan Bahadur S. T KAMBLI Sir, the honourable mover of the cut and the honourable member from Ahmednagar hav in this debate mixed up two questions One question which is und debate, is the question of the entertainment of additional staff The other question which they have mixed up is the question about the grant to the Provincial Institute From their speeches it is quite evident that they have shown great zeal and affection for the Provincial Institute. I may assure them that if any money is saved in the Co-operative Department, certainly the case of the Provincial Institute will be reconsidered, but for the present I request them to confine their attention to the merits of the particular question under debate.

Coming to the question under debate, I may inform the honourable House that the very safety, the very progress of the co-operative movement, depends in a great measure and to a great extent upon the efficiency of the audit carried on by the auditors of the Co-operative Department It is the efficient audit that is the cause of inspiring confidence amongst the public It is this efficient audit and the checking of the accounts that has been the cause of attracting huge capital and large deposits that are to be found in the various co-operative institutions in this Presidency. Hence it is absolutely necessary that the audit of the societies should be as efficient as possible Therefore, it has been laid down by the Co-operative Societies Act that these societies shall be statutorily audited once every year The sole object of this provision in the Act is to assure the public that the accounts of these societies are accurately audited, and that they are correct and that, if any errors or irregularities or frauds are discovered, they will be brought to the notice of the public and the managers of these societies so that such errors or irregularities may be corrected and such embezzlements or frauds detected and rectified This is the main business of auditing and therefore it is quite necessary that we should see that the audit of these societies is as efficient as possible under the circumstances

Having said so much, I would request the honourable House to take note of certain relevant figures These special auditors are appointed for the sole purpose of auditing certain classes of societies and banks Their business is to audit the central banks inclusive of the Provincial Co-operative Bank, their branches, the urban banks with a capital of

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over Rs. 50,000 as working capital and their branches and housing societies as well

I would quote the number of these institutions as it stood in the year 1927 for comparison The total number of these institutions was 153 There were 21 Central Banks, inclusive of the Provincial Bank, there were 30 branches of the same ; there were 55 urban banks with a working capital of Rs 50,000 and over, and there were no branches of the urban banks then ; and the housing societies were 47 In all, the total number was 153, and for auditing these societies there were 3 special auditors and they were found to be quite sufficient for the purpose Now, coming to the year 1931, if you take the figures as they stood on the 31st March 1931, you will find the number of these institutions has increased to the huge figure of 250. Central Banks, inclusive of the Provincial Bank, were then 20 and the number of branches was 64, urban banks with over Rs. 50,000 working capital were 82, and number of branches was 5 ; and housing societies were 79 These are the institutions which these 3 special auditors are required to efficiently audit Now, I put it to the honourable House whether it is possible for them to cope with the work It is very easy to say that since they have been doing the work for some time past, let them continue to do it for some years more. This sort of argument is not based upon reason and has nothing to recommend it for adoption We are to see that these societies are audited efficiently and to the satisfaction of the public Now, I would invite the attention of the House to the working capital as it stood in 1927—the total working capital of these institutions The whole working capital then amounted to Rs. 6,16,18,626 In the year ending 31st March 1931, the total working capital had increased to Rs 8,77,37,449 The number of institutions has increased by nearly a hundred and the working capital has increased by nearly Rs 2,50,00,000 Is it possible for these 3 special auditors to carry out efficiently the audit of these societies with this increased working capital ?

Mr. G. S GANGOLI May I know what is the difference between last year and this year ?

The Honourable Dewan Bahadur S T KAMBLI Now, Sir, it was urged that the audit fees should go to the general revenues Of course, all the moneys go to the general revenues, but then the object of levying audit fees was to give them a guarantee that they would be efficiently audited That must be the principle underlying the levying of audit fees These audit fees are levied at a certain rate, calculated on the working capital of the societies The audit fees now amount to Rs 53,540, whereas in the year 1926-27 they were only Rs 35,379. If the House dispassionately considers this question on its merits, it will be clearly seen that the work has increased beyond the capacity of the 3 special auditors. The number of societies has grown, the working capital has increased, and in order that the audit may be efficient and to

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the satisfaction of the societies and of the public, it is quite evident that the number of these auditors must be increased, and I have made a very modest demand for the entertainment of one special auditor, etc.

The honourable member from Dharwar and the honourable member from Ahmednagar very eloquently pleaded the cause of the Provincial Institute, and they said that if the 4th special auditor were not entertained, there would be some balance of fees, and that balance may be handed over to the Provincial Institute. As I have already observed, they have shown an admirable zeal and affection for the Provincial Institute, but I would request them not to be blind to the necessity of having an effective and efficient audit of these societies These societies from whom these audit fees are recovered should be audited efficiently and not perfunctorily. It is efficient audit that inspires confidence among the public and attracts capital. If we take away this security, the security afforded by an efficient audit by the auditors of the Co-operative Department, then certainly we shall have to see very bad days.

Then, with regard to the other part of the question, viz., the entertainment of certain clerks for the collection and accounting of the audit fees which are levied from the primary societies, I may inform the House, Sir, that we have been levying audit fees from the primary societies from April last. It is but necessary, in order to cope with the additional work of collecting and accounting, that each of the Assistant Registrars should be provided with an additional clerk, and also the Registrar's office should be provided with an additional clerk . It is for this purpose, Sir, that the entertainment of additional staff is required, and I once again appeal to the honourable member from Dharwar and also to the honourable member from Ahmednagar to consider this question independently, apart from their affection and zeal for the Provincial Institute, and not be blind to the necessity of seeing that audit in order to be efficiently performed should be done by entertaining this additional staff

Mr. V N. JOG: Sir, I ask for leave of the House to withdraw my motion

Motion, by leave, withdrawn

Dr M. K DIXIT (Surat District) Sir, I beg to move—

"Reduce by Rs 1,000—Total Voted demand under B Veterinary charges—Rs 3,94,000"

In moving this cut, my object is to get some information from the Honourable Minister Our Veterinary Department is not very advanced One can almost say it is in a primitive stage All the same, there have been various complaints from district local boards and municipalities regarding this department for cutting down their grants. But I shall leave that matter for honourable members who are concerned with district local boards and municipalities, and I shall not touch that matter.

[Dr M. K DIXIT]

What I am concerned with is regarding certain items which appear on page 261 of the Civil Estimates—purchase of sera and vaccine Next year amounts of Rs 22,000 for the Presidency proper and about Rs 8,000 for Sind have been demanded for the purchase of sera and vaccine I know they are very useful things in themselves and probably well utilised, but I want to know whether this amount of Rs 30,000 provided for the purchase of sera and vaccine is utilised in a proper way. I do not know where these sera and vaccines are purchased from, whether they are locally manufactured or purchased from foreign countries Sir, vaccines can be prepared very easily even in Bombay, because, after all, it does not entail any complicated processes Ordinary culture media are inoculated with the disease germ, allowed to grow for some time, and then sterilised with a view to kill any living bacteria or any living bacilli, and can be directly utilised after that process is gone through That work can be done by any ordinary competent, efficient bacteriologist in Bombay. We have got an institution here which can very easily manufacture this sort of vaccine Sera, I know, also can be prepared, but the process is a bit complicated.

Rao Bahadur R S ASAVALE That will require additional establishment

Dr M K DIXIT They have got the Bacteriological Laboratory, where it can be done The manufacture of sera requires a bit of complicated processes, but even then there are certain institutions in our country where sera can be manufactured. The process is complicated, because it requires animals for producing immunity in their blood. The horse is usually taken for this purpose These animals are inoculated with disease germ and when they acquire a certain amount of immunity, they are bled and sera prepared out of the blood of these immune animals For the preparation of sera also, there are two very good factories in Bengal, the Bengal Immunity Company and the Bengal Chemical Company. They prepare very good sera for the purpose of controlling diseases, both for prophylaxis and cure They prepare sera for human patients. I do not see why, if they are given orders to manufacture these sera, they should not be able to produce them for animals also, and if they are patronised and given this order of Rs 30,000 we can get perhaps the same quantity of sera and vaccine for half the cost, and will be able to save Rs. 15,000 and we would be encouraging Indian industry to that extent I should like to be informed on this point, and I hope the Honourable Minister will give details of the agency through which they purchase their vaccine and sera, and also whether they are prepared in this country, or brought from outside India

There is just another point to which I wish to refer. On page 262 of the Civil Estimates there is something about examination fees. I think the examination fees are recovered from the students who appear for the examination, that is, the students of the Veterinary College. These students do not have to appear for the examination anywhere else outside the college; it is not a University examination. Therefore, I wonder

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why the professors who are teaching those boys and who are examining them should be allowed any fees for it Then there is another point There are two types of fees provided One comes under the non-voted head and the other under the voted head I wonder what this "fees under non-voted head" means Next year Rs 647 are budgetted under non-voted head and Rs 727 under voted head. Why should these fees be put into these two different heads ? Do I understand that non-voted fees would go to the examiners whose pay is non-voted and voted fees go to examiners whose pay is included in the voted budget ? If that is so, I should like to know something more about it. I can understand certain salaries or pays of officers being non-voted. But fees which are collected from students of the college are divided into the categories of voted and non-voted Secondly, when compared with the Budget Estimate of 1931-32, I find that non-voted fees have declined from Rs 1,039 to Rs. 647 and voted fees have gone up from Rs. 373 to Rs 727 I should like to be informed on that point also As I submitted before, the object of moving this cut is more to elicit information and if as I understand these vaccines and sera are bought from foreign countries, I want to impress upon the Honourable Minister that both of them can be made available here and at much cheaper cost and that there will be a saving in this department With that object I move this cut

Question proposed.

Mr B S KAMAT: Sir, I believe my honourable friend Dr Dixit is labouring under a misapprehension All the sera and vaccine for animal diseases are manufactured in this country, at a place called Muktesar and not outside India. It is a place at the foot of the Himalayan Hills It is a suitable place for this sort of thing, because of the climate of that place The total production of sera and vaccine is very large In 1926-27 6 million doses were manufactured and distributed to all the provinces of India I think that fact will disillusion him about the remarks he made that no vaccine and sera for animal diseases should be imported into India

Rao Bahadur B. R NAIK: I have a cut motion in my name. Instead of moving it, I shall say what I have to say

The Honourable the PRESIDENT There is a little difference The cut under discussion is against the voted demand, and the other is against the combined voted and non-voted demand.

Rao Bahadur B R NAIK (Surat District): Sir, you will remember the other day I enquired of the Honourable Minister in charge of this department whether it was not a fact that orders had been issued to the various district local boards that grants for veterinary dispensaries would be stopped in the ensuing year We were told that it might be. The Honourable Minister did not know whether such orders had been issued from his office I do not blame the Honourable Minister in charge of the department Perhaps he might have left this sort of business to the secretaries. In regard to several other matters also, I know,

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the Honourable Ministers now-a-days do not know what occurs in their offices When this grant was reduced 3½ times, the Honourable Minister in charge of the department did not know about the reduction in grants and that orders had been issued from his office Therefore, for his information I shall refer to page 263 of the Budget The amount allotted for veterinary dispensaries in 1931-32 was Rs 33,100 for the whole presidency and Rs 15,355 for Sind Now, it has been reduced to Rs.9,524 for the presidency proper and to Rs 10,279 for Sind In the former the reduction is 3½ times that of last year and 1½ times in the latter

I may just refer to the history of the veterinary dispensaries This was a provincial head and was managed by the Agricultural Department, and administered from the provincial funds A few years ago, it was thought fit by Government to transfer this department to the district local boards It was then understood that all the veterinary surgeons would be fully paid from the provincial revenues and for other recurring and non-recurring charges grants-in-aid would be made to the district local boards Under these conditions, these institutions were handed over to the district local boards of the presidency As a matter of fact this ought not to have been transferred to the district local boards, because it is to my mind a provincial matter It ought to have been reserved as a provincial subject, but it was transferred to the district local boards on the express condition that grants-in-aid should be paid to the district local boards, so that they might not be saddled with additional expenditure on account of the transfer of these institutions With a stroke of the pen, now, it is not 50 per cent or 25 per cent that has been reduced, but totally stopped I wish to bring to the notice of the Honourable Minister that now not a rupee is to be given as grant All grants which were made till now are to be stopped from the ensuing year I cannot say whether some of the district local boards would get it. But from the amounts put down in the Budget—of rupees nine thousand odd—I can infer that an invidious discrimination has been made This is an important point I want to have an explanation from the Honourable Minister in charge why certain district local boards will receive grants next year and others not. It will be seen that several local boards are not going to get a rupee of grant, while others get as they used to That is a point on which I want information

Now, the Honourable Minister sitting on the front bench is there on our behalf to look after the welfare of the agricultural masses I want to know from him whether cattle is not a part of the wealth of the agriculturists In all civilised countries, there are veterinary dispensaries side by side with dispensaries for human beings Do not epidemic diseases spread among the cattle just as among human beings? They do. If the grants to these dispensaries are stopped, what will be the fate of the cattle of the agriculturists? Does the Honourable Minister in charge think that the district local boards are in a position to maintain these dispensaries without any Government grants? Have the district local boards had any windfalls in revenue? The result of this action will be that these dispensaries will have to be closed by the district local

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boards. I think therefore that Government have not taken a wise step in stopping this grant, which they used to give

In the year 1930, the then Honourable Minister, Dewan Bahadur Harilal Desai, gave us to understand that, as there were not a sufficient number of veterinary dispensaries in the presidency, the number of dispensaries should be increased He was about to increase the number of veterinary dispensaries Now, even the small grants which the district local boards used to get have been stopped.

I take the instance of Surat For cattle, we have 6 dispensaries in 6 talukas The other two talukas are without dispensaries The district local board was prepared to give its own quota and passed a resolution and requested the Government to sanction their quota and allow the district local board to open the dispensaries In reply to a question by me with regard to that, the then Honourable Minister, Dewan Bahadur Harilal Desai, assured me that the two talukas which were without dispensaries would soon be provided with them Instead of that, what will happen now is that the district local board will have to close down the six dispensaries they are running, because the grant which they used to get is to be stopped

I ask whether it is fair in a country like India where there are small holdings, that an Honourable Minister who is an elected representative of the people and who happens to be on the other side for the time being, should stop this grant which is highly essential for the welfare of the plough and milch cattle which are essential for cultivation We do not use machinery for our cultivation purposes and we cannot neglect our cattle. If the agriculturists are not able to maintain their cattle in health, they will suffer considerably Even looking from the Government point of view, the safety of the cattle is highly essential to them in order that they may get their revenue My one point is——

The Honourable Sir GHULAM HUSSAIN Who pays for the veterinary sub-assistant surgeons ?

Rao Bahadur B R. NAIK The Honourable the Leader of the House says that Government are paying for the sub-assistant surgeons

The Honourable Sir GHULAM HUSSAIN. I ask the honourable member who pays for them ?

Rao Bahadur B R NAIK That point I have already made out. The whole burden was borne by Government, including recurring and non-recurring charges and the pay of the sub-assistant surgeons The condition under which these dispensaries were transferred was that Government would pay the salaries of the sub-assistant surgeons. They are paying them. Even if the district local board closes down any veterinary dispensary, Government will have to pay the sub-assistant surgeons all the same till their terms expire In any case they shall have to pay the sub-assistant surgeons That is the condition on which this transfer has been made I therefore maintain that, if Govern-

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ment are paying for the sub-assistant surgeons, it has no connection with the district local board. On the other hand, the district local boards have spent some money and have helped Government I hope that the Honourable Minister for Agriculture will try to convince and satisfy this House why an invidious distinction has been made in regard to certain local boards

The Honourable Sir GHULAM HUSSAIN Sir, the last speaker said that the Veterinary Department was formerly a provincial subject administered by Government I quite agree with him The local authorities are always clamouring to have more departments transferred to them Now this department has also been transferred to them If the honourable member refers to the Local Boards Act, he will find that maintenance of hospitals, veterinary or otherwise, is a primary duty of the local authorities. When that Act was passed by this Honourable House, if I rightly remember, the honourable member was a member of this Council He, with his eyes open, undertook that obligation on the local boards Now, Sir, honourable members should take into consideration the fact that they have entire control over these veterinary hospitals——

Rao Bahadur B. R. NAIK On a point of information, Sir. We have no entire control, for instance, we cannot transfer Assistant Surgeons.

The Honourable Sir GHULAM HUSSAIN I am talking about the hospitals Now, Government pay the whole salary of the veterinary assistants who are in charge of these hospitals Government have been contributing to the capital cost of constructing these hospitals And, in addition, Government have been contributing towards the maintenance of these hospitals, though it is an obligatory duty of the district local boards I think Government have been doing what they can. I am not justifying the reduction at all But I am removing the impression from the minds of honourable members that it is the district local boards that pay for everything It is Government that pay for everything, and yet these veterinary hospitals are known as being maintained by the district local boards This year being a special year, a reduction has been made in the various departments Similarly, a *pro-rata* cut has been made in this Department also I hope, as soon as the financial position of this Government improves, the Honourable the Finance Member will be able to restore the former grant

Dr M K DIXIT (Surat District) Sir, I am glad to know from the honourable member Mr Kamat (who is not now in his seat) that sera and vaccines are manufactured in our own country I wanted to know why, if it is possible to manufacture sera and vaccines in our own country, we should buy them from outside. If the Honourable Minister agrees with what the honourable member just now said, I have nothing else to add.

The Honourable Dewan Bahadur S T KAMBLI Sir, the honourable member Mr. Kamat has lightened my burden. He has already explained

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that sera and vaccines are manufactured in India at Muktesar. With regard to the examination fees, I may inform the honourable member that it is true that the fees are divided into Voted and Non-voted fees. These fees are paid to officers whose pay is voted and also to officers whose pay is non-voted According to the rules that are followed, all allowances and fees that are paid to officers whose pay is non-voted become non-voted

Dr M K. DIXIT Why should these fees be divided into two groups —voted and non-voted ?

The Honourable Dewan Bahadur S T. KAMBLI Because they are divided between two classes of examiners The pay of some of these officers is non-voted, the pay of some is voted. The fee follows the corpus.

Dr. M K. DIXIT. Is there a rule to that effect ?

The Honourable Dewan Bahadur S T KAMBLI If the honourable member will please examine the entries in the Budget, he will see that travelling allowance, overseas pay and all the allowances etc, paid to officers whose pay is non-voted are shown as non-voted.

Dr M D GILDER Is there a rule to that effect, and if so, will the Honourable Minister kindly tell us where the rule is ?

The Honourable Dewan Bahadur S T KAMBLI That the rule must be so will be seen from the various entries in the Budget

Dr M D GILDER That does not clear the point

The Honourable the PRESIDENT The honourable member the Finance Deputy Secretary may be in a position to clear the point

The Honourable Dewan Bahadur S T KAMBLI Sir, I think he will be able to do it after my speech. The honourable member asked why there was a decline in the non-voted amount of fees and a rise in the voted amount of fees Sir, the number of officers whose pay is voted and who receive this kind of fee will be greater next year than that of officers of the other class. Hence the decline and rise respectively.

My honourable friend opposite (Rao Bahadur Naik) raised the question as to the cutting down of grants to district local boards The Honourable the Leader of the House has already explained at great length that it is the primary and obligatory duty of the district local boards to maintain veterinary hospitals under the Local Boards Act That Act was passed nearly 8 or 9 years ago The relevant provision in the Act clearly states that it is the duty of district local boards and of no other persons to maintain these hospitals This being so he cannot complain of any cut in grants However, this cut is not peculiar to this department alone. The honourable House is aware that educational grants have also undergone a similar cut This cut is made on account of extreme financial stringency.

Then my honourable friend asked me why there was an invidious distinction in the treatment meted out to various local bodies. There

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is no intention on the part of Government to make any invidious distinction between one board and another. It is true that certain local boards are to be given grants and certain others are not to be given grants. That distinction is made not by way of any rivalry or invidious distinction, but the Superintendent has been authorised to examine and select such of the local bodies in the Presidency as cannot, without receiving this help, maintain their veterinary dispensaries He has been asked to help such local bodies which would, but for this help, be compelled to close down their dispensaries That is the reason underlying this distinction which my honourable friend is pleased to call invidious There is no room for invidiousness . It is a reasonable rule and I am quite sure every sensible person will admit the reasonableness of the rule When I have explained this rule and the guiding principle underlying the same, I am sure that my honourable friend opposite will agree with me that it is a sound rule.

Mr. L. R GOKHALE: Are the fees to be treated as allowances ?

The Honourable the PRESIDENT That information will be given by the honourable member the Finance Deputy Secretary in due course.

Mr C G FREKE Under section 72D of the Government of India Act, all salaries, allowances and gratuities drawn by non-voted officers are non-voted.

The Honourable the PRESIDENT *Does the examination fee come* under this ?

Mr C G. FREKE It is included.

Rao Bahadur R. R. KALE May I put a question, Sir ? In the first place, allowances were not non-voted So far as my memory goes, they were made non-voted by subsequent rules But the question is whether fees paid to examiners are really allowances That is the question.

Mr C G FREKE That is decided in accordance with the relevant sections of the Government of India Act Anything which has been classified as non-voted is included in the Budget as non-voted The Budget follows precisely the accounts And what has been ruled by the Auditor-General to be non-voted in the accounts, on the same basis the Budget estimates are prepared.

The Honourable the PRESIDENT : It has been pointed out that they are controlled and guided by the Auditor-General

Dr M K DIXIT Examination fees do not come under the heading "Salary" nor under the heading "Allowances" nor under the heading "Gratuity"

The Honourable the PRESIDENT The honourable member the Finance Deputy Secretary said that they are guided by what the Auditor-General rules as non-voted and voted However, that is purely a question for the honourable member the Finance Deputy Secretary to answer He said just now that the Finance Department is guided by the ruling of the Auditor-General The Auditor-General looks into the question

[The President]

What he passes on as non-voted is put down in the Budget as non-voted. It would be difficult for me to interpret this point one way or the other. But it may be accepted that it has been ruled by the Auditor-General that these fees should be shown as non-voted and therefore they have been included as such

Dr M K DIXIT It is rather an important constitutional question and I would not like to withdraw the motion that I have put down

The Honourable Sir GHULAM HUSSAIN It is not within the power of this Government to decide whether a particular item is votable or non-votable It is the Auditor-General who decides that. The Honourable Minister cannot be blamed for that.

Dr M. K DIXIT: Was this question of fees ever referred to the Auditor-General ?

The Honourable Sir GHULAM HUSSAIN. If it is the wish of the honourable House, we shall refer it to him

Mr. C. G FREKE. I will make enquiries with reference to particular items. As I have already said, the Finance Department has no power in this matter Budget estimates are prepared on the basis of the rulings of the Auditor-General The Auditor-General has the statutory power to determine in what section a particular item should be included and his instructions have been followed by the Finance Department If this particular entry has been put down as non-voted by mistake, that mistake, even though it is passed by this House, will be brought to notice by the Auditor-General

Rao Bahadur R. R. KALE What this side of the House wants to know is whether this particular item of fees has been pointedly brought to the notice of the Auditor-General and whether he has classified it as non-voted.

Mr. C. G FREKE It has not been pointedly brought to his notice.

The Honourable the PRESIDENT: The honourable member the Finance Deputy Secretary has made it clear that if the item has been included as non-voted by mistake, and even if this House passes it, it will be corrected in the accounts In the meanwhile, neither this House, nor the Finance Department nor the Government Benches can decide the question If it is put down as non-voted, it has to be taken as such

Dr M. K DIXIT The amount is very small, but it involves an important constitutional question But in view of the assurance of the Honourable the Leader of the House that it will be referred to the Auditor-General, I beg leave of the House to withdraw my motion

Motion, by leave, withdrawn.

Mr. G S GANGOLI (Kanara District). Sir, I desire to move motion No. 45 for omitting the total grant of Rs. 5,44,000—Co-operative Credit—Blue Book, page 69——

The Honourable Mr G A. THOMAS I rise to a point of order, Sir.

The Honourable the PRESIDENT That motion No 45 purports to omit the whole of the demand for the Co-operative Credit Societies Department What does the honourable member Mr Gangoli really want ?

Mr. G S GANGOLI I wish to omit the whole demand.

The Honourable the PRESIDENT That makes a difference. The whole demand made under the main head cannot be omitted That is certainly out of order, but under the rules laid down an item under that whole demand or a sub-head of that demand could be omitted I will not, however, allow the honourable member by this method to raise a general discussion upon the hundred and one points bearing upon the question of the administration of the Co-operative Department Does the honourable member honestly feel that the Co-operative Department should be entirely dispensed with ?

Mr G. S GANGOLI I do not mean to say that

The Honourable Mr G A THOMAS The honourable member says. Sir, that the total grant of Rs 5,44,000 should be omitted. He refers to page 69 of the Blue Book, but on page 266, of the White Book you will find that the total grant of Rs 5,44,000 contains a non-voted item of Rs 23,000. Therefore, the motion must be out of order because it includes the item of Rs 23,000 which is non-votable

The Honourable the PRESIDENT The effect of it would be that it would only operate in respect of votable demand

The Honourable Mr G A THOMAS The honourable member wants to omit the non-votable item also

The Honourable the PRESIDENT I can allow him to change that from Rs 5,44,000 to Rs 5,21,000 Of course, it cannot affect the non-voted item What is the aim of the honourable member Mr Gangoli ? What is it that he wishes to raise, a general discussion ?

Mr G S. GANGOLI Yes, Sir, a general discussion. Even supposing I do not move this cut, there should be some discussion allowed on it.

The Honourable the PRESIDENT There will be a general discussion on that motion on No 52 The honourable member can join that discussion He does not move it, I suppose ?

Mr G. S GANGOLI. I do not move it, Sir

Mr. V N. JOG (Dharwar District) Sir, I beg to move—

Reduce by Rs 7,000—Co-operative Credit—Pay of Deputy and Assistant Registrars—Rs. 44,012 (Civil Estimates, page 266).

My reasons are as I give them here

I believe that we can very well reduce the post of one Assistant Registrar No doubt two posts have been held in abeyance and therefore the figure of 8 has been changed into 6, but I still think that there is a

[Mr V. N. Jog]

scope for the reduction of one more post. That can be done by enlarging the charges of the Assistant Registrars——

The Honourable the PRESIDENT How does the honourable member come to Rs. 7,000 ?

Mr. V. N JOG It is for the pay which is given as Rs 250 rising to a higher figure The reduction of one post on an average comes to Rs 7,000 or something more, etc My motion is to reduce one post of assistant registrar The way in which I wish to effect this is that the Honourable Minister will be pleased to see from the report for the year 1930-31 ending 31st March 1931 that the number of societies which have been entrusted to the charge of various assistant registrars are varying The largest number of societies are in the Karnatak and three districts of the Karnatak have been given to one assistant registrar and one is given to another assistant registrar combined with Satara, Belgaum, Ratnagiri and Kolaba The number comes to 724 I wish to enlarge the various charges, and all the four districts of the Karnatak could be given in the charge of one assistant registrar There is one for Sind, one for Gujarat and as Maharashtra contains more districts, it may be given two assistant registrars So, it is quite possible to reduce the post of one assistant registrar and to make a saving which would come to Rs 7,000 If this cut is accepted or is passed, I do not wish to move the next cut under No 47 It is the pay of the Deputy Assistant Registrar and if they think that the Sind Division, where the number of societies is rising, is in need of an assistant or deputy registrar, that can be retained, because the volume of work to be done there is increasing and is bound to increase.

The reasons which I am giving for the reduction of this post are that the duties of the assistant registrar are to go and supervise the various societies and see how they are working, but now-a-days we have got so many institutions which do nothing else but go and supervise. As regards the non-official agency, we have got the supervising unions in the first place The societies which have been affiliated to the unions have got their own agency of supervision. Then the central financing institute has got its own agency to go and supervise the various societies to which they have lent money In every district there is a central bank to which all these primary societies apply for the resources they want and they have in their own interest to see that their money, which has been lent to the various societies, is safe and so they have appointed their inspectors who go and examine the various societies Then there are the propaganda officers of the Co-operative Institute and its branches. They too go and examine these accounts As these various bodies are there, I suggest there is no necessity to have a sixth man as assistant registrar. It was feared as we saw during the discussion on the last cut, that special auditors are necessary for certain special class of institutions in which the public invest their funds and because their position should be safe, audit should be restored That was in one way right, but with regard to primary societies, there are a number of societies

[Mr V. N Jog]

now which are rather not progressing and on account of the agricultural depression and the fall in selling prices, the charges can very well be increased Therefore I submit, Sir, that one post of the assistant registrar can very well be done away with and Rs 7,000 saved to the Presidency

Question proposed.

Mr G. S GANGOLI I think the post of Deputy Registrar has been retrenched

The Honourable Dewan Bahadur S T KAMBLI The Deputy Registrar is quite a different person from the personal assistant to the Registrar He is an independent officer having executive charge in Sind Sir, the honourable mover of the cut tried to support his motion on the ground that the work of Assistant Registrars is considerably reduced as there are so many supervising inspectors and officers appointed by the banks and also by the unions I would remind him, Sir, that these unions themselves add to the work of the Assistant Registrars in their respective divisions These are also required to be under the supervision of the Assistant Registrars The Assistant Registrar has to devote his attention to seeing whether the unions are working satisfactorily or whether they are not working satisfactorily That is an additional burden thrown upon the Assistant Registrar in addition to his ordinary duties So also the Assistant Registrar is expected to control and supervise the work of the office inspectors and officers referred to by the mover of the cut My honourable friend further said that the assistant registrars have practically no work to do in these days of depression There he is entirely in the wrong On the other hand, owing to the very depression, the various assistant registrars are required to work more vigilantly and are required to be more and more in constant touch with each of the societies under their charge They have to go and see that the unauthorised arrears are not growing in amount and that the societies do not unnecessarily plead the cause of depression for failure to pay their dues to the District and Central Banks Every assistant registrar is therefore expected to go and inspect not only the societies which are within easy reach of his headquarters but each and every society wherever it may be If my honourable friend thinks that depression causes reduction of the work to be done by the assistant registrars, he is entirely in the wrong I think this explanation will be quite sufficient for the purpose of this cut and I request the honourable mover of the cut to withdraw his motion

Mr V N. JOG I beg leave of the House to withdraw my motion, Sir.

Motion, by leave, withdrawn.

Mr V N JOG (Dharwar District) Sir, I beg to move—

Reduce by Rs 10,000 the provision made under "Co-operative Credit—Pay of Establishment—Auditors," of Rs 83,942 (C E page 266)

[Mr. V N Jog]

The reasons are the same as those I urged for the abolition of one assistant registrar Out of 43 auditors only one has been reduced The excuse given by the Honourable Minister in the case of assistant registrars is not applicable to the auditors This item can very well be reduced by Rs 10,000

The Honourable the PRESIDENT How many are to be reduced ?

Mr V N JOG About five Even the Retrenchment Committee have suggested this reduction In the Blue Book an explanation has been given that they have effected the cut which the Retrenchment Committee recommended But it is not quite clear to me that they have accepted that cut I may just refer to the suggestions which the Retrenchment Committee have made They are at page 60 of their Report, paragraph 37—

"We recommend that the scale of societies to auditors be increased as proposed by Government from 180 to 200 per pair of one senior and one junior auditor This will result in a reduction of six auditors"

They have actually given the figure as "six auditors" Sir, you will see from the White Book that in the current year the auditors are 43, and in the budget estimate they have provided for 42 auditors So, only one auditor has been reduced The explanation given in the statement of Government action as regards the recommendations of the Retrenchment Committee is found at page 28, item No (iii)—

"The scale of societies to auditors should be increased from 180 to 200 per pair of one senior and one junior auditor, which will result in a reduction of 6 auditors"

The explanation against this is—

"This is being done Seven posts of auditors will be abolished and the work will be done by six sub-auditors."

Rao Bahadur S N ANGADI Where is the grievance ?

Mr. V N JOG The grievance is that it has not been done I have not been able to follow the remark "This is being done." It has to be explained Are they only contemplating to do it hereafter ? "Seven posts of auditors will be abolished and the work will be done by six sub-auditors" I wish to know whether the word "auditors" in the Budget Estimate covers sub-auditors also ?

The Honourable Dewan Bahadur S T KAMBLI Yes, sub-auditors are not shown anywhere else

Mr V N JOG The same remark appears in the Blue Book

"*Co operative Credit*—The decrease of 34 in the ensuing year's estimate as compared with the current year's revised estimate is mainly due to the 10 per cent cut in pay, the holding in abeyance of two posts of Assistant Registrars, replacement of seven posts of Auditors by six posts of Sub auditors"

So, the real reduction is only by one In the case of six only the grade is changed Instead of having six auditors they have six sub-auditors. What the Retrenchment Committee really recommended was that the size of the charge should be increased from 180 to 200 societies. That does not appear to have been done If that is done, then why not accept

[Mr V. N. Jog]

this cut and reduce the number of auditors by five, which will approximately give Rs 10,000 ?

Question proposed

Mr G S GANGOLI (Kanara District) Sir, I rise to support the honourable member Mr Jog in what he says, namely, that there has not been a proper reduction as required by the existing facts and as recommended by the Retrenchment Committee Yesterday, the House sanctioned the addition of one more auditor I had no opportunity of replying to the discussion then They maintained that there was an increase in the number of banks and so a special auditor was really wanted Nobody denies that there should be proper audit But what is the state of affairs ? Have new societies or banks come into existence ? No The societies that are already there become banks. If a society increases its working capital from Rs. 48,000 to Rs 50,000 it becomes a bank As soon as a society increases its capital to Rs. 50,000 it comes under the purview of a special auditor In order to cope with the increase in the number of such banks, they appoint a special auditor But what has happened is like this A number of boys are promoted from the matriculation class to the college class , they appoint a professor for them in the college, and yet keep the teacher in the high school. The old societies are changed into banks, and a special auditor is appointed and the sanction of the House is taken to that Then, why should the same number of sub-auditors as before be maintained ?

The Honourable Dewan Bahadur S T KAMBLI Can the honourable member give an instance of an ordinary society converting itself into a bank ?

Mr. G. S GANGOLI That is the rule As soon as a society increases its working capital to Rs 50,000 it becomes a bank. Does the Honourable Minister contend that all these banks were new ventures ? Who created them ? The societies that were already there were converted Government themselves say that their policy is not a policy of expansion, but consolidation That is what they say in their statement regarding the recommendations of the Retrenchment Committee Item (iv), page 28 The recommendation is—

" The Co-operative Department should follow the policy of consolidation rather than that of expansion "

Government's remark against this is " This recommendation is being put into effect " So, there is no expansion at all. Matriculation students are taken into the college class, a professor is appointed, but the high school teacher also is retained There is no expansion at all. Are new societies coming forward ? Let me know from where they do come With these words I support the cut

Rao Bahadur R. R. KALE (Bombay University). Sir, I have no intention to intervene in this debate, but I would like the Honourable Minister to look into the matter and give a satisfactory explanation.

[Rao Bahadur R R. Kale]

What is the state of affairs? Look at page 60, paragraph 37 of the Report of the Retrenchment Committee What they have proposed is—

"We recommend that the scale of societies to auditors be increased as proposed by Government from 180 to 200 per pair of one senior and one junior auditors This will result in a reduction of six auditors"

In the statement supplied to us, under the head "Action taken by Government" it is distinctly stated "This is being done Seven posts of auditors will be abolished and the work will be done by six sub-auditors," so as to effect a saving of Rs 13,000 If that is done—it is stated that it is being done—if the Honourable Minister says that that is actually being done, then the question will be settled; there will be no occasion for further discussion of the cut I therefore want the Honourable Minister to give a straight reply to this question.

The Honourable Dewan Bahadur S T KAMBLI Sir, the statement given by the Government regarding the recommendation of the Retrenchment Committee is quite correct We are abolishing the posts of seven senior auditors and replacing them by six sub-auditors. What is stated there is quite correct I cannot say exactly whether they have already been discharged, but notices have been given to them and they will be discharged before the first of April at any rate

Rao Bahadur R R KALE Are Government budgeting for a cut of Rs. 13,000 on account of this change?

The Honourable Dewan Bahadur S T KAMBLI Certainly, Sir, in the next year commencing from April 1st, 1932, you will see a reduction of expenditure on account of abolition of posts of seven auditors

The Honourable the PRESIDENT But the budget for 1932 is before the House

The Honourable Dewan Bahadur S T KAMBLI In the budget there is no distinction made between auditors and those sub-auditors who are to be appointed in place of auditors whose posts are abolished, they are all shown as "auditors" Moreover this is what the Retrenchment Committee say —

"We recommend that the scale of societies to auditors be increased as proposed by Government from 180 to 200 per pair of one senior and one junior auditor This will result in a reduction of six auditors"

In order to give effect to this recommendation, we have ordered that seven auditors should be discharged and they are being discharged Six of these retrenched auditors are being replaced by what they call junior auditors, but what we call sub-auditors

Rao Bahadur R R KALE What is the result?

The Honourable Dewan Bahadur S T KAMBLI. So much money is saved owing to the fact that the pay of sub-auditors is less than that of auditors

Rao Bahadur R R. KALE Do you accept the cut?

The Honourable Dewan Bahadur S T. KAMBLI Does the honourable member mean to say that in addition to the decrease in

[Dewan Bahadur S. T Kambli]

expenditure already made we should accept any more cut? No, it cannot be accepted The cut desired has already been effected The budget provides for a reduced number of senior auditors. I do not know exactly how many auditors as distinguished from sub-auditors there are in the current year, but their number (i e, the number of auditors) will be less by seven from the 1st of April Therefore, the expenditure figures show a reduction.

Rao Bahadur R. R KALE: How? They have shown the number of posts as 42; it is 43 during the current year.

The Honourable Dewan Bahadur S T KAMBLI As I have stated, 42 is the total number of auditors and such sub-auditors who replace the discharged auditors There is no distinction made for budget purposes between auditors and such sub-auditors who are to replace the auditors who are retrenched They are all shown as auditors in the budget. The recommendation of the Retrenchment Committee makes a distinction between senior auditors and junior auditors They want to replace six senior auditors by six junior auditors We have gone a little further and have done away with seven auditors and replaced them by six sub-auditors, we have thus effected a large saving

Mr V N JOG The reduction in the number of personnel is only from 43 to 42

The Honourable Dewan Bahadur S T KAMBLI In the budget there is no distinction made between auditors and those sub-auditors who are to replace the seven senior auditors who are to be retrenched

Mr V N JOG The budget estimate for 1931-32 did not include the ten per cent cut This year's budget estimate includes that cut

The Honourable Sir GOVINDRAO PRADHAN Sir, may I explain? The total number of auditors and sub-auditors was 43 in all. Seven auditors have been retrenched and six sub-auditors substituted Therefore, the budget shows that the number has been brought down from 43 to 42 Then, Rs 1,04,000 was the total provision for the current year Even if you take 10 per cent out of that, it will leave Rs 90,000 or perhaps more than that You actually find a figure of Rs. 83,942 in the budget estimate for 1932-33 As a matter of fact, therefore, the reduction is from ten to eleven lakhs.

Mr V N. JOG And the difference in the pay of auditors and sub-auditors makes up the difference

The Honourable the PRESIDENT The total reduction is Rs 21,000, a ten per cent cut will give a reduction of only Rs 10,000

Mr V N JOG The recommendation of the Retrenchment Committee was that the charge should be enlarged and six auditors should be removed By a sort of camouflage, Sir, Government have reduced six auditors and substituted six sub-auditors in their place.

The Honourable the PRESIDENT: The expenditure has been reduced from Rs. 1,04,000 to Rs 83,000 The honourable member thought that

[The President]

that was because of the ten per cent. cut As has been pointed out by the Honourable the Finance Member, there has been a further reduction of Rs. 11,000 The substitution of sub-auditors in place of auditors was probably done in the best interests of the department. I do not know whether the honourable member has anything more to say.

The Honourable Dewan Bahadur S T. KAMBLI : That is the exact position, Sir

Mr V. N JOG The retrenchment committee wanted an enlargement of the charge and also a reduction of six auditors They did not put any monetary value as to the reduction It may have been more than what the Government wishes to reduce, namely, only Rs. 13,000. They simply say that six auditors should be removed. But Government have brought down the number only from 43 to 42, and Government have met them by taking advantage of the suggestion without reference to the size of the charges or personnel

The Honourable Dewan Bahadur S T KAMBLI They have made a distinction between auditors and sub-auditors Please read it again carefully and you will understand the difference.

Mr. L. R GOKHALE : Rs. 90,000 has been reduced to Rs 83,000.

The Honourable the PRESIDENT It is Rs. 1,04,000.

Mr. L R GOKHALE : Does the difference include the reduction both in number and in pay ? Let that be stated clearly

The Honourable the PRESIDENT. The Honourable the Finance Member has pointed out that there is a reduction of Rs 11,000 apart from the cut in pay.

The Honourable Dewan Bahadur S T KAMBLI This is as clear as it could be

Mr. L. R GOKHALE: In spite of the recommendation about the retrenchment being accepted, have Government reduced the number of auditors ?

The Honourable Sir GHULAM HUSSAIN. Sir, there is a misunderstanding on this question. The Honourable Minister has explained to the honourable members that Government have reduced one auditor and replaced six auditors by six sub-auditors. Therefore, the number has been reduced from 43 to 42. The difference in the salary of the two auditors and sub-auditors, will give a saving of about Rs. 11,000 to Rs 13,000

Mr L. R GOKHALE Will the Honourable Minister give us the figures and show how Rs 83,000 has been arrived at ? I do not find it.

The Honourable Dewan Bahadur S. T. KAMBLI. The pay is given there and the number is given there.

Mr. L. R. GOKHALE : This side of the House cannot understand this.

Rao Bahadur R. R KALE May I ask one question ? Has the charge of an auditor been increased as a matter of fact ? Have any orders been

[Rao Bahadur R R Kale]

passed as recommended by the retrenchment committee, namely, that the charge should be increased from 180 to 200 societies to each auditor ?

The Honourable Sir GOVINDRAO PRADHAN The charge is to be under one senior auditor and one junior auditor

The Honourable Dewan Bahadur S T KAMBLI It is for that very purpose that the number of senior auditors has been reduced

The Honourable the PRESIDENT I do not wish this point to be pursued further The contention of the opposite benches is, had Government strictly followed the suggestion of the retrenchment committee, they would have made a greater saving than they have been able to effect Have Government followed the recommendations of the committee ? If that is so, then the matter is set at rest

The Honourable Dewan Bahadur S T. KAMBLI We have followed the recommendations of the retrenchment committee faithfully Their recommendation is that one senior auditor and one junior auditor constituting a pair should be given charge of 200 societies instead of 180. (It may be noted here that the retrenchment committee have called our auditors as "senior auditors" and they have called our sub-auditors as junior auditors) This can only be done by reducing the number of senior auditors Therefore, we have reduced the number of senior auditors. We have reduced the number of senior auditors and increased the size of the charge under each I will illustrate it concretely Let us suppose that there were X senior auditors and "N" societies, in order to increase the number of societies under each senior auditor, we have to reduce the number of senior auditors, accordingly we have reduced X by seven; and therefore the existing societies will be distributed among X-seven senior auditors The societies which were audited by X senior auditors will be audited now by X-7 such auditors So naturally the charge of each is enlarged

Mr L R. GOKHALE. But this shows that the number is increased.

The Honourable Dewan Bahadur S. T. KAMBLI The number of senior auditors is not increased but actually decreased by seven.

Mr L R GOKHALE. It appears that the actual reduction is not as much as six hands I am talking of both auditors and sub-auditors. We want to know whether six hands have been reduced or the number of hands has been kept up to meet the increased demand for auditors. If the number has been kept let us know it. The retrenchment committee recommends that six hands should be reduced The number has been reduced only by one We also do not know how a cut of Rs. 13,000 has been effected

The Honourable the PRESIDENT Does the Honourable Minister wish to say anything ?

The Honourable Dewan Bahadur S T. KAMBLI Sir, I only appeal to them to bear in mind the distinction between auditors and sub-auditors. The number 42 includes senior auditors and the six sub-auditors who are

[Dewan Bahadur S T Kambli]

substituted for the seven auditors whose posts are retrenched. That will explain everything If they do not care to make that distinction, it will be very difficult to satisfy them.

The Honourable the PRESIDENT. The matter need not be pushed further

Question put, and negatived.

The Honourable the PRESIDENT There is one matter which I wish to bring to the notice of the honourable House before we disperse Honourable members know that there is the Governor's party to-morrow. As usual, we will assemble early and rise early The question is at what time we should assemble and at what time we should rise ? The House may take 3½ hours or 4 hours If the House wants 4 hours, we can assemble at 9-30 and disperse at 1-30. [*Honourable Members* 10-30 to 1-30]

The Honourable Sir GHULAM HUSSAIN We can meet from 10 to 2

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL I suggest, if it is going to be 4 hours, 11 to 3 will be suitable

Khan Bahadur M A KHUHRO 9-30 to 1

The Honourable the PRESIDENT 10 to 2

The Honourable Mr G A THOMAS Sir, honourable members must have some time for their meals 10 is too early for breakfast and 2 too late for breakfast and too early for lunch

The Honourable the PRESIDENT The House will then meet to-morrow at 10 a m and adjourn at 1

There is one other matter I have a letter sent to me somedays back by Sir Kikabhai Premchand, the Sheriff He is inviting the All-India Franchise Committee and members of this Council on the 10th March, and he wishes to know whether it would be possible for this House to adjourn early on that day

The Honourable Sir GHULAM HUSSAIN What is the time ?

The Honourable the PRESIDENT 5 p m

The Honourable Mr G A THOMAS There is one difficulty about meeting early on that date. The Members of Government have to meet the Franchise Committee

The Honourable the PRESIDENT. We will consider this question later on

The Honourable Sir GHULAM HUSSAIN Sir, Mr Turner has to make arrangements for the Franchise Committee to-morrow. Let us meet at 11 a m instead of 10 and disperse at 2

The Honourable Mr. G A. THOMAS : Sir, why should not one of the members on the other side pair with him and absent himself ? Why should we change the time ?

The Honourable the PRESIDENT Eleven to two. That will be three hours. If the House is agreeable, I have no objection

[The President]

There is one more matter I was approached by the Local Franchise Committee and the All-India Franchise Committee even before the Council assembled, with a request that, if possible, rooms should be spared for them in the Council building to hold their meetings. I gave one portion of the Library to the Local Committee That was all right so far as they were concerned The Local Committee also wanted the Party Rooms I thought that during the session, honourable members would be meeting there and therefore I could not give them to them Now, the All-India Franchise Committee is coming They want accommodation The Local Committee will not be sitting I gave them two rooms on the top floor, the Library and the reading room. The Chairman will require in addition the third room for himself. I gave my consent after consulting some of the party leaders The Marquis will hold his own office there The Library will remain there, and honourable members, if they want to take out any book or paper, can do so They cannot be occupying the third room for a week at least

Rao Saheb P D KULKARNI Where are we to read ? Sir, reading rooms are vacated and there is no sitting arrangement in the verandah, also no provision of light I wish some arrangement could be made

The Honourable the PRESIDENT I shall look into that I think we should accommodate the All-India Committee The party rooms are available for honourable members

The House is now adjourned to 11 a.m , to-morrow, Wednesday, the 2nd March 1932.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Wednesday, the 2nd March 1932

The Council re-assembled at the Council Hall on Wednesday, the 2nd March 1932, at 11 a m, the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt, Bar-at-Law, presiding

Present

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr A. B
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S N
ASAVALE, Rao Bahadur R S
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A K J
BECKETT, Mr R H
BELL, Mr R D
BHUTTO, Sir SHAH NAWAZ
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S K
BOWERS, Mr P L
BRANDER, Mr J P
CHIKODI, Mr. P. R
CHITALE, Rao Bahadur G K
CLAYTON, Mr H B
COLLACO, Dr J A
DA GAMA, Dr. ACCACIO
DAVIS, Mr G
DESAI, Rao Saheb B G
DESAI, Mr H R
DHALUMAL LILARAM, Mr
DIXIT, Dr M K
D'SOUZA, Dr J ALBAN
FREKE, Mr C G
GANGOLI, Mr G S
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr M D
GOKHALE, Mr L R
GOVER RORA, Mr
HARRISON, Sir CHARLTON
HUDSON, the Honourable Mr W. F
HUMPHREY, Mr JOHN
JAM JAN MAHOMED KHAN, Khan Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr V N

KADRI, Mr J. S.
KALBHOR, Mr G. M
KALE, Rao Bahadur R R.
KAMAT, Mr B S
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M M.
KHUHRO, Khan Bahadur M A
KULKARNI, Rao Saheb P D
LANE, Mr C. M
MACKIE, Mr. A W W
MACLACHLAN, Mr D
MATCHESWALLA, Mr G. E
MCELHINNY, Mr. G. W.
MEHERBAKSH, Mr S.
MODAK, Rev R. S.
MODI, Sardar Davar T. K
MORE, Mr J G.
NAIK, Rao Bahadur B R
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Mr N E
OWEN, Mr A. C.
PARULEKAR, Rao Bahadur L V.
PATEL, Khan Bahadur A E
PATEL, Mr C N
PATIL, Rao Bahadur D R.
PATIL, Mr N N
PATIL, Mr V N
PATIL, Rao Saheb V. S.
PERRY, Mr E W
PETIT, Mr J. B
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G V
PRATER, Mr. S H
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr HOOSENALLY M
RESALDAR, Mr A K
ROOSE, Mr F. O J.
SHAIKH ABDUL AZIZ, Mr
SHAIKH ABDUL MAJID, Mr
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr MADHAVSANG JORBHAI
SOLANKI, Dr P. G.
SURVE, Mr. A. N
SURVE, Mr V A
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI

THOMAS, the Honourable Mr G A
TOLANI, Mr S S
TURNER, Mr C W A
VAKIL, Mr PESTANSHAH N
VAKIL, the Honourable Sirdar SIR RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R V

DISCUSSION ON DEMANDS FOR GRANTS—*resumed*

Rao Bahadur L V PARULEKAR (Ratnagiri District) Sir, I beg to move .

Reduce by Rs 100—Total Voted demand—Rs 23,95,000 (C E page 251)

I intend to move this cut simply for the purpose of getting some information and explanation and also if possible of securing some assurance in connection with the working of this department, especially in view of the fact that in his reply to the general debate on the budget the Honourable Minister in charge of this Department stated that as there was not much criticism in connection with the working of his department, there was very little for him to reply to This statement should not go unchallenged or by default and with that object I wish to make a few observations I wish to deal with the treatment that has been given to the Konkan Division of the Agricultural Department this year

On page 70 of the Blue Book, paragraph 170, it is stated,

"The decrease of 1,86 in the ensuing year's estimate as compared with the current year's revised estimate is due to further measures of retrenchment, e.g, abolition or holding in abeyance of the posts of District Horticultural Officer, Agricultural Engineer in the Presidency and Deputy Director of Agriculture, Konkan "

Now, we begin with this abolition or holding in abeyance of the post "Abolition" and "holding in abeyance" are joined by the word "or" They are not synonymous Are we to take it that the post of Deputy Director of Agriculture, Konkan, is to be abolished altogether or that it is to be held in abeyance only ? If the post is to be abolished altogether, our Konkan agriculturists would be horrified, no doubt

It may be noted that this Division was formed in 1910, in view of the fact that the conditions of the districts comprising this division, namely, Ratnagiri, Kolaba, Thana and Kanara, were quite distinct from the conditions of other districts which are up-Ghat places The nature of the rainfall, the nature of cultivation, the nature of the soil, the nature of everything connected with agricultural progress is quite distinct and separate from that of the other districts I may say that this Division is a backward Division in every respect The staple crops of this Division are only two—rice and nagli—as compared with the rich crops of cotton, wheat, sugarcane and such other crops which are available in up-Ghat places Now, Sir, the yielding capacity per acre of these crops, so far as Konkan is concerned—and Ratnagiri district in particular—is only about 15 maunds of paddy and 6 maunds of nagli Everybody who has an idea of the Konkan and of Ratnagiri district especially, will admit that a great portion of the land is rocky land This portion produces nothing—not even grass. Only a small portion is capable of rice cultivation

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There has been a general complaint, even after the creation of this Division, that no special attention is paid for the development of these principal crops of rice and nagli At the same time we see that every consideration is being bestowed upon other of the richer parts of the Presidency For example, take cotton, wheat, sugarcane In this House we have got evidence that special attention is being paid to these crops and special experiments are being tried in sugarcane cultivation in some districts Special attention was necessary to be paid to the Konkan district in this direction also, I mean in the direction of crop experiment In connection with this, after many complaints, some portion of the attention of the officers of the department was diverted to the giving of help to agriculturists by way of amelioration, through researches in rice and nagli production Only for the last three or four years some experiments have been carried on There is another important crop, namely, the mango crop, but it is a money crop and not a staple crop. I will refer to it subsequently After much effort the question of nagli and rice was taken in hand, and we find from pages 44-45 of the annual report for 1930-31 that experiments were tried at Karjat, Ratnagiri, Kumta and some other place. Various kinds of rice strains were experimented upon and very satisfactory results have been obtained. At page 164 of that report the question of rice research and experiments has been referred to and we see from it that four places have been selected, and on page 165, paragraph 6 runs as follows

"At Sakharpa sub-station, the trials of intermediate and late strains mentioned on page 100 of the last year's report were tried. Among the Waksal selections strains Nos 206, 271, 275 and 290 were found superior, but the best performance was seen in strain No 207 This strain has given 20 per cent increased yield over local waksal and it will be tried on a field next year . "

It may be noted that 20 per cent increase is a very good increase over local variety The report goes on

"Among the Bhadas selections strains Nos 79 and 92 have maintained their superiority over the local Bhadas, giving 14 2 and 21 2 per cent increased yield over the check, both of them will be tried on a field scale Selection in Warangal type has been started during the year under report, and strains No 420, 448, 447 appear promising and have given increased yield of 28 1, 25 7, 23 7 per cent, respectively, over the local warangal variety"

Only these three strains have been experimented upon There are many other sorts in regard to which nothing has been done, not because they have thought it not necessary to do so but because they have not time to do it. They commenced with these three varieties and their experiments have been successful I know, because I am connected with the agricultural association of the district, and I have reason to believe that if this kind of experiment is prosecuted further, better success will crown their efforts

So also at Kumta, page 165, paragraph 7, we see there is an increased yield of 32 per cent and the results are satisfactory By "satisfactory" I mean that when they commenced it there was no disappointment, and therefore every kind of encouragement was necessary to be given to this kind of experiment and research work, but now if this matter of

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experiments are throttled by the post of Deputy Director being abolished, I do not know who will take care of this work and how help will be given to the agriculturists

Similar results will be found in the case of *nagli* also At page 167 of the same report, paragraph 11, we find the following

"The work of propagating promising strains of *nagli* and also of confirming the results of the varietal trials mentioned on page 163 of the last year's report was continued at the Hatkhamba sub-station during the year under report The strains Nos A16, B11, E31 and E82 were tried by the Fishers' method in four replications along with the local Kalperi and the results are given below A16 has given 37 per cent increased outturn over the local check and it stands first in point of yield E31 has given 25 per cent increased yield and it stands second in the order of merit B11 and E82 have given 17 and 15 per cent increased yield and they are suitable for the coastal tract, being very early varieties"

In my district there are no less than four more sorts of strain in vogue and yet no attention has been paid to all of them If experiments are further tried, they may prove successful also and the results will have to be popularised by showing them to the people concerned so that they may be encouraged to try new strains, and the people will have to be shown how to manure, how to cultivate and how to obtain the best yield These things are yet in embryo and therefore much work has to be done which means that if this kind of retrenchment is made, I am sure the condition of the agriculturists of my district will be rendered more horrible than it is at present Even natural justice requires that always attention should be paid to the poor even at the cost of the rich and I urge this phase of the question on the attention of the Agricultural Department and also on that of the Honourable Minister for Agriculture The experiments which have been made in one or two crops have been successful, but further prosecution of those experiments will necessarily be thwarted on account of retrenchment of the post of Deputy Director of Agriculture of the Konkan division

When the question of retrenchment comes up, two points arise. First, when any research is to be made, whether the importance of the research is to be considered superior and retrenchment is to be considered subordinate, or, secondly, whether retrenchment is to be carried out even at the cost of experimental research You will see that in the case of researches in sugarcane and cotton, first importance is given to them by allotting big sums and retrenchment has been given a secondary place But when we come to the Konkan District, we find that in case of similar researches in rice and *nagli* quite the opposite considerations have weighed with Government and they have decided to give the go-by to the research work and cut down the post of Deputy Director of Agriculture So, at one place Government forget the importance of research work and at another they forget the importance of retrenchment Why this is so is more than I can understand

Now I come to the other important money crop of my district, namely, the mango The superiority of the Ratnagiri mango is undoubted, but the economic condition of our agriculturists is such that they, with all this, cannot get enough food for their maintenance for four or five months

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of the year In this state of things the agriculturists have to rely on mango crop as an addition to their other meagre resources. The vagaries, however, of this mango crop are such that if one year there is plenty, another year it is very meagre, and if one year one tree produces 100 fruits, another year you find scarcely ten on that same tree Why this is so is well worth the consideration of the Agricultural Department. After very many complaints, the Agricultural Department took this matter up and some experimental work has been tried in the matter of the flowering etc , of mango trees On page 169 of the annual report I have referred to, we find what has been done by the Agricultural Department The report states .

"In the last year's report methods of regulating the bearing of mango by pruning and manuring were described. These were tried on a large scale during the year Pruning is particularly useful for trees which are very irregular in bearing Six branches were pruned every week from November to middle of February . .."

There are two budding seasons, June and October, when the branches begin to bud. In October the dormant buds are pruned and subsequently they are found to develop into flowering buds This experiment has been tried only last year, and I have seen in Government farm and also in my own garden the experiments being tried and I have found that if a bud is pruned at a particular time, it develops into flowering and the same tree will be found with one branch properly treated in this way to give good fruit on that branch while the others do not. If this process of experimental work is carried on, considerable relief will be afforded to the agriculturists of the Ratnagiri District This and many other matters have yet to be gone into carefully by the Department

First comes the question of production of fruit as already stated. Next, the preservation of fruit The fruit has to be preserved from so many diseases, from mildew and other elements which destroy the flowers. Various attempts have been made in this direction during the last few years with more or less success, but lastly it was announced that the dry sulphur dusting was the most effective means of preventing the disease as will be detailed further on. All this means continued and sustained research and experimental work, which in turn means the continuance of the activities of the Agricultural Department in my district Otherwise, what little good has been achieved during the past few years will go for nothing In connection with this it may be stated that the department took the matter of prevention of the disease of mangoes first and tried it for some years without paying attention to the bearing of fruits But it is just like putting the cart before the horse, because, first there must be production and subsequently preservation But they have been paying their attention first to preservation, and now for the first time they are attending to production, and as the Deputy Director of Agriculture has said, on page 117 of the Annual Report, this part of the experiment ought to have been tried first, that is, flowering first and subsequently preservation That ought to have been very zealously taken into consideration. That is what he has recommended in paragraph 240 of the Annual Report This part of the work has

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not been sufficiently handled yet This work was initiated by the Deputy Director of Agriculture last year, but that year's little work also promises good results Very much therefore is yet to be done in this direction

Now we come to the preservation of the flowers Various experiments have been tried for this and some have proved successful They say that within the last two years dusting with dry sulphur has been found very useful, and by this process the flowers are preserved and become free from the attacks of diseases But that also is not properly generalised. It means that every person does not know it. The owners of the trees ascribe the failure of the crop to fate They say, "Very well, it is my misfortune; though the trees flowered well, the yield of fruit has been meagre" They must realise that it is not due to misfortune, but it is on account of causes which can be controlled Therefore, they, the agriculturists, must know that there is a controlling science, and they will get their dues when it is properly applied This is not yet sufficiently known to all the people, and therefore it is necessary to do further work in connection with that

The next thing is the marketing of the fruit. We see that the agriculturists, the owners of the trees, have got the fruit but they do not get proper value for their fruit, for they do not know how to market it. They do not know how to get the best price for it. What generally happens is this There are certain intermediaries, Banias or some other persons who approach the owners, pay money in advance, purchase the produce, and take away all the fruit Of course, persons in poverty are necessarily enticed by the sight of money, they are not in a position to know the real prices, and therefore they sell away their produce for very inadequate price and thus the real benefit goes to these Banias As a member of the District Association, I can say that we have been trying for the last 10 years for getting a good market in Bombay for our fruit But on account of the monopoly among the merchants which exists in Bombay, it is not possible to break through their ring and get proper prices for our produce Through the Agricultural Department now some kind of arrangement has been made by the appointment of an officer who is to assist the people to market their produce and give them proper facilities in the market in Bombay. That system has been lately introduced The question of the grading of mangoes has also been brought into force, and that system gives a guarantee to the merchant buying in Bombay, about the uniformity of the quality of the fruit contained in a parcel and fetches good price But the grading system has been very recently introduced, and we will find on page 33 of the Annual Report that the grading system that was introduced was considered to be working satisfactorily But that was tried only for one year in Malvan, Vengurla and Ratnagiri The experiment must be tried at least for 10 years One year is not a sufficient period I maintain that 10 years is the period at least that is required for the purpose of trying any experiment That will give some breathing time. If the experiment is tried only for a year and then dropped, we will be nowhere Who is to take charge of these activities? Who is to give

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advice ? Who is to do all these things if the Deputy Director goes away ? So far as I know, there was a mango sale society working there for nearly 10 years But on account of the want of aid and proper advice from the experts as well as Government officers of the Agricultural Department, this society had nearly to go into liquidation But in the last two years an attempt has been made to rejuvenate the society by a re-arrangement of the details of management and work with the aid of the Agricultural Department, and the officer in charge of the division has stated that he will assist, and he has assisted, and now the society has started a new life and many people have joined it. The people fail because there is no organisation, no arrangements, no proper help and scientific advice. Therefore, if Government take the step which they propose to, we will be in the same position as we were for the last 10 years, if nothing more is to be done in a proper way, by a proper person, with a sympathetic mind and energy to be applied to the solution of the problems of these persons

The next important thing in this connection is this There is not only the marketing of mangoes in Bombay, but there are very good prospects of a market overseas, especially in England From page 47 of the Annual Report, we will see that in England some experts have stated that mango and mango pulp contains a very essential element of human requirements, viz , vitamin C Therefore, and on that account a demand for mangoes is created in England We have tried to send mangoes to England for the last 10 years, but on account of the difficulty of refrigeration and other difficulties, we were not successful, as we were informed by certain steamship companies that these fruits cannot be carried to England in proper condition though there was a market for it Subsequently, I am told arrangements have been made with some shipping companies for the proper preservation of the fruit and safely carrying it to England There is a statement in the Annual Report that six dozen mangoes have been sent to England and have reached in a proper condition, but the result is awaited It is stated in the report that the result of this arrangement will be awaited in future Nothing further is done We will perhaps not know anything more about it Nobody will take care to see what the result will be, what kind of market there is in England for this fruit, and whether the quantity already sent has been properly received

The Honourable Sir RAFIUDDIN AHMAD May I ask the honourable member, by whom is the result awaited ?

Rao Bahadur L V PARULEKAR That is what is stated in the Annual Report

The Honourable Sir RAFIUDDIN AHMAD . By the Board of Trade in England ?

Rao Bahadur L V PARULEKAR Yes.

The Honourable Sir RAFIUDDIN AHMAD I see

Rao Bahadur L V PARULEKAR We were trying for the last 10 years to secure an overseas market for mangoes, but without much

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success If we now succeed in securing an overseas market, especially in England, then there will be a very good field of profit to the producers many of whom come from Konkan Division especially Ratnagri District The difficulties, I am told, have been thus removed last year, and therefore it is necessary that the experiment should be prosecuted further, and if an overseas market is secured, Ratnagiri being the producer of the best mangoes, will share in the benefit that will be derived from it

I will now come to some other minor matters There are other products also in that neglected tract, to which nobody pays any attention If a person is appointed for a richer district, he does not care to visit the Ratnagiri District because there is the difficulty of transport, and when this Konkan District is mentioned to any officer, he squeezes his nose and says it will be the last thing for him to go there Therefore, we always see that the officers in the higher sphere from richer districts never take the trouble to go to the Konkan districts, and even if they go there, it is like the passing of an aeroplane, because he stays there for a day and returns, without knowing what the country is, what the soil is, what the agriculture is, and what the special products of the district are Therefore, we had been crying hoarse for a separate division so far as the Agricultural Department was concerned Thus, so far, very little has been done and when time has come perhaps for something being done, just then if the post of Deputy Director of Agriculture for the Konkan Division is abolished, I do not know whether the Konkan districts will survive, or come to a natural end

Sir, I was referring to some minor matters On page 34 of the Annual Report we find that much importance has been given to cashew The Ratnagiri District, the southern portion of it especially, grows cashew trees These cashew trees produce nuts and fruits. Up to about 15 years back these cashew trees were considered to be a wild growth and neglected Some children of the *kunbis*, especially the cowboys, used to go there, collect some cashew fruits and nuts which were lying as waste under the trees, and eat them Such was the condition of things Subsequently some demand was created for these nuts, during the last few years there has been a market for it, and people's attention was directed towards it and it became a source of some revenue to the agriculturists It may be said in connection with that that Zanzibar and other places produce cashew nuts in very large quantities. America is the greatest purchaser of these nuts, and although enormous quantities of cashew nuts, have been sent to America, still the demand is not satisfied, so much it is But no attention has been paid by the Agricultural Department to this produce, so far as our district is concerned The district produces not only rice and *nagli* and mangoes There are other products which can be tackled, and if proper attention is paid to it, the district will advance and the people there will be in a position to maintain themselves at least from 5 to 8 months in the year But that has not been done Now, Sir, although cashew nuts are gathered for export, nobody has paid any attention to the cashew fruit That is not at all

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a commercial commodity for the present Of course, if these trees are in the vicinity of a good town, basketfuls of these fruits are taken there and the people eat them, they are generally poor people; I do not suppose the rich people know the taste of this fruit But there is no important market for the fruit However, from my observations for the last 4 or 5 years, I find that the juice of the fruit contains saccharine matter in very large quantities, and in some States the saccharine is utilised for the purpose of preparing alcohol, but in British territory the preparation of alcohol from cashew fruit is prohibited But there is another way in which the saccharine can be utilised, and that is for the preparation of vinegar, i e acetic acid from it This is something for which the juice of cashew fruit can be utilised If the preparation of alcohol from it is prohibited, I think it can be made use of for preparing acetic acid, and that means vinegar Now, Sir, I got that idea, and I have been suggesting it to this department for over 4 years now But they have not taken much heed of it They have not paid any special attention to it I myself was experimenting on this matter, without success, for the last 3 or 4 years, but now I can say to this House that I have succeeded in preparing the vinegar out of this As I say I have been successful in preparing it and I have even sent a bottle also to the Agricultural Department to get it properly tested, but I have not received any intimation from them I even compared this with the vinegar prepared from sugarcane and I must say that it compares very favourably with that product If proper education is given to people, it can be introduced as a cottage industry which is extremely beneficial to the interest of the agriculturists These are matters which have to be taken in hand but nothing has been done so far. If the head of this department is removed or abolished, I do not know what the agriculturists will do These agriculturists do not know anything themselves and therefore these things are to be installed into them, these also they cannot swallow properly We want persons from Government at the head to force these things into their heads and down their mouth Then, they will open their mouths and swallow easily.

There is another subject—poultry farming This is a very important industry which must attract the attention of everybody For the last 24 years I have been working at it but without success I have been growing rather pessimistic in the matter, when some months ago it was proposed by the Agricultural Department to start poultry farming in the Ratnagiri Farm Also scientific experiments were promised to be made in connection with that there This is the best kind of industry for the poor agriculturists Though they have got a small number of fowls, they do not know how to feed them, keep them and much less to market them They cannot do anything to make it a commercial commodity to supplement their income But this experiment on poultry farming has been or will have to be abandoned, though it was intended to be started, if the division is abolished My submission is that it is not a wise policy, whether it is suspension or abolition

The Honourable Sir RAFIUDDIN AHMAD What is the honourable member's submission ?

The Honourable the PRESIDENT The Deputy Director's post should not be abolished nor held in abeyance

The Honourable Sir RAFIUDDIN AHMAD About poultry farming ?

Rao Bahadur L V. PARULEKAR But poultry farming has nothing to do with the Honourable Member in charge of Education This is only one of the activities that was intended to be started, along with others in the district But for the continuance of this department in Ratnagiri, everything would have gone to ruin I have placed before the House the many possibilities of improvement and development, if this department is continued there. It is not a proper or wise policy to retrench this division I think that even the Retrenchment Committee has not recommended this I admit that in the present financial stringency there must be retrenchment, but the retrenchment should be made with an idea of proper discrimination and proper discretion In connection with this matter what saving will there be ? If the Retrenchment Committee has not made this recommendation, I do not know why this has been brought forward as a new measure of retrenchment

There is another thing which I would suggest All the agricultural schools have been abolished except—I think two—one at Devihasur and the other at Dhulia The strength of the Devihasur school is about 30 and that of the Dhulia school is about 40, so in all 70 That an inspector should be maintained for the inspection of these two schools is rather beyond one's comprehension The abolition of this post would have been a proper measure of retrenchment for the Retrenchment Committee to suggest This officer can be easily retrenched There are bias schools maintained by the district local boards independently and for the sake of these schools the officer may be utilised for some time. So far as these bias schools are concerned, the district local boards are reluctant to open more [*Interruption*] I understand that there are 45 schools in all As regards the strength of these schools I have no knowledge But these schools are newly started and no special officer of the status of the Inspector of Agricultural Schools is any longer necessary I can say that some other arrangement can be made for the inspection of these schools

What I want to say further is that the Deputy Director of Agriculture has been asked to go to Poona and work there. Perhaps he has to look after that district and the other districts also But instead of retrenching the Deputy Director at Ratnagiri any other of the Up Country Divisions could have been retrenched For a Deputy Director of one division in the Deccan can manage two divisions on account of the similarity of the condition and of the nature of work and the similarity or commonness of the problems to be tackled there For instance the Nasik District was created a few years ago If a person is asked to manage Poona and Nasik districts it would be easier for him But if he is asked to look after Konkan from the heights of Sahyadri he cannot do so Particularly we know that the Poona Division has been reheved of

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sugarcane research, as a special establishment has been sanctioned for carrying out researches in sugarcane for which the Council also has allotted some money As that much relief has been given, the man who is in charge of the Poona District can look after Nasik District also I do not understand why Ratnagiri should be made to lose its officer and all the work stopped there

So far, I was speaking about Ratnagiri and now I come to certain matters of general importance First I shall take up boring operations Everybody knows the importance of water to agriculturists If any help is given to the agriculturists in that direction, they would find the greatest relief and thank the Honourable Minister in charge and the Government Unfortunately this very important help for the need of the agriculturists has been taken away or suspended or kept in suspended animation for the last two years It is stated again that this machinery is kept in one place A question was asked by the honourable member from Kaira (Rao Saheb Desai) whether Government were willing to lend this to any other institution The reply appears in the 6th list of questions and answers on page 13 We find that there are 89 machines out of which 78 are lying idle Then the answer runs thus

"Experience has shown that the maintenance of machines on loan and the replacement of lost parts causes a disproportionate amount of work and trouble and the Agricultural Department cannot now maintain a staff to deal with the loan transactions and undertake repairs and renewals of the machines Government have therefore decided that such local bodies as require machines should purchase them from the Agricultural Department"

Everybody who has any idea of machines knows that if they are kept idle, they go to rot If they are used, there is deterioration but this deterioration means that they have given a large amount of work If Government do not use these machines, at least they must lend them to those who use them on certain conditions. No doubt, we see that people are coming forward to use the machines and keep them in proper repairs. In spite of that, they are allowed to rot and who will purchase them subsequently ? So, it is the policy of the dog in the manger—neither will they use them nor will they give them to others My submission is that they should keep the machines in the offices of the different local boards and give them on loan to people who want them on certain conditions. We in Ratnagiri feel so much need of water Government do not make use of these machines, nor do they give them to others

Then the question of maintaining staff to deal with loan transactions. How much staff is required for dealing with loan transactions ? One clerk is enough to make the necessary entries in the register books With regard to repairs also, you can get mechanics everywhere. There are lorries, there are buses, there are private cars The mechanics can be found everywhere These machines are not delicate ones They are crude. An ordinary mechanic can easily repair them at a cheaper cost than what Government are paying

The Honourable Dewan Bahadur S T KAMBLI May I ask whether there are good mechanics who can carry out repairs in villages in Ratnagiri District ?

Rao Bahadur L V PARULEKAR How many do you want? They are available in Ratnagiri

The Honourable Dewan Bahadur S T KAMBLI I am glad to know that

Rao Bahadur L V PARULEKAR Everbody knows what these machines are Anybody can repair them We have got mechanics who can repair more delicate machinery

My submission to this House is that this policy should be changed. Discrimination will have to be used It is not good policy to effect retrenchments in a place and make the poor suffer With these remarks I move the cut

Question proposed

The Honourable the PRESIDENT Before we proceed with the debate on this motion, I should like to give an opportunity to the honourable member the Finance Deputy Secretary to explain the position regarding yesterday's point, namely, the classification of fees for examiners The honourable member has gone into the question and wishes to make a statement

Mr C G. FREKE The question raised, Sir, was whether examination fees (shown at page 262 of the White Book) are correctly classed as non-votable I think one of the honourable members stated that a change had been made in the classification, I have looked into the matter since last night and, so far as I can ascertain, no change in the classification has been made

A question was asked by the honourable member Mr Jog in June last year, of which a part was "What are the allowances which are not subject to the vote of the Council?" and the reply to that part of the question given by the Honourable the Finance Member was

"The following allowances when drawn by persons whose salary is not subject to the vote of the Legislative Council are not subject to the vote of the Council

(a) Compensatory allowance
(b) House rent allowance
(c) Permanent travelling allowance
(d) Conveyance allowance
(e) Tentage allowance
(f) Sumptuary allowance
(g) Fees to Government servants
(h) Rewards to Government servants
(i) Honoraria

The section which underlies this and to which I referred yesterday is section 72D of the Government of India Act It lays down

"For the purposes of this sub section the expression 'salaries and pensions' includes remuneration, allowances, gratuities, and contributions (whether by way of interest or otherwise) out of the revenues of India to any provident fund or family pension fund, and any other payments or emoluments payable to or on account of a person in respect of his office"

And under sub-section (2) of that section, if any question arises whether any proposed appropriation of moneys does or does not relate to the above heads of expenditure, the decision of His Excellency the Governor shall be final

[Mr. C. G Freke]

I now turn to the decision of His Excellency in regard to that I find that the point was specifically raised in 1923 and the Governor then ruled that the term "Salaries" used in section 72D includes honoraria.

The definition of the term "Honoraria" is :

"Honorarium means a recurring or non recurring payment granted to a Government servant from general revenues as remuneration for special work of an occasional character"

And it is under that definition that examination fees are included and classified as non-voted I would only stress one point, and that is, that no change has been made in the estimates this year

Mr V A SURVE (Ratnagiri District) (Addressed the House in Marathi) Sir, I rise to support the cut moved by the honourable member Rao Bahadur Parulekar

The total area under rice cultivation in the Ratnagiri district is only 260,000 acres as against the total area of 25 lakhs of the district This area produces rice sufficient in quantity to last for 4 months So for consumption during the remaining 8 months, they have to import rice from elsewhere The population of the Ratnagiri district is 12 lakhs.

The Agricultural Department was started in order to educate the agriculturists in new and improved methods of cultivation and render every kind of help to them in their difficulties But so far the agriculturist has not benefited to the extent of a single pie The only benefit that the agriculturists get from this Department is this manufacturers 7,000 miles away find a convenient market for their agricultural machinery such as boring machines, ploughs, etc., through the Agricultural Department Has the Department done anything to increase the cultivable area of the district from 2½ lakhs acres to, say, 10 lakhs ? If this had been done, there would not have been any famine in that district and it would not have been necessary to import large quantities of rice for the population of that district.

There are co-operative societies which are supposed to help poor agriculturists But they are serving no useful purpose

The only work of the Agricultural Department seems to be to provide jobs for Directors, Deputy Directors, Assistant Directors and a host of other people at the cost of the agriculturists If the amount spent on this Department is handed over to the district local boards, they will put the money to better uses Moreover, the local board knows the local conditions of the area and will be in a position to render the necessary help to the agriculturists What does the Director know of the special conditions prevailing in various districts ? Does he know the miserable condition of the agriculturists ? Does he know that he has to purchase rice from outside and pay land revenue to Government in addition ?

Recently the Provincial Banking Enquiry Committee made investigations into the condition of the people of my district. In my evidence before the Banking Inquiry Committee I told my honourable friend Mr Kamat that if the Government are keen on doing something for the benefit of the agriculturists and if the Committee is also keen on doing

[Mr V A Surve]

something for the benefit of the agriculturists of my district, so many things would have to be done In the Ratnagiri District plenty of rice could be grown but in the absence of proper facilities and owing to the economic condition of the people the agriculturists are helpless. I told him that if they expected to get back any of the loans which they might make to the agriculturists, they would be wrong in doing so, because that would be an impossible thing but they might get an indirect return, in this way, namely, the department which may go to the help of the agriculturists with loans should look to Revenue Department which will get a revenue of 20 lakhs, but neither the interest nor the capital of those loans should be asked for from the agriculturists from our district for the simple reason that our condition is so hapless

I see, Sir, that it is often said that the Agricultural Department is for the benefit of the agriculturists, that so many enquiry committees, investigations, deputations and so on are all meant for the benefit of the agriculturists, and on such shows lakhs and lakhs of rupees are being spent What is the net result? How does it really further the interests of the cultivators? I for one am unable to see that the agriculturists get the real benefit out of the deliberations of such committees or investigations The committees may make any recommendations they consider in the best interests of the ryots, but I do not know that if any of their recommendations are accepted by Government and put into practice The Banking Enquiry Committee might have suggested where the banks should be situated and how the money is to be lent to the agriculturists and so on Beyond that, I do not think there is any other real help which has been given to the tillers of the soil Had there been anything else, we should have seen something of it in the Presidency

The Agricultural Department is costing a lot of money to Government, but the real agriculturists are not able to take advantage of the operations of the department I make a suggestion, therefore, namely, that this department should be abolished altogether and its operations should be turned over to the district local boards If only fifteen lakhs are given to the district local boards, the cost of maintaining agricultural schools in the districts and the cost of boring machines and the expense of maintaining highly paid engineering staff and so on would be considerably reduced and the agriculturists would be able to take advantage of the services rendered by the district local boards

Another thing I find in the Ratnagiri District is that the Revenue Department has been claiming its dues where it ought not to do so You may remember, Sir, that during the discussion on the last budget I warned the Honourable the Revenue Member that a tax of Rs. 50 an acre was being levied from the agriculturists, in respect of crops they grow in the hot season If an agriculturists takes out water from small wells and grows subsidiary crops like Udid, Peas, brinjals etc, the Revenue Department comes in and demands its toll Last year, the Collector issued an order to the effect that if any agriculturist wishes to grow such crops on his land during the hot season, he should first take the Collector's

[Mr. V. A Surve]

permission Yesterday I received a letter that the collection of this tax has already been commenced by the Revenue Department Yet we see it stated that the Agricultural Department is for the benefit of the people and yet we find the agriculturists being looted in this manner by the Revenue Department Neither the Director of Agriculture nor any of his Deputies nor his Assistants can interfere with the Revenue Department which goes on in its merry game of reducing the agriculturists to the very brink of ruin. All these departments are like the tusks of an elephant We do not know whether the elephant makes use of his tusks for eating its food For all I know, the elephant has some other grinders in its mouth Similarly, we have all these various departments one of which is ready to tax the agriculturist, the other is ready to punish the agriculturist, and the third is ready to collect its dues, regardless of the peasant's capacity or incapacity to pay. Between all these various departments, the poor tiller of the soil is ground down to starvation, if not death I particularly draw your attention, Sir, to what is said by the Joint Parliamentary Committee as regards pods Suppose there is water in my land, I use it for producing small crops on my land, and although there is a separate land revenue assessment fixed for my land, the Revenue Department wants to charge me up to Rs 50 an acre for such subsidiary crops Is it either reasonable or just or fair. What good are all these departments of Agriculture, Public Health, Medical ? Co-operative ? They are like the tusks of the elephant

For all these reasons I say that this department of Agriculture should be abolished and its operations turned over to the district local boards, by which means half the present cost will be saved, and the real interests of the agriculturists will be taken care of far more effectively than at present

I lend my support to the motion moved by my honourable friend Rao Bahadur Parulekar

Mr A N SURVE (Bombay City, North) Sir, I assure the Honourable Minister that this cut does not imply any political stunt, because the representatives of the poor people cannot afford and do not care to indulge in political stunts If the present cut has assumed importance, it is only to indicate the immensity of our feelings as regards the Konkan area When information was received by me that the Deputy Director of the Konkan District was going to be retrenched, I at once hurried to send in a resolution which appears in my name in the agenda of the present session. It is the third resolution and reads as under

"This Council recommends to Government that they should make provision for the continuance of the work done under the Deputy Director of Agriculture, Konkan, Ratnagiri, in the Budget for the year 1932 33"

Here you will find that the Government has not still made up its mind whether this post shall be only held in abeyance or whether it shall be abolished altogether Konkan, and especially the Ratnagiri District of that area, is a district which is very backward in the matter of production If the total produce of rice and other articles is taken into account, I do not think that it yields provisions for three months in the

[Mr A N Surve]

year. Such a district it is and therefore it is the duty of Government to see what could be done for that district Sir, in the Ahmednagar District, which was very precarious owing to scanty rainfall, Government has undertaken vast irrigation schemes, but in the Ratnagiri District there is not a shortage of rainfall but there is an abundance of it but all that water is wasted That is why the district is backward in agricultural produce, and also because the soil there is very poor, being rocky soil, and therefore if any area in the Presidency requires investigations, it is the Konkan area Government must carry on research work and see how the productivity of this area could be increased so as to make it self-supporting But what do we find here? We find that the research work that was so very usefully carried on for the past ten or twelve years is now to be retrenched I might just give one instance As we cannot improve the fertility of the soil, we must see how we can improve conditions and according to the report the rice seed that has been tried at the Shirgaon farm at Ratnagiri has succeeded in evolving a rice seed which could increase the productivity of the soil by 20 per cent That kind of work must be undertaken, and if that work is either kept in abeyance or is altogether done away with, I fear that this district and the Konkan area also will be very badly hit During the old times, Konkan was self-supporting and now we find that it is not able to produce sufficient food-stuffs even for two or three months in the year What is the reason of it? The reason is that all crops have been neglected. I may just mention one crop only in the Konkan, especially in the Ratnagiri district In that district they used to produce turmeric, which is very largely used in spices It is a very rich product. Then turmeric can be used also as an ingredient in the preparation of dyes I am thankful to the honourable member who has reminded me of that So, take for instance this turmeric crop It has been going out of cultivation practically, and have Government ever taken the trouble to find out why this crop is going out of cultivation?

Then, Sir, let us take the mango crop Ratnagiri mangoes are the best in the market Sir, the Alphonso mangoes, which are sent from Ratnagiri to Bombay, fetch a very fancy price in Bombay When the crop is poor, I am told that they are sold at from Rs 12 to Rs 15 per dozen in the city of Bombay For the past three or four years, an attempt is being made to export the Konkan mangoes to England The Honourable Minister for Education wanted some information on that point I think that he will find it in the Annual Report of the Department of Agriculture If mangoes can be exported to England, it will bring a very good return to the owners of mango gardens in that district The mangoes are there, and if there is no scientific guidance to the cultivators, I am sure that the owners of the trees, or even the co-operative societies can do very little

Similarly, take the cashew nut.

The Honourable Sir RAFIUDDIN AHMAD: The Government Horticulturist has already dealt with mangoes

Mr A N SURVE My point is only this, that if the appointment of the Deputy Director of Agriculture for the Konkan Division is abolished, the cultivators in that area will be deprived of the scientific guidance which they get at present The burden of my argument is this, that the Konkan district is very backward, and steps should be taken to see how its productivity can be increased It is with that object that I have tabled the resolution Some of the arguments have already been advanced by the previous speaker, the honourable member from Ratnagiri (Rao Bahadur Parulekar) I am at a disadvantage in that respect But my point is that if Government carry on retrenchment in this fashion, instead of doing any good, it will result in incalculable injury That is my point We want that retrenchment should take place, but not at the cost of inflicting an injury We want Government to effect retrenchment where it is necessary There are many departments in which Government themselves have found that public money is wasted, but if they go on making retrenchments of this nature in a nation-building department they will be doing incalculable harm to the Presidency After all, if the people get money out of the produce of the soil, they can pay the Government dues, and there will be money in the exchequer Therefore, my humble suggestion is that if retrenchment is carried out in such a manner, it will do great harm both to Government and to the country at large Therefore, even at this late hour I would request the Honourable Minister for Agriculture to consider whether he will not keep the retrenchment of that post in abeyance, and whether it is necessary to do away with it My humble submission to him is that he will be doing good service to the Konkan area if he will not carry out the measure which he has threatened to do.

The Honourable the PRESIDENT I must point out that the honourable mover of the motion took nearly one full hour, and he has placed before the House very useful material and as full an information on the subject as he possibly could The honourable members who follow him should not take up the time of the House in repeating in different form and language the same points which he has placed before the House

Mr L R GOKHALE (Poona City) Sir, on page 30 of the Annual Report of the Department of Agriculture we have the following paragraph —

"*Betel-vine protection*—A devastating wilt disease broke out in the Bassein betel-vine gardens some 3 or 4 years ago, and the Department is carrying on an investigation into this disease and hopes soon to be in a position to recommend suitable protective measures"

This work is done by the Deputy Director of Agriculture from Konkan, and that was his province He has spent not less than four years over it, I have personally visited this area I have found that the people there have suffered most on account of this disease. The Agricultural Department, and especially the Deputy Director made thorough investigations for about three or four years, but no tangible result has yet been

[Mr L R Gokhale]

available, and it is only stated there that suitable protective remedies are being suggested I believe when the work is half done, it will not be wise economy to abolish that post I do not know how it is, but this *pan supari*, as we call it, appears to have fallen out of grace with divine arrangements Both the betel-vine and the betel-nut are attacked by disease in the Konkan The betel-nut is attacked by a disease called "*Koleroga*", I do not know whether it is a corruption of "*Kala roga*", but in the Report it is called "*Koleroga*" Both these diseases are the province of this officer, and therefore I was surprised to find that this officer was really marked for retrenchment If in the whole range of Deputy Directors of Agriculture any tangible actual work is being done, which is of immediate use, it is this work of the Konkan Deputy Director of Agriculture, and I would add my humble voice to the chorous raised for the non-abolition of this post.

There is one more circumstance I would invite attention to page 178 of the Annual Report, where agricultural education is dealt with. There is a report made by the Deputy Director of Agriculture, Konkan Division, about the Jambul agricultural school I believe it will be up to him to prepare students in knowledge for the purpose of combating the diseases of betel-vine and betel-nut, and if this school was made useful by taking advanced students and making them proficient in this method of spraying I believe that would be very useful work which is of immediate and immense use to the agriculturists there

Then, Sir, about mangoes, a reference was made by the Honourable Minister for Education to the report of the Horticulturist. That report also is almost half-hearted Only three varieties of mangoes were sent to England by a P & O steamer, and he says the mangoes continued to be green, and were not spoiled Beyond that, no tangible effort has been made in the marketing of the crop that is proposed to be exported to foreign countries In that direction also special efforts are necessary and if Government now remove the Deputy Director of Agriculture of the Konkan Division, who is at present in charge of the department there, they will be materially handicapping this particular method of relief to the agriculturists of Konkan

Sir, Konkan is a poor country, but though it is poor in money it is not poor in brains The backbone of the society in Bombay and the brains of the society in Maharashtra are from Konkan We must try to see that the Konkan brains and the Konkan backbone are not thoroughly wiped out I do not mean that it is the intention of any one to do it, but what I want to say is that people should be enabled to live there, and supported in their efforts to getting a living With these words, I would certainly add my voice to that of my honourable friends, and I do request the Honourable Minister in charge not to do away with this appointment of Deputy Director of Agriculture, Konkan Division

Rao Saheb B G DESAI (Kaira District) Sir, I rise to support the protest raised by the honourable mover of the cut with regard to the policy adopted by Government with regard to the Agricultural and

[Rao Saheb B G. Desai]

Boring Departments, and the Veterinary Department also. It will be remembered that the Boring Department was abolished by Government in spite of violent protests from this side of the House; but the Government did not stop there Government went further and called back the various boring machines which were given on loan to various local bodies though they did not cost anything to Government They were lent to local boards who were working them successfully at their own cost and turned out far better work than the Government boring staff used to do It has been explained that the Government have withdrawn these machines, because it cost them a good deal for maintaining a register of the machines and their parts, and had besides to engage a large staff to deal with the loan transactions with Local Boards

The Honourable Dewan Bahadur S. T KAMBLI May I know from the honourable member whether he is referring to deep boring or shallow boring in his district?

Rao Saheb B. G DESAI I am referring to shallow boring With this explanation Government seeks to justify the policy they have adopted I wish to show how mistaken is the policy adopted by Government in this behalf and how unconvincing and unsatisfactory are the explanations given by them The boring machines in the first place according to the terms of the loan were to be repaired by the local boards concerned, and uptil this time there is no complaint raised by the Agricultural Department against the handling of these machines by the local bodies These machines were to be returned at the end of the lease period and the only thing that was to be done was to merely compare the parts of the machines with the entries in the register maintained for the purpose This certainly would not require a large staff or occupy appreciable time Even if Government believe that this expenditure is superfluous and financial stringency necessitates that it should be retrenched, then they could very conveniently transfer this work to the boring agricultural officers of whom there is one in every district This is not such very difficult or complicated work as would put any appreciable strain upon him, and it can easily be done by him in addition to and along with his other duties.

Sir, the Honourable Minister just asked whether the repairs can be carried out locally I can inform him that, as far as I know, all the boring machines in the Northern Division were kept in repairs by the local boards concerned, and they had not to go to any outside place for getting the necessary repairs Therefore as far as repairs are concerned, there should be no trouble or cause for anxiety to Government Even if it is found on enquiry that some of the local boards are unable to get these machines properly repaired, the machines can at least be given to those local boards who have successfully worked them and who are able to keep them in repairs, and who have shown to the satisfaction of the department that the work turned out by them was infinitely superior, both in quality and quantity, to that done by Government in the same

[Rao Saheb B G Desai]

districts in the past years Thus there is ample justification for revising the policy that has been adopted by Government.

Then, Sir, there is the question of agricultural schools These agricultural schools we are told are abolished as a measure of retrenchment owing to the recommendation of some commission, whose name I do not remember But I can point out and I know that the Kaira district local board offered to open an agricultural school and pay half the cost But the Government persistently refused to give necessary grant for the opening of the school Again in the Northern Division there were three schools and all these three schools have been abolished, while in the other divisions they have been retained I would like to know from the Honourable Minister why all the three schools in the Northern Division have been abolished and why in the other divisions they have been allowed to exist Is it that the Northern Division is less agricultural and that it does not require it or have any reports from the local officers been received to the effect that there is no necessity for any such school in the Northern Division ? The action taken by Government in this behalf is, I am constrained to say, quite invidious, unreasonable and unjustifiable

There is then the question of veterinary dispensaries These dispensaries are undoubtedly a great boon to the agriculturists as well as to the poor dumb cattle The Kaira District Local Board maintains five dispensaries in five talukas There are two talukas Mehmadabad and Matar which the honourable member the Revenue Secretary knows are very much affected since recent years At the pressing demands from these talukas the district local board proposed to open dispensaries in these two talukas Government replied that owing to financial stringency, these dispensaries could not be opened But I find now that Government are taking up new schemes of investigation at large cost. When they cannot spare grants for the opening of the new dispensaries, what is their explanation for launching a new scheme of investigation in these days of financial stringency ? When the district local board is persistently refused, the opening of new schools for reasons of financial stringency, can Government justify the undertaking of any new scheme of investigation, or opening of new farms ? I submit that the policy adopted in this behalf also requires revision and reconsideration. With these remarks I support the protest raised by the honourable mover of the cut, against the general policy of Government with regard to Agriculture

Mr HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu) Mr President, I am not going to take much time of the House on this subject In Sind there are three agricultural farms—one at Sakrand, one at Mirpurkhas and the third at Larkana. The Mirpurkhas farm is 20 years old A great deal of expenditure is incurred on the maintenance of these three farms The officers employed in those farms make experiments there and carry on research work The point for our consideration is how far the

[Mr Haji Mir Mahomed Baloch]

agriculturists have been benefited by these farms I made enquiries of some zamindars whether they were getting any benefit out of the running of these farms They said that the officers used to invite some zamindars once a year and demonstrate to them the result of their work, but the people could not take advantage of it, as they were ignorant and they could not afford to spend on their travelling expenses So, what I think ought to be done is that the officers must go out to the houses of the zamindars on tour and demonstrate to them on the fields As education is at its lowest ebb in Sind, (as the Government have not made any serious efforts to educate), this is the only practicable way in which the agriculturists can be made to take advantage of the results of the research work in the farms It will not do for officers to sit in Government farms and once in a year collect the people and make demonstrations in the farms For instance, there is *kalar* soil. The people ought to be taught how to remove it or what best can be grown on such a soil Unless they do all these things at the fields of the zamindars, we will not get any return for the enormous amount of 25 lakhs we are spending on these farms The Department has not yet found out how to remove the *kalar*

Then again, the crops are devastated by locusts every year The locusts cause a great deal of loss to the agriculturists and loss of revenue to Government——

Mr L R GOKHALE The Honourable Minister in charge of the Department is not here

The Honourable Sir RAFIUDDIN AHMAD He has just gone out and we are taking notes for him

The DEPUTY PRESIDENT A point of order has been raised When a department is under discussion, the Minister in charge of that department is not present in the House My own view of the matter is that if the Minister in charge goes out for a few minutes, any other Member of Government may give a reply on his behalf to the criticism offered on that department

Mr HAJI MIR MAHOMED BALOCH The Agricultural Department of the Government of Punjab do all kinds of work and take precautionary measures to ward off the locust pest and instruct agriculturists as to the methods for its prevention and destruction Then again the rats commit havoc on the crops No measures are taken to instruct the people as to how to save their crops from the rats We are spending 9 lakhs for propaganda and research work Practically no propaganda work is done Still there is a provision of one lakh for travelling allowance to officers Unless the propaganda work is carried to the home of the agriculturists, the money that we spend will be a mere waste. The Honourable Minister must bestow his care on the question of propaganda. So that officers go out to each village, collect people and deliver lectures and demonstrate in their fields

Rao Bahadur B R NAIK (Surat District) Sir, when an important subject like the Department of Agriculture is under discussion it is

[Rao Bahadur B R Naik]

regrettable that the official benches on that side of the House are vacant. [*An Honourable Member* They are not vacant] It can be seen what interest the honourable members sitting opposite, leaving the first bench, take in the development of Agriculture of this Presidency This subject has been discussed in great detail by the honourable previous speakers and therefore I do not want to take much of the time of the House by repeating arguments which have been already advanced But I want to be enlightened by the Honourable Minister in charge on certain points and from that point of view I am making certain observations.

It is now 30 years since the Department of Agriculture has been created in this Presidency and we must take stock of the working of this department during the past 30 years and see whether the department has given the result which was anticipated from it or which should have been given by this department I admit that here and there certain improvements in the varieties of seeds and varieties of crops have been made by the department and also some minor improvements have been made in the method of cultivation But it appears to me that the vital problem has not been till now successfully tackled by this department My remarks do not cast any reflection upon the personnel of the Department but its policy When I say this, I remind the Honourable Minister in charge that higher authorities than he, like the Vice-Chairman of the Imperial Council of Agricultural Research have admitted the grievance which I am going to place before this honourable House It has also been admitted by two of the greatest European agricultural officers of the Presidency, not in this House but elsewhere, recently Sir, it is true that this Department is giving some attention to the research side of agriculture, to improving the varieties of certain kinds of crop, and so on But the Department has up to now done very little practical to increase the yield of the produce That is the grievance of the agriculturists It has been admitted, I repeat again by the highest authority on agriculture, namely, the Vice-President of the Imperial Council of Agricultural Research and also by two of your own very able officers of the Imperial grade that this side of the research—I will not use the word neglected—has not been given attention to Only research work to improve the quality, will not be sufficient, if you do not give attention to this question also Side by side with the improvement in quality of crop, the yield should also be considered, and then and then only will agriculture pay I simply want to know from the Honourable Minister in charge or any other expert behind him what are the causes which prevent good results in the matter of yield in comparison with the yield in other parts of the world Only two days ago my honourable friend Mr Kamat was discussing the sugar cane industry of this Presidency. It is one of the most important industries We were also told by the honourable member from Ahmednagar (Rao Bahadur Chitale) that the Deccan tract is a very suitable tract for the cultivation of sugar cane I want to know what ingredients are wanting in the soil of this Presidency or in the working of the industry to make the industry yield so much less sugar as compared with other countries which produce sugar Take

[Rao Bahadur B R Naik]

Java which is our greatest competitor . In Java in half a million acres of land 1½ million tons of sugar is produced, that gives 3 tons per acre while here the yield per acre is ⅞ths of a ton. I want to know why this is so Is it due to irrigation defects or is the soil inferior, or is it due to shortage of manure ? Again, take Cuba Cuba is also a sugar producing country Out of a total acreage of 1½ million acres of land, they produce 3 million tons of sugar That gives 2 tons of sugar per acre What is the reason for this disparity ? Is it on account of the bad soil, or lack of irrigation facilities, or is it due to labour charges being higher in this country ?

Take another crop,—rice . As stated by the honourable member from Poona, this is one of the most important crops of this Presidency. It is an old crop of this Presidency Therefore you cannot say that the cultivators had no opportunity or no time to improve the quality and also the yield I will give the yield of the principal rice-growing countries of the world and you will find that India—or this Presidency—comes last but one I want to know why there is this vast difference and what the Agricultural Department has done to remove this disparity——

The Honourable Dewan Bahadur S T KAMBLI Which investigation should proceed first ? Investigations as to quality or as to quantity ?

Rao Bahadur B R NAIK Both I will quote your own report to show what harm has been done by improving only the quality, how much agriculture has had to suffer Your own Director admits that Take these figures Our Presidency produces 1,000 lbs of rice per acre, China 1,420 lbs , Japan 3,080 , Java 1,420 , Philippines 1,432 , Indo-China 2,442 , Spain 5,016 , America 1,714 , Siam 515 , Italy 3,237 and Egypt 4,554

Khan Bahadur ALLAHBAKSH What varieties ?

Rao Bahadur B R NAIK All varieties , there are different varieties in different countries. I mean to say that barring one country, all other countries get a higher yield than this Presidency——

An Honourable MEMBER What is the yield of India ?

Rao Bahadur B R NAIK The yield for the whole of India comes to 900 lbs per acre But I am taking the Presidency of Bombay only The average yield for the Presidency is 1,000 lbs per acre

I repeat that rice-growing is a very old occupation in this Presidency The department is 30 years old, and it must have looked into this question very carefully The figures that I have given cannot be contradicted, because they are taken from the official records I want the reason for the disparity——

The Honourable Sir RAFIUDDIN AHMAD . The reasons may have been given in the report of the Royal Commission on Agriculture

Rao Bahadur B R NAIK . I have taken these figures from the Royal Commission's Report. But no reasons are given there

[Rao Bahadur B R Naik]

Now let us take another important money crop, viz cotton " It is well-known that India is the second cotton growing country in the world America stands first and India comes second *[Interruption]* Not Egypt Take the average yield in this Presidency It is 100 lbs of lint cotton per acre while in America it is 240 lbs. per acre I want to know the reason for this disparity. Some people may say that the soil is different I am not prepared to admit that. I know of a place in my district where cotton is grown in two different pieces of land, both of black soil The owner used special processes and he was able to produce 400 lbs on one acre of land And the next is 100 lbs. I am not prepared to believe that there is much difference between American soil and the soil of this Presidency, at any rate the soil of Gujarat from where I come From this it will be seen that the Agricultural Department has not taken very much pains on the question of research in increasing the yield, and unless you do that, I submit the return to the agriculturist will not be sufficient My point is this that side by side with research in improving the staples or improving the qualities of cotton or of sugarcane or jowari or wheat or any other crop, you should take up the question very seriously of increasing the yield which will be of greater benefit and profit to the agriculturist Here is a living example of that The Honourable Minister just now interrupted me and said " Should we not take up the question of the quality ? " Yes, they have taken up the question of the quality of 1027 cotton in the Surat District It was a very controversial subject It was debated on the floor of this very House on several occasions It was on the suggestion and initiative of the late Director of Agriculture, Dr Mann, that 1027 cotton was considered to be a very good type of cotton with a long staple which, he thought, would pay the agriculturist to grow and therefore other varieties of cotton were discouraged by the Department in Surat District Government even went so far as to lay down certain artificial zones by which no other cotton was allowed to be imported into the 1027 variety area Those artificial zones were passed on the floor of this very House when the Honourable the President was the Minister for Agriculture You will be surprised, Sir, to know that that same department has now come to the conclusion that 1-A cotton pays better than 1027 cotton . There is a great controversy going on on this subject. I know this because I am connected with an institution where this question comes up very often, and I know that the department is considering whether 1027 cotton should be dropped and that if possible 1-A variety should be taken up again, and on the initiative and suggestion of the Indian Central Cotton Committee, further experiment is going to be made Both from the point of view of yield and ginning percentage, the 1027 quality does not pay in comparison with the 1-A quality, and there is a direct loss reported by the Director of Agriculture himself to the grower, of about four or five rupees an acre on it I say to the Honourable Minister that it is not only the quality you have to look to but all other ingredients, and you have to look at the question from the general point of view and decide just what will and what will not pay the

[Rao Bahadur B R Naik]

agriculturist and what will and what will not increase his yield I will request the Honourable Minister to study some of the old reports on land revenue assessment, if no other books, of some thirty years ago and he will find that the present yield is in some places less than that of 30 years ago Why is that ?

The Honourable Dewan Bahadur S T KAMBLI Reports of what date ?

Rao Bahadur B R NAIK Thirty years ago, before the Agricultural Department came into existence If the Honourable Minister will look up reports for the years 1890 to 1900, he will find the yield of cotton per acre in some places in Gujarat and in the Surat district was more than what it is to-day I do not mean to say by this that there is a general decrease in yield everywhere, but my point is that there is no increase in yield during the last 30 years

Khan Bahadur ALLAHBAKSH Whose fault ?

The DEPUTY PRESIDENT I find that questions are put and answers given across the table without reference to the Chair. The proper procedure is that if an honourable member wants to put a certain question to the honourable member who is in possession of the House, he must ask for that information by rising and addressing the Chair An honourable member cannot ask a question direct to the honourable member in possession of the House without reference to the Chair

Rao Bahadur B R NAIK Thank you, Sir, but I cannot stop honourable members from interrupting me. They should certainly address the Chair and not me direct

The Department of Agriculture itself will have to come to the conclusion that without the proper facility of water and without the proper quantity of manure the yield will not be increased, and my point also in giving these figures in comparing with other countries is that I want to show that the agriculturists to-day are not in a position to get as much manure as they should get and apply to their fields Therefore, if you want to really increase the yield of the land, you have to devise some means by which the agriculturists can get cheap artificial manure There is not sufficient natural manure of cattle in the country and it is evident that you cannot have sufficient manure of this kind Therefore you must do what other countries like America, Denmark, Italy and Ireland or other agricultural countries are doing, namely, you have either to manufacture in the country or to import manure—artificial manure—from other countries and supply it to the agriculturists at a cheap rate so far as possible I also ask the Honourable Minister of Agriculture to read the reports of other agricultural countries. Will he be surprised to know that in other countries especially the British Colonies, manures are imported from foreign countries for the use of the agriculturists at a concession rate which the steamship companies allow and even the railways

[*Rao Bahadur B R Naik*]

allow a concession rate for transport of the manure over their lines if the manure is to be used for the *bona fide* purposes of the agriculturists ? Has anything been done here in this Presidency ? Nothing, so far as I know To increase the yield, you have to devise means by which agriculturists would get a sufficient quantity of artificial manure from foreign countries

Only one point before I sit down, Sir It has been stated in the report of the Agricultural Department that the taluka development associations are doing good work I also agree with that and say that most of the taluka development associations are doing good work and should be encouraged by Government as much as possible Instead of that we find that on account of the financial stringency those grants have been cut down and no new associations are to be started till the financial condition of the Presidency improves. It is not a very happy suggestion at any rate in the report I hope the Honourable Minister of Agriculture who himself understands the value of these associations which are doing good work and specially in the part of the country from which he comes, will take steps to see that such associations are encouraged by monetary assistance as far as possible

I entirely agree with one of my honourable friends from Kaira who preceded me He has complained about the abolition of agricultural schools in the Northern Division, in Gujarat Perhaps my honourable friend the Minister must be knowing that the school at Panch Mahals has been in existence for the last 20 years and doing good work for the boys of Kalipraja community. Panch Mahals is a Kalipraja district and boys who studied in primary schools used to attend the agricultural school which was purposely started to give these boys training in elementary agriculture That school continued for 20 years and it was up to the present Honourable Minister to abolish it . The same is the case with the school at Surat That too was turning out good work I personally would not have carried much for the abolition of the school at Surat but I do feel intensely for the abolition of the Panch Mahals agricultural school which was doing such excellent work amongst the boys of the Kalipraja community and which was such an old institution.

Now, Sir, one word about the Co-operative movement That is a movement no doubt doing good work in some respects and helping the agriculturists and ameliorating their condition It has taught the agriculturists to organise themselves and one of the best things this movement has done at any rate in Gujarat from where I come is that it has organised the cotton and other produce—sale societies by which middlemen have been eliminated and the profits which used to go in former times into the pockets of the middlemen now reach the agriculturists themselves Therefore, I say it is a good thing that the Department has done, and in several other things also they are doing good work But I want to throw out one suggestion to the Honourable Minister I do not know how it will be received by him, but there is one question, one burning

[Rao Bahadur B R Naik]

question in this country and this Presidency—I refer to the redemption of old debts

Have the Department ever considered the question of the redemption of old debts seriously, and has not the time come to take up this question? As an experimental measure, let them take up a district or two, whichever they think best and suitable for the purpose I know that there are the Central Banks and the District Co-operative Banks, but they will not take up this question of the redemption of old debts For that purpose land mortgage banks are required to be started on a large scale. This is the proper time to do it, because on account of the depression the moneylenders also will be ready to compromise with their debtors, and they will be prepared to take perhaps in some cases half the amount, or in some cases 60 per cent or 75 per cent Of course, I do not advocate that the debts of all the agriculturists should be redeemed, but the question might be considered in the case of those agriculturists who, by a redemption of their debts, will be able to stand on their own legs and will be able to pay their debt to the bank by instalments in 20 to 30 years by small instalments with interest—in other words, those who are solvent agriculturists I think this is the time to help them, and I am sure this is the proper time, because the sowcars are in such a miserable plight themselves to-day that they will be ready to compromise with their creditors under very favourable terms At present, with all the attempts of the Co-operative Department and the Agricultural Department, the agriculturist, who is generally indebted to a sowcar, does not work and does not take up agriculture seriously He feels "If I get more money from my labours, it will ultimately go to clear off my debts; therefore why should I bother myself about it?" But if once this great problem is taken up, I think it will give a great incentive to the agriculturist to take an interest in his work to work harder and to repay the loans which he will be able to borrow from these mortgage and other banks Of course, it will be said in some quarters—I do not know—that it is no use increasing the facilities for borrowing to the agriculturists, that by this means he will go deeper and deeper into debt, and therefore the less facilities for borrowing for the agriculturist the better Well, Sir, now-a-days, those who are acquainted thoroughly with the rural area will bear me out that those agriculturists are not getting any credit even from the sowcars On account of the fall in the values of commodities, the sowcars are not prepared to lend any money to the agriculturists, and therefore, if this suggestion is adopted, that no further facilities should be given to the agriculturists to borrow, then they will not get any money even for improving their fields and lands I, therefore say, that these mortgage banks are a necessity, and they should be taken up earnestly, and I am sure that by this method of taking up the question of the redemption of old debts you will be able to save, if not the total indebted population of agriculturists, at least 75 per cent of them, from ruin, and they will be an asset to the State. A sturdy yeomanry is the backbone of any Government This will repay. With regard to the present day co-operative banks and societies, I will give the instance of Surat district.

[Rao Bahadur B R Naik]

We have got a co-operative bank there, and we have got a surplus of about Rs 8 to 9 lakhs lying idle, and we have to lend this money to the banks in Bombay at 4 per cent I do not think that the object of starting these district co-operative banks was to enable the provincial bank to collect money from the district banks and to invest it in Bombay in short-term Government paper or to deposit it with the Bombay exchange and other banks That should not be the object of this movement On the contrary, this kind of thing does harm Taking again the instance of Surat, the Surat District Bank collects money from the rural areas, and the money goes out of the district—it goes to Bombay. If the Surat District Bank were not in existence, the money would have remained with the local shroffs, and it would have remained in circulation in the district This happens because they have not got any scheme for dealing with the surplus money, nor do they get any encouragement from Government in that direction It is up to Government now to devise some scheme for the redemption of old debts and to organise mortgage banks for the purpose The Banking Enquiry Committee has dealt with this question very carefully, and they have thrown out suggestions in this matter. This is a question which requires to be handled urgently and of course quickly too. I have nothing more to say, because honourable members who preceded me have dealt in detail with the other questions

Mr B S KAMAT Sir, I have no mind, at the fag-end of the debate on a short day, to detain the House for more than a few minutes, and even that I should not have done if my honourable friend the last speaker had not referred to one or two points of some importance But before I come to him, I should like to join my humble voice to what fell from the honourable mover of this cut (Rao Bahadur Parulekar) I entirely sympathise with him so far as the narrow issue which he raised at the latter end of his speech is concerned, viz the retrenchment of one Deputy Director of Agriculture, that of the Konkan Division I speak, Sir, with some knowledge of his district Indeed, I come from that district. My native place is not more than a few miles from the home of my honourable friend Rao Bahadur Parulekar, and his mother-tongue and mine are the same dialect of the Marathi language Speaking, therefore, with considerable knowledge of that district, I can safely say that the Konkan is exceedingly backward, and many of its agricultural problems especially problems of research, are awaiting solution for a very long time That is one of the reasons why the retrenchment axe should not fall on that Division The Retrenchment Committee never selected any particular district or any particular division for retrenchment in the Department of Agriculture at all, and I do not know why the Honourable Minister has been so merciless as to raise the axe himself in spite of the Retrenchment Committee's non-interference in the Department of Agriculture

Among the foremost questions which are awaiting solution in that division are one or two which were referred to by previous speakers. With regard to mangoes, the Agricultural Commission recommended that if there is grading, commodities such as mangoes would fetch better

[Mr B S. Kamat]

prices I am glad that suggestion has been taken up by the department of recent years, and we find from the latest Administration Report that graded mangoes fetched Rs 5-12-0 more per hundred than ungraded mangoes The question of the sale of mangoes in foreign countries, in Paris, London and other places, is engaging the attention of Government, and Dr Cheema, the Government Horticulturist had gone to England—he was deputed there—to study this question, and through the Empire Marketing Board probably he is investigating the problem of how Indian mangoes and other fruit could be sold at very good prices in foreign countries That question is likely to be interrupted in its final investigation if there is no responsible officer of the grade of Deputy Director of the department in the Konkan Division

Then, Sir, take the question of cashew nuts America is importing something like 14 lakhs of dollars worth of cashew nuts—not all from Ratnagiri, but from India and other countries, viz, South Africa Now, if South Africa goes ahead and India lags behind, and if the Indian cashew nut is not properly shelled or roasted, or if it does not come up to the standard or the taste of the Americans, surely India will lag behind in this trade and lose several lakhs of rupees worth of business, because we have neglected to produce better cashew nuts, while South Africa does better in that respect Is there any reason why this trade should be allowed to be lost? Is it simply because we want to retrench a few thousand rupees by the abolition of one Deputy Director of Agriculture, and for this particular Division? Now, these are the illustrations why this particular deputy director should not be retrenched and how Konkan would suffer by such retrenchment.

One or two points raised by the honourable member Rao Bahadur Naik require elucidation He grumbled, after reeling out a long list of statistics of Canada, Cuba and Java, why India is not progressing in the matter of research, particularly in increasing the yield of certain crops? When one reads the statistics of other countries one is confused I for one, after studying comparative statistics of various countries, not only about agriculture but about economics generally, have given up the attempt—these are correct figures as far as the Year-books go Until, however, one knows all the local circumstances of the country, the nature of the land, the climate, the constitution of Government, the literacy of the people, and thousand and one factors, these statistics and percentages have absolutely no value for purposes of comparison between one country and another Then again, even if comparison were to be made, I do not think the work of our department is so disappointing as the honourable member Rao Bahadur Naik makes it out to be Take for instance the Ratnagiri District I find that our own Agricultural Department has not fared so badly as the honourable member Rao Bahadur Naik thinks In the matter of rice for instance certain research work has been done in Ratnagiri Take *patani* No 6 It has given 15 per cent more yield Take *kudai* No 25 This has given

[Mr B S Kamat]

16 6 per cent more yield than some other local variety There is a third variety, *pamel* No 61 which has given an increased yield of 14 7 per cent It is stated

"This strain is highly appreciated in Dapoli, Chiplun and Ratnagiri talukas and its distribution has been already commenced since the last two years"

Take another crop, *Nagli* E 31 has given 25 per cent increase in yield It shows that our research is responding and we have between 25 and 30 per cent of increase in yield on certain varieties of food stuffs. The fact is we are spending far less than other countries on research I would not emphasise other factors, but still there is one fact, viz, in other countries, the quality of the men employed for research is decidedly better than the men available here, particularly at the beginning of the Agricultural Department's career You could not find on a small pay in this country men of the calibre of say Sir John Russell who is working on research at Rothamsted research station. He has been on the job for the last thirty years We are just in the infant stage We might produce such distinguished men if we are prepared to pay for the best of our graduates The Legislative Council must be prepared to pay more for such kind of original work in the Irrigation, Agriculture and other research matters, if they want to develop the country faster than we are doing at present

The second point raised by my honourable friend Rao Bahadur Naik was whether the soil was so deteriorating as to yield less and less He gave an illustration of the yield of cotton in Surat I am not able to reply with reference to cotton in relation to one district I believe there are no scientific data of former times with reference to comparative yields so as to justify any conclusion What the yield 50 or 100 years ago was per acre per dose of manure and what the yield now is, we have no scientific data. We have not got accurate data about the yield of particular varieties per acre for a given quantity of manure There are no records to show what the quantity of manure given fifty years ago and what exactly the yield was in a given plot or area, with or without manure In the absence of definite and scientific records, it is very difficult to say whether the yield has gone less and less The Agricultural Commission went into the question with reference to several provinces and on the information supplied by the various departments in respect of recent years the conclusion at which they have arrived is this——

Rao Bahadur B R NAIK I did not say that the yield was decreasing. I said it has not increased within the last 30 years

Mr B S KAMAT I understood him to say that 30 years ago the yield in a particular tract was better

Rao Bahadur B R NAIK I said that in some tracts the yield was more than it is to-day I did not say in general terms.

Mr B. S KAMAT He did refer to 30 years ago I am only trying to controvert the statement which he made The Commission says

"We communicated with local Governments in all provinces from which it seemed likely that definite evidence on the question of deterioration could be obtained In answer to our enquiry, we have been informed that, in Bombay, Bengal, and Burma,

[Mr B S Kamat]

there is no evidence of any decline in the yield of staple crops, while the local governments of Madras, the United Provinces, and the Punjab tell us that the tendency in those provinces is towards a slight increase in outturn The Government of Bihar and Orissa take the view that the available statistics are not sufficiently accurate to justify any definite conclusions being drawn from them"

Rao Bahadur B. R. NAIK Even the Report of the Royal Commission on Agriculture supports me when it says that though the land is not giving less yield than before, at the same time it does not give any increased yield so far as Bombay is concerned

Mr B S KAMAT Thus there is no ground to believe that the soil is giving less and less yield, and that the department is not looking into the question I do not therefore think we have reasons to blame the Agricultural Department on both the points, namely, research and deterioration of yield

Khan Bahadur GHULAM NABI SHAH (Thar Parkar District) (Addressed the House in Urdu) Sir, the Government is spending Rs 10 lakhs on Agricultural Department annually The expenditure on Government farms is more than their incomes In face of this, how could people take to those methods? The idea underlying the creation of farms is to produce better results with lesser costs The research work must lead to this result only, otherwise it is pure waste of time and money.

I have seen Sakrand farm and other farms The results of this excellent research work should be made available to every cultivator by propaganda and demonstration or instruction in his field It is too costly for zamindars to visit the Sakrand or other farms. I therefore submit to this honourable House that the Government should have inspectors in each taluka who should carry on wide propaganda and also help cultivators by instruction in their villages by advice about the latest methods of cultivation, different sorts of seeds, and improvement of soil I had occasion once to request an inspector to examine my land and give me best advice about producing wheat with Government Farm seeds after improving the Kalarish soil at my own expense But these Inspectors are used to easy life on farms and would not take to hard life in the fields Having failed to get any help from Agricultural Department, I tried to do the same myself and am pleased to say that I have been able to produce good wheat These Inspectors must be made to attend to practical and actual work of cultivators in fields. It will be of immense use to zamindars if the Honourable Minister and the Director of Agriculture toured through Sind and called jalsas to explain to zamindars the latest results of research work and induce them and assist them to adopt the same The Director should call for monthly reports from Inspectors about the actual field work in each *deh* and success attained

Rao Bahadur R. R KALE (Bombay University) Sir, if I intervene in this debate, it is only for the purpose of pointing out that in connection with the question of auditors some years ago I had made a suggestion for the co-ordination of the audit system of the Co-operative

[Rao Bahadur R R Kale]

Department and the audit system of the local bodies, for employing the same class of persons to do the work of auditing both these departments. When an auditor visits a station, a district town for instance, why is it not possible for him to audit the accounts of the co-operative societies as well as the accounts of the local board and the municipality? I know there are some differences in the rules But certainly we shall be securing an enormous saving in the travelling allowances which are now paid to two sets of auditors One set comes for the purpose of auditing the accounts of the local bodies—the local boards and the municipalities—and a second set for auditing the accounts of co-operative societies. The travelling allowance given to one set can be saved if the same auditors audit the accounts both of local bodies and co-operative societies. The Honourable the Finance Member (Sir Govindrao Pradhan), who was then in charge of the Co-operative Department, promised that he would look into the suggestion. I am now asking if any effort has been made to find out whether it is not possible to put it into effect There are many people who have passed the audit examination, and I certainly think that qualified men will be forthcoming who will be able to do both the auditing in the way suggested.

Now, I come to the question which was dealt with at great length by the honourable member from Ahmednagar, namely, the retrenchment in the grants given to the Provincial Co-operative Institute I have only to add to what he said yesterday that we require from the Honourable Minister some kind of assurance that he will be able to meet the demand of that institute in the matter of grants. I am told that the grant was reduced from Rs 34,000 in the last year to Rs 25,000 in the current year and that in the ensuing year further drastic retrenchment is proposed I am told that correspondence has passed between the authorities of the Provincial Co-operative Institute and the Co-operative Department. I feel sure that they have made out a very strong case against further retrenchment in their grant The object of my honourable friend from Ahmednagar yesterday was to direct the attention of the Honourable Minister for Co-operative Department to this fact We did not carry the motion regarding the appointment of a special auditor to a division yesterday, but at the same time we do hope that retrenchment will be pursued in other directions so as to find the money that is badly needed by the Provincial Co-operative Institute

Mr G S GANGOLI (Kanara District): Sir, the last speaker, the honourable member Rao Bahadur Kale, has made the point which I wanted to make yesterday In the first instance, we are greatly indebted to the co-operative movement At the same time, I must say that so far as the villagers are concerned, the co-operative movement has left them heavily indebted These officers have done everything in their power during the last ten years in spite of adverse circumstances If the co-operative movement has taken deep root anywhere, it is in the centre from which the Honourable Minister (Dewan Bahadur S. T. Kambli) himself comes. He himself has worked as president of several

[Mr. G. S Gangoli]

banks, and he has given a greater impetus to the movement than any other member in this House.

One thing that I want to impress on the Government benches at the very beginning is this They want to retrench Retrenchment has been spoken of so many times that the word itself has become repugnant to the sense of some gentlemen I do not know how the Co-operative Department happened to become a permanent department in this presidency So far as my information goes, the department was intended to be a temporary one at its inception, it was created in 1904 and was intended for only twenty years There was at first only one assistant registrar, Mr Naik, who was placed under the Director of Agriculture So long as Mr Keatinge was there, he was the head of both the departments, Agriculture and Co-operation When he went away Dr Mann was appointed Then an I C S officer happened to be put in charge of the Co-operative Department As an I C S man he did not like to be under a non-I C S man, Dr Mann, and the department was, therefore, separated and made permanent It has now outlived the period of 20 years for which it was at first intended, eight years more have gone by and it is still there I do not know under what authority they have made this establishment from a temporary into a permanent establishment At the time of recruitment the auditors and assistant registrars were given high salaries as they had no pension or even general provident fund Now, they are all permanent In the budget there is also a temporary establishment shown at page 266, against C-(2), and the cost of that establishment is estimated at Rs 4,403 A temporary establishment is still maintained, but the main department has been made permanent.

If there is any department which is properly run by the non-official public of this Presidency, it is the Co-operative Department In it there is no distinction between caste and caste, creed and creed, and even between male and female I think it has taken deep root in this Presidency and has given the villagers the idea of what a vote is Before the co-operative movement was started the villagers did not know what a vote was and what membership of a body meant All these societies have been managed by the non-officials Can the Government say that they managed these ? The managing committee members perform important duties and manage deposits and loans running to thousands and thousands of rupees There is not a single member of this House who is not connected with the co-operative movement in one way or another The institution which manages this movement in the Presidency is, I may be permitted to say, the Provincial Co-operative Institute of Bombay Its President at present is Sir Chunilal Mehta and its Vice-President Mr. V G Kale of Poona What is the support that that institution has got from this department or from Government ? Last year it was Rs 34,000, during the current year, Rs 25,000; and it is reduced to Rs 18,000 for the budget year. I would ask the members on the Government benches whether they do think that they can manage this department without the co-operation of the non-official

[Mr. G. S. Gangoli]

members who have to work hard from month to month and from day to day as members of managing committees and as chairmen without any payment or emoluments Now, the only one institute which got some help is to be deprived of the meagre help that used to be given to it If the Government benches are earnest and serious, they can hand over this department to this institute, keeping only the auditors—not the auditors for whom we voted a grant yesterday, but the auditors of local bodies who when they go about auditing the accounts of local bodies can also audit the accounts of co-operative societies. There will be real saving also If we are to have swaraj and provincial autonomy, we are already sufficiently trained in this direction and we can very well manage without Government intervention.

In this connection, I wish to say that some of us do really resent interference by petty inspectors and clerks An ordinary clerk getting Rs 30 a month is an inspector, a man getting Rs 75 is an auditor We do resent their interference If they are removed, we can ourselves manage the department properly The Provincial Co-operative Institute is the fittest institution which can run this department If it is allowed to run it, we can save this Presidency nearly five lakhs of rupees every year

In moving his cut motion the honourable member from Ratnagiri said that the Deputy Director of Konkan should not be removed Well, Sir, Kanara also happens to be under the control of the Deputy Director who has charge of Ratnagiri The honourable member from Ratnagiri made several suggestions about cashew nuts, *nagli* and other products. In our district these are neglected, they are taken to be minor produce From the time I have entered this Council, I am realising the truth of the saying "Out of sight, out of mind" There is no other member to represent Kanara, to represent what the state of affairs is in Kanara Nothing is spoken of Kanara, which according to the Department of Agriculture is the pride of this Presidency We have large gardens of spices and betelnuts producing three to four crores worth of spice and betelnuts The average assessment in Kanara is Rs 16 per acre of garden land and Rs 8 per acre of rice land I think that is the highest assessment in the Presidency But what has the Agricultural Department done so far for Kanara? Nothing, practically nothing There is one farm which goes on experimenting in minor produce, but no substantial help is given to major produce, such as spice Let the Honourable Minister say, as far as he can find from the records, whether the Agricultural Department has done anything towards the improvement of agriculture in Kanara They deputed an officer in 1919 who inquired into the state of garden cultivation in Kanara, but he made a report that the agriculturists in Kanara needed no training and that the standard of their cultivation was the highest known to their department

The Honourable Sir RAFIUDDIN AHMAD Then, why should one more be sent?

Mr G S GANGOLI Because it has deteriorated The farms in Kanara have deteriorated There is an agricultural station maintained at Kumta but there is not a single betelnut plant in that farm. Government publish a large amount of literature on agriculture but there is not a single pamphlet issued regarding betelnut We grow pepper cardamom betelnut and betel leaves and other spices also I do not think any useful suggestion has been made by the Agricultural Department to help us out of the morass in which we are at present.

I will take more time, Sir

The Honourable the PRESIDENT The House is now adjourned to 2 p m., to-morrow, Thursday, the 3rd March 1932

Thursday, the 3rd March 1932

The Council re-assembled at the Council Hall, Bombay, on Thursday, the 3rd March 1932, at 2 p m, the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt, Bar-at-Law, presiding

Present

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr A B
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S N
ASAVALE, Rao Bahadur R S
BALOCH, Mr HAJI MIR MAHOMED
BANGI, Mr A. K J
BECKETT, Mr R H
BELL, Mr. R D
BHUTTO, Sir SHAH NAWAZ
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S K
BOWERS, Mr P L
BRANDER, Mr J P
BULLOCKE, Mr A GREVILLE
CHIKODI, Mr. P R
CHITALE, Rao Bahadur G K
CLAYTON, Mr H B
COLLACO, Dr J. A
COOPER, Khan Bahadur D B
DA GAMA, Dr. ACCACIO
DAVIS, Mr G
DESAI, Rao Saheb B G
DESAI, Mr. H. R
DHALUMAL LILARAM, Mr
DIXIT, Dr M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C G
GANGOLI, Mr G S
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M D
GOVER RORA, Mr
HADDOW, Mr. R R
HUDSON, the Honourable Mr W F
HUMPHREY, Mr JOHN
JAM JAN MAHOMED KHAN, Khan Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr HAJI IBRAHIM
JOG, Mr V N
JONES, Major W. ELLIS

KADRI, Mr J S
KALBHOR, Mr G M
KALE, Rao Bahadur R R
KAMAT, Mr B S
KAMBLI, the Honourable Dewan Bahadur S T
KARBHARI, Mr M M
KHUHRO, Khan Bahadur M A
KIRKE-SMITH, Mr A
KULKARNI, Rao Saheb P D
LANE, Mr C M
MACLACHLAN, Mr D
MACKIE, Mr A W. W
MATCHESWALLA, Mr G E.
MCELHINNY, Mr G W
MEHERBAKSH, Mr S
MEHTA, Mr M. H.
MODAK, Rev R S
MODI, Sardar Davar T K
MONTEATH, Mr J
NAIK, Rao Bahadur B R
NAMDEORAO BUDHAJIRAO, Mr
NAVLE, Mr N E
OWEN Mr A C
PARULEKAR, Rao Bahadur L V
PATEL, Khan Bahadur A E
PATEL, Mr C N
PATIL, Rao Bahadur D R
PATIL, Mr N. N
PATIL, Mr V N
PATIL, Rao Saheb V S
PERRY, Mr E W
PETIT, Mr J B
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G V
PRATER, Mr S H
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr *HOOSENALLY* M
RESALDAR, Mr A K
ROOSE, Mr F O J
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr
SHINDE, Mr R B
SINDHA, Mr MADHAVSANG JORBHAI
SOLANKI, Dr P G
SPENCE, Sir REGINALD
SURVE, Mr A N
SURVE, Mr V A
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.

TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr G A
TOLANI, Mr S S
TURNER, Mr C W A
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R V
WADKE, Mr B P
WINTERBOTHAM, Mr G L

NEW MEMBER SWORN.

Mr J Monteath, I C S, made the prescribed oath of allegiance to His Majesty the King-Emperor, and took his seat in the Council

SELECT COMMITTEE ON BILL No. I OF 1932.

The Honourable Sir GOVINDRAO PRADHAN. Sir, before discussion begins on the adjourned motion, with your permission, I beg to move that the time allowed to the Select Committee on Bill No I of 1932 to submit their report be extended from the 10th March to the 14th March The Committee have to examine a few witnesses on the question of stamp duties on forward transactions and also on the electricity duty We shall try to submit the report as early as possible, but the time may be extended up to the 14th March

Question put, and agreed to

DISCUSSION ON DEMANDS FOR GRANTS—(*resumed*).

Mr G. S GANGOLI (Kanara District) Sir, yesterday I was saying that there were no agricultural improvements made in Kanara In the Annual Report of the Department of Agriculture in the Bombay Presidency for the year 1930-31, page 164, we find it stated

"Even the money-lenders and sowkars consider it risky to advance any loan for the cultivation of staple crops and the effect of all this depression is likely to be seen in future cultivation The general indebtedness has been increased and in some parts of the Kanara District, great difficulty has been felt in collecting the revenue The poor cultivators are not in a position to hold out their produce until better prices prevail, and as a result almost all the produce has passed into the hands of merchants and sowkars at the cheapest possible rate If the present depression continues, the cost of cultivation and the value of the produce will be automatically settled, but this settlement will take a heavy toll at the cost of poor cultivators"

This is the last official report, and I do not think that the Honourable Minister has taken any steps to improve the situation in Kanara That is one of my grievances After the introduction of the Reforms the subjects of Agriculture and Forests came into the hands of popular Ministers, and some of the gentlemen who held the post of Minister for Agriculture and Forests had a sympathetic interest in Kanara But after Sir Govindrao Pradhan gave over charge of that office, may I say to our misfortune came the Ministers who are at present

[Mr. G. S Gangoli]

before us, and our fate has been 'nearer the church, farther from God' None of these Ministers has visited Kanara these two years and seen what our gardens are like and how they are suffering. For the past two years, the co-operative movement also has been at a standstill People are not willing to deposit their money and Government are also not coming to our help As stated in the report, everything that is produced by the cultivators finds its way into the hands of grabbing sowcars and the position of the agriculturists is getting worse I do not know when the Honourable Minister will come to our district and to our help

Now, I come to the Co-operative Department and its general working. I started yesterday by saying that the department had given us good training but left us heavily indebted. It only gave us immediate help in the shape of monetary advances They gave loans without ascertaining for what purpose the loan was necessary, and they never cared to see how the money advanced was utilised The result was that each and every agriculturist took loans, because by producing two sureties he could get any amount of loan After seven or eight years of working, every one finds that he is ruined It has ruined thousands and thousands of good families and it has turned good friends into the worst enemies—I am referring to the relations between the sureties and the principals There is the Deccan Agriculturists' Relief Act, but that has no bearing on the co-operative movement. Several of the Acts have been over-ridden by the Deccan Agriculturists' Relief Act, but the Co-operative Societies Act overrides everything If a person took a loan of one hundred even by paying Rs 300 he cannot get immunity from payment of full debt How is the matter settled? It will be settled by an arbitrator We were told we had not to pay court-fees before, but now we have an arbitrator who is often paid Rs. 2 per hundred of the amount decreed He has no right to grant instalments, no right to reduce the interest, he cannot give even the ordinary relief that can be granted by an ordinary civil court under the Deccan Agriculturists' Relief Act

The other day, the Honourable Minister said that the co-operative institutions were being audited every year I said that there was a special auditor for Kanara District, but it goes very hard with him to audit the banks even once a year In Kanara that auditor comes only once in two years or less Even if auditing is not carried out, we have to pay the audit fees into the sub-treasury. Even the Income-tax Department charge us income-tax only on interest earned or income accrued, but under the Co-operative Societies Act we have to pay audit fees even if there are no fresh transactions in any year, we have to pay audit fees on the total volume of the transactions done by a bank even though the audit is only once in two years.

Sir, this is a vast subject, but many of my honourable friends wish me to stop and give them time to speak and so I close.

The Honourable the PRESIDENT And the discussion on this subject will also come to a close at quarter past four.

Rao Bahadur D R PATIL (East Khandesh District). Sir, I know the object which moved my honourable friend Mr Parulekar to propose this cut I was glad to hear the speech of the honourable member Mr Gokhale, who talked about the backbone of the country, namely, the agriculturists of Ratnagiri as well as the fertile brains of the Konkan. We are well acquainted with the fertile brains of the Konkan, the fabrics of which are scattered throughout Maharashtra.

Coming to the point about the post of a deputy director in the Konkan Division, I do not think that because that post is held in abeyance, it necessarily follows that all activities in the direction of research, experiments and propaganda will cease If that were so, my honourable friend would have been right in moving his motion I am sure the Honourable Minister will throw some light on that

Now, as regards pruning, grading and marketing of mangoes, I think that is the function of a horticulturist So the holding in abeyance of the post of a Deputy Director will not do any harm to the agriculturists of Ratnagiri District If the honourable mover of the cut will be satisfied by the explanation of the Honourable Minister, I am sure he will be pleased to withdraw his motion

Khan Bahadur ALLAHBAKSH (Sukkur District) Sir, the honourable member Rao Bahadur Naik told us yesterday that in other countries the yield per acre was more than in this presidency and that the yield in this presidency was deteriorating That is true The reason for that, however, is partly attributable to the inability of the zamindars to preserve the fertility of the soil. That is one of the main reasons I think, Sir, that this question of getting the maximum yield from the land is of vital importance to the finances of this presidency, because if the zamindars are able to turn out more corn from their lands their taxable capacity will increase Therefore, it is necessary that we should try to devise some means by which we can get the maximum outturn out of our land It is true that we do not get the maximum outturn now If we can get the maximum outturn from our land, I do not think there will be any necessity to grant remissions and such other things for which people are crying now

There are, Sir, two or three ways by which one can get the maximum outturn from one's land First of all, good seeds I must admit that the Agricultural Department in Sind have succeeded in a large measure in supplying zamindars with good seeds If experiments are carried on on a larger scale, I think the Agricultural Department will be in a position to give a quantity of seed sufficient for all Sind The second is manure At present there is paucity of manure and the zamindars are not able to till their lands properly There are two difficulties in the way of the zamindars One is that the prices have gone so low that it becomes very difficult for any zamindar to plough his land with tractors or machines To preserve the fertility of the soil it is very necessary that we should plough the land with tractors. But on account of the depression it is not now a paying proposition to plough

[Khan Bahadur Allahbaksh]

the land with tractors Therefore, if Government are really anxious that agriculture should be a paying industry, they should see that the duty imposed on petrol and kerosene which are used for ploughing the land is removed At present there is a duty on petrol The duty is imposed on petrol because it is used for motor traffic But, Sir, in a large measure it handicaps the zamindar I see no reason why petrol used for tractors should pay this duty It will be in the fitness of things if the Government of Bombay moves the Government of India to remove the duty on petrol and kerosene oil [*Interruption*] My honourable friend Mr Haji Mir Mahomed Baloch asks me how many tractors are now in use ? I do not know about the presidency, but I think if there is no duty on petrol and kerosene practically every zamindar in Sind who owns a land of more than 500 acres will use tractors Sir, the price of petrol is about 10 annas per gallon With the duty, freights and other charges the price comes to Re 1-6-0 If the Government of Bombay asks the Government of India to reduce the freight charges for petrol and kerosene oil and at the same time enable the zamindars to get petrol and kerosene oil free of duty, I think the zamindars will be in a better position to plough their land at a cheaper cost and have more yield out of their land than at present

Mr HAJI MIR MAHOMED BALOCH (in Urdu) Will the concession not be abused ?

Khan Bahadur ALLAHBAKSH Yes, it is likely that this concession may be abused, but the best thing we can do is to frame rules. The zamindar should inform the Agricultural Department that he intends to cultivate so many acres of land, and the concession should be given after the land has been cultivated A record should be maintained by the Agricultural Department which would prevent abuse of this concession and the zamindar using the petrol and kerosene for his private purposes If once the principle is accepted, there will be no difficulty

Another point is about manure It is easy to manure lands by green manuring, that is to say, cultivating the lands either with berseem or with leguminous crops The standing green crops should be destroyed before they mature in the fields after every two or three years and thereby the fertility of the soil is preserved To do that it would be necessary to exempt that land from assessment so far as the green manuring process is concerned, because after all, if the zamindar is able to preserve the fertility of the soil, it means that Government also stands to gain When the zamindar does not get anything out of his crop and when he merely destroys his standing crop in order to manure his land, there appears no reason why Government should levy assessment. I know that the proposal is under the consideration of Government and it will be decided at no distant date The honourable member Rao Bahadur Chitale does not like the idea But Government will perforce have to do it, because they propose to give out the Barrage lands on lease and it would be necessary that the fertility of these lands should

[Khan Bahadur Allahbaksh]

be preserved I have nothing more to add, but I urge the Honourable Minister to take these remarks into consideration and allow these two concessions to the zamindars

Rao Bahadur L V PARULEKAR (Ratnagiri District) . Sir, so far nobody has said anything against my arguments in connection with my motion except the honourable member Rao Bahadur Patil who said that marketing is the duty of the Horticulturist But so far as I know, the Horticulturist is no independent entity because he is merged in the whole department. I shall read a passage from the report of the Agricultural Department, pages 32 and 33 :

" Fruit is marketed by the grower or upcountry dealer in a very primitive manner in this Presidency The art of grading is almost unknown The Department has been demonstrating at Ratnagiri the method of grading mangoes and the correct packing thereof In the year under report about 2,000 baskets of mangoes were graded by merchants with the aid of two Departmental officers at Vengurla, Malvan and Ratnagiri "

I have not up to now heard a word of encouragement or solace from authorised quarters Therefore, I do not know how to reply

The Honourable Dewan Bahadur S T KAMBLI Sir, the honourable mover of the cut is labouring under a great misapprehension of facts and circumstances He seems to be under the impression that the keeping in abeyance of the post of Deputy Director of Agriculture for Konkan implies and includes the keeping in abeyance of all the activities of the Agricultural Department in Konkan While it is true that the post of Deputy Director of Agriculture will be kept in abeyance, I assure the honourable member that the activities of the Department in Konkan in the sphere of development of horticulture and agriculture will be carried on as before and on the same scale There will be no abolition or curtailment of the activities of the Department in the Konkan The Horticulturist's post is not abolished. Dr Cheema is there to advise the growers of mango trees as to pruning, spraying and also as to the grading of mangoes and their preservation and export He had been to England to study this particular question of preservation and export of mangoes and also to study the commercial side of it, namely, as to how to secure a market in London and in Europe, for mangoes in general and mangoes of Konkan in particular The results of his experience and study are and will be at the disposal of the horticulturists of Konkan He is the officer who deals with these questions, and he has been bestowing his attention on all these questions which, I know, are of vital importance to the people of Konkan

The honourable House will, I believe, be interested also to know that I had a long discussion with Dr Cheema on the question of the extension of the cashew cultivation in the Konkan, especially on the warkas lands I asked him to investigate into this problem thoroughly and submit his proposals to Government The question of how to utilise the warkas lands has been long engaging my attention This point was stressed by me when I happened to preside over the deliberations of the conference of the Taluka Development Association of Konkan held in Bombay in February 1931 I am sure that the extension of cashew cultivation, in

[Dewan Bahadur S T. Kambli]

so far as warkas lands are concerned, will be greatly beneficial to the cultivators of the Konkan districts

Now, I come to research work I assure the honourable House that the research activities of the department will be continued in Konkan on the same scale as before Investigations and researches in rice, nagli and other cereals have yielded good results This fact has not only been admitted, but highly appreciated by the honourable mover of the cut But he fears that there will be a curtailment of these activities and the fruits hitherto obtained will be wasted This is not the case at all The research staff is not disbanded and is not going to be disbanded It is retained and will continue to carry on its investigations and researches into the problems of evolving better strains of rice, nagli and other cereals to the benefit of the ryots of Konkan. It may also be noted that it was not the Deputy Director of Agriculture that personally carried on the research work, but there is a separate staff for research work and this staff is not going to be disbanded, but its services will continue as before

I next proceed to deal with propaganda work in Konkan Here again, the honourable mover seems to think quite wrongly that the staff engaged in this connection will be abolished, disbanded or retrenched I assure the honourable mover again that nothing of the sort is intended and nothing of the sort will happen The propaganda staff is kept intact without reduction or retrenchment and will continue to function as before

So, honourable members will see that in the matter of advice and help as regards mango cultivation, mango preservation and mango export, the Horticulturist is always ready to render every advice and every help to the horticulturists, and the research activities will continue unchecked and on the same scale as before Propaganda will be carried on to the best advantage of the agriculturists

At this stage I desire to draw the attention of the honourable the mover of the cut to paragraph 50 on page 178 of the Administration Report of the Department of Agriculture for the year 1930-31 At the end of the paragraph he will find this sentence

"Only two associations at Kalyan and Ratnagiri are below the mark and they have been warned to improve their work"

The honourable mover is aware that these associations play an important part in popularising agricultural improvements in their respective talukas I understand, the honourable mover lives in the taluka of Ratnagiri and I admire him for the profound interest that he takes in all matters relating to agricultural improvements May I request him to divert some of his valuable energies to stimulate the taluka development association of Ratnagiri to function properly so as to be of great help to the cultivators of his own taluka? Every taluka development association is, in a sense, the medium of transmitting agricultural improvements to the masses of cultivators in general I therefore request the honourable mover to take an interest in the association of his own taluka and thus render a great and signal service to the agriculturists of his own taluka

[Dewan Bahadur S T Kambli]

The honourable member Rao Bahadur Naik gave some interesting figures with regard to the relative yielding capacity of lands of different countries such as Java, Cuba, America and so on, and compared the yielding capacity of those lands with those in India in general and in his district of Surat in particular, he also requested me to study the land revenue accounts of 30 years ago in order to convince myself of the deterioration of soil in India In fact, he complained that the soil in India was deteriorating greatly and gradually The honourable member Mr Kamat who was a member—and an esteemed member—of the Royal Commission on Agriculture refuted him thoroughly He said that the Commission investigated into this important problem of the so-called deterioration of soil in India In other words, the Commission investigated into the question whether the yielding capacity of lands in India had grown gradually less and less He further stated that the investigation showed that there was no evidence of deterioration of the soil of India I agree with him further when he says that such comparisons are worthless, as fertility of soil depends upon so many factors such as climate, rainfall, and as pointed out by the honourable member Khan Bahadur Allahbaksh, upon distribution of proper seed, good manure and so many other things Therefore, the cry about the deterioration of soil in India is groundless

Another question was put to me as to whether efforts have been made to get concessional rates from railways in freight charges for carrying manures from place to place I may inform the Honourable House that such efforts were made and some of the railway companies who were approached in this respect have given certain concessions I cannot remember offhand what these concessions are, but I am sure some of the railway companies have made some valuable concessions

The honourable member from Karachi (Mr Baloch) pleaded with his usual force and eloquence, though in a language which I could not understand, for measures to combat locust pests in Sind I may inform him that the Imperial Council of Agricultural Research had sent an officer last time to instruct the villagers in Sind and the people of Sind as to the measures to be adopted to combat locust pests I am also informed, Sir, that during the current year there has been no such pest and no immediate step is necessary I am told further that the locust pest occurs once in a decade or so in Sind—God forbid another locust pest—and if it at all repeats again, certainly the attention which it deserves will be paid and steps taken to combat the locust pest

The honourable member Rao Bahadur Kale pleaded for the cause of the Provincial Institute and stressed the importance of adequate financial help being given to the Provincial Institute I assure the honourable member that it was owing to the financial stringency that the grant for the institute was cut down from Rs 25,000 to Rs 18,000 I may further assure him, and the honourable member from Ahmednagar as well, that if the financial position improves or if there happens to be a saving otherwise in the department, then this question of further increasing the present grant will be favourably considered

[Dewan Bahadur S T Kambli]

The honourable member from Kaira bitterly complained against the policy of retrenchment as regards boring activities I do not see him in his seat to-day Deep boring is not under my charge, it is under the charge of my honourable colleague, the Minister for Local Self-government Deep boring, it is true, is entirely stopped Shallow boring is under my charge, it is not entirely stopped, but its activities have been curtailed and they have been confined to the precarious tracts of the Deccan The loan of boring plants is for the present stopped Such boring machines as would lie idle are intended to be put up for public auction; they will not be allowed to rust as some honourable members appear to think The local bodies which stand to gain by their use in their districts are at liberty to bid for them in public auction. I do not see what stands in the way of the local bodies purchasing these machines in public auction It was urged in the debate that repairs can be locally made and that they could be used with advantage by the local bodies These machines, I believe, are not beyond the capacity of local bodies to purchase If great benefit is to arise from the use and work of these machines, I think the local bodies will be well advised in purchasing them without any loss of time The other day the honourable member from Sholapur put a supplementary question to me asking whether Government would be willing to sell these machines on instalment system, and he is heard to put the same question to me to-day. I answered then in reply that no such request was hitherto made to Government, and when and if it is made, it would be considered. If any local body satisfies the Government that it stands to gain enormously by the purchase and use of these machines and that it cannot pay the purchase money at once, and that it should be allowed to purchase on the instalment system, then such a case would surely deserve favourable consideration

Sir, the honourable member from Kanara complained that I have not visited his district, but I may inform him that I did visit his district though not the whole of it I had been to Haliyal, a taluka of his district, I had been to Dandeli and I had been as far as Kirwatti. He also complained against the powers of the arbitrators appointed under the Co-operative Act, but these arbitrators are expected to exercise their powers in accordance with the law that is in force and the rules framed thereunder If any honourable member feels aggrieved and thinks that the powers of the arbitrators should be modified, certainly he is at liberty to move an amendment of the Act or the rules that are in force and get the same passed by this House

Sir, I have listened very attentively to this very important debate. I have made a note of all the useful suggestions made by the honourable members who took part in this debate It shall be my earnest endeavour to consider all these useful suggestions and to give effect to such of them as deserve attention if I can do so within the funds at my disposal.

Rao Bahadur L V PARULEKAR (Ratnagiri District) Sir, I would merely assure the Honourable Minister for Agriculture that I have been

[Rao Bahadur L V Parulekar]

taking considerable and active interest in the taluka development association, with which I have been connected from its very commencement, and I have been doing so in order to ameliorate the condition of the agriculturists of my district——

The Honourable the PRESIDENT The simple question is whether the honourable member wishes to withdraw his motion

Rao Bahadur L V PARULEKAR I am not speaking, Sir, but I merely wanted to assure the Honourable Minister that I am taking interest in the taluka development association I beg leave to withdraw my motion

Motion, by leave, withdrawn

Original Demand put, and agreed to

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Sir, I make a demand for Rs 23,70,000 under 33-Public Health, Transferred

Question proposed

Rao Saheb P D KULKARNI (Poona District) Sir, I beg to move.

(67) Reduce by Rs 100—A-Public Health Establishment (Voted)—Rs 8,01,000 (Civil Estimates, page 236).

The expenditure under this head in 1930-31 was Rs 3,26,905 and this year Rs 2,92,000 budgetted, so that, thus a saving of Rs 34 905 is shown this year Undoubtedly it is a commendable thing One thing more is to be taken into consideration in retrenching this Department At the time of discussing the last subject much was said about the mango and the mango tree, but nothing was told about the parasite that eats into the mango and destroys the crop I say, looking to the ways of conducting the Department, the Public Health Department is a parasite on the finance of this part of the country The amount that is allotted to this department is swallowed up by the pay of the big officers and their little staff Eventually nothing remains for the expenditure on the executive or propaganda works except some small items of insignificant importance. Therefore this department cannot do anything in the way of protecting the public health in any executive manner Only the administration and the staff take away the allotted amount For this reason I said that it is just like a parasite on the mango tree, i e, Public Exchequer In my opinion there is still great room for effecting more saving in the expenditure of this department by way of retrenchment and the little work that is done by the Department can be very well divided among some other officers of that line I am sorry to note that despite the existence of the Public Health Department the death-rate is increasing and this sorry fact has been admitted by the Director himself in his report on page 173 The duties of the Director can be very well transferred to other responsible officers and this post can very well be curtailed and the money thus saved can be well used to replenish the resources of other departments like District Local Boards, etc They may be entrusted with the duty of protecting the health of the public

[Rao Saheb P D Kulkarni]

Among others, I see that recording vital statistics forms one of the chief duties of the Director They take so many pages of the Government Gazette every week That duty can be very well done by the Revenue Commissioner, as the recording of rainfall is done by the Deputy Director of Agriculture Much of the information is collected by the talatis, patils, mamlatdars and municipalities Naturally the Commissioner of the Division, being the head of those departments, I think, can very well execute this work without any detriment to his own duties And then the Director of Public Health Department will be relieved of this gigantic work

Another duty of the Director of Public Health is the supervision of vaccination So many district local boards are anxious of securing the control over it and they are making demands that the department of vaccination should be given in their charge, but no steps are taken in that direction by the Government So many district local boards are urging that as the pay of vaccinators is given from the purse of the district local boards, it is but equitable that the arrangement and supervision, etc of the vaccinating staff must be in their hands The only loss thereby will be that the vaccinators would be deprived of the opportunity of seeing their names appear in the Government Gazette Now they are made gazetted officers but on the small pay of Rs 20 or Rs. 30 per month So this department can be relieved of this heavy duty also, i.e publishing vaccinators' names in *Bombay Government Gazette* There will be efficient management of this work under District Local Boards I am sure a progressive step will be recorded in the management by the district local boards if the work will be given in their charge

Now about the supervision of sanitation. I do not know what the Department do in carrying out this duty Being the president of a town municipality for the last 12 years, I am in a better position to know exactly what is being done by the head of the department His work is not much in that connection also District local boards and municipalities are very well capable of managing their own affairs The Assistant Collector of my district has told us that it is sufficiently better to take *advice* from the Assistant Director of Public Health than now engaging any more additional staff in the municipality Nothing is told about the Director. Of course, in rural municipalities, the question of engaging their own public health staff does not arise The Director of Public Health can do nothing in that case except sending his Assistant to exact work from the local bodies by giving them good advice and useful instructions There are expert persons available to local bodies who could give advice just in time For securing the advice so much money is not needed. The municipalities have their own health officers, who do efficient work and advice can be taken from non-official experts who know the local problem very well rather than taking insolent instructions from this officer who does nothing but go from place to place to secure his pay and travelling allowance and

[Rao Saheb P D Kulkarni]

poking his nose here and there in the schemes wisely worked out by the Local Health Officers

Now the remaining chief thing they are expected to do is to guard public health against infectious diseases Generally the outbreak of these infectious diseases starts in pilgrim centres In those cases the municipalities or local authorities, under whose jurisdiction these pilgrim centres are, have got their own health officers who are capable of doing this work much more efficiently than the head of the Department himself For instance there is Dr. Gune at Pandharpur. He ably manages the affair There are so many others

The other important thing that is achieved by the Director of Public Health is the organisation of baby week and he does organise this very vigorously I do not think that we should be very particular in spending lakhs of rupees on the officer who merely supervises this organisation There are very able men like Mr G. K Devadhar and Dr Tilak who can do this important work of organising baby week in a more efficient way So, this work also can conveniently be taken away from this department and entrusted to efficient men as I have already pointed out in course of my discussion on the subject

What remains now for the officer, i e Director of Public Health, is the work of supervision of the work of the Assistant Directors This work of supervision can be done by the officer in charge of the Public Health Laboratory in Poona and Karachi in their respective circles. This adjustment will not involve any additional expenditure to Government Also a share of this work can be conveniently entrusted to the Director of Vaccination residing in Belgaum They can pick up the supervision work very easily being the experts of the same line. In this way, Rs. 40,000 can be saved by abolishing the post of Director of Public Health

The remarks made by the Retrenchment Committee are mainly based on the evidence of the Director of Public Health himself No independent witnesses, like the chairman of a municipality or a public spirited president of district local board or any representative of the public, were examined by the committee in this matter On the evidence of the Director of Public Health the Retrenchment Committee had come to the conclusion that this department with its full staff as it is must be retained With this view of the committee I quite disagree Under these circumstances, I think I am justified in moving this cut

Question proposed

Mr. J. S. KADRI (Northern Division). Sir, I support the cut moved by my honourable friend Rao Saheb Kulkarni The department under discussion is almost an ornamental one, about which very little is known to the outside world, except Government. As the honourable mover has stated, we know more of this department from the pages of the Government Gazette, than from our own practical experience This department was originally instituted with the object of preventing small-pox In 1859, five superintendents of Vaccination were appointed for

[Mr. J S Kadri]

the Presidency under the control of a Medical Board. In 1864, a Commission was instituted at Bombay, consisting of a President and three members Three years later, the appointment of a Sanitary Commissioner was made and he was assisted by a Secretary In 1871, under the orders of the Government of India, the post of the Secretary was abolished and the Sanitary Commissioner was made a Deputy Surgeon General In 1876, the whole presidency was divided into five Registration Districts, each under a deputy Sanitary Commissioner, who worked as Registrar of Births and Deaths and Superintendent of Vaccination of his charge and also took action against epidemic diseases by advising the executive revenue authorities. In that very year, the post of Sanitary Commissioner was revived and he was put at the head of the department Since then, this department has been going on more or less in the capacity of an Advisory Board or consulting department, whose head is on the analogy of the Consulting Surveyor to Government This old organization has now deteriorated under the Director of Public Health

We know that the work of vaccination is conducted under the supervision of this department, but even this work is not done satisfactorily Most of the vaccinators are not well-educated men and they are not trained in their art on scientific lines Experience has shown that these vaccinators have deteriorated a great deal in the technique of vaccination There have been complaints that they have not been doing their duty properly and efficiently At times they are found remiss and negligent in leaving many children unvaccinated, while some vaccinators have been found guilty of dishonesty and even corruption It is a matter of regret that in spite of definite proof, some of these offenders were dealt with leniently and let off with light fines by the Department The vaccinators are sometimes corrupt and scandalise the public by forcing private vaccination and charging unauthorised fees, thus rendering vaccination unpopular At the head of vaccinators, there are Inspectors of Vaccination and Sanitation. There is a Sanitary Inspector for each district who controls and supervises the work of the vaccinators The appointments of Inspectors are also not made with proper care and discrimination It often happens that a clerk who manages to get into the office of the Assistant Director or the Director of Public Health is pitchforked into the post of a Sanitary Inspector when it falls vacant Such Sanitary Inspectors are not expected to be quite efficient and competent in their duties The department has degenerated under the Director of Public Health whose office is more or less a sinecure one The Director has his headquarters at Poona and he has been making big tours to Sind and other far-off places to earn big travelling allowance The other day we were informed that a very large amount of expenditure was incurred on the travelling allowance of the Director and that the total cost of his establishment comes to Rs 47,000 per year The work done by the Assistant Directors of Public Health also is often little known to the public at large. Of course, their primary duty is to superintend and supervise the operations

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of vaccination and also to advise and assist in the case of epidemics But what happens, when epidemics do really occur? It is the bitter experience of the people that when an epidemic breaks out in a particular district the preventive measures taken are never prompt What happens is this The matter is reported by the police patil or some other village officer to the Mamlatdar first, the Mamlatdar then reports to the Collector and the President of the District Local Board These high dignitaries then communicate with and consult the Assistant Director of Public Health who is probably touring far away from the headquarters of the district The Assistant Director then gives instructions to the Sanitary Inspector, suggesting measures, and the Sanitary Inspector has to carry out the suggestions of the Assistant Director in consultation with the local authorities The appointment of a medical officer is made by the Surgeon General or by the President of the District Local Board and preventive work is then started In the meantime, the epidemic has already played havoc before effective action is taken and preventive measures are adopted Many valuable lives are lost during the interval and the epidemic has spent half its force by the time the action begins. This is the roundabout and circuitous way in which the Department works, because the department itself has no power of direct action or initiative nor does it command a staff sufficient to check epidemics Its function is only advisory and its advice sometimes falls on deaf ears, because nowadays local authorities possess qualified Health Officers and Sanitary Inspectors, who take direct action, before the fiat is issued from Poona as regards the measures to be adopted for preventing or checking the epidemic. As a matter of fact, the whole administrative machinery of this department is unsatisfactory If it can take no prompt and immediate action, this department does not justify its existence, in so far at least as its activities are generally either belated or not properly put into force at the right juncture Let us consider the present circumstances. If we take cities, they have their Health Officers and even town municipalities maintain their health department to look after the sanitation and health of the people. The assistance of the department of Public Health is, therefore, not really needed for the benefit of cities and towns As regards the districts, the preventive action taken by this department in rural areas is really very vague and ineffectual The Local Boards and Village Panchayats have now got the power to deal with sanitation of the rural areas In these circumstances, the maintenance of this department as a distinct department does not appear to be justifiable At a critical time like this, such a huge amount is spent on the establishment of this department If this amount were utilised in assisting the various local authorities, I think they will be better able to take care of the health and sanitation of their respective areas and perhaps better value will be obtained for the money so spent. I would suggest an alternative for this department. Formerly, the Sanitary Commissioner was made a Deputy Surgeon-General Now we have a Surgeon-General who is an expert in health and hygiene.

An Honourable MEMBER He is retiring after a month

Mr J S. KADRI. He will be succeeded by another Surgeon-General, whoever may be equally competent. I think many I M S Officers are experts in health and hygiene, and they may well be entrusted with the work of supervising the Health Department. If the Surgeon-General were given a special assistant of the status of Assistant Director of Public Health, I think he will be able to look after the health of the Presidency, perhaps much better than the Director of Public Health at present, and the result will be a large saving in expenditure.

I think that health, hygiene and sanitation are now very well understood by the people themselves. These subjects are taught even in our primary schools, and our school children are able to say what measures are necessary for the prevention of cholera, plague, malaria, etc. I think a good deal of health propaganda is also, nowadays, being done in cities as well as in rural areas. So, there is now no special need for maintaining a separate Department of Health for propaganda or preventive work, because the preventive work can very well be undertaken by the local boards in the rural areas and by municipalities in the urban areas. As for the registration of births and deaths which is only a matter of compilation of statistics, this work can be done in the office of the Surgeon-General. Even at present, the vital statistics are supplied by the mamlatdars generally, and they can be compiled very easily in the office of the Surgeon-General, without the medium of the Director of Public Health.

Considering all the *pros* and *cons* of the problem, I find that this department is rather a white elephant to Government and the sooner it is abolished the better. Its duties can be delegated to the Surgeon General with the Government of Bombay, and the savings which can be effected by retrenching or curtailing this department can be utilised with great advantage for other nation-building departments. I would suggest that the amount so saved may be advantageously utilised for expanding and extending primary education. I think that education will in the long run obviate the necessity of maintaining this department in its present form, because when the people are educated and understand the advantages of hygiene and health, they will readily understand and apply measures necessary for the prevention of diseases. With these words, I support the cut moved by the honourable member Rao Saheb Kulkarni.

Mr. J B PETIT (Bombay Millowners' Association): Sir, I wish to take this opportunity of drawing the attention of the Honourable the Minister in charge of the Department to a certain representation, made some time ago by the Bombay Municipality, asking for an amendment of their Act, which would enable them to levy a heavy Town-duty on the importation into this city, of what is described as good edible oil. I understand that this oil is being very largely used by the poorer classes of the population in place of pure ghee, in the belief that it is made out of vegetable, and is a very good and cheap substitute thereof. But, it now appears that it is made out of fish. I believe it is extracted from the fat of the whale, and is so cheap, when landed in Bombay, that it is able to undersell, not only pure ghee, but also the various vegetable

[Mr J. B. Petit]

products which are on the market, and which are being very largely used by the poorer classes of the people in substitution of it. I believe I am not wrong when I say that it is not as good and as wholesome as these vegetable products, now so largely used in Bombay. At any rate, to a very large part of the Indian population, edible oil, made out of the fat of whales, must be very repugnant, and cannot possibly be a suitable substitute, either for pure ghee, or for the several vegetable products now in use by the poorer classes.

It is, therefore, that the Bombay Municipality came to the conclusion that it was an appropriate article for the imposition of a heavy Town-Duty, which would, not only be not resented by the public, but would also be very popular, at least among the Hindu section thereof. The Municipal Corporation have accordingly approached the Government with a request that they might be allowed to impose a Town-Duty on it, heavy enough to make it impossible for the importers thereof to compete with genuine ghee or its vegetable substitutes, and at the same time enable the Municipality to realise a substantial revenue out of it, of which they are in very great need at the present moment.

I understand that the Government are in sympathy with the object underlying that proposal and are thinking of bringing forward a Bill to enable the Corporation to put their intention into effect. It is in connection with that, Sir, that I desire the Honourable the Minister in charge to let the House know how the matter now stands and when that measure is going to be brought before this House for its consideration and acceptance. It is a proposal, about which, I understand, there is no difference of opinion.

The Government and the Municipality are, I believe, agreed, that it will be possible to raise a substantial revenue out of this commodity, and at the same time enable the public to know what this product is and of what it is made, so that they may use it, if they desire, with the fullest knowledge of its composition.

I trust that the Honourable the Minister will look into the matter, and will be good enough to give this information, if it is possible for him to do so, before the debate closes.

The Honourable Sir GHULAM HUSSAIN: Sir, I have heard with great surprise the destructive criticism of the honourable mover of this cut and that of my honourable friend Mr Kadri, both of whom desire that this department should be abolished. Well, the honourable mover of the cut asks, what are the duties of this department? It is compilation of vital statistics, and he suggests that that work could be transferred to the Commissioner. But I find that honourable members have given notice of a motion for the abolition of the Commissioners also. If the Commissioners are to be abolished, and if the Director of Public Health is also going to be abolished, who is going to do the important work of registration of births and deaths?

The next complaint was that the Director of Public Health only looks after vaccination, and that could be looked after by the local

[Sir Ghulam Hussain]

boards I would have agreed with him in that had all the district local boards employed qualified health officers In fact, when I was Minister in charge of Local Self-Government, I prepared a scheme to curtail the activities of this department, and asked the various district local boards to employ qualified health officers. Honourable members of this House must know how many of the district local boards have employed qualified health officers Very few of them have health officers Therefore, if this important work of vaccination is transferred to the local boards, who will supervise it? The local boards have not got qualified people to supervise that work.

The next point made by him was that, where there are pilgrim centres or fairs, the municipalities look after the sanitation As far as I know, most of the pilgrim centres are in very small places, and I cannot believe for a moment that these small municipalities can afford to employ health officers to look after the sanitation of those places when there are fairs, where thousands and thousands of people collect. Let us remember the great service that this department renders at the time when epidemics break out; especially when there are large fairs, they go ahead and adopt all the necessary preventive measures to see that no epidemics break out.

Then, Sir, another point made was that the department merely organises baby weeks, and that work could be done by Dr Tilak or myself. I am myself connected with this work, but it is all that Dr. Tilak or myself can do in the city of Bombay This is not part of the department's official duties, but they help the people in organising baby weeks, because a healthy baby makes a healthy man or woman.

Then, Sir, this department advises all the local bodies throughout the Presidency about preventive measures No doubt, some of the municipalities have qualified health officers, but I do not think every municipality has a qualified health officer.

Now, Sir, we must look at the question from a different angle. If all the local bodies were to employ qualified health officers, there would be some reason for reducing the activities of this department But the local bodies have not done much in that direction Vast rural areas have no health officers at all Hence the necessity for this department.

Mr. A N SURVE (Bombay City, North). Sir, when we are dealing with this department of Government, we ought to be very cautious in our remarks Sir, of all the departments of Government, this is perhaps the most important, and our remarks therefore should be well considered. The reason is that the Public Health Department is a preventive department It takes care of the health of the Presidency Formerly, the idea was that when a disease invades an area, medical treatment should be given, but nowadays that opinion is being revised, and people, especially civilised countries, are laying greater emphasis on preventive measures rather than curative treatment. Therefore, I submit that as the health of the entire Presidency is concerned, we

[Mr A N Surve]

should pause and see how best we can try to increase the utility of this department, we should not try to put it down.

Sir, in this connection I may point out that even the Retrenchment Committee which this House had appointed, after going very thoroughly into the question, held its hand of destruction.

This item against which the cut is moved concerns many sub-heads, Director of Public Health, Assistant Directors of Public Health, Public Health Laboratories, and so forth About the Director of Public Health, the Honourable the Leader of the House has told us that it is only a change in name. We had an officer formerly, but his name has been changed Then, about the Public Health Laboratory In this laboratory we prepare vaccines and sera. These vaccines and sera are used for human beings as well as for cattle Moreover, it is a commercial concern, I should say, because we supply vaccines not only to our own presidency but also to outside provinces If the honourable mover of the cut will refer to page 67 (Blue Book), he will find that by the sale of vaccine and sera we get some income on the revenue side I do not think that factor is against that department, as it enables it to pay its own way.

Then, Sir, I come to the next head "Local Vaccination Establishment" We know what ravages small-pox works in the districts As a welfare worker I often visit some of the districts with magic lantern and tell people that they should get their children vaccinated as that is the surest way to save their children from small-pox

As regards "Consulting Surveyor to Government," we see from the budget that the services of this officer are loaned to Indian States and some revenue accrues out of that

Last of all, I come to "Pilgrim Charges" Sir, the honourable member who moved this cut must be well aware of the condition which existed ten years ago and that which prevails now in connection with the Pandharpur Fair I understand that from the town in which the honourable mover of this cut resides, a *palki* goes every year to Pandharpur That *palki* in former times was a great source of danger to the public health inasmuch as it used to spread cholera If the honourable member had read the resolutions passed by Government every year and which are circulated to honourable members of this House, he will find that cholera is kept under check merely by the agency of the Public Health Department Take, for instance, the condition of the temple at Pandharpur Pilgrims had to wait for hours together and suffer a lot of beating at the hands of the persons who were kept there to regulate admissions into the temple The temple itself was ill-ventilated All that has been changed now The temple itself has undergone a great deal of remodelling, and even the admission of the pilgrims visiting the shrine is better regulated May I enquire of the honourable mover of this cut, what is this the result of? Is it not the result of the action taken by this Department? The honourable member shakes his head, but the other honourable members know that cholera is not so very

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rampant nowadays after the Pandharpur fair as it used to be in former years Whatever he may say, we know that every district in the presidency twice every year paid a toll of death to cholera That is now happily a thing of the past

For these reasons, I oppose the cut.

Dr M K DIXIT (Surat District) Sir, when I heard the speeches of the honourable mover of this cut and of the honourable member Mr. Kadri, I was very much amused I thought that cuts of this nature in the nation-building departments were proposed more with a view to getting greater benefits out of these departments than with a view to behead them I find the honourable member over there (the Director of Public Health) in his seat he is quite capable of defending his own department However, I feel that certain unjustifiable remarks have been made, and I should like to say a few words about the justifiability of the existence of this department I do not exactly remember when, but the President of a great European sanitary conference once said that modern civilization of a country is to be measured by the number of organized public health institutions in that country I am not quoting the exact words, but only giving the purport of what he said If we really wish to develop organized sanitary institutions useful to the public at large, then I think the existence of the Public Health Department is absolutely necessary.

My complaint against this department is altogether of a different nature, it is that this department is not what it should be, it is not sufficiently advanced to keep pace with the developments in this Presidency The Public Health Department should provide all sorts of facilities for developing public health institutions in the Presidency. In our Presidency, even very large towns are devoid of ordinary arrangements for draining and other purposes It has been my lot to complain from year to year in this House of the sanitary condition of my city (Surat) I wish the Public Health Department to come forward to the rescue of that city and prevent the various diseases which are the result of bad drainage of the city, I mean particularly malaria and filariasis

My honourable friend the mover of this cut called this department a parasitic department Well, almost all departments are parasitic. As far as the administration goes, the chief revenue-producing departments are Land Revenue, Excise and Forests Other departments are all more or less parasites on the revenue raised from these three departments. Therefore, I do not agree with him when he calls this a parasitic department My honourable friend Mr Kadri called it an ornamental department. I think if anything, at this stage of its existence it is the least ornamental It is, after all, to safeguard the public health, which is an absolute necessity for the development of a nation [*Interruption*]. How far it serves the purpose depends on us It is for us to give more money, it is for us to supervise that department better, it is for us to see that the department develops on proper lines. If we behead the

[DR M K. DIXIT]

department absolutely, there is no hope of developing public health institutions in this presidency The honourable member Mr Kadri said that the department had deteriorated very much That may be his opinion My own experience of this department is that it is gradually advancing, though not at sufficiently good speed The honourable member found fault with the competence of the sanitary inspectors also I think we are now having qualified sanitary inspectors and they are doing much better work than the unqualified people who were serving under municipalities before I am saying this from my personal experience He went the length of suggesting that the Public Health Department had better be abolished and the whole work entrusted to the Surgeon-General's office I am inclined to think the other way let the whole Surgeon-General's office be handed over to this department of Public Health, and the head of this department will be able to manage the little work that the Surgeon-General is doing, because the Surgeon-General is not doing any constructive work, he has only to inspect large hospitals and to see to the transfers and postings of the various officers under him and nothing beyond The most amusing argument that was advanced by my honourable friend was that health, hygiene and sanitation are now sufficiently understood by the public and therefore this department should go [*An Honourable Member* Even by children !] Yes, he said even by school children it was understood thoroughly, and therefore this department should go If his criterion of the knowledge of public health is of the type he has submitted to the House, I am afraid we are poles asunder My idea is that the knowledge of public health, sanitation and hygiene in certain parts of the presidency, particularly rural areas, is so small and limited that I should put it not plus but even minus Because sometimes they have erroneous ideas That is my view of the whole affair We must carry on propaganda about hygiene, sanitation and public health to the utmost extent possible Our school children are hopelessly ignorant about sanitation and hygiene, look at our school buildings ! School-hygiene is also very little understood by the people in charge of the schools, by the teachers themselves and the inspectors He further argued that the money saved by the abolition of this department should be utilised for the expansion of primary education Well, education is all right If the nation is healthy, education is bound to follow; but if the nation is not healthy, what is the good of giving education ? We will have very bad vital statistics, infant mortality and general mortality would be so high What is the use of educating children if they die at the ages of seven, eight and ten after studying up to 3 or 4 primary standards ? Let us improve the health of our children by improving public health, then, their education will follow in the natural course ! Sir, this is a department for the prevention of diseases Though it is known as the Department of Public Health, its principal object is the prevention of disease and ill-health in the country I think they are trying their best to carry out this work with the staff and with the provision that they have at their disposal.

[Dr M K DIXIT]

I only wish to point out to the House that the touring officers of the Public Health Department should be very sympathetic towards the people with whom they have to work They must try to co-operate with the health officers, chief officers and presidents of the district local boards and municipalities I think they will be doing very useful work if they work in a sympathetic and co-operating spirit.

With these words I support the cut to the extent of ventilating the grievances I have mentioned

Dr M. D GILDER (Bombay City, North) Sir, in this department the honourable member Dr Dixit and myself have given two or three cut motions But, in order to save the time of the House and as honourable members are anxious to pass on to other subjects, with your permission and with the permission of the Honourable Minister I will speak on the present motion One of the cuts that we have tabled is the cut of Rs 100 in the provision for the Haffkine Institute My object in tabling that cut was to elicit certain information from the Honourable Minister

During the budget session in 1927, when discussing 33, Public Health, I said

"On page 225 of the White Book we find the pay of two officers, which is non-voted. It is my impression that out of these two posts, one only is reserved for the Indian Medical Service" (Vol XIX, p 1097)

The post referred to were the posts at the Haffkine Institute In reply, the then Honourable Minister, Dewan Bahadur Harilal Desai, said

"As regards the Haffkine Institute, to which a reference was made by the honourable member for Bombay, I have to state that one of the two appointments, either the Director or the Assistant Director of the Institute, is an Indian I M S post, and the other is a non-I M S. post."

Now, Sir, in those days we had two non-voted officers on the cadre of the Haffkine Institute and the Honourable Minister was pleased to state that there was room for only one Till last year there were two non-voted and five voted officers This time we get three voted and four non-voted officers, that is to say, the salaries of two officers have been transferred from the voted to the non-voted side If this sort of thing were to continue and officers were to be transferred from the voted to the non-voted side, then I believe there will soon come a time when this honourable House will have to vote the salaries of only low-paid clerks and menials I would like to have from the Honourable Minister the reason why he has taken away the pay of two officers from the control of this honourable House

My second reason for giving notice of this cut motion was to make a suggestion to the Honourable Minister. We have had a Drugs Enquiry Committee composed of eminent pharmacologists It has come to certain conclusions This Committee has been thanked by the Government of India for its work and for the time it has spent in coming to the conclusions One of their conclusions is that there should be prepared an Indian pharmacopœia, that is to say, a list of drugs (their preparation, properties, etc.) that are used in medicine in India It is a thing which

[Dr. M D. Gilder]

medical men all over India desire, no matter what system of medicine is followed. We have got a pharmacological laboratory at the Haffkine Institute. We have got a man who can do and is willing to do the work required. Might I suggest that the Honourable Minister start him working and perhaps ask for a grant from the Government of India to do a work which refers to the whole of India and for which the Government of India ought to pay its share? In that way we shall be having a certain amount of retrenchment in our own expenditure.

My next enquiry in connection with this Department is this in this Department is included the pay of the Port Health Officer, and naturally the duties of these Port Health Officers are, again, the prevention of the entry of epidemic diseases into the various ports I would like to know, since they are budgeted in this department and their salaries are included under this department, whether it is a fact that they are still under the control of the Surgeon General and not under the control of the Director of Public Health, and, if so, why such an anomaly has been continued

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL On a point of information, Sir. To whom was the honourable member referring?

Dr M D GILDER: Port health officers, A-1, page 237 of the White Book

Now, Sir, I come to some of the criticisms that have been made against this Department The honourable mover of this cut said that this department is a parasitical department, I believe he is right, if by "parasitical" he means to say that this department has got to deal with parasites It has got to deal with parasites—parasites of disease, and its duty is to kill these parasites. If I understood him right, what my honourable friend from Ahmedabad (Mr Kadri)—I hope he will correct me if I am wrong—said amounted to this, that the knowledge of sanitation has spread so far and wide that even school-children know the causes of malaria, etc and how to prevent disease. Therefore, according to him, the Honourable Minister would be saving a lot of money in the budget if he dismissed the Director of Public Health and his staff and put a few school-children in their places. My honourable friend has no idea of the advances that have been made in preventive medicine Even the Council of General Medical Education have been paying more attention to preventive medicine and they have given to preventive medicine a greater share in the education of the medical student. My honourable friend said that the present Surgeon General is also a specialist in public health. That is to say, he realises that for the Public Health Department you want a specialist. The Surgeon General ordinarily comes from that branch of the service which deals with the treatment of disease, whose members engage in general practice as civil surgeons treating typhoid cases, pneumonia cases and so on. He is, therefore, not at all well fitted to hold an administrative post and come in contact with the local bodies. I would agree with the suggestion made by the honourable member Dr Dixit. If retrenchment in this

[Dr. M D. Gilder]

department is necessary, we can very well retrench the Surgeon General and not the Director of Public Health As I said, the Surgeon General is usually a man who at one time or another has been in general practice His administrative experience is decidedly less than the administrative experience of the Director of Public Health, who has been doing nothing but public health and administrative work all the time.

One particular reason why, from the point of view of this House, the Director of Public Health is preferable to the Surgeon General is that the Director of Public Health is amenable to this House—his salary is votable. The Surgeon General's salary is non-votable Therefore, from the point of view of this House, if one of the officers has got to be abolished, it should be the non-voted officer

My honourable friend Mr Kadri says that public health might be handed over to the district local boards Might I ask him how many district local boards have got health officers of their own? I am given to understand that about 3 or 4 district local boards have got health officers Therefore, the rest of the Presidency might safely be left to school-children who according to him know so much of the prevention of diseases With these words, I oppose the cut moved by the honourable member

Mr PESTANSHAH N VAKIL (Ahmedabad City) Sir, an illustration of the fact how erroneous ideas continue to hold sway on the minds of even highly educated people is furnished by a remark which my honourable friend Mr Kadri let fall in the course of his very interesting speech. As he comes from the same city which I have the honour to represent and as he put himself to the pains of tracing the history of the Department under discussion, and, for the edification of this honourable House, going so far back as 1859, I thought he was aware of the notable step recently taken by the Ahmedabad Municipality. My honourable friend remarked that vital statistics were at present furnished by the Mamlatdars of districts. Perhaps it is a fact It may be true that vital statistics have hitherto been collected by mere clerks But on the advice of the then Major, now Colonel, Candy who was Chairman of our Sanitary Committee, the Ahmedabad Municipality engaged the services of four graduates in medicine for the express purpose of the collection of vital statistics Now, Sir, when we consider the crass illiteracy and gross ignorance of our people, so far as the registration of deaths went, it was plain sailing, but when we came to register the causes of death, the matter was not so simple as it appeared on the surface For instance, asked what the cause of death was, the poor ignorant rate-payer said that it was fever Now, fever conveys nothing to a medical man It is merely a symptom, it may not be the disease itself Fevers are of various kinds Now, if a graduate or a man with some medical knowledge were in charge of the collection of statistics, he would differentiate between the different causes of death Considering how very much depends upon the accuracy of these vital statistics, I suppose the Ahmedabad Municipality must be

[Mr Pestanshah N Vakil]

congratulated on putting itself to the expense of engaging medical graduates for this purpose I thought my honourable friend was aware of this fact. But obviously he is not

Mr J S. KADRI I am.

Mr PESTANSHAH N. VAKIL Well, my honourable friend says he is aware of this fact. In spite of that he advocates the continuance of the old practice

Mr. J S. KADRI What about rural areas ?

Mr PESTANSHAH N VAKIL Sir, we can only cut our coat according to the cloth I am quite sure if the resources of Government were unlimited, if they were in possession of some such thing as the purse of Fortunatus, perhaps they would think better of it and, I am sure, they too would engage medical graduates in place of ordinary clerks for the collection of vital statistics, because my honourable friend himself admits the importance of this kind of work being done by trained hands.

Now, Sir, as for the department itself, there may be room for retrenchment, there may be room for improvement But to advocate its total abolition would be retrenchment with a vengeance, and I for one would be tempted to cry, "Oh, retrenchment, what things are done in thy name!" Sir, only the other day I was reading a report submitted by the Director of Public Health It was rather an interesting document, and copies of this brochure were, I suppose, circulated amongst honourable members It related to steps adopted by the Department of Public Health at Nasik in anticipation of some kind of fair which is annually held there The department claimed that the measures adopted were efficacious and did prevent avoidable loss of life If they really succeeded in saving even one human life, I for one would be prepared to say that no expense is too great for the maintenance of that department

Khan Bahadur ALLAHBAKSH (Sukkur District) Sir, I hold exactly the opposite views to those which my honourable friend Mr. Kadri holds He thinks that it would be better to close down the Public Health Department and to transfer that money to schools I would rather prefer that we should close down the schools and transfer that money to the Public Health Department Let us consider the matter dispassionately. At present we know that 50 per cent of the money we spend on primary education is practically wasted. When I say it is wasted, I mean that 50 per cent. of the children leave the school before they reach the fourth standard in the absence of compulsory primary education because Government have not sufficient money to give full effect to the Primary Education Act, and so it is no use trying to waste money on primary education That is my object. Moreover, the children, who are educated up to the fourth standard or at least a majority of them, after being educated for two years, go to their fields, and so what good would education of two years be to a boy ? Practically, when he reaches the age of 8 or 10 years, he forgets everything

[Khan Bahadur Allahbaksh]

Apart from the question of the utility of the Public Health Department to the people in general, one must realise that particularly in Sind we get the malaria epidemic almost every year. At present we have perennial supply After the abkalani is over, there is malaria and every cultivator is laid up with fever The district local board or Government have not even sufficient money to distribute quinine pills When the cultivators do not get any help, for want of money, in securing quinine pills, is it desirable that we should go on spending money on education ? I for one, between the two, when we have got enough money to spend on both, i e , on education and public health, will say "spend on both," but if one has to make a choice whether to spend money on the Public Health Department or on primary education, then I for one certainly would prefer that the money should be spent on the Public Health Department rather than on primary education where we cannot afford to give full effect to the Primary Education Act

It is a matter of regret that the local boards do not receive full co-operation from Government in organising the Public Health Department in Sind It has been said in a series of questions that Government is encouraging the local bodies to appoint public health officers The district local board, Larkana, has appointed public health officer since the last six years, and according to the Act it is obligatory upon Government to pay two-thirds towards the pay of the public health officer. The district local board, Sukkur, passed a resolution and sent it to Government who were informed that it was considered necessary by the district local board to appoint a health officer The post is subject to the approval of Government The district local board only wrote that provision should be made and in the meantime applications would be invited and that after a selection is made, the name would be submitted to Government for approval Government wrote back to us, without committing themselves to making any provision, saying that the question will be considered when the name is submitted to Government I know that Government is faced with financial stringency It would have been much better if Government had said that they cannot afford to pay us or they should amend the Act rather than put the district local boards to the expense of advertising in several newspapers, or to the expenditure of time involved in granting interviews to several candidates, when no one knew what the ultimate result was going to be I would especially like to impress upon the Honourable Minister in charge that the conditions now in Sind are different and it should be now forced upon the district local boards that they should appoint health officers because the question affects the very success of the barrage scheme directly The epidemic of malaria comes on with the cessation of agricultural operations and it takes the cultivators four to five months to regain their vitality again Now there is perennial supply and they have to cultivate their land throughout the year It therefore becomes very difficult for these people, who are laid up with fever for more than two or three weeks and who have practically no period of convalescence, to attend to their work of cultivation I would therefore request the

[Khan Bhahadur Allahbaksh]

Honourable Minister to realise that it would be in the fitness of things—and it will pay the barrage scheme in an indirect form—if sufficient provision is made in the budget and all the district local boards have it impressed upon their minds that they should appoint health officers without much delay This is my view

Another thing is that we find that whenever there is an epidemic of any other disease—of course such epidemics do not visit us every year but sometimes cholera or such diseases do visit us once in five years or once in ten years—local bodies receive no help from Government It is necessary that there should be some provision in the reserve of Government when any district local boards have to face such epidemics and Government should at such times come to the help of the people and the district local boards Anyway I think the object of the honourable mover is only to discuss the general policy, but if the object of the honourable mover is to press the cut to a division, then definitely will I oppose it.

Rao Bahadur G. V PRADHAN (Nasik District) Sir, when the two honourable members, who proposed the cut and supported it, were speaking in favour of the cut, I wondered for a moment as to whether they had at all been, at any time, in consultation with the Public Health Department. In Nasik, which is a very big centre of a fair and where I have been connected with the municipality sometimes as member and sometimes as the president, I have found that the public Health Department has given us all possible advice on every matter of detail and if only the municipalities were prepared to accept that advice and work according to that advice, certainly that department would come forward with greater help I shall give only a few examples to show how that advice has worked in our municipality. Nasik, all along, some years back, from year to year, was suffering from cholera The first thing that this department suggested was that we should have pure water from wells in river pumped up into reservoirs which could supply the water to the city That was achieved Then it was found that the water that we got from the wells was still not quite as pure as it ought to have been Typhoid germs were found in that water because, treatment with potasium permanganate was not enough to kill the typhoid germs The year before last an investigation began and we were advised that we should immediately undertake a scheme of chlorinating the water, and so chlorination was started in a serious way last year under instructions from the department and we find that typhoid has subsided to a very great extent The third thing was, that in the year 1930, when in East Khandesh, West Khandesh and round about districts and even in the Thana District, small-pox was raging furiously, the assistant director of public health came to us with the advice that we should see that our city was kept free from that disease because Nasik was a pilgrim centre by a campaign of vaccination Four or five vaccinators were immediately engaged by the municipality and hundreds and thousands of people were vaccinated or re-vaccinated, with the result that Nasik was all along kept absolutely free from any epidemic

[Rao Bahadur G. V. Pradhan]

of small-pox. Instances like this could be multiplied to any extent. During the last Sinhasta Fair, all along, from month to month we got advice from the assistant director of public health, and it was at his advice that an hospital for infected patients was opened there. It was at his advice that the water-supply was increased to a very great extent and water-supply was provided to pilgrims and it was at his advice that a certain drainage scheme and a sanitation scheme have been undertaken. Similarly, if other municipalities are prepared to undertake the works that are thought to be necessary by this department, I am sure those municipalities will be profited as much or even more than the Nasik municipality has done. It is from this point of view that this department, I consider, is absolutely essential and cannot be done away with as has been suggested by some of my honourable colleagues here today.

It is true that this department is not possessed of funds or hands who can actually work out the projects and all that it can give is advice and statistics. Statistics are good for showing us what diseases are coming near our towns and for showing what diseases are prevailing in a particular city or in a particular area. Statistics show us whether we are progressing in our health conditions or not. These statistics, if studied properly, and if their meaning is properly appreciated, can be made considerable use of; but if statistics are taken only to mean that their purpose is solely to occupy so many pages of the Bombay Government Gazette, then certainly they cannot be of any use. The honourable member Rao Saheb Kulkarni also comes from a fair centre and I am therefore surprised to find that he has not taken as much advantage as the Nasik municipality has taken of the work of this department——

Rao Saheb P. D. KULKARNI: From my own experience, I say that the Department is useless. We want health officers and not directors and assistant directors of Public Health.

Rao Bahadur G. V. PRADHAN: So far as the Nasik municipality is concerned, we have got our own health officer who has inspectors under him, and even the health officer and the inspectors have to take the advice of the Public Health Department in order to find out what diseases are prevailing round about and to decide what steps they should take to prevent the diseases from attacking our city. Of course, you cannot expect every health officer to know everything about what can possibly be done. Ultimately, some schemes come to be developed and gone into by the Public Health Department and those schemes have to be carried out by the health officer and his assistants. I therefore strongly oppose the cut.

Mr. L. R. GOKHALE (Poona City): Sir, I must thank the honourable member Rao Saheb Kulkarni for having given us an opportunity to express our views about the work of the Public Health Department. I must also state, Sir, that it is necessary to congratulate the Honourable Minister in charge for the good work that is being done by this department. I know that out of the many departments which are working for the benefit of the people, this is the department that is doing

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the best work so far as it could Of course, the funds at the disposal of the department are certainly very meagre. If more funds were available, the department would be more useful and particularly in the rural areas We have been told about the advantages of the department in places where there are fairs held. I myself bear personal testimony to the fact that I also belong to a place where there is an annual fair held and where more than 10,000 persons gather, and I must say that the advantage that is being obtained from the advice of this department as of great use to the managers of that fair and certainly diseases are kept down by the efforts of this department But I would make a suggestion or two in regard to this department Having regard to the rural areas, their wants ought to be looked into There are many rural areas where bad water is being used for drinking purposes Many diseases such as ringworm and others crop up Probably this department has not got enough staff, but the fact remains that these people are not properly instructed as to the use of good water for drinking purposes, In every five out of ten villages, the drinking water question is acute and usually the water used for drinking is not as it ought to be The department therefore should give its consideration to this question At least they should suggest moderate schemes on a moderate scale which will be useful to these villages

One more thing the department could do is to diffuse the knowledge about the diseases in various rural areas Handbills, pamphlets and leaflets should be distributed in various villages when a fair is about to come or when some epidemic is about to appear, which the department knows If these handbills are distributed in village schools the boys when they go home will read them to their parents and to the other members of the family, so that the contents of the handbills will be known throughout the village. Such practical work ought to be done That work is not being done as it ought to be

One more circumstance is this It was just now stated that the death rate had increased, notwithstanding the efforts of this department To that my answer is that the death rate appears to have increased because statistics are being better collected now Now, better statistics are available and better information is available, that is perhaps the reason why the death rate appears to have increased. I know that before this department was interested in this work many deaths were left unreported The village officers like the patel or kulkarni hardly sent the death returns to the proper authorities During the last 7 years there has been a vigorous attempt made by the department to get these reports of deaths and so now the statistics are more accurate

I do not know whether the honourable member Mr Kadri really wishes this department to be closed It is just like the Honourable the Sindhi member suggesting the closing down of the Educational Department instead But my suggestion is : Please do not close either We want education to spread and we want people to be healthy. I do not think we can either close down the Educational Department or the Public Health Department I would suggest better close none. What

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more is wanted in the villages is to take steps to eradicate consumption and malaria I think no attempt is being made by the Public Health Department to ascertain statistics about the deaths from consumption. They say that the cases are few. Beyond that they make no efforts If regular enquiries are made many deaths could be traced to consumption and malaria. The information is not available and is not collected I make this suggestion to the department I do not know the reason, but consumption has increased in the rural areas. A time there was when the people living in cities and towns envied the health of the people in the rural areas. Only now, the things are changed In villages we do not find stalwart people now-a-days, and many of them come to the cities and towns, drink soda water, go to cinemas and drink tea. And thus perhaps because they spend less on their wants, they are not as healthy as they ought to be I would suggest to the department to educate these people in the rural areas in hygiene

I wish larger sums were given to the Honourable Minister for the purpose of this department, as it really deserves them If there is any department to which kindness is to be shown by Government, it is this department—particularly for the benefit of the villagers The village sanitation is deteriorating and many who have seen the villages must have seen that the villages are very dirty and sometimes so dirty that one does not like to pass through them Improvement there is no doubt in the department, but that improvement ought to be pushed on. There ought to be an agency like the village panchayat or village sanitary committee to report matters to the proper quarters My suggestion therefore is that more work should be done on these lines and the department will have more than justified its existence in course of time

Mr. P R CHIKODI (Belgaum District). Sir, I would like to say this much The department has been doing very useful work From my own experience of my district, I am prepared to say that the department has given very useful advice in checking the spread of cholera I now wish to draw the attention of this House and particularly of the Finance Department to the fact that this department is being starved

My honourable friend from Poona drew the attention of the House to the rural sanitation, and said that much was not being done in that direction Here I should like to point out that the progress made is considerably less than what it ought to be In the year 1930-31, the grant to this department was Rs 7,26,000, for this year it has been reduced to Rs 6,05,000 and for the ensuing years it has been still further reduced to Rs 4,25,000. I wish to draw the attention of the House also to the fact that a very small amount has been provided for village water-supply A grant of one lakh of rupees has been made for the whole presidency This is a civilised Government and this is an advanced Government in the whole of India One lakh of rupees for 26,000 villages! One knows how the villages are suffering from insanitary conditions and from want of good drinking water. There are no wells sunk in numerous villages. People are drinking water from nullahs and

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rivers This is one source from which contagious diseases have spread and done havoc. The Director of Public Health has been notifying in newspapers that such and such epidemic is there, but what have Government done ? It is no use saying that there are no funds If this House is serious, they should press upon the attention of the Government and compel them to provide more money for this department Unless it is done, it is no use saying that it was due to want of funds and they are helpless ' We are here to support the Honourable Minister, if he is prepared to fight to get more money Retrenchment is done elsewhere, but the retrenchment here has been done with a vengeance People in the mofussil are not able to organise themselves and compel Government It is true ' But they resent the conduct of Government and if there is discontent throughout the presidency, it is due to reasons such as no medical relief and no water-supply and so on. Because they are not articulate, it should not be supposed that there is no discontent Therefore, I appeal to the Government of Bombay which always flatters itself that it is the most advanced to bear in mind that it has to account for their negligence one day or other When that day comes, the Government will get their return with a vengeance They should therefore remember that there is such public discontent in the rural areas that they should provide more money and not apply the knife of retrenchment to the needs of the rural public With these words, I oppose the motion and ask Government to provide more money.

Rao Bahadur G K. CHITALE (Ahmednagar District) : Sir, we have seen a glowing picture painted of this department and it is necessary to paint the other side also of this department, so that the department may not think that it has come out with flying colours The motion is misunderstood in this way that there is no useful purpose served by this department ' I believe that it is not the motive of bringing forward this motion, neither is the purport of the motion to censure this department which may be doing useful work ' As far as I understood, the point of criticism is that it is a very wonderful department indeed, if with one Director of Public Health and a few deputy directors, with no staff intervening, except that of the vaccinators, they are catering for the need of the whole presidency ' I fail to see how the Director of Public Health or his deputies must be catering for the wants of the whole rural population, though perhaps to a very, very small degree, because I know that they have no staff worth the name, not even half a dozen in the whole presidency to work out their programme

I wish to say something against this department and I must give proof, and proofs there are Those of us who have worked in the rural areas know the handicaps of this department I believe the Director of Public Health will himself acknowledge that he has no staff For instance, Sir, I know there are certain contagious diseases prevalent in certain parts of the district . Take, for instance, itches, ringworm or guineaworm These diseases are sometimes rampant over several villages at one and the same time, and it is too true to state that no help whatsoever is being given to these poorer people in times of dire necessity, when they

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are suffering from these diseases May I know what help they have given to the people for relief from these diseases which to their knowledge have broken out in the Ahmednagar and Poona districts this year? I know what establishment they have to deal with even epidemics like cholera. Well, Cholera was very much rampant in Ahmednagar district, and we had one sub-assistant surgeon, an L C P.S. man, going all about the district and inoculating the people for a month or two; I have myself known, and I have drawn the attention of the authorities to it, that in a particular village not very far from Ahmednagar, there were 60 deaths before the department knew that an epidemic had started or that it had taken a toll of so many persons Then the Deputy Director came over in a motor car and went about the district He used to go out in the morning and come back in the evening Now, there are lots of villages, the roads leading to which are not motor roads. May I know whether the vital statistics, for which credit is sought to be taken, are improved? How have they improved? The vital statistics in the rural areas are even now kept by the village officers. They are checked by the Revenue Department, and when the honourable mover of the cut stated that this department has got no establishment under it to work in the various parts of the Presidency, I believe that criticism must be accepted No general can work without an army of soldiers and small officers under him and it is not true to say that the Director of Public Health and the Assistant Directors are doing wonders They are not doing wonders. It may be they have no funds But, Sir, the whole organisation is wrong The honourable mover of the cut suggested the abolition of the post of Director of Public Health and handing over his duties to the Surgeon-General because the Surgeon-General had the whole district machinery, viz, the Civil Surgeons, the Assistant Surgeons, the sub-assistant surgeons and the rest of the staff, through whom he could work. Do not pooh-pooh the idea of the Director of Public Health being replaced by somebody. Let the people who come from the cities know exactly how the Medical Department works Let us not go away with the idea that the Surgeon-General does only the administrative work He has also to do inspection work of the various hospitals and dispensaries Therefore, he may be able to give relief to a larger number of people, and in cases where that relief is necessary, even with the funds which are now made available for the purpose I believe a larger measure of relief is probable and can be expected in a greater degree from the Surgeon-General rather than from the Director of Public Health, who is much more removed from the rural areas, and has no establishment under him. I see that my esteemed Honourable friend Dr Gilder, for whom I have the greatest respect, nods his head But these city people usually go by the experience that they have of the surroundings in which they live, just as we people think, when we come over here, that these roads in Bombay ought to be copied all over the districts So, they have very high notions and naturally look askance at such remarks as are made by people whose lot is cast with the other smaller people with whom they have to work. I am saying all this, lest our remarks may be misunderstood by the

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department They might think that so many people have spoken in their favour, and therefore nothing else need be done I say that they have done nothing—I put it the other way. So far as the rural population is concerned, which is a very large proportion as compared with the population in the cities, there are more diseases in the rural areas which are capable of being stopped, which are capable of being controlled The Public Health Department is of no use, can be of no use there, because they have not got the necessary establishment I know it as a fact, Sir, that, if a sub-assistant surgeon in charge of a dispensary comes to know that cholera has broken out in a serious form, he does not go to the place to afford any relief, unless he is ordered to go, because those are the departmental rules Unless the Collector asks him to leave his jurisdiction and go outside, and unless that permission is obtained, the sub-assistant surgeon cannot leave his head-quarters You may take it from me that that is the rule, and therefore it takes two to three days at least before his services can be made available In the meanwhile, in that particular village at least half a dozen if not more people die One of the honourable members was very anxious to save at least one life But here dozens of lives are usually lost before the Public Health Department can ever take any action, certainly on account of the circumstances which I have mentioned, and the point of view of the honourable mover of the motion was that the expenditure which we are now incurring from public funds goes more for the officers' salary bills and travelling allowances than for the proper activities of the department I do not think, Sir, that the honourable mover of the cut means that the department is absolutely useless and deserves to be abolished But from the point of view that I have put before the House, I believe there is a good deal to be said in favour of the motion.

Rao Bahadur S N ANGADI (Belgaum District): Mr President, it is very seldom that I agree with my honourable friend Rao Bahadur Chitale, but it is my misfortune to agree with him this time From the discussion it appears that there are two schools of opinion so far as this department is concerned Those who are connected with the administration of municipalities have a considerable amount of admiration for this department, but those who have something to do with rural areas seem to have nothing but contempt for the department, and I belong to the latter school of opinion As president of a district local board, I know something of what the Assistant Director of Public Health could do when an epidemic breaks out I find that all that could be done was to issue certain instructions When there was an outbreak of cholera, I wrote to the Assistant Director of Public Health in Belgaum, and I got some instructions, because I wanted to broadcast them among the villagers, so that they might use potassium permanganate properly Those instructions were sent to me, and I got them printed. After a certain time the Director of Public Health came to me and asked me who had given those instructions He found fault with those instructions,

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He asked who gave the instructions. I said, "Your Assistant Director has given them, and they have been printed and they are being distributed among the people" He said, "No, no It is a mistake, these instructions are old Our new instructions are quite different" I replied, "Just go to your Assistant Director of Public Health and just see what you can do with the man" Beyond doing that, I do not think there are very many functions which the Director of Public Health has got to discharge, except it be considered a function to run from place to place and just convey information to the local bodies But I have always found, and you can take it from me, that if there is an outbreak of cholera, as president of the district local board I always get information from the mamlatdars more quickly than from the Assistant Director of Public Health, and whenever there was an outbreak of cholera, the mamlatdar used to do a great deal more than the Assistant Director of Public Health The mamlatdar immediately sent a telegram to the district local board office, and that office used to send permanganate of potash pills or powder wherever it was wanted Supposing these officers are obliged to go out, they simply go and tell the people, "This year there is a likelihood of an outbreak of cholera, and certain precautions have got to be observed." These are ordinary precautions The president of course has got some commonsense and he knows of these things Under the circumstances, I do not think that the Assistant Director of Public Health's office is of great use So, I say that my honourable friend Rao Saheb Kulkarni is not far from the truth when he says that this department, to a certain extent, is redundant and has not been of very great value, particularly to the rural population It was pointed out that several villages suffer from a number of diseases such as guineaworm, ringworm and many other chronic diseases There is nobody who is going to them and administering treatment In connection with that, I may point out that we have got a travelling dispensary at Belgaum, that work is done by the travelling dispensary That is the policy of the district local boards, and in the cities it is done by the municipalities So far as the Assistant Director is concerned, his time is always occupied with engagements He goes from village to village, and from district to district One day he may be in Belgaum, the next day he is in Dharwar, and on the third day he is in Bijapur, and on the 4th day somewhere else He runs like that from place to place. Of course, I admit there is some force in saying that it is of use, that he would be carrying information from place to place, telling the people in advance to take precautionary measures If there is an outbreak of an epidemic in Dharwar, he may go from that place to Karwar with advance information and tell the people, "Look here, there is an epidemic of cholera in Dharwar Please take some precautionary measures; otherwise, it will overtake you" Except in that sense, I do not think the Assistant Director of Public Health has been of great use at all. Of course, it may be the experience of those who are connected with the administration of municipalities that this department has been of great value and of great use. Personally, I do not find that it has

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been of great use Hence, I support the motion moved by my honourable friend Rao Saheb Kulkarni

DR. M K. DIXIT. Does he carry information or infection ?

(*After recess*)

MR V N JOG (Dharwar District) Sir, I had no mind to intervene in this debate, but the remarks of my honourable friend from Belgaum have provoked me to say a few words He said that it is only the urban areas, the municipalities, which derive advice and help from this department I was a president of the Dharwar Municipality and I am also a member of the Dharwar District Local Board, and I know that both the rural and urban areas are served by this department When there were signs of plague spreading in Dharwar City the Assistant Director came to Dharwar, we called a meeting of all the medical practitioners and some other people in the town, and the Assistant Director told us what we should do for the prevention of plague, such as rat killing and the rest. In the course of a month or two we found that the plague did not spread and there were many signs of improvement Similarly, in the rural areas, where there are no medical dispensaries When any epidemic occurs there, it is this department which goes to their help and gives direction. In our district there are certain fairs There is not much medical help there, and there is no municipality to go to their help. In such circumstances, the officers of the Health Department go there and see to the sanitary conditions and see that the epidemic does not spread I submit, Sir, that this is the only department which deals with the question of life and death Therefore, our demand should be the other way, that enough funds should be given for the support of this department and not that the department is a parasite and should be removed altogether The statement that many of the local bodies have not appointed their health officers has already been replied to, and I do not want to refer to it But as long as we have no non-official well-organised organisations as in the case of the Co-operative movement, spread over the rural areas who can take up this work and do some propaganda, this department should be maintained and strengthened Therefore, I oppose the cut

SYED MIRAN MAHOMED SHAH (Hyderabad District). Sir, I rise to speak on behalf of Sind So far as local bodies are concerned, Sir, my experience of this department has been that it does serve a useful purpose in the way of giving advice on hygienic matters, although that advice has not yet taken any practical shape as we expected I can realise the handicap under which this Department is labouring owing to want of funds Of course that is a handicap under which every department is labouring now-a-days But, whenever we, the representatives of the people, put forward any demand for the service of the public, then the reply from the Government benches is that the departments have no funds and, therefore, cannot give more service to the public. We quite realise the position of Government, But we should make the best of

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the situation. Whenever we are asked to sanction new taxation, then in return we expect that all the funds will be spent on nation-building departments, that is, for the service of the people. I think that is the greatest consideration that will weigh with the representatives of the people whenever proposals for fresh taxation come before this House for sanction. Whenever such proposals have come forward, we have supported Government. I would instance the case of the recent Finance Bill which has been allowed a first reading. In return we expect an encouraging reply. So far as the nation-building departments are concerned, we know how far the Education Department has been cut down as also the Health Department. People judge us by results. If Government keep a huge paraphernalia and a huge establishment at the top, from which the people cannot derive any direct benefit, then, I think people will be disappointed. Government will be judged by the results.

The best way of making this department useful is to appoint intermediaries who will serve under the direction of the Director of Public Health. On their own showing the department is now there simply to tender advice and to organise on a uniform basis, that is, to co-ordinate the health activities. If there are no agents to carry out the advice tendered, what is the use of tendering such an advice? That will remain an abstract advice and will serve no useful purpose. The effective way is to encourage local bodies to appoint Health Officers of their own. So far as my experience in Sind goes, they have not been encouraged, they have been indirectly discouraged. At least that is the conclusion we draw from the instances that we see in Sind. I will quote the instance of the local board of Larkana whose president is Sir Shah Nawaz Bhuttd. He has been maintaining a health officer in Larkana for about six years now. That health officer is a man with requisite qualifications and has passed the departmental test too. In spite of that not a single pie has been given to the Larkana district local board by way of grant towards the pay of the health officer. When we, the presidents of other district boards, see the fate of that district, we draw the conclusion which I have mentioned just now. The Larkana District is a rich district, it can maintain a highly paid officer at its own expense. But other municipalities and district local boards, which are not so rich, cannot do so from their own resources. What is the remedy? The remedy lies in devising a simpler scheme. I have suggested it officially that until funds permit, two or three districts should form themselves into a group and appoint a health officer jointly. There are seven districts in Sind, they can divide themselves into two or three groups and appoint health officers for each group, each local body contributing its share and Government its share of two-thirds. Government should be liberal; they should not make things impossible for local bodies. They should not insist that a man with a D P H degree on any particular diploma should be appointed as health officer. If you are going to require that a particular examination should have been passed by the health officer, then those men will also dictate their own terms by way of their emoluments, etc. In the present circumstances, neither the local bodies nor

[Syed Miran Mahomed Shah]

Government can finance the appointments of Health Officers with high qualifications Therefore, we should come down and be more practical We can appoint a qualified medical officer, say an M B B S. He should be expected to know the principles of hygiene very well. Every doctor knows it The honourable member Dr Dixit knows it quite well, if he is appointed as Health Officer, he will be all right, I myself have invited on various occasions ordinary medical officers to help me in sanitary problems and they have come to my help But all talukas do not possess qualified medical officers, and sometimes it is very difficult to disengage them from their dispensaries Therefore, my assertion is that an M B B S officer can carry out these duties Why should Government stick to these rules when they themselves cannot finance the appointment of highly paid officers ? They only put artificial restrictions in the way of local bodies Then, look at the figures in the budget Out of 25 lakhs of rupees only three lakhs are given to local bodies for the appointment of health officers I think very few local authorities have got health officers In Sind there is only one local board, that of Larkana, that has appointed a health officer so far. My honourable friend Sir Shah Nawaz Bhutto says that he has spent Rs 42,000 and has not received a single pie. He should receive some portion of that cost as a sort of encouragement I myself am very much handicapped, because the majority of the fairs in Sind are held in my district, about half a dozen of them on a large scale This problem is confronting me There is no special medical officer with me, and I do not know how to manage it Advice is, of course, tendered by the Assistant Director of Public Health, but that is no use I myself know what particular medicines are required for the prevention of malaria and influenza I can distribute quinine, even a servant of mine will do it all right But this is not organisation, unification, or co-ordination. What is the service we get in return for this expenditure of 25 lakhs on this department ? It is really immaterial service that we get in return So far as vaccination is concerned, in the case of my own district, we spend about Rs 6,000 or Rs 7,000 and Government give us only Rs 300 What a meagre help ! What is the encouragement given for work in the matter of public health ? When I protested, the papers were returned to me with the remark that Government would not be responsible if small-pox spread in my district They only tender abstract advice, whether I have the means of acting up to that advice is not their concern So my request to the Honourable Minister is that he should make the department more useful I am the last person to say that this department should be abolished On the contrary, I say that this department should be strengthened from some sources or other. Education and Public Health should have more money. Unless people are enlightened and kept free from disease, how can you increase their earning capacity, how can they bear the burden of the taxes which are piling on them from day to day ? Just as my honourable friend Mr Shaikh Abdul Majid of Karachi remarked the other day, Government have not avoided taxing even the elements which God has provided

[Syed Miran Mahomed Shah]

for the existence of man Fire has been taxed, water has been taxed, earth has been taxed, and there will be a tax on air also in a short time

An Honourable MEMBER Electricity is being taxed

SYED MIRAN MAHOMED SHAH That I connect with fire So all the elements are taxed You have been imposing taxes from time to time. But we have to look to the man on whom we pile these taxes That is our elementary duty We have to maintain the individual who earns on behalf of Government. We should take care of his health. Really he is the earning member of the family of Government It is, I think, the primary duty of Government to find out from any source they like the necessary funds, but they should maintain this department and make it really useful and not keep it merely as a figure-head and appoint health officers and say, "We have appointed this officer and that officer" for the nation-building departments That serves no useful purpose There is no direct benefit to the public, people are dying in numbers in epidemics The Local Bodies should therefore be encouraged to employ Health Officers to look to the health of the people. They are, after all, our own officers who are employed by local bodies There are edicts issued by the Assistant Director, "Appoint so many officers Indent so many medicines. Send your officers to such and such a place." As the honourable member Rao Bahadur Angadi remarked, we get daily reports about the health condition of every taluka from mukhtyarkars, sub-divisional officers and other officers We thus get every information from other sources also and we are expected to appoint our own officers, and spend from our own funds. How is the health department useful to people?

My purpose in speaking on this cut is this we are imposing extra taxation upon the people. We cannot face our constituency unless you take something out of these extra funds and give help to these nation building departments—particularly Health Department. That is the only reply we can give to our constituency and no other. We cannot go on extending our co-operation to Government without getting any return After all, we are the representatives of the people, we have to face our constituencies We shall not be carried away by sweet words and stereotyped assurances that we get from the Government benches We should get something substantial in the shape of a grant-in-aid to local bodies for the purpose of maintaining departments like this With these few remarks I again request the Honourable Minister to take into consideration the suggestions that I have made and frame his policy accordingly.

Rev. R S. MODAK. Sir, I rise to give my wholehearted support to the department of public health I think we should support the retention of both the Medical and Public Health Departments for the simple reason that both these departments are very necessary for the welfare of the population at large. If I were making a choice between the Department of Public Health and that of Education, I would consider both equally important.

[Rev. R. S Modak]

I feel, Sir, that the Department of Public Health is a department which has not been, unfortunately, able to prove as successful as it should have been, for the simple reason that it has not been properly helped by Government I do wish to say that this department does great service to the people. This fact should be appreciated by Government and the department should be enabled to serve the purpose for which it has been maintained In these days of epidemics and general depression, when people are starving, when there are diseases spreading here and there and when the whole system of our living needs to be reorganised, it is necessary that this department should be adequately helped by Government

I think it is high time that the Department of Public Health invited co-operation from public bodies and individuals Once in the course of conversation with a foreign visitor to India, he expressed to me the opinion that very little was being spent on public health by Government and asked me whether India was such a healthy country as to need no care of public health I said that was not the case.

I do wish, Sir, that Government would find it feasible, from all possible sources, to help this Department I also hope that it would be possible to reorganise the department and make it more successful

Mr C. M LANE Sir, like the honourable member Mr Jog, I had no mind to intervene in this debate, but I feel that I should refer to one of the points raised by the honourable member from Sukkur (Khan Bahadur Allahbaksh)

The honourable member referred to the high incidence of malaria in certain tracts during *abkalani* and said that the people living in those tracts had become complete physical wrecks on account of malaria To some extent I agree with what he says But I think I must make it clear that we are not accessory to this situation The Deputy Director of Public Health, some four or five years ago, produced at my request a map of the Upper Sind Frontier district showing the incidence of malaria, where the incidence was greatest and malaria was most severe I found that those particular spots in the map absolutely synchronised with areas with which I dealt from the point of view of wastage of water on account of excessive use of water. We have been trying to cut that down, Sir, and some small success has been achieved But conditions are going to change The honourable member Khan Bahadur Allahbaksh said that they get water only for three months in a year In future they will get water perennially. At present they get an enormous amount of supply during the short period of three months, under future conditions in the tracts referred to they will get less water spread over the 12 months of the year We are not encouraging malaria I maintain, as a matter of fact, the Irrigation Department is doing useful work in the cause of public health.

Khan Bahadur ALLAHBAKSH On a point of information, Sir In reply to a question, Government said that they had not formed any opinion about the incidence of malaria and that different officers had held

[Khan Bahadur Allahbaksh]

different opinions So, what we have just heard is the honourable member Mr Lane's individual opinion It is not an opinion formed by Government

Mr B S KAMAT Sir, as a non-medical man, I certainly hesitate to take any part whatsoever in the debate on this subject of public health But in the course of our investigations in connection with Retrenchment Committee I had the opportunity of looking into one aspect of the question regarding this Department from the public point of view, and that is the financial aspect of it The previous speakers have referred to lack of proper organisation and a well-balanced staff for the carrying out of sanitation and propaganda work of this department. While we were looking into this question from the point of view of economy it struck me that some other province—I mean the province of Madras—is having some system there which, for the return of money they spend there, seems to be far more economical than the system which we are following in this Presidency Madras has got a revenue of something like 17 crores of rupees out of which it spends 28 lakhs on this department of Public Health We here spend 23 lakhs on this department—if I am correct In spite of this expenditure, as my honourable friend to my left (Rao Bahadur Chitale) has pointed out, except the Director of Public Health at the top and the Assistant Directors of Public Health also at the top, there is no intervening staff to carry on propaganda and public health work of the department, whereas in Madras, perhaps by a subsidised system—subsidised in the sense of help to local bodies—they have got a far better staff than we have in this Presidency In Madras there are 28 District Health Officers each getting a salary of Rs. 250—600 This does not take account of the 24 health officers for municipal cities Then, again, there are six Assistant District Health Officers, each getting Rs 100—300, so that there are 28 *plus* 6, in all 34 District Health Officers Then, again, below that, they have got 274 health inspectors who perhaps correspond to our sanitary inspectors. Thus, there are 34 of these district and sub-district health officers and 274 health inspectors The health inspectors get a salary of Rs 125—140 or so Whatever the actual detailed system may be, I feel it, and I felt it also during the course of our investigations on the Retrenchment Committee, that this Government ought to look into the Madras system and see if there is something worth copying in that system and if it could be made applicable to this Presidency in the interests of the large rural community which requires a great deal of help in the matter of public health

This question probably is connected with the idea of the necessity of having certain diplomas which in this province it is perhaps the tradition to think to be absolutely necessary for district Health officers I do not know whether Government have the shibboleth or make a fetish about diplomas If that is so, and if the Diploma of Public Health is a *sine qua non* for appointing a man as a district Health Officer, I think in the interests of the general public that fetish ought to be more or less

[Mr B S. Kamat]

abandoned and a man who has general qualifications of sanitation and health, irrespective of any particular hall-mark ought to be entrusted with the duty of conveying to the rural communities at large that knowledge of sanitation which saves them from death.

Whatever the fact may be about these two points, namely, a better system of establishment, and secondly, the *sine qua non* about a particular degree, the matter ought to be looked into by the Government of Bombay I dare say, so far as I know, the Honourable Minister in charge of this department was very keen, as far as I could see, on his work during the course of the Retrenchment Committee and on looking into every aspect of the problem committed to his charge I dare say that he will look into this question with that impartial eye which he brings to bear on every problem and that, if there is anything worth doing at all for the general public, he will not fail to do it Indeed I may assure him that so far as this section of the House is concerned—and indeed the whole House for the matter of that—it always appreciates the pains-taking manner in which the Honourable Minsiter in charge of Public Health carries on his work in order to safeguard the interests of the general public who have every confidence in him, and I do think that he will look into this question of what is being done in Madras and also into the question whether it is absolutely necessary to have the hall-mark of a particular degree, in order that the staff at his command and which is necessary for the general public health may be strengthened and reinforced in the near future

Rao Saheb P D KULKARNI (Poona District) · Sir, I find that many diametrically opposed views have been expressed on the motion I moved But when we look to the locality of the members who spoke in favour and who spoke against it, it will be seen very distinctly that those who are inhabitants of urban areas have only shown their approval of the work of this department, because they reside in municipal areas and they have got their own health officers, and naturally they have very limited knowledge of the state of things in rural areas

Sir, I never meant to say that sanitation is not the necessity of the people residing in the rural areas It is in fact a prime thing. I know, if we want to be happy in our life we must be healthy, but the way in which the money is spent is not proper The district local boards are able to appoint their own health officers, but the thing necessary to be done by the Government is that the money which will be saved by doing away with these salaries of the Directors may be made available in the form of grants to local boards They will be then in a position to utilise the amounts in appointing health officers and consequently there will be no obstacle in the way of effecting this change As the district local boards' grants have suffered heavily, they are thereby put in a financial stringency. As the result of this policy on the part of the Government it goes very difficult for them to earmark funds for appointing health officers. The money saved by retrenchment of this department will be more usefully utilised if some financial aid is given to boards I am of opinion that the expenditure that is incurred on this head is going

[Rao Saheb P. D. Kulkarni]

uselessly. Taking into consideration the diverse views on the subject I do not wish to press my points Only I rely on the first-hand knowledge of the working of the district local boards which the Honourable the Minister in charge of the portfolio of Local Self-Government has I am sure he will take into consideration the views expressed for and against my motion by many members of this Honourable House We must have sufficient time to come to a mature judgment on this point at least With this hope I shall be glad to beg leave of the House to withdraw my motion

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Sir, this is one of those rare occasions when a Member or a Minister is not only entirely relieved of his responsibility of answering the various points raised in the debate, but is also a recipient of encomiums from the members of the Opposition who are, as a rule, not considered to be very extravagant in bestowing their favours

Sir, I think very little is left for me by those honourable members who have spoken against the cut I therefore propose only to deal with such points as I consider of importance I propose to take on the honourable members Rao Saheb Kulkarni and Mr Kadri together, because these are the two members who have spoken in favour of the cut I can well understand some of the inaccuracies in the statement made by my honourable friend Rao Saheb Kulkarni because they have apparently arisen out of his unfamiliarity with the numerous activities of the department, but Mr Kadri has been a Government officer with actual touring experience, and I was rather disappointed in some remarks which fell from his mouth This is the first time I come to know that the Director of Public Health has nothing else to do but to register births and deaths I suppose it is needless for me to inform this honourable House what his duties are.

Another remarkable statement which the honourable member Rao Saheb Kulkarni made was that the Retrenchment Committee's report in this particular respect could not be very well relied upon for the simple reason that we had not taken the evidence of those men who are intimately associated with the administration of the district local boards and municipalities. I may inform the honourable member that amongst the 8 or 9 members, there were four presidents of district local boards in the committee itself The suggestion of the Rao Saheb therefore boils down to this that the Director of Public Health having very little to do, his duties may be very conveniently transferred to the Divisional Commissioner I can assure the Rao Saheb that this matter was very closely investigated by the Retrenchment Committee and after a very careful consideration of the question——

Rao Saheb P D KULKARNI I have been misunderstood, Sir. I never said that the recording of births and deaths was the only duty of the Director of Public Health I only said that that is one of his duties. Also I never said that the Divisional Commissioner is to record the vital statistics.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: After a very careful consideration of this question, the members of the committee came to the conclusion that the amalgamation of the two departments, namely, the Medical Department and the Public Health Department, or the transference of certain powers from the Director of Public Health to the Divisional Commissioners was entirely out of the question and would be absolutely impracticable This could be very easily verified by a perusal of the report of the Retrenchment Committee

I do not, Sir, propose to enumerate the various activities of this department, but I am afraid that both these honourable members have taken no account of the value of the preventive measures which are taken by this department The importance of public health and its administration on sound principles is now so well recognised in England that there is a separate Ministry of Health there with a Chief Medical Officer to the Ministry and six separate departments, each under an expert of the highest standing in his branch of public health All other progressive countries have been trying their utmost to introduce public health departments, and I was rather disappointed to know from these two gentlemen that this department should be abolished——

Mr. J S KADRI Not abolished, but amalgamated with the Medical Department

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL No useful purpose would be served by amalgamating the two departments I understood the honourable gentleman to say that this department was ornamental If we accept that argument it would be a drag on the other department if it is amalgamated

With regard to the suggestion made by the honourable member Mr Petit that a duty should be levied on edible oil imported from foreign countries, I may inform him that I am not yet in possession of the papers which he is referring to I understand, however, that the question regarding the amending of Schedule H of the City of Bombay Municipal Act so as to subject Whale oil and fish oil to town duty as proposed by the Bombay Municipality has been again referred to the Municipal Commissioner for some further information But I can assure the honourable gentleman that when the papers come back, the Government in their turn will make necessary inquiries and if they are satisfied that a particular commodity requires to be very carefully watched or made a subject of extra duty, Government will be glad to take in hand the suggestion which he has made to-day, but if it is only with the object that the indigenous stuff might be put in a position to have a better margin of profit, I suppose the Tariff Board would be the proper place where this question might be more suitably dealt with.

Now, Sir, I shall very briefly deal with some of the suggestions made by my honourable friend Dr Gilder He has first put a question as to why the salaries of two officers were transferred from voted to non-voted I am afraid I am not able to give him the reasons why this has been done, but we heard from the Accountant General that the pay and compensatory allowance of Dr S N. Gore, Assistant Director, and

[Sirdar Sir Rustom Jehangir Vakil]

Dr K S Mhaskar, Special Officer, Haffkine Institute, Bombay, for the year 1931-32, was voted and that it should be treated in future as non-voted——

Dr M D GILDER What are the reasons for it ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL In view of the superior services and classification of the rules published on 7th January 1931, the charge has to be treated as non-voted I can tell him that I myself should like to have some more information on the points before I make any effort to satisfy my honourable friend now

The second suggestion of the honourable member Dr Gilder is that an Indian Pharmacopœia should be prepared and that the Government of India should be requested to utilise the services of a medical man like Rev Father J N Caius, who is in charge of the Bacteriological Laboratory in the Haffkine Institute at Parel There is no proposal at present pending regarding the transfer of Rev Father Caius' pay from provincial to central We do not get any grant from the Government of India towards the expenditure of the Haffkine Institute This being an All-India subject, if the Government of India ask this Government to place the services of Dr Caius at their disposal, I do not think that this Government can have any objection to do so The honourable member Dr Gilder wanted to know why the port health officer whose salary and allowances were debited to the Public Health Budget should be under the control of the Surgeon General I may inform him that the whole of the Haffkine Institute which, though it is met under this Public Health Budget, is under the control of the Surgeon General That has been the case for many years

Dr M D GILDER Could it not be corrected ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL For this reason that the Director of Public Health is only a specialist in a particular branch and that the Haffkine Institute contains many eminent medical men, and I think that it will contribute to the efficiency of the department, if the present arrangement is allowed to continue

Dr M D GILDER What about the port health officers ? They are also specialists in the prevention of diseases Why should they not be put under the Director of Public Health ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL. The honourable member proposes a radical change in the policy of Government and I must say that I am not prepared to discuss that question at this stage

Dr M D GILDER. Can a Minister say that he is not prepared to discuss suggestions made by non-official members of this House ?

The Honourable the PRESIDENT What the Honourable Minister probably means is that questions concerning a change of policy cannot satisfactorily be dealt with at this stage

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL. I do not think I have used a wrong word, because I have given him a reply that it

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involves a change of policy and if the Government are going to change a very important policy, they must have time to consider it and at present of course it is impossible for me to enter into the merits of the policy offhand

Dr M D GILDER : That answer is quite satisfactory

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL : Thank you

My honourable friend Khan Bahadur Allahbaksh complained that the district local board of Larkana had engaged six years ago a health officer and that district local board has not been getting the two-thirds of his pay which it ought to according to the provisions of the Act. But so far as I can guess, it is not possible that, if the health officer has been engaged with the sanction of the Government and if he is a qualified man possessing the minimum qualification prescribed for the post of the health officer, namely, D P H or B H.V , it could not get it

Khan Bahadur ALLAHBAKSH : In the Act itself it is stated he must be an M B B S

Sir SHAH NAWAZ BHUTTO : This is a most misleading statement which the Honourable Minister has been made to make, because he has no facts in his possession It is not so All the conditions of the Act have been complied with by the district local board It was only a subsequent thought that the department has come forward with this explanation Government had accused the district local board that they have failed to provide their boards with the services of a Health officer. The copy of rules framed by Government was communicated to us after the appointment was actually made The district local board has been fighting from year to year and remained content so far with hopeful replies

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL : I made myself very clear If that particular officer was appointed with the sanction of the Government and if he did possess the minimum qualification prescribed, then it would be difficult for Government to put off the payment and I promise to enquire into the matter

Sir SHAH NAWAZ BHUTTO : Government have repeatedly agreed that they would pay, but this is only a promise so far

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL : Some honourable member made a remark that the death rate was increasing I beg to point out that that is not the case I have got figures here up to 1930 and it has been decreasing, unless he has got still later figures in his possession.

I am not quite sure whether the honourable member Syed Miran Mahomed Shah, when referring to the District Local Board Act, was alluding to the same incident, namely, of the Larkana health officer If, as the honourable member Sir Shah Nawaz says that all the provisions of the Act have been conformed to, why should the honourable member

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Syed Miran Mahomed Shah have suggested that the Act might be so amended as to——

SYED MIRAN MAHOMED SHAH: I was referring to departmental rules and not to the Act

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: —— make this minimum qualification unnecessary

Sir, I do not think that I should say anything more, because I have not omitted any important points which have been raised during the debate But some of the points I have not dealt with at present, and I cannot deal with at present, because they are suggestions, some of them very valuable suggestions, made by honourable members, and I promise to go into those suggestions and see how far they can be accepted

The Honourable the PRESIDENT: Has the honourable mover leave of the House to withdraw his motion?

Rao Saheb P. D. KULKARNI: I am not withdrawing my motion. It has not been stated by the Honourable Minister that the grievances I placed before the House would be sympathetically considered He has not replied to my arguments in a fair way

Question put, and negatived

The total demand put, and agreed to

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: Sir, I make a demand for Rs 44,48,000 under 32-Medical (Transferred)

Question proposed

Dr M D GILDER: Sir, I have given notice of a cut motion with a view to elicit information If the Honourable Minister will give me the information, I will not move it In the White Book, there is a provision for reserve medical subordinates I do not know who these medical subordinates are, what is meant by that term, and what their duties are

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: To meet the special requirements of the Medical Department, primarily with regard to leave a reserve cadre of medical officers is known by this name of medical reserve That includes I M S, B M S and S M S officers It is necessary to maintain a reserve, because the duties in charge of medical institutions particularly in out of the way places, cannot be looked after by other medical officers nor can these posts be left vacant during leave The recruitment of qualified men to meet emergencies for short periods is not feasible As these officers are not attached to any particular institution, the expenditure on each is debited to several minor heads, such as hospitals, dispensaries, mental hospital, medical schools, etc and they are not permanently attached to any class of these institutions. These officers are shown separately as reserved medical subordinates

Dr. M D. GILDER: These wandering officers are merely leave reserve, Then, I do not propose to insist on my motion,

The Honourable the PRESIDENT. Item No. 75 is not being moved by the honourable members Dr Gilder and Dr Dixit The honourable member Mr Petit has approached me for permission to move a cut of Rs. 80,000 to the provision made for St George's Hospital I might inform him that this is the time when he can move it But he has not submitted the notice of the cut in proper time Therefore, the honourable member should first of all explain why he did not submit the notice in proper time; and, secondly, if his object is to raise a general discussion regarding that particular hospital and get an explanation as to why it has not been retrenched—I suppose that is his idea—then he can gain that object by joining in the general discussion cut which is coming later on But if he proposes to get the retrenchment carried by persuading the honourable members on this side and by carrying the motion to a division, then that is a different matter entirely Then, I have to turn, according to the Standing Orders, to the Honourable Minister for his permission also The honourable member (Mr Petit) informs me that the Honourable Minister is inclined to let him move his cut, even though it has not come in proper time

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: Yes, Sir I said that I would not have any objection if you allowed him to move it

The Honourable the PRESIDENT Then, the honourable member has to answer two definite questions before I can give him the permission The first is, why he was not in a position to submit this cut in proper time, as the others have done, and, secondly, if his object is to raise a general discussion, why he cannot wait till the general discussion cut (Item No 81) There is a cut of Rs. 10,000 proposed to the same provision (St George's Hospital) by Dr Gilder, he can join in that also

Mr J B PETIT Mr President, I regret that I did not give my notice in time, because unfortunately for me, I thought that the rule required that notice was to be given four days before the item in question was reached; at least that was my reading of the rule Your interpretation of the rule, however, is different You have held, Sir, that notice should be given four days before the demands for the grants, as a whole, are taken up. It is therefore that I was late in giving the notice Under these circumstances, I requested you to give me permission to move my cut under one of the exceptions, of the Rules, by which, in the event of such an occurrence, permission can be granted by the President with the concurrence of the Member or Minister in charge As regards the second point, on a perusal of the figures given in the White Book I have come to the conclusion, that, whilst two other big Government Hospitals have had huge cuts made in their budgets to the extent of 25 and 37½ per cent. respectively, only a very small cut of 1½ per cent has been made in the European General Hospital. I felt that this disparity was so marked, that it made out a very strong case for a cut to make up the deficiency. This is the reason why I wish to move my amendment, as I think I should be given an opportunity of convincing the House of the necessity of supporting me, and of effecting the retrenchment proposed by me. If

[Mr J. B Petit]

the House is so minded, it may reject it, but I hope that that will not be the case In any event, I submit that I should get this permission and that I should not be ruled out, merely because of the slight technical error committed by me under the circumstances already narrated.

The Honourable the PRESIDENT So, the honourable member would rather not wait for the general discussion, but press this cut ?

Mr J B PETIT That is so, Sir, I would much rather move this cut now.

The Honourable the PRESIDENT Of course, the honourable member realises that he misunderstood the Standing Orders If I give him permission now, it should plainly be understood that it is done as a special case and that I am not opening the door for cuts like that in the future All notices of cuts must be submitted in future in proper time I am giving permission now, particularly because the Honourable Minister agrees

Mr G L WINTERBOTHAM Is there any particular reason why the honourable member should be allowed to move his cut first, before the last cut in the agenda is disposed of ?

The Honourable the PRESIDENT Yes, because the last cut is always a general discussion cut This is a specific cut of Rs. 80,000 which he has got to justify on its own merits The cuts are arranged in their proper order, according to the object and amounts of the cuts That is done under the rules laid down for it

Mr G L WINTERBOTHAM Why does it come before Dr Gilder's cut of Rs 10,000 ?

The Honourable the PRESIDENT This is a cut for a greater amount Dr Gilder's is for Rs 10,000 There are rules laid down as to how the cuts have to be arranged

Mr G L WINTERBOTHAM I do not see any reason why the rules should be waived in this case.

The Honourable Mr G. A THOMAS. If the rule is that the larger cuts ought to come first, then why does item No 78 come before item No 79 ?

The Honourable the PRESIDENT It is plain Cut No 78 relates to votable demand while the other refers to the total (both votable and non-votable) demand

Mr J B PETIT (Bombay Millowners' Association) Sir, in accordance with the notice which I have given and which you have kindly accepted, I beg to move

"That the amount provided under the head "St George's Hospital" (page 219 of the Civil Budget Estimate) be reduced by Rs 80,000"

I beg to assure the Honourable the Minister in charge of the Department, and the Honourable Members of this House— [*Honourable Members* "We are unable to hear the honourable member"]

The Honourable the PRESIDENT Will the honourable member come forward ?

Mr J B PETIT I prefer to remain in my place, Sir, but I shall speak louder, so that everybody may be able to hear me At the outset, Sir, I beg to assure the Government, this Honourable House, and particularly our friends the English Members thereof, that I am moving this cut with very considerable hesitation and reluctance, even at the risk of being misunderstood and being held guilty of introducing communal considerations in a matter of this importance But I need hardly add that nothing is farther from my mind than such a desire and that I have brought forward the cut that I am now moving, wholly and solely in the best interests of the presidency, and that too, only when I saw that there was no other alternative open to me but the one that I have adopted

I have been led to make my proposal for two principal reasons .

First, because the cut made in the European General Hospital is so infinitesimally small, compared with the heavy cuts made in the Sir J J and the G T Hospitals, that a larger cut in the same proportion in the European General Hospital, is, in my opinion, absolutely and urgently necessary , and

Secondly, because the European General Hospital is the costliest, the most wasteful and the most extravagant of all the Government Hospitals, and there is considerable room for retrenchment there

I know that these are serious statements to make in regard to a public institution, but I am making them with a full sense of my responsibility, and only as a result of the conclusions to which I have arrived after a careful perusal and examination of the figures supplied to us by the Government themselves If honourable members of this House will bear with me for a while, I shall convince them with facts and figures of the truth of what I am saying and shall be content to leave the decision of the question entirely to their discretion and judgment. I shall go a step further and say, that if after hearing me, the Honourable the Minister in charge of the Department convinces the House that my figures are wrong and that my conclusions are based on faulty grounds, I for one shall be more than pleased to withdraw this cut , and I am perfectly certain that this Honourable House will permit me to do so If, on the other hand, I am able to establish my case and the Honourable the Minister is unable to refute it, I am entitled, in fairness to myself, to ask this Honourable House to accept my amendment and to enforce the cut But until that stage is reached, I beg to solicit the indulgence of the honourable members of this House in my endeavour, to convince them of the truth and justice of what I say

Let us now examine the points, one by one Let us begin with the first of my reasons, viz , the question of disparity When I saw the figures which have been supplied to us at page 219 of the White Book, and found that, whilst very big cuts have been made in the two other general hospitals in Bombay, only an infinitesimally small cut has been made in the European General Hospital (St George's Hospital), I felt that there

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was a very good case for making up the deficiency, in the interests of the presidency, by proposing a further cut in the European General Hospital to the extent that I am now doing If honourable members will turn to this page of the White Book, they will see that the figure for the Sir J J Hospital in the accounts for the year 1930-31 was Rs 4,30,174, whereas in the budget estimate for 1932-33, it has been reduced to Rs 3,28,000, which means a cut roughly of a lakh of rupees—that is, of 25 per cent Let us now turn to the Gokuldas Tejpal Hospital In the year 1930-31, the figure was Rs 1,99,975, say, roughly two lakhs It has now been reduced in the budget estimate for 1932-33 to Rs 1,25,000 Therefore, there is a cut of Rs 75,000, or in other words of 37½ per cent So far as the European General Hospital is concerned, the figures are Rs 3,32,908 in the accounts for the year 1930-31, and Rs 3,27,000 in the budget estimate for 1932-33, that is, roughly only Rs 5,908 less, or, in other words there is a cut of only 1¾ per cent If these figures are correct—and I have no reason to believe that they are not so—then they tell their own tale In plain words, whilst the two other general hospitals have been cut to the extent of 25 per cent and 37½ per cent. respectively, in this hospital there is only a cut of 1¾ per cent It is quite possible that there is some satisfactory excuse for this different and apparently preferential treatment, which, we may, in due course, hear from the Honourable the Minister But until such a convincing explanation has been given, I think I am entitled to come to the conclusion that this cut is much too small compared to the cuts made in the other two hospitals, and that it constitutes specially favoured and preferential treatment, for which there is absolutely no justification

Let us now turn to the second of my reasons, viz, the reckless extravagance prevalent at the European General Hospital and the room for considerable retrenchment that is there It is a notorious fact, which cannot be denied, that like all other Government Institutions, the Hospitals in this city under the management of the Government, whether taken together in a group, or individually as separate units, are perhaps the costliest, the most wasteful and the most extravagant that can be thought of, and this remark applies with equal force as much to the hospitals for the poor, as to those for the middle and upper classes The truth of this statement is so patent and so universally recognised at least in the city of Bombay, that I do not think we can come across anybody who will seriously dispute its accuracy It is, however, interesting to know that an Expert Committee consisting of some of the most distinguished members of the independent medical profession, that was appointed last year by the Bombay Medical Union, after a very careful examination of all the facts involved in the question, has independently arrived at an emphatic conclusion to the same effect Let us pause for a moment, and see what they say In a part of their report, they say, "That the administrative charges at the Government Hospitals are top heavy and compare unfavourably with those of other hospitals in Bombay" In another part, they say, "That the salaries of the Military Assistant Surgeons, B. M S, and others at the J J Hospital,

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will be found to be five times greater than those at the King Edward Memorial Hospital, even without the inclusion of the salaries of the I M S Officers attached to it The J J Hospital staff of nine officers costs Rs 45,300, while the staff at the King Edward Memorial Hospital, doing corresponding duties, costs only Rs 9,300" Speaking of the European General Hospital, they say that "it is the most costly hospital run by the Government" They further speak of it as follows

"If we deduct the non recurring expenditure from the total expenditure incurred for the J J Hospital (which expenditure (non recurring) the committee assumes to be of Rs 6 lacs), the Committee finds that the St George's Hospital expenditure for 125 beds, is practically the same as that of the J J Hospital for 391 beds The committee believes that, even allowing a certain extra expenditure for the mode of living of the patients treated in the St George's Hospital and for their diet, a saving of over a lac could be easily made"

I can go on quoting passages after passages from the report, all pointing to the same conclusion, but I refrain from doing so Before passing on, however, I wish to draw the attention of the Honourable the Minister and of this Honourable House, to the complaint that they make in their report to the effect that the Surgeon-General refused to give them any information at all and merely referred them to the two publications, viz, the Annual Report for the year 1929 on the Civil Hospitals and Dispensaries in the Bombay Presidency and the Civil Budget Estimates for 1931-32, and also that the Secretary to the Government in the General Department, when approached, refused to supply any further information beyond that given in the Government Publications, on the ground that the procedure adopted by the Union in appointing a Committee without the previous consent of the Government, was wrong, even though it was pointed out that the said procedure was in conformity with that adopted under similar circumstances by representative medical bodies in the civilized world I would like to say in passing that this is hardly the way to enlist the sympathy of the public and to attract the co-operation of the independent medical profession in the attainment of the aim, which both the Government and this Honourable House have alike at heart, viz, the retrenchment in the cost of our hospitals compatibly with their efficiency It is deplorable in the extreme that the executive head of a responsible Government Department, who ought to have known better, should have treated a Committee appointed by an important public organisation, in such a high and mighty fashion And, in spite of such cavalier treatment, invariably extended to public bodies and public men, we often hear the Government complain of want of public support and co-operation in the discharge of their responsible and onerous duties in these difficult and critical times!!! However, Sir, this is only by the way and I shall not labour this point further

Reverting to the question of cost, I have ascertained from the figures contained in authoritative publications, what the ratio of expenditure per head per day in some of the important public hospitals in the city, comes to. So far as the King Edward Memorial Hospital is concerned, the ratio of expenditure comes to Rs 3-3-9 per head per day This is

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the figure which I have obtained from the Municipal Report on this Institution which we receive every year This Hospital is being mainly run for the poor and is being taken advantage of, very largely by them It would therefore be fair to compare it with the figures for the Sir J J and the G T Hospitals, the ratios of expenditure of both of which, are, I understand, very much higher However, we are not concerned with these for the moment, and I will not trouble you any further about them As regards the Parsi General Hospital, which is run very much on the same lines as the St George's Hospital, and which has a group of magnificent buildings and equipment of its own, very similar to those of the European General Hospital, and where better-class patients paying fees ranging between Rs 4 and Rs 12 per day are also received and treated, the ratio of expenditure comes to Rs 4-10-2 per head per day So far as the European General Hospital is concerned, upon an examination of the different items of expenditure which appear at page 141 of the publication, issued by the Government every year, entitled "Civil Hospitals and Dispensaries in the Presidency of Bombay" we find that for a daily average number of 125 patients, the expenditure is put down at Rs 6,72,389, taking the figure for the year 1929 as the basis of the calculation

It will be noticed that several items not shown in the White Book, are mentioned in the publication, to which I have referred, because I suppose they are grants made to this Hospital under different heads and separately included in the Budget in their respective departments, although not directly shown in the White-Book as having been attributed to this Hospital But the fact remains that the figure of the total expenditure which the honourable member Dr Gilder produced last year, and which is contained on page 141 of the publication for the year 1929 to which I have already referred, is given as Rs 6,72,389

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL On a point of information, Sir How is the figure of over six lakhs worked out? I do not quite follow the honourable member

Mr J B PETIT The figure of Rs 6,72,389 is mentioned on page 141 in the publication known as "Civil Hospitals and Dispensaries in the Presidency of Bombay" for the year 1929 My honourable friend Dr Gilder quoted from it last year Every member has been supplied with a copy of this publication by the Government If the Honourable the Minister refers to it, he will find against the European General Hospital, the total figure of Rs 6,72,389, mentioned in the extreme right hand corner of the page The honourable member Dr Gilder will be able to produce the book It is in his possession at the present moment

Sir REGINALD SPENCE Have the figures of all other Hospitals been shown in the same Book?

Mr J B PETIT Yes, all the figures of the Government Hospitals, where they are available The figures for the Parsi General Hospital

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are naturally not shown in that publication, because it is not a Government Institution. I have, however, got before me the figures for the Parsi General Hospital, and I may inform the honourable member making the enquiry, that there the expenditure comes to Rs 4-10-2 per head per day. It is an independent public Institution, outside the purview of Government control. But I am referring to it, because it is a Hospital run on very much the same lines as the European General Hospital. It receives first-class patients, and it charges fees, on a scale rising as high as Rs 10 to 12 per day to such of its patients as can afford to pay, and yet its average expenditure comes to Rs 4-10-2 per head per day. Although, I am connected with this Hospital, I am open to admit that even there, there is some extravagance, and consequently much room for retrenchment. A committee is now sitting to consider the question of reducing the expenditure in view of its present financial stringency, and substantial reductions have already been made under different heads, thus bringing down the ratio of expenditure per head per day to a very much smaller figure. But the fact remains that even on its present extravagant scale, the expenditure per head per day now comes to Rs 4-10-2, whereas, in the European General Hospital it comes to Rs 14-12-0 per head per day. I shall show directly how I have obtained this figure. The total average number of patients per day in the European General Hospital is shown in the Government Publication as 125. By multiplying this number with 365, we get 45,625, as the total number of treatment days per year, or, in other words, the total number of patients treated per year, counting each of them as a new patient per day. By dividing the figure for the total annual expenditure, viz., Rs 6,72,389 shown in the publication, by 45,625, the figure for the total treatment days, we get Rs 14-12-0, which thus becomes the cost per head per day. As against this staggering figure, we have an expenditure of Rs 3-3-9 per head per day in the King Edward Memorial Hospital and Rs 4-10-2 in the Parsi General Hospital. Assuming for argument's sake, that this figure of Rs. 14-12-0 per patient per day in the St George's Hospital, can be reduced to some extent, even then it is as clear as day light that the ratio of expenditure is far heavier than it ought to be, having regard to all the circumstances of the case. In any event, it is incomprehensible to me why it should be as high as Rs 14-12-0 as against Rs 4-10-2 in the Parsi General Hospital, which, as I have shown, is being conducted on identical lines. I have no doubt in my mind that this is so, because of the prevalence of reckless and wanton extravagance there, resulting in an inexcusable and criminal waste of public money, to the detriment of other Government Hospital for the poor, even the barest needs of which have been most cruelly cut down with the concurrence and under the very nose of an Indian Minister. I have taken my figures from the Government Publication to which I have already referred, and I am sure that they are correct. If, however, it is authoritatively proved that they are inaccurate, I shall be delighted to stand corrected and even to withdraw my motion. If, on the other hand, my figures are accurate or even if they go to prove, as I contend they do, that the ratio

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of expenditure per head per day is very extravagant, then I think the Honourable the Minister in charge ought at least to promise an enquiry into this matter, upon which I shall be delighted to withdraw this motion Until that is done, or until a satisfactory explanation of the position is given, which may convince the House that my figures are incorrect and that the Government's present expenditure is fair and reasonable, I venture to hope that I shall have the support at least of the honourable members on this side of the House

As I have said before, I have not moved this cut with any idea of raising a communal or racial issue As the institution is being conducted from provincial funds, I am honestly of opinion that it is incumbent upon us as representatives of the people, to enquire into the manner in which our grants are being used and to satisfy ourselves as to whether we are getting a fair return for the money which is being so lavishly spent I make bold to assert that with the facts and figures that I have adduced from authentic Government publications, I have made out a strong and unimpeachable case in favour of the cut that I have moved, or failing that, at least for a thorough and searching enquiry into the management of this hospital When the Government are making ruthless retrenchments in every possible direction and under every imaginable head, when the barest necessities of the people are being cut down to the bone, when the nation-building departments of the administration are being continuously famished, when even H E the Governor has graciously consented to substantially reduce his own household expenditure and to abandon the visit of the Government to Mahableshwar during the hot season, and speaking of Government hospitals in particular, when even the poorest of the poor are being turned out of them, there is absolutely no reason why the expenditure on this institution should not be reduced in the same proportion, particularly when there prevails, as I have already shown, what may, without exaggeration, be described as extravagance *de luxe* What is it, after all, that I am asking for ? I do not ask this Honourable House to close this Institution I do not want that the necessities of this Hospital should not be supplied, I do not desire that it should be famished, or denied its legitimate requirements All that I ask of this Honourable House, is that it should insist that there shall be no waste or extravagance such as I have described I wish in all seriousness to ask every honourable member of this House, whether it is fair, whether it is just, whether it is reasonable, whether it is equitable, that, whilst there is a cut of 25 and 37½ per cent respectively in the J J and the Tejpal Hospitals meant for the poorest of the poor, there should be none in this Hospital for the rich, the ratio of expenditure of which per head per day is Rs 14-12-0 as against Rs 4-10-2 in the Parsi General Hospital, conducted on similar lines. I solemnly declare that it is the bounden duty of every honourable member of this House to see that such a state of affairs does not exist a day longer Our failure to do so would be a breach of trust on our part, and I am sure no honourable member of this House will be a party to such a discreditable procedure.

[Mr J B Petit]

Under these circumstances, Mr President, I think this Honourable House ought either to support this cut, or insist upon a searching enquiry being held into the management of this hospital, unless a strong case to the contrary is made out, in which event, I shall be glad to withdraw my amendment With these words, I beg to move the cut standing in my name

Question proposed

Sir REGINALD SPENCE On a point of order, Sir Can the Honourable the Minister tell us whether the figures quoted by the honourable mover of the cut are right or wrong before we proceed ? It is very difficult to speak without knowing whether the figures are correct or not The honourable the mover's whole point depends on whether the figures which he quoted are right or wrong

The Honourable the PRESIDENT That is not a point of order.

Sir REGINALD SPENCE . I want to know whether the Honourable Minister is going to speak first

The Honourable the PRESIDENT If the Honourable Minister gives the required information to the House, it would help them That is the request of the honourable member Sir Reginald Spence

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL It is not possible for me to satisfy the honourable gentleman unless I speak for about five minutes

The Honourable the PRESIDENT Yes

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL . In the first place, Sir, the honourable mover of the cut wanted to know why retrenchment had been made in the J J Hospital and the G T Hospital and why a corresponding retrenchment had not been effected in the St George's Hospital The explanation is very clear The reason why there is a greater retrenchment in the first two hospitals, namely, the J. J and G T Hospitals, is that a certain number of beds had to be closed down They were closed down in the first part of the last year, that is, the current financial year , and in the next year's budget those beds have not been provided for Consequently, there is this disparity

Rao Bahadur S N. ANGADI How many beds ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL One hundred and thirty beds If those beds were restored and provision made, there would have been no difference at all. I hope my honourable friend the mover of the cut is satisfied

Mr J. B PETIT Not at all *[Interruption.]*

The Honourable the PRESIDENT I do not like this cross-questioning The Honourable Minister may make his statement, He may take longer than five minutes. He has also the right of reply later on

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Sir, the point is this in the early part of the current year we had to

[Sirdar Sir Rustom Jehangir Vakil]

make retrenchments and the Medical Department had also consented to make certain retrenchments, and it was decided that a certain number of beds should be closed down in the J J Hospital group and the G T Hospital group—those particularly which had been recently opened Therefore those beds were closed down It is an old story and there has been a lot of criticism on this controversy in papers also, and I do not think I need stress that point But a question might be asked why beds were not reduced in the St George's Hospital. Probably that would be the natural corollary My reply to that is unlike other hospitals in Bombay, the patients pay in St George's hospital for what they get, and that is a very important factor which my honourable friend seems to have completely ignored Therefore, there was no need to reduce the number of beds in that hospital, because Government would not gain anything by reducing any number of beds in that hospital

Now, the honourable member relies upon the figure of Rs 6,25,000 He has taken that figure from the annual report and I think I cannot do better than just read a few lines from the Surgeon General's letter with regard to the annual report.

"As regards the annual report, I have pointed out before that the figures in this report are compiled in accordance with a freak system of accounts ordered by the Government of India and which relate only to the calendar year I accept no responsibility for any of the figures as I have no method of checking them The accounts are made by the medical officers themselves"

I have, on a previous occasion also, emphasised this point, namely, that honourable members of this House will do well not to rely upon the figures published in that annual report, but that whenever they wanted to discuss any point appertaining to the items of the budget, they must rely upon the actual expenditure mentioned in the budget itself

Now, I can very soon prove why these figures are misleading No account is taken, when this figure of Rs 6,25,000 is quoted in the annual report, of the receipts in the St George's Hospital The gross cost is Rs 4,08,624 (and not Rs 6,25,000) and if you include expenditure borne by the Nursing Association from their own funds, then it will be Rs 4,68,000 Then deduct from this amount the receipts which amount to Rs 1,50,393 And therefore the net expenditure is Rs 2,58,000 If you divide this by 365, you get 707 5 Divided by 113 patients actually living in the hospital all the year round on an average, the average cost comes to not Rs 14 as stated by the honourable member, but it comes to Rs 6-2-0 Then again, the Surgeon General says that it is not proper to rely upon the actual number of patients occupying the beds but that we must always take into consideration, in calculating the cost, the number of beds provided in the hospital With regard to that it will be very relevant and very useful to read this part of his letter He says

"In the first instance, it should be borne clearly in mind that in comparing hospital costs the correct method is to compare them on the basis of cost per day per bed. Comparing them on the cost per patient per day simply panders the hospital beds as it is a perfectly simple matter and reduces the figures in that case to ridiculous levels by covering the whole floor space with patients In consequence a hospital frequently returns an average of in patients greatly in excess of the total bed accommodation which far from being any recommendation for the hospital shows that there is scrambling, etc"

[Sirdar Sir Rustom Jehangir Vakil]

Therefore, if you will take into consideration the number of beds provided, the average cost would work out at less than Rs 5-8-0 The cost at the J J. Hospital comes to Rs 4-6-0 and that at the G. T Hospital comes to Rs. 3-2-0, whereas the honourable member Mr Petit's own hospital cost comes to between Rs 5 and Rs 6 per bed———

Mr J B PETIT Rs 4-10-0.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL That at the St George's Hospital comes to Rs 5-8-0 Need I say anything more to satisfy this side of the House?

Dr M. D. GILDER (Bombay City, North). Sir, it is gratifying that after nearly four or five years' fight in this House we have at last been able to get some figures from the Honourable Minister I drew attention to this question in, I think, 1928 for the first time when the honourable member Mr Turner was the Secretary, General Department, and his reply, as far as I remember, was that it is a fact that the cost of that hospital is much more than the cost of other hospitals, but it is also a fact that the cost of living among Europeans in this country is much more than the cost of living amongst Indians.

We have been trying to get these figures from various quarters. I maintain that we are perfectly justified in taking them from a book which is published over the signature of the Surgeon-General and under a resolution of Government signed by the Under Secretary to Government itself It is rather surprising that the Honourable Minister comes and says that he cannot take any responsibility for the figures which appear in this book. This is the book which I have criticised for four years This is the book which seriously tells us year after year of cases of abnormal labour treated as out-door patients! It certainly contains statements which are not accurate, but it is published over the signature of the Surgeon-General and Secretary to Government as an appendage to a Government Resolution We are therefore perforce compelled to take it as true

Look at the way they have kept accounts of St George's Hospital The report of civil hospitals says that the total expenditure is Rs 6,25,035, but look at the column of Miscellaneous Charges and you will find that Miscellaneous Charges alone come to a total of Rs 2,83,000 Rs 2,83,000 Miscellaneous Charges out of a total of Rs 6,25,035!! What they are nobody knows This is the way in which the hospital accounts are kept A representative of the Bombay Medical Union gave evidence before the Retrenchment Committee and, in doing so, pointed out that the King Edward Hospital Fund in London has initiated a certain system of keeping hospital accounts which it compels every hospital coming to it for a donation to keep If that system of accounts were introduced in the Bombay Presidency, the expenses of the various hospitals in this city could be easily compared, and then there would be no such great difference of opinion as regards the estimation of expenses as Rs 13 as quoted by my honourable friend Mr Petit and Rs 6-2-0 as quoted by the Honourable Minister. If, Sir, our figures are not accurate, we have

[Dr M. D Gilder]

relied on the Government's own figures Last time when I quoted these figures, the Honourable Minister pretended that they were old figures Another edition of this book has been published since then and the figures are still the same They were neither old then, nor are they old now The figures for this hospital as shown on page 219 of the White Book do not take account of the Government contribution to the Nursing Association of the St George's Hospital No account is taken of the charges for maintaining the buildings in repair and these two items in this case amount to nearly a lakh of rupees over and above the figures quoted on that particular page These figures have also to be taken into consideration The Government contributes about Rs 60,000 to Rs 70,000 towards the St George's Hospital Nursing Association The Honourable Minister has given figures which differ from those in the White Book and also from those in the Blue Book I do not know whether he has taken the contribution to the Nursing Association into consideration Government also contribute to the upkeep of the buildings, but the money for that grant goes into the P W D accounts and not in this budget All this must be taken into account if you want to arrive at correct figures

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Does the honourable member mean to say that in one case they are not taken into account and in the other they are taken into account, i e, in the case of the J J Hospital and the G T Hospital?

Dr M D GILDER What I suggest is that the figures given are not quite accurately given and that therefore the figures of Government hospitals cannot be fairly compared with statistics for other hospitals not under Government, hospitals like the King Edward Memorial Hospital or the Parsee General Hospital where nursing and repair of buildings are taken into account

Then the Honourable Minister spoke about retrenchment of beds There is really speaking no necessity to retrench in the St George's Hospital because they retrench themselves They have over 220 beds, four or five years ago, the average number of daily patients was somewhere about 150 In the last but one report they were 125, and in the last report they were 113, so that the number of occupied beds is retrenching itself and yet the expenditure is just the same, and the Honourable Minister is justifying the expenditure by the number of vacant beds in the hospital! He says, Sir, that in the Indian hospitals we keep several patients on the floor Does he mean that we do so merely to influence our statistics? They come there suffering from various diseases and in a state in which we cannot refuse them admission. They only increase our work, they increase the work of the staff, but they are in a condition in which it is absolutely impossible to refuse them admission without doing them great harm It is not, therefore, for reducing our figures of expenditure or for reducing our average cost to what the Surgeon-General calls ridiculously low figures that we do it, it is because we are forced to do it out of sheer humanity

[Dr. M D. Gilder]

Then he says no account is taken of the receipts in the figures which are given, but we cannot find them in the budget They are all jumbled up together and nowhere do we find mention of receipt of fees from St George's separately In 1926 the total receipts were Rs 90 thousand and odd, and even an experienced man like the Honourable Sir Rafiuddin Ahmad when on this side of the House took them to be from Indian hospitals

At St George's Hospital there is also a Nursing Home After all, a Nursing Home is a place where medical men can send their patients and attend on them It is a commercial proposition. Why should a commercial proposition be taken over by a public hospital? There is a grant in regard to which I have proposed a specific cut, which follows, of Rs 10,000 The grant to the Nursing Home is ten thousand rupees and odd and I have put that cut of Rs. 10,000 merely to get out information as to what is obtained from the Nursing Home, after taking into consideration the cost of rooms occupied, after taking into consideration the nursing services supplied and the medical services supplied and all the items on a purely business basis, Does that thing pay us? That is the question and it is a question of considerable importance, because I understand that they are extending the Nursing Home now to admit midwifery cases as the present gentleman in charge of that hospital is a midwifery specialist

The other day I drew attention to an item in the Finance Committee's report, namely, an item of Rs 5,700 for plugs for heating hot water bottles for 113 patients You find it in the Finance Committee's report, item No 27 or 28 That certainly gives us an idea of extravagance and that was probably one of the factors which prompted the honourable member in moving his cut Sir, if you supply them with Rs 5,700 for plugs for heating hot water bottles, how many thousand bottles can you heat on those plugs? May we then not conclude that other expenditure might be on the same basis? I trust that the Honourable Minister will supply us with corrected figures taking everything into consideration, and if that is not possible, he will, I trust, put in a committee of enquiry not only for the St George's Hospital, but perhaps for other hospitals also and put the whole system of hospital accounts on a sound basis

Mr G L WINTERBOTHAM (Bombay Chamber of Commerce) : Sir, I regret I am entirely unprepared to meet the honourable member Mr Petit's figures or to speak on this subject, but I should just like to make one or two remarks from my own personal knowledge The speech of the honourable member, Dr Gilder, who spoke with a great deal of good humour, might have led the House to think that the St George's Hospital is a place where patients go and receive every luxury and extravagance Nothing could be further from the truth The majority of the 113 beds—I do not think I am at all exaggerating—are almost regularly occupied by Goanese Anybody connected with the St George's Hospital or whose friends go there for treatment must view the statements made by the honourable member Mr Petit with nothing

[Mr G L Winterbotham]

else but amusement, because it is very well known that the hospital is most efficiently run, that there is certainly no luxury and the majority of the wards, as was pointed out by the Honourable Minister, are paying wards I am sure my honourable friends will agree with me when I say that we are the very first people to demand full value for our money and we are also the very last people to expect any preferential treatment which would provide us with luxurious hospital accommodation which other people cannot get in other hospitals If the object of this cut is to elicit information, I am in agreement with the underlying idea, but I must protest against the honourable member moving a cut for a specific sum which bears no relation to anything It is purely a guess Before he was allowed to move the cut, I understood that he gave an assurance that he intended to press it to a division I was astonished that he could adopt that attitude Nobody could possibly support a cut which was fixed not with a view to reducing any specific item of expenditure, but as the honourable member himself confessed, on rough and ready figures in order to make a reduction in the case of the St George's Hospital corresponding to the percentage reduction in the budget for the other two hospitals That will not satisfy this House I only make this point clear in case honourable members feel inclined to support the cut in view of what the honourable mover said

Now, the honourable member Dr Gilder made great play with this figure of Rs 6,27,000 which he said is the total expenditure on St George's Hospital I have got the figures before me from the White Book and those which the Honourable the Minister has given us The demand for St George's Hospital is Rs 2,86,000 voted and Rs 41,000 non-voted, which come to Rs 3,27,000 The honourable member Dr Gilder pointed out that the Government also made a contribution to the St George's Hospital Nursing Association and also a provision was made elsewhere in the budget for the upkeep of the building This is perfectly true and supposing that these figures make up one lakh of rupees, by adding Rs 3,27,000 to Rs 1,00,000 the answer is Rs 4,27,000 If the expenditure, as the honourable member Dr Gilder says, is Rs 6,27,000, where are the other two lakhs to come from? I cannot understand Therefore, it seems to me that the honourable member's figures cannot be correct

Then on the question of the Nursing Home, I am not in a position to say whether it is a commercial proposition But I am in a position, as one who on more than one occasion has had to meet the charges of the Nursing Home, to say that they are far from being light and my recollection is that they are in the neighbourhood of Rs 20 per day Therefore, it is not correct to suggest that the Nursing Home is an expense to the taxpayer

One other point the honourable member Dr Gilder made was in regard to the proposed extension to the Nursing Home, in order to accommodate midwifery cases also I am sure that the honourable member Dr Gilder will not grudge my community this additional accommodation being

[Mr G L Winterbotham]

placed at their disposal, because there is nowhere else in the whole of Bombay where midwifery cases can go On all these points, I would again emphasise the fact that we, my friends and I sitting here, are the last people in any way to oppose the giving of information on the subject of St George's Hospital We believe that the actual figures of the hospital's expenditure will stand searching criticism, and when all due circumstances are taken into consideration, will compare very favourably with those of other Government hospitals But we do strongly protest against any figures being accepted as gospel by honourable members which are produced by the honourable mover of the cut, based on assumptions and guesses and which we believe will not really stand the searchlight of examination Therefore, Sir, if it is a question of Government giving any information, we have nothing whatever to say against it But if it is a question of opposing a cut, we should have every right to oppose and we should oppose very strongly, in spite of the extremely pleasant way in which the honourable mover put his case

The Honourable the PRESIDENT It appears that there are yet some honourable members who wish to speak Can the last speaker be taken to have said the last word on the subject on that side (European benches) ?

Mr G L WINTERBOTHAM It all depends on how many speakers there are on the other side We are prepared to put up speaker for speaker

The Honourable the PRESIDENT The House is now adjourned to 2 o'clock to-morrow, Friday, the 4th March 1932

M O Hb 211—6

BOMBAY PRINTED AT THE GOVERNMENT CENTRAL PRESS

Friday, the 4th March 1932

The Council re-assembled at the Council Hall, Bombay, on Friday, the 4th March 1932, at 2 p m, the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt, Bar-at-Law, presiding

Present

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr A B
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S N
ASAVALE, Rao Bahadur R S
BALOCH, Mr HAJI MIR MAHOMED
BANGI, Mr A K J
BECKETT, Mr R H
BELL, Mr R D
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S K
BOWERS, Mr P L
BRANDER, Mr J P
BULLOCKE, Mr A GREVILLE
CHITALE, Rao Bahadur G K
CLAYTON, Mr H B
COLLACO, Dr J A
COOPER, Khan Bahadur D B
DA GAMA, Dr ACCACIO
DAVIS, Mr G
DESAI, Rao Saheb B G
DESAI, Mr H R
DHALUMAL LILARAM, Mr
DIXIT, Dr M K
D'SOUZA, Dr J ALBAN
FREKE, Mr C G
GANGOLI, Mr G S
GHULAM HUSSAIN, the Honourable Sir,
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr M D
GOVER RORA, Mr
HADDOW, Mr R R
HUDSON, the Honourable Mr W F
HUMPHREY, Mr JOHN
JAM JAN MAHOMED KHAN, Khan Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr HAJI IBRAHIM
JOG, Mr V N.

KADRI, Mr J S
KALBHOR, Mr G M
KALE, Rao Bahadur R R
KAMAT, Mr B S
KAMBLI, the Honourable Dewan Bahadur S T
KARBHARI, Mr M M
KHUHRO, Khan Bahadur M A
KULKARNI, Rao Saheb P D
LANE, Mr C M
MACKIE, Mr A W W
MACLACHLAN, Mr D
MATCHESWALLA, Mr G E
MCELHINNY, Mr G W
MEHERBAKSH, Mr S
MEHTA, Mr M H
MODAK, Rev R S
MODI, Sardar Davar T K
MONTEATH, Mr J
MORE, Mr J G
NAIK, Rao Bahadur B R
NAVLE, Mr N E
OWEN, Mr A C
PARULEKAR, Rao Bahadur L V
PATEL, Khan Bahadur A E
PATIL, Rao Bahadur D R
PATIL, Mr N N
PATIL, Mr V N
PATIL, Rao Saheb V S
PERRY, Mr E W
PETIT, Mr J B
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G V
PRATER, Mr S H
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr HOOSENALLY M
RESALDAR, Mr A K
ROOSE, Mr F O J
SHAIKH ABDUL AZIZ, Mr
SHAIKH ABDUL MAJID, Mr
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr
SHINDE, Mr R B
SINDHA, Mr MADHAVSANG JORBHAI
SOLANKI, Dr P G
SPENCE, Sir REGINALD
SURVE, Mr A N
SURVE, Mr V A
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr
TALPUR, MIR BANDEH ALI KHAN

THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr G A
TOLANI, Mr S S
TURNER, Mr C, W A
VAKIL, Mr PESTANSHAH N
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R V.
WADKE, Mr B P
WINTERBOTHAM, Mr G L

NEW MEMBER SWORN

Mr Wadero Nabibaksh Illahibaksh Bhutto made the prescribed affirmation of allegiance to His Majesty the King-Emperor, and took his seat in the Council

DISCUSSION ON DEMANDS FOR GRANTS—*resumed*

Question again proposed—

"That the provision under the head 'St. George's Hospital' be reduced by Rs. 80,000"

Rao Bahadur G K CHITALE (Ahmednagar District) Mr. President, I am sorry that the honourable members representing the Bombay Chamber of Commerce and others are not in their places But lest my remarks may be misunderstood, it is necessary to state first and foremost that I stand firmly not for lowering the rights of anybody but for levelling up the rights of others that may be in need I think that this motion should be looked on from that point of view rather than on a narrower and much less a communal basis I have tried my best to look into the figures which no doubt are a maze and it is impossible to make either head or tail of it, in view of the fact that the figures published are incorrect However, another principle which I would like to enunciate is this All communities have an equal claim as far as possible, or at least must have, on the State funds Whatever else they may require, they must provide for this, if they can. I am basing the whole of my speech on these two points and as the Honourable Minister in charge, for whose opinion I have the highest respect, stated, I would proceed to level my criticism on the figures which he has suggested

It appears, Sir, from the White Bock—I take mostly the figures which are mentioned there—and after making a lot of calculations from the figures in my own way, I have arrived at the following result In the J J and Goculdas Tejpal Hospitals, we have 5½ times the number of beds that we have in the St George's Hospital, and the number of patients both in-door and out-door is about 13 times that of St George's Hospital. The figures are that the in-door and out-door patients in the St George's Hospital are 6,036 and in the combined hospitals we have 78,756 Then we find that as regards the personnel—I would rather like to give the figures separately—we have in the J J and Goculdas Tejpal Hospitals 9 officers and 251 establishment as against 7 officers and 108 establishment in the St. George's Hospital. According to the

[Rao Bahadur G K Chitale]

White Book, the cost of the 9 officers in the combined hospitals is Rs 61,820 as against Rs 67,611 for the 7 officers of the St George's Hospital Then, the establishment in the combined hospitals costs Rs 1,02,038 as against Rs 55,707 in the St George's Hospital Then for contingencies, allowances, we have Rs 1,72 500 in the combined hospitals as against Rs 72,730 in the St George's Hospital For other supplies and services in the combined hospitals, Rs. 1,65,750 as against Rs 1,39,350 in the St George's Hospital The total amount which is spent on officers, establishment, allowances and other supplies and services in the combined hospital is Rs 5,21,000 and in the St George's Hospital Rs 3,26,981 Then the diet cost which is a sure index in the combined hospitals comes to Re 0-9-3 per head and as against this the cost of diet in the St George's Hospital comes to Rs 2-12-0, which works out about 5 times the cost of the diet in the combined hospitals On medicines we spend Rs 93,857 in the combined hospitals as against Rs 32,029 in the St George's Hospital The result is that per patient per day including the pay of officers, cost of establishment, allowances, supplies and other services the cost is about Rs 38 as against Rs. 2-2-0 in the combined hospitals That is the result which I find on the figures Assuming that these figures are correct, I have not been able to get at why there should be such a figure as Rs 1,31,350 for supplies and other services in the St George's Hospital as against Rs 1,65,750 in the combined hospitals I know they are found in the white book I omit the amount spent on the nursing staff, as I want to base my inferences on general reasoning In the case of the amount spent on nursing there are credits and debits to be made About Rs 2,67,000 is received and there seems to be Rs 50,000 paid out of it to the St George's Hospital These are the figures which I thought fit to place before the House

I have absolutely no quarrel about the cost of diet, which is Rs 2-12-0 in the St George's Hospital as against Re 0-9-3 in the combined hospitals As I said, I do really want a levelling up process rather than a lowering down process I think it is a proper charge and must be maintained Simply because a patient belonging to an advanced community has the misfortune to get into the hospital, it is no reason why his status should suffer and therefore I should think that it is a proper charge I have no quarrel with it I accept it Even if it is increased, I have no objection, but my complaint about it is that this charge as regards the patients in the combined hospitals also should be put up as high as possible, by the levelling up process But I must say that I have not been able to satisfy myself why there should be such a disproportion between the officers and establishment in the St George's Hospital and the establishment in the combined hospitals That figure is correct because it is spent For obvious reasons, I have thought it proper not to take into consideration the amounts that come by way of receipts, because then again the calculation will change I believe in the white book the amount from the figures I have taken is not taken into account on the receipt side but it is taken on the debit side. So, the result I have come to is

[Rao Bahadur G K Chitale]

rather so disproportionate that looking at it from a detached point of view, I can reasonably argue that there is a great deal of room for taking out some of the redundant establishment, if on an enquiry it is found to be so Now, again, I must make myself quite clear As we are going on figures alone, without having regard to the actual conditions, I should think that the Honourable Minister who enjoys our confidence would do well to appoint a committee forthwith to go into the question of this disproportionate expenditure in St George's Hospital as compared to the combined hospitals If he promises that, that will satisfy me completely, and I believe that it will satisfy a greater portion of the House, including the honourable the mover If by saying that there were many Goans in that hospital, the honourable member representing the Chamber of Commerce wanted to convey that there were very few Europeans——

Mr G L WINTERBOTHAM *indicated dissent*

Rao Bahadur G K CHITALE Then, I won't make that remark Even though he may have used the word he is reported to have used, what he meant was that the two communities between whom we are now making a comparison are so dissimilarly situated that it would not be proper to apply the same standards to them I accept his position I think the honourable member representing the Chamber of Commerce should himself sit on the committee with the Honourable Minister and the honourable member Dr Gilder It does appear to me that there is a good case for an inquiry An inquiry must be set up forthwith into this disproportionate expenditure The honourable member Dr Gilder's question as to why an amount of Rs 5,000 or Rs 6,000 is required for the supply of collapsible hot-water bottles has not yet been answered There are only 113 patients Even if a plug is intended to be by the bed-side of every patient, the cost, which works out to about Rs 50 per bed, appears to me to be rather enormous The Honourable Minister would certainly do well to see that this luxury—I believe the honourable member representing the Chamber of Commerce will admit it to be a luxury—is cut out The hospital was doing without it——

Mr G L WINTERBOTHAM On a point of explanation, Sir I admit absolutely nothing of the kind I say however many enquiries you may hold, you will find that there is no luxury of any kind or any sort in St George's Hospital

Rao Bahadur G. K. CHITALE Then, Sir, my position is that it is a luxury The hospital was going on without it for so many years without the slightest complaint Hot water bottles are being used all over the presidency I do not mean to say that it may not be more convenient I do not mean at all to argue that in certain circumstances it may not be even a necessity. But it is possible to meet that demand by arranging the beds that require that particular help Not in all cases, but in a few cases of an urgent nature that may be supplied I therefore think that that item at any rate cannot be justified by any arguments that may be advanced hereafter The one point which I would like to make

[Rao Bahadur G K Chitale]

is this My honourable friend representing the Chamber of Commerce stated that he had no objection to an inquiry——

Mr G L WINTERBOTHAM I never said anything of the sort, Sir

Rao Bahadur G K CHITALE He has objection to an inquiry also That makes it more suspicious He would not like a third party to look into it

Mr G L WINTERBOTHAM Sir, I apologise for interrupting so frequently, but I am being misrepresented I am in favour of the fullest information being given to the honourable House in connection with this point It is not correct to say that I am not in favour of the fullest information being given There is nothing suspicious in the whole matter

Rao Bahadur G K CHITALE For my part, I have no confidence, Sir, in departmental enquiries This House will not be satisfied with any jugglery of figures, figures put forward by any Member of Government, however exalted he may be This House must be satisfied on a point like this It is the duty of Government, a popular Minister, to satisfy us from our own point of view and not from his point of view Well, I know that they can justify certain matters by juggling with figures Unless we sit round the table and have the same opportunities of scrutinising the figures as the other side have, we have no means of exposing the fallacies involved in these figures

The Honourable the PRESIDENT I now note that heat is being introduced in the discussion

Rao Bahadur G K CHITALE The heat is generated by friction—possibly by the plugs for hot water bottles I would like to avoid it I will try my level best to put it on a higher level If I am satisfied that this amount is necessary, whatever it may be, I will vote for it But unless I am satisfied, I would not certainly vote for it, I would on the other hand request the honourable mover to go in for a division [*Interruption*] I should think, Sir, my honourable friend was right in insisting that Rs 80,000 should be cut I should think, Sir, that not only Rs 80,000, but even more should be cut, if on examination it is found that that amount must be cut out We have cut out 142 beds, not 130 as the Honourable Minister said We have cut out 142 beds The honourable member Dr Gilder told us that patients were being put on bare earth because they could not be turned out Certainly, it is very pitiable indeed When these hospitals are supported by charities, when the municipality and charitably disposed persons are spending thousands and lakhs over them, it is a pity that the hospitals should be in such a position as not to be able to render help to the patients who go in and cannot be sent away I believe at least that condition will appeal to the honourable member representing the Chamber of Commerce Under these circumstances, I should think that there is plenty of room for retrenchment in supplies, which stands at Rs 1,31,350, and other expenditure I do not mean the superior officers we cannot touch

[Rao Bahadur G K. Chitale]

them But a cut of Rs 80,000 can be easily obtained on the basis I have mentioned That is what I have to say in support of this cut

Sir REGINALD SPENCE (Bombay City) Mr President, from the position I stand in, I was better able to hear the honourable mover of this cut than I was my honourable friend Rao Bahadur Chitale This was unfortunate I must apologise if I have not been able to follow all the figuring which the honourable member Rao Bahadur Chitale has given I am very glad to learn, however, that he spoke with the same high motives that I and the European members who sit with me believe actuated the mover of this motion, the honourable member representing the Bombay Millowners' Association (Mr. Jehangir Petit) I think we all welcome the statement which the Honourable Minister has made, because we all were very uncertain as to whether money was wasted on our hospital And when I learned from the honourable mover of this cut casually, in the course of a conversation, before we came up to the debate, that we in the European General Hospital were spending Rs 14-10-9 on diet, well, naturally I said, "You go ahead, and we will have a real inquiry into it," because that was awful As a general rule, a patient in the hospital does not eat very much, especially the man who is suffering from fever And even if when after he has recovered from enteric fever you ask him if he would like to have an egg and he says "I want a blooming hen that is what I want" and you gave him that hen, it would not come to Rs 14-10-9 a day. Well, that was why I was very glad indeed when the honourable member Mr Petit was going to move this cut But when he moved it, it came down to the question whether the figuring was right or not His figures do not seem to be quite accurate, the honourable member Dr Gilder's do not seem to be absolutely accurate, and I gather from the honourable member Rao Bahadur Chitale that the Honourable Minister's figures are not absolutely accurate Those of us who have made use of this hospital—I may say for myself that I probably spent more months in the European General Hospital than has any other European in Bombay and, therefore, I can speak as one who knows a great deal indeed of this hospital—are positive that there is nothing wrong with it, except the figuring that is given about it, and we want those figures put right The honourable member Rao Bahadur Chitale seems to have misinterpreted my honourable friend who sits in front (Mr G L Winterbotham) He, like I, is perfectly willing that there should be a full enquiry into the figures But we do not consider that it is necessary that there should be a committee of the whole House to go into those figures Perhaps I did not hear the honourable member Rao Bahadur Chitale correctly, but I think he stated that if there was any enquiry by Government, Government would merely juggle with figures I am sorry that the honourable Rao Saheb has such a poor opinion of Government——

The Honourable the PRESIDENT By the by, he is a Rao Bahadur [*Laughter*]

Sir REGINALD SPENCE I beg his pardon, Sir I assure the honourable member Rao Bahadur Chitale that we will take jolly good care that Government do not juggle with figures where we are concerned And we have sufficient faith in the front bench, and the second bench and the third bench to believe that they will be able to satisfy this House when we ask that figures of expenditure on hospitals be put up in such a way that we can understand them As far as I can make out, the figures are presented in such a way that we have figures for hospitals as though all deal with one class of patients, whereas in St George's Hospital the patients are divided into three classes—nursing-home patients, patients in paying wards and patients in free wards, and I do not think Government realise that it is not possible for us from such figures to get a satisfactory explanation of the charges that are put before us

When I first went into hospital, Sir, many years ago, I was in one of the public wards paying Rs 4 per day The second time I had the good fortune to be there for 5 months in a private ward and I paid Rs 10 per day An honourable member of this House who was in that hospital last year in the same public ward that I was, paid Rs 8 a day He paid Rs 50 for his operations and Rs 20 to the gentleman who administers the nasty smelling stuff called chloroform I think when you pay on these lines, you naturally get a little more and you naturally give a little more than if you were in an absolutely free hospital, and yet I would ask the honourable member to remember this, that the man or woman who goes to St George's Hospital and goes to the free ward gets the same attention, the same magnificent service in surgery, the same attendance, and the same nursing, which the man who pays does That is the great thing about hospitals, that although there may be a difference in what you pay, there is no difference between the care that you get from the magnificent doctors and nurses

We should reasonably expect the hospitals to give the fullest value for our money We, members of this House, who vote money to Government hospitals, want to see that that money is well applied The St George's Hospital, I have said, is divided into three parts One of them is the nursing home If you will refer to the Blue Book, you will see on the receipt side that this nursing home is already bringing in money to Government from the extended use made of it for the maternity home Further, as regards the nursing home, I should imagine that the patient in it was one that you might rightly call a "paying" patient He certainly is not one of those patients of whom the doctor would say, "The more of them we have, the more it costs the hospital"

I have already spoken about the man in the ward who pays and the man in the free ward You certainly cannot compare a hospital which comprises these three classes of patients with one which only has one class I do trust that the honourable mover will consider that he has achieved his purpose He has helped the European community by giving them the chance to prove to every one that the European General Hospital is not a source of waste of money I am certain that there is no one in this House who grudges the European a good hospital The European certainly does not grudge others a good hospital, and we Europeans pay

[Sir Reginald Spence]

most willingly to the hospitals of Bombay for the nursing and care of our employees and of those who are not our employees At the present moment there are a number of people going round Bombay creating an interest and drawing money from members of the European community for what they call an "Advertisement Ball" in aid of the hospitals of this great city And I think that every one will admit that the European has given of his best—given money, given attention and care—to the hospitals of Bombay I am absolutely certain that all that this House wants is to see that Government money is not wasted And we Europeans pay half the cost of the Nursing Association, that is, of the nursing that goes on in the hospitals This Nursing Association—I think the honourable member Dr Gilder will admit—has proved of very great benefit to the medical service in Bombay. We pay for our hospitals, we expect Government to give us a little help We want that help to be continued, and continued with the free will of the House—not in a niggardly spirit, but in the high spirit, which, I am sure, has influenced the honourable mover to table this cut, namely, that he does not want to see the European Hospital having money wasted on it any more than we should like to see money wasted on any other hospital

Dr M D GILDER On a point of information Could the honourable member say whether those Rs 50 that were paid for the operation and Rs 20 that were paid for the anæsthetic were credited to Government either partly or wholly or credited to the doctors?

Sir REGINALD SPENCE I cannot say The honourable member who paid the fees may be able to enlighten you

Dr M. K DIXIT (Surat District) Sir, it is a pity that the Honourable Minister has made a certain distinction in the percentage of retrenchment in the cost of different hospitals It is a greater pity that my honourable friend Mr Petit took an opportunity to draw the attention of the House to this particular point.

Various points have been raised and side issues have been raised, but when we look to the White Book, the fact does remain that when Government funds are at an ebb retrenchment has got to be effected But that retrenchment has been effected not in proportion but absolutely out of proportion to the expenditure that one may call an invidious distinction in the retrenchment percentage We are told by our honourable friend Mr Petit that the retrenchment has affected the J J Hospital to the extent of 25 per cent, the G T Hospital to the extent of 37 per cent and the European General Hospital to the extent of 1½ per cent only A medical man could never find fault with any amount of money spent on the alleviation of human suffering Far from that I would, if funds permit, allow any amount of money to be spent for the alleviation of human suffering What we are concerned with here is whether any distinction is made in the amount that is spent on patients belonging to different classes We have been told that the patients admitted to the nursing home (my friend Mr Winterbotham told us) have got to pay Rs. 20 per

[Dr M K DIXIT]

day I do not think that anybody who takes advantage of the nursing home would grudge to pay that amount

Mr G L WINTERBOTHAM They do not

Dr M K DIXIT They should not, and they do not, I am very glad to know They get full value for the money that they spend A European in this country can afford to spend any amount of money for his illness in a hospital He may spend Rs 20 or Rs 30 or Rs 50 But what we are concerned with here is that the grants made to the various hospitals from provincial revenues should be in proportion to the expenditure in different hospitals They should not be out of proportion anywhere That is my only contention I am glad that the honourable member does not favour preferential treatment in this country That is also a very good point to note, that he does not ask for any preferential treatment But the misfortune is that Government is giving a sort of preferential treatment to the European General Hospital as far as retrenchment is concerned That is my contention The Honourable Minister gave various reasons for the very small percentage of retrenchment He submitted that the number of beds in the J J and G T Hospitals had been reduced and therefore the percentage in those two hospitals seemed very great, that is, 25 per cent in the J J Hospital and 37 per cent in the G T Hospital But I find from the records of the European General Hospital that there are about 220 to 230 beds in all and that all those beds are not occupied Only 50 per cent are occupied The figures from the official records show that in 1925, 147 7 beds were occupied and the remaining were empty In 1930, 110 beds were occupied and the remaining were empty I do not know whether the European General Hospital is getting unpopular or whether illness in that particular community has gone down to such a low level that so many beds provided in the St George's Hospital are unoccupied If it is the latter, I should certainly be glad to congratulate that community on the splendid health that they are maintaining in their community If it is the former, that is, if the hospital is getting unpopular, I should certainly be very sorry

The Honourable Minister told us yesterday that the cost of the hospital has to be calculated only on the basis of the number of beds I am afraid I cannot agree with him there We should only count the cost per bed which is occupied and which is not empty, for the simple reason that when a comparison is made, the cost comes under two heads One is about patient's treatment and another about his diet Of course, the treatment part remains the same, because if there is one surgeon or physician attending the hospital, he may look to all the beds which are occupied, he will not look to the beds which are not occupied because there are no patients All the same, medical officers have got to be paid, whether they attend to 50 patients or whether they attend to 10 But regarding the diet, I think it will make a very great difference, because no diet is to be given to patients who do not exist, and therefore that method of calculation is rather faulty

[Dr M K DIXIT]

Then there is one point which I should like to bring to the notice of the House, that this hospital, though it is called the European General Hospital, does not restrict the admission of patients to Europeans only In the year 1928 my honourable friend Dr Gilder drew the attention of the House to that fact I will just quote a few lines from his speech He said

"We find there not only Europeans, we find there Anglo Indians, we find there Indian Christians, we find there Arabs, we find there Armenians, we find there Japanese and we find there Chinese, and if so much money is spent on these people I do not see why the Honourable Minister should not spend a similar amount of money on other helpless people"

Now, this fact was brought to the notice of Government four years ago, and in that very year the honourable member Mr. Turner found out that that was the case I will just quote a few lines from his speech He said

"I admit that I was surprised to hear that Japanese and Chinese patients are found there I am, however, given to understand that in the non-paying wards any person who goes more or less in European dress and follows European manners is admitted"

So, the high cost per patient in the European General Hospital is to be paid from the Provincial revenues and amongst the patients that are treated there are people belonging to nationalities other than European, who live almost in Indian style I do not see why a large amount of money should be spent on Arab, or Armenian, or Japanese or Chinese patients The expenditure must be reduced there

There is just one point about the plugs for hot air pads My honourable friend Dr Gilder referred to this point I find that these are electric plugs for heating pads An amount of Rs 5,000 and a little more has been spent this year, this is non-recurring expenditure But what about the recurring expenditure which will be incurred on these Rs 5,000 worth of electric plugs when they are put into operation? There will be so much of electrical energy spent Then the hot air pads also will require repairing and replacing now and then, and so a small amount of Rs 5,000 spent after these electric plugs, which is a non-recurring expense, will entail annually a further recurring expense of several thousands This point also I want to bring to the notice of the House

Sir, with regard to the cost of maintenance of this hospital and with regard to the distinction made in the retrenchment percentage in the case of this particular hospital, the honourable mover of the cut has suggested some sort of enquiry, and that enquiry is being supported by all honourable members who have spoken here I would go the length of suggesting that it must not necessarily be a non-official enquiry, but if the Honourable Minister undertakes, with the help of some non-official members, to institute an enquiry, I think the House will be satisfied and see that proper justice is done to all the sections of suffering humanity in the different hospitals in this city

MR J B PETIT (Bombay Millowners' Association) Mr President, I do not think it is necessary for me to make a lengthy reply, for my task

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has been very considerably lightened by the fact that a majority of the speakers have supported my proposal, whilst the honourable members who have spoken against it, have, if I may say so without meaning any offence to any one, absolutely burked the issue and not advanced a single argument worth the name, against the case that I have made out I shall show directly, Sir, how it is that this has happened

I based my cut on two principal grounds —*first*, that out of the three big Government Hospitals in the city of Bombay, whilst cuts to the extent of 25 and 37½ per cent, respectively, have been made in two of them, only a tiny cut of 1¾ per cent has been made in the third one, viz, the European General Hospital, which fact made out a clear case for a further cut to the extent of the deficiency, and, *secondly*, that out of the several Government Hospitals in Bombay, which are all equally wasteful, the European General Hospital is the most extravagant, with a ratio of expenditure per head per day of Rs 14-12-0 as against Rs 4-10-2 at the Parsi General Hospital, run on similar lines, which circumstance, not only accentuated the necessity of a cut, but made it absolutely urgent

Now, let us pause for a moment and examine the explanation of my honourable friend, the Minister in charge of the department, who has asked the House not to accept this cut He does not deny that the huge cuts mentioned by me, were made in the J J and Tejpal Hospitals respectively, when only a tiny cut of 1¾ per cent has been made in the European General Hospital But, he adds, by way of justification, that this disproportionate retrenchment was effected in the J J and Tejpal Hospitals, because a large number of beds in them were cut down in the first part of the year, while no such reduction was made in the European General Hospital When questioned why the European General Hospital was not similarly treated and why no retrenchment was made there, the answer was that, that was so because at that Hospital the patients paid for what they got I want the honourable members of this House to calmly consider this reply and judge for themselves what it amounts to So far as I am concerned, I frankly confess that it is so amazing that I find it impossible to speak about it with moderation and restraint I hope the Honourable Minister will pardon me for saying that what he considers to be a good answer, is no answer at all, and that it is at best a most unsatisfactory and lame excuse for an utterly indefensible state of affairs His reply gives no explanation at all for the marked disparity to which I have drawn pointed attention It is really begging the question and confusing the main issue In order to understand more correctly the point I am trying to make, it is perhaps necessary to reiterate the gravamen of my charge I enquired during the course of my opening speech, why it was that a huge retrenchment amounting to 25 and 37½ per cent was made in the J J and G T Hospitals, when no retrenchment, worth the name, was made in the European General Hospital The reply is that this has happened because a number of beds were cut down in the first two and no beds were cut down in the European General Hospital But that is precisely my enquiry Why

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was such a large number of beds cut down in these two hospitals for the poor, and none in the European General Hospital? Why was retrenchment made in these two hospitals to such a large extent and practically none in the third one? This is exactly my complaint, and this is mainly the ground on which I have based my cut. To tell this House seriously in reply, that this has happened merely because a large number of beds have been reduced in the J J and G T Hospitals, and no reduction was made in the European General Hospital, is practically repeating my own question in another form It is side-tracking the whole argument and burking the logical conclusion of it To seriously advance such an explanation as a reply to my question, is to offer a wanton insult to the intelligence and understanding of this House, and to expect it to be satisfied with it, is to add insult to injury I am astonished that such an answer should ever have been seriously given by a responsible Minister of the State, and still more astonished that he should have expected the House not to see through it The perfect non-chalance with which it was given, only accentuates the enormity of the offence This House is entitled to know why this fantastic reduction was made in the two hospitals for the poor and none in the European General Hospital We all know the extent and effect of the reductions made in these two hospitals, we all know that poor patients have had to be refused admittance, that their food supplies and medical treatment have had to be substantially curtailed and that even some of their barest necessities have had to be radically reduced, and also that a small fee has had to be imposed on all out-door patients If all these steps have been rendered necessary in consequence of the very heavy retrenchment made in these two hospitals, why was no such retrenchment made in the European General Hospital, which is a flourishing institution, and where, I contend, prodigality rules in excelsis, which I shall prove directly I submit, Sir, that the Honourable Minister has not given a satisfactory reply to this point He has merely repeated the question in another form, and has evaded the main issue This House accordingly demands a proper and satisfactory explanation of this preferential treatment to the European General Hospital.

The second ground on which I based my cut, was that, out of all the Government Hospitals, the European General Hospital was the costliest and the most extravagant As I have already pointed out from the report of the Committee appointed by the Bombay Medical Union, all the Government Hospitals are top-heavy and lavish in their expenditure, and that out of all these the European General Hospital is the greatest sinner Among others, it was chiefly for this reason that I maintained that a substantial cut in this Hospital was immediately called for I further supported this demand by showing that the ratio of expenditure per head per day in the European General Hospital came to Rs 14-12-0, as against Rs 4-10-2 at the Parsi General Hospital, which is being run on almost similar lines. What is the Honourable the Minister's answer to this point? First of all, he questioned the accuracy of my figures and enquired where I had got them from. When I told him that I had

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obtained them from the Government publication for the year 1929, entitled "Civil Hospitals and Dispensaries in the Bombay Presidency", and quoted chapter and verse in support of my argument, he doubted if I had correctly understood them. In reply, I naturally referred him to the details under the different heads of expenditure mentioned in the report referred to, giving a total of Rs 6,72,389, which, when divided by the total number of treatment days in that year, viz, 45,625, gave the average of Rs 14-12-0 per patient per day When I gave him this figure and showed him how I had deduced it, he said that I had no business to refer to that publication, that it was not authentic, that the Surgeon-General took no responsibility for it, and that it related to only one calendar year He advanced other arguments of a similar character I confess that I fail to see either the force or the justice of these remarks My figures, of course, all relate to one calendar year only, viz 1929. If a comparison is to be adequate and convincing, we must have the figures for one calendar year only, and not for parts of years or for groups of more than one year This is precisely what I have done I submit therefore that this argument is beside the point It is only a red herring across the trail, and perhaps meant to confuse the main issue Then, as to the accuracy of the figures which he has challenged, what does his argument amount to? In substance, he said, "You must refer only to the White Book, for the White Book alone gives you the correct figures" But, in his own answer, he gave the total as Rs 4,27,000 which figure included several items in the publication to which I have referred, but which do not appear in the White Book In other words, it means that he accepted and repudiated the accuracy of the different publications of the Government, just as it suited his purpose for the moment With all due deference to the Honourable Minister, I would like to inquire, Sir, by what warrant and on what principle he did this, and how members of this honourable House are to know to what extent they are to rely on the White Book and to what extent on the other publication from which I have quoted my figures, if they were to be capriciously told at the sweet will of a Minister, to suit the exigencies of the moment, that one Government publication was more reliable than another I submit, therefore, Sir, that there is nothing in this point also, and that this House is entitled to put its reliance on the official figures of the Government of Bombay as contained in any of their publications, the contrary opinion of individual Ministers notwithstanding I repeat, with all the emphasis that I can command, that the total of Rs 6,72,389 if divided by the total number of treatment days, does give the figure of Rs 14-12-0 per head per day. I contend that this figure is correct and has been properly arrived at I challenge contradiction of this indisputable fact

I should like at the same time to ask the Honourable Minister why this publication is at all being issued year after year, if, as he says, it is not authentic and cannot be relied upon I should also like to be informed what the point is in showing therein the different items of expenditure in a tabulated form and sending the same to the members

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of this honourable House and to the public, if at a given moment, you declare and shout at the top of your voice that these tables are unreliable, and can be depended upon to a certain extent only As it is, the Honourable Minister has not only relied upon the figures I quoted from the White Book, but has also himself partly used some of them from the publication from which I drew mine It is a veritable puzzle to me, Sir, to find out the exact extent to which he wants honourable members of this House to rely on those figures and generally on the figures contained in other Government publications I shall leave this matter at that

'Another argument he advanced, was that, even if the ratio of expenditure per head per day was higher than what he himself had stated, it could only be ascertained by taking into account the fees received from the paying patients and all other revenue of the hospital, such as donations, income from endowments, and so forth, and further, that if all these items were deducted from the figure of the cost, the ratio of expenditure would be proportionately reduced Having said all this for my benefit and that of the House, he pontifically laid down in solemn tones that that was the only proper and correct way of finding out the ratio of expenditure per head per day, and that if his method had been followed, as it should have been, the cost per head per day would not have been Rs 14-12-0 that I mentioned, but some figure in the vicinity of Rs 6-6-0 I confess, Sir, that when I heard this remark of the Honourable the Minister, it took my breath away I assure you, Sir, that if I had not heard the remark myself, I would never have believed that a responsible Minister of the Government of Bombay could ever have permitted himself to make such an outrageous and extraordinary statement Does the Honourable the Minister seriously mean to tell this House that in determining the ratio of expenditure of an organisation—be it a hospital, a school or a business concern—we should take into account not only the expenses but also the receipts of the concern ? I hope he will pardon me for saying that I have never heard such an argument seriously advanced before by an Honourable Minister of the Government I shall give a concrete instance to demonstrate the utter absurdity of the reply For that purpose, I shall take the report of another institution, which I happen to have before me for the moment It is the report of the Parsi General Hospital for the year 1930 We have shown therein the total expenditure for the year as being Rs 1,31,576, exclusive of depreciation. We have shown there our total receipts from fees, donations, interest on endowments, and other sources, as Rs 89,715 When all these are deducted from the total expenditure, we have shown a total net loss of Rs 41,861, without allowing for depreciation As I have said before, our total expenditure per head per day in this Hospital, comes to Rs. 4-10-2 But if I ascertained it on the basis of the net loss of Rs 41,861 shown therein, after setting off all the income against the cost, the average would come down to a little less than Rs 1-8-0 per head per day I put it to the Honourable Minister himself if I would be right and justified in mentioning my ratio of expenditure for that hospital as Rs. 1-8-0

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instead of the real figure of Rs 4-10-2 If I said anything like that, it would be an utterly absurd statement for me to make So is the statement of my honourable friend the Minister! I do hope, therefore, for his own sake, that he will not make such an amazing statement again I am certain that he will himself realise in his cooler moments that the method which he has laid down and which he wants us to follow, is unthinkable and such as no businessman in the world will ever be prepared to endorse I am surprised, I am dazed, that the Honourable Minister, who is himself a shrewd businessman, should have seriously advanced such an amazing and unheard of argument I am sure that the Honourable Minister on further reflection will himself admit that, having regard to the reasons that I have advanced, and the detailed figures that I have produced from an authoritative publication of his own department, the high ratio of expenditure per head in the European General Hospital cannot either be denied or refuted There is one more argument which he advanced in the course of his speech, which is still more remarkable, and which, for sheer originality, takes the cake He said that in deducing the cost of expenditure per head per day in a given hospital, regard must be had, *not* to the number of patients treated, but to the total number of beds provided therein Pushed to its logical conclusion, this argument means that you must divide the total amount of expenditure incurred in a given year in a hospital, *not* between the human beings that you treat there, but also between the beds, the chairs and the tables, in order, forsooth, that the ratio of expenditure per head per day may be forced down to a conveniently reasonable level! Unless I have completely misunderstood him, this is exactly what he said I am astonished that such an argument should have been seriously advanced to this House and that it should have been expected to accept it as a convincing proof of his contention that this hospital was not extravagant

Coming to the other speakers, so far as my honourable friend, the member for the Bombay Chamber of Commerce, is concerned, he declared that my figures were useless and that no reliance should be placed upon them I think I have already informed this House where I got them from, and why they should be taken as correct I maintain and repeat that they are absolutely accurate and authentic I rely upon the publications of the Government themselves for this conclusion I challenge a contradiction of these figures This House will insist upon these figures being relied upon by them, unless they are officially told by the Honourable Minister that the House and the public have been bamboozled by the publication of these reports from which I have obtained these figures Unless such an authoritative statement by the Honourable Minister is made, we insist upon relying on them, and no honourable member of this House, however eminent, has a right to cast aspersions of this character upon the *bona fides* or sincerity of the Government, even with the implied concurrence of the Honourable Minister in charge Another argument advanced by the honourable member for the Chamber, was that a large part of the European General

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Hospital was used by poor Goans, Anglo-Indians, Japanese and others, and that therefore this hospital was very largely used as a hospital for the poor I am afraid that this argument accentuates the point which I was trying to make, rather than belittle it If anything, this fact shows that the expenditure per head per day must be divided, not only between the rich patients who pay, but *also* among the poor patients, who, it would be quite fair to assume, cannot possibly expect to get the same amenities that are being given to those who pay

SIR REGINALD SPENCE I may assure the honourable member that they do

Mr J B PETIT So far as the diet, treatment and attendance are concerned, it is possible that they are receiving the same attention. That is so in every hospital in this town The same is the case in my own hospital The European General Hospital is not the only one that acts in this manner But, so far as the special comforts and luxuries are concerned, the poor patients could not possibly be receiving them, at any rate to the same extent as the rich and paying patients

SIR REGINALD SPENCE He will find that they are receiving the same treatment

Mr J B PETIT I am quite sure that my honourable friend has not exactly followed what I said Take for instance the question of accommodation in separate rooms The poor patients cannot possibly be accommodated in a separate room each I do not believe that the poor and the free patients are being given a separate room each I am sure that only the rich and paying patients are supplied separate rooms on payment of a certain fee per room When that is done, they automatically use special lighting arrangements, special furniture, special accommodation and other special facilities and comforts This must necessarily put up the average ratio of expenditure This can be done with greater ease and facility, when a large number of patients of this hospital are poor patients, like the Goans, Anglo-Indians, Chinese, Japanese and others, as mentioned by my honourable friend the member for the Bombay Chamber of Commerce This is what I meant when I said that the poor patients could not possibly be receiving the same treatment

The Honourable Mr W F HUDSON: The honourable member is suggesting that each paying patient is provided with a separate room. It is not so Even patients who pay Rs 8 and Rs 9 are accommodated in wards containing 10 or 12 beds

Mr J B PETIT. I have neither said nor suggested anything of the kind

The Honourable Mr W F HUDSON I understood the honourable member to say that the distinction was that the paying patients had separate rooms That was his main distinction, but it is not actually the fact

Mr J B PETIT I never said that all or even most of the paying patients got separate rooms [*Honourable Members* No, no]

The Honourable the PRESIDENT The honourable member's statement seems to be contradicted.

Mr J B PETIT I do not think that my honourable friends have understood me quite accurately In every hospital, there are separate rooms, which are placed at the disposal of rich patients, paying special fees I take it that in the European General Hospital also, there are such separate rooms Whenever they are occupied by patients, I believe that they pay for them, Rs 10, Rs 8 or Rs 5 per room as the case may be, according to a schedule of fees, prescribed for them It is very rarely, if ever, that a poor patient is accommodated in a separate room What I want to point out is that, as a rule, whenever these rooms are occupied, they are occupied by people who are able to pay special fees I do not say that all paying patients occupy separate rooms, but I do maintain that in ninety-nine cases out of one hundred, it is the rich patients capable of paying special fees, that are able to occupy separate rooms It is therefore that I contend that the ratio of expenditure being larger in the case of the paying patients occupying special rooms and enjoying special comforts, the poorer patients like the Goans and others, help to lower the ratio of expenditure per head per day and thus indirectly enable a heavier expenditure to be incurred with impunity on the richer patients To say that a large part of the patients are poor Goans and Anglo-Indians, is therefore tantamount to supporting my argument rather than diminishing its effects

Coming to my honourable friend, the member for the European community (Sir Reginald Spence), I think he said that the European General was the one hospital in which the same diet and same treatment were given to the rich and the poor alike I take his word for it. But I may inform him that this is so in every hospital and it is right that it should be so You cannot give medical treatment only in proportion to the money that you get The present practice is quite fair, if for no other reason, at least on the ground of humanity It is only when people of a particular class ask for special comforts, that they are charged special fees for the same, and I contend that these fees tend to raise the average for the poorer classes and reduce the average for the higher classes, just as much as the treatment and food supplied to the poorer patients produce the opposite effect

Mr G L WINTERBOTHAM Because they pay for it

Mr J B PETIT I do not deny that for one moment But the fact remains that the poorer patients pay less than the rich or nothing at all, and get proportionately less extra comforts in return

Mr G L WINTERBOTHAM If you pay Rs 5, are you entitled to get ten rupees' value, or are you entitled to have only four rupees' value ?

Mr J B. PETIT The point that I am trying to make is that when people pay Rs 10 they get not only ten rupees' value in return but something more, rather a good deal more How this happens, I have

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already explained It is no good trying to evade this point I have been in charge of a big public hospital for the last twenty years, and I know exactly what I am talking about

Then, Sir, we were told by our honourable friend the member for the European community (Sir Reginald Spence) that the figure of Rs 4-10-2 in connection with the Parsi General Hospital that I quoted, represented only the cost of the diet

Sir REGINALD SPENCE I said that I believed you to say that it related to expenditure on diet

Mr J B PETIT That is not so, I never said anything of the kind. I am quite sure that my honourable friend has made a mistake and misunderstood me The figure of Rs 4-10-2 that I quoted, was for the entire ratio of expenditure per patient per day As to the appointment of a committee, I never suggested a committee of the whole House, as he says Even there, I am afraid he has misunderstood me I said during the course of my remarks that if the Minister in charge was willing to appoint a committee to institute a searching enquiry into the affairs of the European General Hospital,—for which I submit I have made out a case,— I would be quite willing to withdraw my proposal for a cut. But I wish to make it quite clear, Sir, that if the findings of the committee are to carry conviction with this House and command the confidence of the public, it must contain a majority of Indian members competent to pronounce an opinion on this question I have not a word to say against Government officials, but the fact remains that a committee composed mainly of them, even if they happen to come to certain conclusions in a thoroughly honest and efficient manner, will not command the confidence of this House and of the public to the same extent as a committee composed in the way I have suggested.

For all these reasons, Sir, I think that this honourable House should accept my proposal and enforce the cut that I have suggested, unless the Honourable Minister in charge, in his reply, promises a searching enquiry by a committee, composed as I have suggested, not only to look into the affairs and the management of the Hospital in question, but also to suggest ways and means of effecting substantial retrenchments therein in every possible direction I repeat what I said in my opening remarks yesterday, that nothing is farther from my mind than the introduction of communal considerations into this question All that I want this honourable House to do, is to make sure that the money that is being voted away by the members year after year, is being properly used, and that the community for whose benefit it is intended, gets the utmost possible return for it I am convinced that there is a lot of extravagance in this Institution, which it is possible to detect and remove, without reducing in the slightest degree, the comforts which our friends are now getting, and which nobody desires to deny them When, Sir, severe and ruthless cuts have been made in the other two general Hospitals in the town, when the poorest of the poor are being turned out of them, and refused even ordinary treatment and food, is it or is it not

[Mr J B Petit]

right for a member of this House, if he is convinced that there is extravagance in this Hospital, to draw the attention of this House to it and to ask for a cut, or, failing that, at least an enquiry? And if I have done that, I fail to see the object or the purpose of the heat that was unfortunately imported, both yesterday and today, into the discussion of this question With these words, I commend this motion to the careful and impartial judgment of this honourable House, in the confident hope that it will be carried, if not unanimously, at least by an overwhelming majority, thus showing its determination to rise to a full sense of its responsibility and to insist upon seeing that the large sums of money that are being voted away year by year from provincial funds, are being properly, wisely economically and judiciously applied

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Sir, it is extremely difficult for me to reconcile the statement made by the honourable mover when asking me whether I would agree to his being allowed by the Honourable the President to move his cut, with his speech of today The statement to which I am referring is a statement he made the day before yesterday, in which he said that he wanted to move this cut in order to get some information as regards the expenditure incurred on St George's Hospital, as he was not in a position to compare the cost with other hospitals and convince himself that the expenditure on all those hospitals was equitable I thought that he was a seeker after certain information But today I find that he refuses to accept any statement from Government, any statement from any member from this side of the House, and, I may be excused for saying, Sir, I thought that he was in a state of excitement

Mr J B PETIT This is absolutely incorrect

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL As the honourable House will have by now seen, the honourable mover has entirely failed to make out a case In spite of the very telling arguments which I made yesterday, the honourable mover persists in repeating the same two complaints over and over again And what are his grievances? He is harping on only two things One is ruthless retrenchment in other Government hospitals, except St George's Hospital That is one thing It was explained yesterday as to why retrenchment in the other two hospitals had been resorted to The second point is the question of cost. He seems to maintain even today, after the explanation tendered yesterday, that the cost per bed per day at St George's hospital is Rs 14 as against Rs 4-10-0 on his own hospital and under Rs 4 on the other two hospitals——

Mr J B PETIT I mentioned Rs 4-10-2 as the average for my hospital

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL I beg your pardon Now, Sir, what is the ruthless retrenchment in the case of J J Hospital and G T Hospital? Certain number of beds were closed down Government were not at all willing even to do that, but the Medical Department had to give their quota of retrenchment, and

[Sirdar Sir Rustom Jehangir Vakil]

the most equitable thing that we could think of was to reduce the number of beds in the extended hospitals Balaram Pavilion had just a few beds and a separate staff had to be maintained We could easily cut out those beds and save the staff We cannot do that in a hospital which is a running hospital with a number of beds in various wards We cannot effect any saving in expenditure if we do that In St George's Hospital we did not reduce any number of beds, because that would not have made any difference whatever, for two reasons In the first place, the staff could not have been reduced, and, in the second place, most of the patients are paying patients, and the hospital would have lost on the other hand, were any reduction in the number of beds made

Now, Sir, with regard to that much-talked of annual report The figures in the Hospitals Report, as I have said, are for the calendar year and those that I have quoted are for the financial year, and, therefore, some sort of disparity is bound to exist, and I do not think that could be disputed even for a moment But then, after all, I hope I shall be able to convince this House that there is no disparity The figures in the Hospitals Report are all gross figures which include money spent from private contributions and payments The budget figures are net figures and being for the budget year cannot exactly correspond I can quite understand that this account-keeping and statistics are very very dreary subjects, but I am afraid I must dwell upon these figures, because I cannot otherwise convince the House that the cost per day at St George's Hospital is not Rs 14, but it is Rs 5-10-0 The Hospitals Report has got the figure of Rs 6,25,000, the budget figure is Rs 3,33,000, and the difference is Rs 2,92,000 The difference consists of—the cost of new buildings and repairs, Rs 19,000, nursing grants, Rs 64,000, and private contributions and payments, Rs 2,14,000, total, Rs 2,97,000 The difference between the two comes to only Rs 5,000, which is negligible Now, the question may be asked whether the same method of calculation could be applied to the other hospitals I find, Sir, that the same is the case with all the hospitals In the case of J J Hospital, if you refer to the Hospitals Report, the expenditure is Rs 7,37,000 and the budget figure is Rs 4,30,000 The difference is Rs 3,07,000 and that is made up of—buildings and repairs, Rs 1,62,000, Government nursing grant, Rs 87,000, and contributions, Rs 87,000; total, Rs 3,36,000 The difference between the two is Rs 29,000 Now, with regard to Gokuldas Tejpal Hospital, which has been also quoted by the honourable mover, the Hospitals Report has the figure of Rs 3,06,000, the budget figure is Rs. 2,00,000, the difference is Rs. 1,06,000 And the difference is made up of—buildings and repairs, Rs 14,000, Government nursing grant, Rs 60,000, and contributions, Rs 60,000. Thus, Sir, you will see that no preferential treatment is given to any particular Government hospital Yesterday, Sir, I made it very clear that the total cost per bed comes to Rs 6-2-0 and not Rs 14, because we must deduct the receipts I cannot understand my friend the honourable mover when he says that the receipts should not be taken into consideration I can quite understand that he is a businessman of great

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eminence, but I doubt very much whether all businessmen make their calculations by the method which he has chosen to adopt Every time the receipts must be taken into consideration and the difference taken as the actual expenditure What we are concerned with here is how much does the Government spend, not how much does a hospital cost, because we are dealing here with the budget We are here sanctioning a particular amount and, therefore, Sir, I submit that it is not proper to say that the receipts should not be taken into consideration As I said yesterday, I fail to see why this report on hospitals is allowed to be issued every year in this particular form, because it does not tally with the budget I explained yesterday that this system of accounts has been ordered by the Government of India and it has to be adopted by all the provinces in the country

My friend the honourable member Rao Bahadur Chitale said that I had made a mistake in calculating the number of beds closed. I said 130 beds and he says that the number of beds closed is 142 My honourable friend is perfectly right The total number of beds closed down is 142, but I thought we were discussing only the J J Hospital and the G T Hospital and therefore I gave the figure as 130 The twelve extra beds were those closed down in the Cama and Albless Hospital

My honourable friend Dr Dixit very fortunately referred to the fact that the St George's Hospital contained as patients persons of various communities, and I thank him very much for having brought out that point because that will show that the "European General Hospital" is a misnomer Practically it is a cosmopolitan hospital where there are Goans, Jews, Anglo-Indians, Japanese and foreigners, and yesterday out of the total number there were only 26 Europeans proper——

Rao Bahadur S K BOLE Are Hindus admitted?

Dr M. D GILDER Depressed Classes?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL I may inform the honourable mover that he is under a misapprehension when he says that—I am not quite sure whether he said that or some other honourable member—but the nursing home was referred to by him—I may inform the honourable member that the nursing home in St George's Hospital is a paying proposition It does not cost Government anything at all

Dr M. D GILDER What about rent of the buildings and the nursing services supplied and the services of resident medical officers supplied?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Well, the resident medical officer may perhaps attend upon the patients, but the patient who is there has to choose his own doctor and has to pay for nursing, food and everything that he gets

Sir REGINALD SPENCE On a point of information Would the Honourable Minister please tell us whether senior members of the J J. Hospital are not provided by the Grant Medical College? They are

[Sir Reginald Spence]

not shown in the budget as a charge on the J J Hospital But in the case of St George's they are shown

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Sir, I do not want to go into the figures in detail, but I wish the honourable mover had made concrete proposals as to how he proposed to effect retrenchment in the St George's Hospital He merely wants the appointment of a committee on a mere speculation that something might turn up which may help to effect retrenchment He has not put forward a single practical proposal before this honourable House

After this explanation of mine I should like to know whether this House would still like to have a committee appointed to enquire into the administration of the St George's Hospital

Mr J B PETIT There is a strong feeling on this side of the House that such a committee is necessary and should be appointed

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Nobody speaks

The Honourable the PRESIDENT Nobody can speak They would not be allowed to speak [*Laughter*]

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Well, Sir, will you kindly show me a method by which I can gauge the sense of the House on the other side, particularly as to whether they are, after my explanation, still keen on having a committee ?

The Honourable the PRESIDENT I think if the Honourable Minister wishes to ascertain the general feeling, he can do so during the tea interval. I would postpone putting the motion to the House till then.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL But that is a method which would not satisfy the honourable mover. My point is that there is nothing that Government want to conceal so far as the administration of the St George's Hospital or any Government managed hospital in Bombay is concerned We are only too willing to furnish any information that the House wants with regard to the expenditure on these hospitals But, after all, a committee will have to do some work It will mean some expense, and unless I see that there is a great demand for such a committee, I am not inclined to appoint one merely on a chance that something may be discovered that might lead to retrenchment

The Honourable the PRESIDENT I did not follow the last suggestion of the Honourable Minister

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL, I merely said that I am not in favour of the appointment of a committee because I do not see anything that the committee can enlighten the House upon

Sir REGINALD SPENCE Could we have the assurance of the Honourable Minister that these accounts will be looked into and put up in such a way as to assure the House that there is no waste of money ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL I can very willingly give that assurance and I can further say that the Lay Secretary, who was appointed in the J. J Group, and who, I understand, has been able to effect a saving of over Rs 50,000 net in 12 months, can be deputed to do that work. It is my intention to ask the Lay Secretary to take on the St George's Hospital and see whether any retrenchment could be made there

Rao Bahadur G K CHITALE That satisfies us

Dr M D GILDER Apart from that, might I ask if the Honourable Minister will change the system of keeping accounts so that comparative figures of the various institutions could be available? The Retrenchment Committee have recommended it

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL This matter was under the consideration of the Retrenchment Committee They have recommended a change in the method of publication of these figures

Dr M D GILDER Have Government accepted the recommendation?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL It is under the consideration of Government

Mr G L WINTERBOTHAM Does not the honourable member Mr Petit wish to withdraw his motion after this assurance?

Mr J B PETIT No, Sir

Question put, and negatived

Dr M D GILDER (Bombay City, North) Sir, you will find that on the medical side I have given——

The Honourable the PRESIDENT I think the honourable member should come nearer

Dr M D GILDER All right, Sir Most of the cuts that I have tabled in the medical budget, have been tabled with the object of eliciting information from the Honourable Minister rather than with the object of pushing the cuts to a division It is not because that I do not believe that there is room for retrenchment in the Medical Department I do believe there is room and the committee of the Bombay Medical Union, to which a reference has been made by my honourable friend representing the Bombay Millowners' Association (Mr Petit), did point out how, within a reasonable space of time, gradual retrenchment could be effected in the Medical Department I shall not enter into details of things which have been put before the Retrenchment Committee, but I will take the cuts that I have proposed one by one and discuss the policy underlying these cuts

The first cut that I have proposed is a cut in the Bai Motlibai and Sir Dinshaw Maneckji Petit Hospitals—Rs 7,500 You will find that the Resident Medical Officers at the Motlibai and Petit Hospitals belong to the Indian Medical Department and to the Subordinate Medical

[Dr. M D. Gilder]

Service, and I find that in the Report of the Inspection Committee of the University submitted to the Syndicate, of which the Surgeon-General was also a member, there is a minute of dissent by Dr Mangaldas Mehta It is pointed out that at the Mothibai Hospital the Senior Resident Medical Officer (that is an I M.D officer) performs practically all the operations in the absence of the Superintendent, and most of the obstetric operations are emergency operations which are performed when the Superintendent may not be in the hospital It is a startling fact that the experience which this medical officer gains is entirely wasted, because in other countries the I M D officer would not be considered even as qualified to perform these operations These posts are of great educational value. These are posts which give experience and lead the man ultimately to be a consultant, and it is surprising that these posts are held by members of the I M D and by members of the Subordinate Medical Service The experience that they acquire by these posts is practically wasted, because of the faulty primary medical education, they can never rise to consultant rank. A similar condition prevailed in Calcutta some time ago, but they have modified it there, and they have put in men not belonging to any particular service but men taken from the profession in general, men who are paid a very small pittance because of the educational value of the post, men who will ultimately become consultants and successors of the Professor and the Associate Professor Here valuable experience is lost because the posts are given to members of the Subordinate Medical Service, who can never rise to the rank of Professor or Associate Professor This valuable experience, I think, ought to be preserved for those in the profession who can give the benefit of this experience to the public, and it was to point out this defect that I proposed that cut

The second cut that I proposed was about the St George's Hospital, about which so much has been said here already that it is hardly necessary for me to refer to anything more excepting one item, and it is this A list of medical men, I understand, is maintained, who can send their patients to the nursing home, and it is a clear fact that whilst members of His Majesty's services whether they belong to Bombay or are from outside can send any of their patients to the nursing home, the professors at the Grant Medical College themselves have got to apply to be put on the nursing home staff, so that Government has no confidence even in the professors of their own college The Professor of Surgery, who is the senior surgeon at the J J Hospital and who used to be considered the premier surgeon in the Presidency cannot send his own patients to the nursing home, unless he gets the Surgeon General to have his name entered on the list *It is a queer state of affairs!*

The third cut that I have given is a cut of Rs 100 in the provision for the Grant Medical College There I wish to point out the policy which creates inequality in the emoluments of the various professors, the pay ranging, I believe, from Rs 150 or Rs 200 to Rs 2,000 Some of these professors are members of the service, and they get their grade pay, but they do the same work as the other professors who do it for

[Dr. M D Gilder]

Rs 200 Would it not therefore be to the advantage of this Presidency if the service men who are there are replaced ?

There is another policy with regard to the Grant Medical College that is being followed by the Honourable Minister in charge, to which I would like to draw attention It is proposed that several of the professorships should be put in the Bombay Medical Service, Class I Sir, we have had quite enough of the services There is the mysterious formula "existing and accruing rights of the service," and if once we put a service man in, vested interests will be created Why should we not follow the custom that is followed in all civilised countries, where each post is recruited by itself on a contract basis ? And the Honourable Minister is not consistent when he puts these posts in the Bombay Medical Service Class I When we talked about the Mental Hospital at Thana, he himself brought forward the suggestion that the mental specialist would be engaged on a contract basis Why contract in one case and a service with vested interests in another ? That certainly is a contradictory policy, and I would suggest to him that he should follow the policy that is being followed in all civilised countries, where these posts, the teaching posts and the various specialist posts, are recruited for on a contract basis It will lead to the advantage that when the post falls vacant again, there will be no interests to claim the right of succession A fresh man can be appointed, and the terms of appointment may be revised, whereas if a post is made a service post, a service man will want to go in without having any particular acquaintance with the subject or specialty, and vested interests will again be created

Then, under that head, I would point out another thing that has taken place The post of Professor of Anatomy fell vacant A selection board was appointed The selection board consisted of the Surgeon-General, for whose presence I have no objection Then the Secretary of the General Department was on it May I ask my honourable friend the Secretary of the General Department how much Anatomy he knows ? It also consisted of another——

Mr E W PERRY May I point out that there were two experts and one non-expert on the board ? The non-expert was the Secretary to the General Department, and he was there to see that the experts kept to the rules and to keep Government in touch with the selection board's work

Dr M D GILDER I am obliged to the honourable member for the information In the regime of the preceding Honourable Minister, he always used to trot out his experts in any discussion that we had in the Council, and now Government are putting in a non-expert to help the experts, to see that the experts observe the rules !

The other member of the selection board was an expert, of what ? He was an expert of obstetrics, gynaecology What has that got to do with anatomy ? Certainly, if there had been the Professor of Surgery, I would not have objected to it at all, because the posts of Professor of Anatomy and Professor of Surgery are allied, but what has an obstetric

[Dr M D Gilder]

physician to do with anatomy? According to the strict rules of the profession, the obstetric physician ought not to enter the dissection room for fear of carrying infection to his patients He cannot be considered as an expert for selecting a Professor of Anatomy Those are the things that are being carried on in the department, and I would draw the attention of the Honourable Minister to that point

With regard to the Grant Medical College, there is another thing to which I wish to draw the Honourable Minister's attention In revising the pay of these professors at the Grant Medical College, Government issued a Resolution—somehow I have got a copy of it—which says that when there is a Professor of Medicine, Clinical Medicine and Therapeutics at the Grant Medical College, he should be given extra pay of Rs 100 But it says that if he belongs to the service, he should be given an extra pay of Rs 250 So that the service man gets his grade pay, nearly Rs 2,000, and gets Rs 250 extra pay Might I ask whether he does the work better, or whether he does more work? Why should he be paid extra pay at a higher rate? Why should a distinction be kept between a service man and a non-service man doing the same job? The service man, for doing the same work, gets his service pay—the other man is an honorary man and does not get service pay—and in addition he gets extra payment at a higher rate

Dr M K DIXIT The item becomes non-votable

Dr. M D GILDER Yes, the item of the extra allowance becomes non-votable

There is one point to which I would once again draw attention, to which attention has already been drawn, and to which the Retrenchment Committee has also referred, viz, that the overcrowding of the hospitals can to a great extent be remedied by having what may be called infirmaries. A suggestion was put forward by the Retrenchment Committee that the beds that are lying vacant should be utilised at very small expenditure as infirmaries for housing rather the invalid and the infirm than those who are actively ill, and a great deal of the cost can thus be saved They do not want much nursing, ordinary casual attendance is quite enough for them These people go and occupy hospital beds, and I can assure you we cannot get rid of them I have actually had one such patient in my ward When visitors came to see him and we asked them to take him away, they stopped coming We sent the patient to his house in a victoria When the inmates of the house saw that the man was coming, they locked the door and ran away by the back door, and the patient was still on our hands Of course, it is out of humanity that they should be looked after They are old and infirm, they are invalids, and they cannot look after themselves, it is the duty of the State to look after them, and the State can look after them at much less cost than it is doing at the present moment

These are some of the points which I wanted to bring to the notice of the Honourable Minister, and I hope they will receive his attention

Rao Bahadur B R NAIK (Surat District) SIR, I would be very brief in my remarks, as I have to bring only one or two points to the attention of the Honourable Minister in charge of the department Out of a total budget of Rs 49,00,000, I want to point out that only Rs 2,70,000 are provided for the rural area of the Presidency That item includes the smaller municipalities of the Presidency Therefore, if we were to exclude the municipal area, the amount will remain at about Rs 2,20,000 for the rural area, that is the district local boards area proper Now, Sir, we have listened with great attention to the very interesting debate that took place yesterday and to-day about hospitals, and expenditure on medical relief in the city of Bombay If we take the whole medical budget, out of Rs 49,00,000, about Rs 13,00,000 are provided for the Island of Bombay alone, which comes to about Re 1 per head Now, if we take the population of the rural area of the Presidency and the actual amount that Government spend on medical relief, viz, Rs 2,20,000, it will come to less than a quarter of an anna per head of the population The population of the rural areas may be taken as 156 lakhs, and if you divide the provision of Rs 2,20,000 by the figure of the population, it will give less than a quarter of an anna per head Now, I will be again reminded by the Honourable the Leader of the House, what about the sub-assistant surgeons? But in this instance, Sir, Government are paying for the sub-assistant surgeons of the District Local Boards dispensaries, but they are receiving grants from District Local Boards at the rate of Rs 90 per each sub-assistant surgeon towards the pay If I am wrong, I shall be very glad to be corrected by the Honourable Minister in charge.

The Honourable the PRESIDENT I must interrupt the honourable member The motion has not been put to the House I omitted to do it. The motion is;

Reduce by Rs. 1,000 the total demand of Rs 49,00,000, under the head "Medical"

Rao Bahadur B R NAIK So, Sir, except this grant of Rs 2,20,000 if there are other items provided for the rural area for medical relief, and if they are shown to this side of the House, I shall be very glad I say, Sir, it is a tale of woe, which this side of the House is repeating year after year But nothing has been done Now, looking to the present condition of Government, we all know that they cannot provide any further amounts for medical relief But then this duty has been imposed on district local boards And if the financial condition of Government is bad, I say the financial condition of the district local boards is worse I want to know whether the Government as a whole ever considered how this medical relief can be given by the district local board from the very meagre funds Take the instance of Surat The district local board is spending Rs 32,000 for medical relief, out of which the board gets from Rs 8,000 to Rs 9,000 grant, about 25 per cent of the total expenditure It must be the case with every district local board Therefore I say, Sir, that the rural areas have been totally neglected, so far as medical relief is concerned There is no exaggeration You

[Rao Bahadur B R Naik]

are spending less than quarter of an anna per head For veterinary you are not going to give anything I do not blame the present Honourable Minister for Local Self-Government, because this is the policy adopted by Government to starve the rural areas

We have listened to the debate just finished So many capitalists from Bombay city argued the points that the expenditure on a particular hospital was too high and on another was low They can fight with Government but there is nobody to look after the interests of the rural areas

The Honourable Sir RAFIUDDIN AHMAD The honourable member himself is there for these classes

Rao Bahadur B R NAIK We are all here, but you do not care to listen to us I know that the financial position of Government is bad, but what have they done in past years? Even now, they must reduce expenditure somewhere and provide for medical relief in the rural areas

There is another grievance, which I want to bring to the notice of the Honourable Minister You have reduced the salaries of the sub-assistant surgeons by 10 per cent Still you are getting the contribution of the local bodies at the original rate of Rs 90 At least the local boards should get this saving effected by the 10 per cent. cut in their salaries The savings in the contribution you receive from the local bodies against the pay of the sub-assistant surgeons should in fairness go to the district local boards and should not remain with the Government

Mr HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu) Mr President, generally the medical relief that is given in the rural areas of Sind is very poor Coming to the Karachi city itself, there is a civil hospital For want of accommodation the poor patients are accommodated in beds that are placed in the verandah even in the cold of December, January and February These patients suffering from fever might even die This city is going to be the seat of a governor, soon after the separation comes into effect and still this is the plight of the civil hospital I hear that the Honourable Minister is a good man I invite him to Sind in order that he may have first hand knowledge of situation there in regard to medical relief and do the needful I am sure he will do it, if he comes and studies the situation himself During last few years the Honourable Minister is giving assurance that he would make provision for the extension of the hospital but nothing has been done so far I know at present there is financial stringency, but he should do his best to save from elsewhere and make provision for the Karachi Civil Hospital I am sure he will do it Karachi is second largest part of this Presidency There are many people who have come and settled there from Baluchistan, Marwar, Kathiawad and so on Most of these men are wage-earners Now, Government have introduced a novel system by which the out-door patients, howsoever poor they may be, are asked to pay one anna These working people earn 12 annas or 13 annas a day when they get work

[Mr Haji Mir Mahomed Baloch]

They have got a family to maintain and they live on very meagre income How can these men afford to pay one anna ?

Mr E W PERRY The medical officers always let off any man who is too poor to pay

Mr HAJI MIR MAHOMED BALOCH I am glad that it is so But these men are generally illiterate and they do not know any rule or anything It is invariably left to the men in the lower rank in the hospital to collect these charges who never let off any man, but also demand bukhshish which poor patients have to pay, otherwise they are detained for hours together , Greater portion of the poor population take medical aid from the Municipal Hospitals A fee of one anna is also charged there The majority of the population are wage-earners and poor, they cannot pay, therefore a fee of one anna should not be charged at the Government Hospitals to the out-door patients

In conclusion I request Government to provide funds for the extension of the civil hospital at Karachi

Mr V A SURVE (Ratnagiri District) (Addressed the House in Marathi) Mr President, the population of Ratnagiri district is 13 lakhs In every taluka headquarters, there is a hospital. But these hospitals are maintained more for the use of Government officials such as police and rich people It is quite evident on the face of it that the whole ryot population of each taluka can take advantage of this one hospital at its headquarters There are 9 hospitals in all for the nine talukas in the whole of the district These medical institutions will not even touch the fringe of the problem of medical relief for the whole district The grant for medical relief to local boards has been steadily dwindling and for the next year, owing to financial stringency, it has still further been cut down The district local board of Ratnagiri is spending Rs 78,000 on the maintenance of these hospitals and they have not been getting the grant of two-third of the expenditure which they are entitled to under the Act In spite of the fact that Government do not even give the statutory grant, the final authority over these hospitals is the Surgeon General who has not even once visited these hospitals nor ever considered the situation of the people with regard to medical relief I request the Honourable Minister to take into consideration the poor ryots who do not get medical relief and introduce some system which will solve this problem.

Dr M K DIXIT (Surat District) Sir, I wish to be very brief on this point, since most of the ground has been covered by my honourable friend Dr Gilder I just want to make one suggestion regarding infirmaries I wish to invite the attention of the Honourable Minister to this suggestion During the last year 142 beds have been closed down in the two hospitals If he were to utilize these 142 beds for starting an infirmary, I think he would be doing a great service to humanity, to the teaching professors and to the students who are learning there We know that the number of chronic patients who occupy the beds prevent new teaching material from coming in, prevent more serious cases from receiving proper treatment and getting cured, and thus they are more or

[Dr M. K DIXIT]

less a nuisance from that standpoint As Dr Gilder stated, from a humanitarian point of view we cannot turn them out, because they are infirm, in many cases they are such as not to be able to look after themselves, and they must have some attention paid to them under the supervision of a medical officer Now, if he will utilise these 142 beds for the purpose of lodging those chronic incurable cases, I think he will be doing a very great service to humanity, to the students who go to receive lessons in medicine and surgery, and also to the medical officers who always want something fresh for the students rather than patients who lie there giving no new material for talking over. Of course, the question of cost will come, but I do not think that for an infirmary of that type one bed should cost more than twelve annas or a rupee per day It is a small amount which can very well be spared from the provincial revenues even during these days of financial stringency At any rate, I make this suggestion

I support the various arguments made and the various complaints raised by my honourable friends Dr Gilder and Rao Bahadur Bhimbai against certain departments There is one thing I should like to know from the Honourable Minister How many military assistant surgeons are still in our service and how many were in our service last year? I find 23 are there I do not know whether I am correct

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL It is sixteen now, and the minimum number to which they are to be reduced is twelve

Dr M K DIXIT I find from the White Book that there are nineteen provided for in 1932-33 I do not know how the Honourable Minister reconciles the figures

Mr E W PERRY What is the page?

Dr M. K DIXIT Page 218, Reserve Medical Subordinates 5, page 220, J J Hospital, 5, page 221, Bai Motlibai Hospital, 1; page 223, St George's Hospital 5——

Mr E W PERRY May I just point out that the "5" shown under J J Hospital is composed of military assistant surgeons, Bombay Medical Service and other officers?

Dr M K DIXIT Do you say that they are not all military assistant surgeons?

Mr E W PERRY There are only 16 military assistant surgeons in all in the presidency during the budget year In 1931-32 we had in J J Hospital 9 medical officers, including military assistant surgeons They have been reduced to five for the next year, 1932-33 I do not know if all the five are military assistant surgeons or members of the Bombay Medical Service

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL It is very clear "military assistant surgeons, Bombay Medical Service and other officers" They are all mixed up

Dr M K DIXIT I should like to know how many of them are military assistant surgeons ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL I cannot tell offhand, but, as I said, the number of military assistant surgeons is sixteen at present

The Honourable the PRESIDENT The question is, of the five who are left out of the nine, how many are of one class and how many of the other ?

Dr M K DIXIT That is what I wanted

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL I am unable to give that information offhand

Dr M K DIXIT Will you be able to give that information after tea ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL But what is the object of the honourable member in finding that out ? The number of military assistant surgeons would be 16 and the rest would be M B B S men What is the honourable gentleman's point ?

The Honourable the PRESIDENT I do not see the 16 to begin with.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL That is the whole cadre

The Honourable the PRESIDENT I think the honourable member (Dr Dixit) referred to J J Hospital From 9 it has been reduced to 5. Of both the classes, how many of each were retained in that five ? That is the question The Honourable Minister has a difficulty, because the cadre of all the hospitals is lumped together That is why there is difficulty in giving the reply

Dr M K DIXIT We have half an hour for tea , he may be able to find it out within that time

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL You have not caught my point My point is this what is the object of finding out how many military assistant surgeons there are ? It is difficult to see why the honourable member wants it If he were in difficulty I could possibly explain that

The Honourable the PRESIDENT The object will be explained by him later on It is not for me to find out what his object or argument is going to be He simply wants a particular piece of information He may raise an argument on it later on If there is no objection the Honourable Minister may give it

Dr M K DIXIT I do want to find out how the figure is reduced from 9 to 5, whether the cut was effected by reducing the number of Bombay Medical Service men or the number of military assistant surgeons

Dr M D GILDER Of the two classes, who were reduced ? What was the original strength of each of these classes in J J Hospital, and what is the present strength ?

Dr M K DIXIT Why should the Honourable Minister flinch from giving that information ?

The Honourable the PRESIDENT The honourable member's question is how the retrenchment was secured There has been retrenchment of the two cadres put together, whatever the strength of that may be, and that retrenchment has been distributed among the various hospitals The retrenchment effected has to extend towards both the sections of the service, the military assistant surgeons and the Bombay Medical Service Now, the honourable member wants to know how each of them has been affected in the retrenchment, whether the axe has fallen more on the one than on the other

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL There is no question of retrenchment in this at all The point is that it has been decided to reduce the number of military assistant surgeons It was formerly, I think, 22 or 24, it was reduced to 18 and then it was decided to reduce it to 12 At present we have got 16 and as their claims are being liquidated, they are being reduced automatically until the number 12 is reached, and therefore if any of these people have retired the number must have been reduced proportionately

The Honourable the PRESIDENT The number of military officers ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL And there is no intention at all of reducing the Bombay Medical Service men.

Dr M. K DIXIT My point is this the figure 9 is reduced to 5 Four hands have been relieved I want to find out whether all these 4 that have been relieved are from the military assistant surgeons' cadre or from the Bombay Medical Service That is what I want to know

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL I have got the figure here Last year, that is, in the current year, there were 4 I M D men and 5 B M S men That makes the number 9 In the next year's budget there is only one I M D man and 4 B M S men Is it quite clear now ?

Dr M K DIXIT It is quite clear

(*After recess*)

Dr M K DIXIT I have nothing more to add to what I have said, Sir

Mr PESTANSHAH N VAKIL (Ahmedabad City) Sir, I am told that there are 56 honourable members representing rural constituencies in this honourable House But so far, with the single exception of my honourable friend Rao Bahadur Bhimbhai Naik, not one honourable gentleman has come forward to voice the grievances of the rural population. [*An Honourable Member*. Mr Surve] Yes, Sir, there were two exceptions.

I said that "so far" they have not come forward My honourable friend Dr. Dixit also represents a rural constituency, but he spoke on a number of questions all dealing with city life, principally on the conversion

[Mr P. N. Vakil]

of part of a Bombay hospital into an infirmary, and that also to be located in the city of Bombay

Dr. M K DIXIT Why, I have supported all the complaints made by my honourable colleague Rao Bahadur Bhimbhai Naik

Mr PESTANSHAH N VAKIL: I do not give expression to this view as a matter of reproach, but simply in order to bring to the notice of this honourable House in a prominent manner the fact that although there is such great disproportion in population and area between town and country, the amounts allocated to the two sections are exceedingly disproportionate as well

Now, Sir, I have an original idea. If we were to hold our meetings after the manner of a travelling circus in the different villages of the Presidency, amidst rural surroundings and in arcadian simplicity, perhaps the woes and grievances of the rustic people would be better appreciated We should be right in the midst of people who have their grievances to place before us Last year also on the floor of this House the same complaint was made The expenditure on hospitals in the city of Bombay works out at the rate of about 17 annas per head, while that in the case of rural areas works out at the magnificent rate of 1 pies What a great disparity, Sir! I hope the Honourable Minister for Local Self-Government, who himself represents a rural constituency, would be good enough to look into this matter very seriously, particularly in view of the fact that he himself claimed, some time ago, to have studied this question, and, if I mistake not, had contributed an article or two in the columns of a prominent local paper But so far nothing practical seems to have been done In each district, the number of dispensaries is, I think, at the rate of barely 1 in a taluka. I cannot in an offhand manner say what exactly could be the population of a taluka, but certainly it is that a taluka must be very badly served by one dispensary And this is the crying need of the presidency It is no use members voicing the same grievance year after year in this House

Last year, Sir, I drew the attention of the Honourable Minister to the number of hours that assistant surgeons put in at the hospital In his reply the Honourable Minister told us that the terms of their service were such that they could not be expected to put in more time If I mistake not, at present it is something between 3 and 4 hours a day If the Honourable Minister will be good enough to state what exactly are the terms of their service, I shall be glad. It is very difficult to get this kind of information in official publications, and hence it is that I repeat this request with which, I trust, the Honourable Minister will kindly comply.

Sir SHAH NAWAZ BHUTTO (Larkana District) Sir, I had no mind to take part in this discussion, but my honourable friend the last speaker (Mr. Vakil) remarked that though there are so many representatives from the mofussil areas, very few of them have expressed their grievances The fact is that we have been voicing our grievances year after year, but all in vain Instead of improving things, we have been worsening them Our agitation or bringing the grievances to the notice of Government has

[Sir Shah Nawaz Bhutto]

had no effect, on the contrary Government has been totally deaf to it. That is the reason why some of our friends had no mind to take part in this discussion,—as a protest.

If one takes a little trouble to go into the details and ascertain the facts, one will find that it is really in the province of Sind (from where I come) that we have got real and genuine grievances even against this department Now, I understand that the total expenditure on the medical department is over 50 lakhs of rupees What is the share allotted to Sind? I understand it is only 5 lakhs

It is strange, Sir, that the Government should have recently introduced the system of recovering fees from paupers, the poorest class of His Majesty's subjects in civil hospitals—the agriculturists,—who cannot pay for medicines leaving aside medical aid The only place where they could receive medicines free was in civil hospitals and local boards' dispensaries Due to recent Government orders in civil hospitals free treatment and medicines have been stopped; and having no knowledge of Government's new policy, most of the poor people, when they come from the mofussil for treatment, are told "No free treatment, you must pay for it" They go back with a bitter mind and disappointed Not only that, but in the whole of the province we have not got a single central hospital where people can have their ailments cured at a reasonable cost Those who can afford—though in these days it is very hard and I am doubtful whether anybody can afford—come to Bombay or go to Lahore and this journey of such a long distance costs them nearly half of their fortune

What is the state of district local board dispensaries? From year to year, in spite of our representations, in spite of agitation, in spite of our fight on the floor of this House, the result has been that the grants have been reduced In some of the dispensaries the state is so bad that they are kept open with no medicines whatsoever. However, we are very fortunate in having a very energetic, able and painstaking Honourable Minister in charge of this department But the misfortune of the Sindhis is that so far he has not been able to visit our country personally I am sure, if he takes the earliest opportunity and knows things for himself, and visits most of these dispensaries and sees how we are starved, perhaps he might do his very best to make an earnest effort to improve things With these remarks, I resume my seat.

Mr G S GANGOLI (Kanara District) Sir, my honourable friend on my right perhaps desires to have some change of language, as he said that he has not heard any single villager express his sentiments regarding the proposal under discussion. I claim to come from a village, and I do not think any other honourable member comes from a village which is more malaria-stricken and which is more in the midst of forest than the one I come from But the simple fact is this As the honourable member who spoke last has said, grievances have been ventilated on the floor of this House several times, and fortunately or unfortunately for us, these Ministers, though popular, are given charge of nation-building

[Mr G S Gangoli]

departments, but not with sufficient funds We have to come here not only to ventilate our grievances, but we have to exercise our votes, and in so exercising our votes we have to adjust ourselves to the testimony of the hard facts as they are this year There is no use in agitating this year as the finances are not improving With this in view, we had better not speak on the actual state of affairs

Rao Saheb P D KULKARNI (Poona District) Sir, I rise to support the motion I am an agriculturist, and now I have the misfortune to offer my remarks against the working of the Medical Department The real state of things is that 60, out of 100 of the population, are agriculturists, and we have to live from hand to mouth This is the pitiable condition of agriculturists in these days. Therefore, we have to spend nearly 4 months in a year in towns or cities to earn our livelihood, and the days which we spend in rural areas are hard pressed particularly when we want some medical help there When we go to towns and cities, and want medical help there, by the recent steps taken by Government we are barred from taking advantage of the Medical treatment The so-called small fees which are charged for medicine in Government dispensaries have become unbearable to the people of our class. They have not got sufficient money even for a piece of bread for their maintenance, how then are they expected to pay two annas for getting the medicine? On page 64 of the Blue Book, it is clearly mentioned that the estimate of receipts has been fixed at a considerably higher figure, owing to the levy of a uniform fee of one anna in the case of out-patients and two annas in the case of in-patients at all Government hospitals I think that is the worst device used by the department for making addition to their revenue and I do not know how this step was approved by the Cabinet I am inclined to open this topic because I have got the good support of a strong Minister of the Government of Bombay When the Honourable Minister in charge of Education was on the irresponsible side of the House, he expressed a very strong opinion against the levying of any fees at the hospitals and dispensaries, and I am reading a relevant extract from his speech He said

"Well, Sir If the cap fits the Minister, let him wear it. I got up, Sir, to make a complaint about the policy of the Minister with regard to the fees in hospitals and dispensaries This House, Sir, had passed a resolution two years ago by a large majority that no fees should be charged in Government hospitals and dispensaries in the mofussil. In order to give effect to that resolution, a committee was appointed by the Government of Bombay, not a committee of this House but a departmental committee, and the House has had no occasion to pronounce any opinion on its report I had very strongly supported that resolution in the interest of the public I do think Government has tried somehow or other to shelve the difficulty Sir, the public grievance is so strong that if the Government of Bombay were to take a referendum, I do not think the Minister will escape censure. Sir, we had pointed out during the debate that Rs 99,000 were collected by the Government of Bombay as fees from all these hospitals and the House went so far as to say that it would dispense with that amount" [Pages 813, 814]

This is an extract from the speech of the Honourable Minister now in charge of Education, Sir Rafiuddin Ahmad, made on 6th of March 1926

Now, fortunately, Sir Rafiuddin Ahmad forms a part of the Cabinet, and I trust he will try his best to establish the principle which he has advocated so forcibly in the speech I have referred to, and we shall be very

[Rao Saheb P D Kulkarni]

happy, particularly the people of the rural areas, in getting at least free medical treatment at the Government dispensaries I think it is one of the duties of civilized Government to provide medicine to the agriculturists free of charge When nothing else is given to us, I think this much expectation is not extravagant With this request I support the motion

Dr M D GILDER (Bombay City, North) Sir, I have nothing more to add except on one or two points made by the honourable members who have supported me They seem to think that there is a competition between the rural and the urban areas as regards medical relief I can assure them that from the urban point of view there is no such competition, that Bombay city does not want everything for itself, I shall be one of the first to be glad if rural areas get better medical relief than at present, and I have repeatedly drawn the attention of this honourable House to the deficiency of rural medical relief Sir, it must also be understood that, when you talk of the large amount of money spent on the population of Bombay and the small amount spent on the mofussil population, the figures are misleading, because a great many patients in the Bombay hospitals come from the mofussil and are treated in the Bombay hospitals

Rao Bahadur S N ANGADI How many ?

Dr M D GILDER On a rough estimate, about 15 to 20 per cent

Rao Bahadur S N ANGADI Do they come from the Bombay suburban area ?

Dr M D GILDER No, they come from the rural areas There are people coming for treatment from as far away as Peshawar

The other point that was raised was about the fees charged in the hospitals, and the honourable member Rao Saheb Kulkarni quoted the Honourable Sir Rafiuddin Ahmad about the committee The honourable member Rao Bahadur Chitale and myself happened to be members of that committee I was not then a member of this House We thought that hospital abuse existed, and we framed rules about charging fees only to well-to-do patients, i e those who were in a position to pay Those rules are in existence, but are being modified by the department again Perhaps the Honourable Minister will tell us how far they are being modified I believe that the definition of "well-to-do man" is being modified. Speaking on behalf of the city of Bombay, there is a good deal of hospital abuse Rich patients do come to the hospitals, who can afford to pay The charging of one anna routine fee to everybody does not get rid of that hospital abuse If the Government were going to charge these rich persons, who can afford to pay, full fees for medical attendance, I do not think any honourable member of this House would have any objection As regards the other point that the medical men in charge of hospitals have got the right of exempting poor people from payment of any fees, the medical men at the big hospitals have hardly the time to see the patients and to treat them, because the rush is so great, therefore they can hardly have the time

[Dr M D Gilder]

to go into the circumstances of the patients It would be better to have an almoner as in European hospitals, who can enquire into the circumstances of the patients and make them pay accordingly

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Sir, I will not trespass upon the patience of the House for more than a few minutes My honourable friend the mover of the cut wanted some information He wanted to know why the Resident Medical Officer at the Bai Motlibai Hospital was not a University man, but only a Military Assistant The post of Resident Medical Officer there is not one of the few posts now reserved for the Indian Medical Department We are, however, under an obligation to safeguard the rights of the Indian Medical Department officers who were permanently in civil employ in this Presidency when the scheme for reducing the cadre of the Indian Medical Department was adopted As the posts of the Resident Medical Officers at the various hospitals were held by this class of officers, it will be some time before the rights of the officers concerned are finally liquidated and the post of Resident Medical Officer at the Bai Motlibai and Petit Hospitals is thrown open to other medical men

With regard to his suggestion that all the professors of the Grant Medical College should be allowed as visiting surgeons or physicians to the nursing home at the St George's Hospital, I may inform the honourable member that these outside medical men are selected by the patients themselves, and most of them being Europeans and Anglo-Indians, such medical men are selected to be on the permanent list there who hold that kind of clientele If any medical man wishes to visit the nursing home and apply to Government——

Dr M D GILDER Why should your own professors apply to you ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL He is not barred at all.

Dr M D GILDER Why should your own professors apply to you ? Have not you got confidence in them to put them on the staff without applying ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Because we do not see the need for putting more people, they are unnecessary, because the number at the nursing home is very small

Dr M D GILDER If the Honourable Minister will excuse my interruption, the number of people who are entitled to go in there without any special permission from the Surgeon-General is indefinite, because all members of His Majesty's services are allowed as a class, not by individual names Why should not all professors of the Government colleges be allowed in the same way ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL As I said, the number there is very small I understand that the nursing home does not accommodate more than about 8 or 10 patients, and there are already 5 medical men on the list

Dr M D GILDER Why should others be prevented ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL With regard to the honourable member's suggestion or complaint about the allowance to the Professor of Pathology and Anatomy, I am sorry I am not in a position to understand his complaint, but the Professor of Pathology——

Dr M D GILDER I said, Professor of Medicine only My point was this When the Professor of Medicine belongs to the Indian Medical Service, he is given an allowance of Rs 250, and when the Professor of Medicine is outside the Indian Medical Service, for the same work he is allowed an allowance of Rs 100 Why this difference ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL. Does the honourable member mean a man who is working in an honorary capacity ? Is he referring to him ?

Dr M D GILDER Yes Why this difference ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL To that my reply is that when a man volunteers to work in an honorary capacity he gets an honorarium only, and he is not entitled to any other allowances, as well

Dr M D GILDER The honorarium is for hospital work, not for teaching work For teaching work, there is the professorial pay. This is extra pay, special pay Why should there be any difference in the special pay ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL I promise to find that out

Dr M D GILDER Thank you.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Another suggestion of the honourable member is that the professors of the Grant Medical College had better not be put in Class I cadre which has been recently constituted But then, my personal opinion is that a man who is put on the permanent cadre has a greater sense of security in the service and I suppose that he himself would prefer to be put in that cadre rather than to be kept on contract from one period to another I think that that grievance has not yet been brought to my notice by the people concerned

With regard to the constitution of the selection board, I do not think I need add to what has already been very convincingly and also with a bit of humour answered by the honourable member the General Secretary There are two experts on the board and the honourable member the General Secretary should be there in order, as he said, to keep Government in touch with what is going on in the selection board at every stage

Dr M D GILDER Why was there no expert on Anatomy ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL If we take into consideration every department of science, then I suppose the selection board will consist of two dozen men One man may be

[Sirdar Sir Rustom Jehangir Vakil]

an expert in one branch and may know or may not know much about others

Dr M D GILDER Surely, there must be somebody who knows something about the branch in which the selection is to be made ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL With regard to the suggestion thrown out by the honourable member from Surat and from another honourable member, namely, the accommodation made available by the closing down of the beds might be utilised with great advantage for accommodating infirms or being used as infirmaries, this question had been considered by the Retrenchment Committee also But the very serious difficulty with which we were confronted is not so much the finance as getting the permission of the people who have donated the buildings They have donated buildings on certain conditions that they shall be used for a particular object I do not think it is open to Government to put them to a use other than that specified in the agreement

An Honourable MEMBER With their permission it can be done

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL The honourable member Mr. Pestanshah dwelt at length on the grievances of the rural areas in respect of medical aid I think I had at some length dealt with this matter during the last budget session. I may inform this House that I myself am very intimately interested in the scheme of rural medical help and in fact I had requested the Surgeon General also to put up his scheme That also has been done, but then I do not think any useful purpose can be served now in proceeding with these schemes when we have got no funds But I can assure this honourable House that at the first available opportunity, I shall try and put a concrete scheme for its approval

Rao Bahadur B R NAIK On a point of information Just now the Honourable Minister said that the question was not so much of finance as that of getting the permission of the donors——

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL I did say that it was not so much the question of finance as the difficulty of getting the sanction, because the question of finance was not very much involved in putting the infirm from one place to another

Now, there is a further gross misunderstanding under which some honourable members are labouring as regards the imposition of that small charge for out-door and in-door patients in hospitals I think I have on a former occasion made it clear that it was entirely left to the discretion of the superintendent of the hospital or the chief medical officer of the hospital or a civil surgeon, whoever may be in charge of the hospitals in Bombay or in the mofussil, either to admit patients absolutely free of charge or charge him less I can assure you, Sir, that this fee was not levied with a view to cause hardship to the poor It was levied with a view that people who can pay should pay and should not escape payment I think this honourable House will approve of the action of Government in charging well-to-do patients who can afford to pay

[Sirdar Sir Rustom Jehangir Vakil]

With regard to the time that Bombay Medical Service men devote to their medical duties in hospitals, a suggestion has been made, rather an information has been given, by the honourable member Mr Pestanshah that these men are not worked to the extent they ought to be Usually the office hours, as we know, are between 11 and 5 in all offices, both Government and commercial These medical men in various hospitals attend from 8 to 1, which means five hours, and the office hours between 11 and 5 with one hour in between for lunch come to five hours Practically these medical men work for the same period of time They are full time servants of Government and if they are required to work longer hours they are bound to give more time to hospital work

Mr PESTANSHAH N VAKIL It all depends upon the medical officer in charge of hospitals Generally, they do not attend the hospital before 8 or 9 They hardly work for more than 3 hours, say, from 9 to 12 It all depends upon different officers in charge of different hospitals I am not far wrong in saying that they work for 3 or 4 hours only They do not work for 5 hours as it is sought to be made out by the Honourable Minister

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL I am very nearly at the end of my speech The honourable mover of the cut being a medical man of great eminence and fame can always discover abundant defects as well as good points in our administration of the Medical Department I always welcome these suggestions which are really very valuable, but if the honourable member were occasionally to mellow his expostulations by also taking notice of such measures as have been taken by Government, measures suggested by himself or measures approved by him, it will be a great encouragement to a popular Minister Before I sit down, I have to express my grateful thanks to some honourable members of this House who have referred to me in very complimentary terms

Sir, now I want to make only one request and it is this We all want the hospital beds to be opened and *status quo* restored Now, this honourable House has got a splendid opportunity of helping Government to assist in seeing these beds restored. There is an Alfresco Concert to-morrow at 9 o'clock at the Apollo Bunder Another is the Hospital Race Day on the 12th, this Saturday week I hope I may say I am perfectly certain that each and every honourable member of this honourable House will patronise both these shows by their presence

An Honourable MEMBER Is it our presence or money?

Dr M D GILDER I ask for leave of the House to withdraw my motion

Motion, by leave, withdrawn.

Total demand put, and agreed to

The Honourable Sir GHULAM HUSSAIN Sir, I make a demand for Rs 6,000 under 32, Medical Services (Reserved)

Question put, and agreed to

The Honourable Mr G A THOMAS Sir, I make a demand for Rs 6,42,000 under 31, Education (Reserved)

Question proposed

The Honourable the PRESIDENT There is one thing which I may point out It has been brought to my notice more than twice as to whether cuts can be moved to non-voted demands, and I said the other day that, if a cut is moved on the total demand, which includes both voted and non-voted, the cut, if carried, would apply only to the voted portion But it was again asked whether it can be moved in that form On page 269 of the Manual we have instructions laid down for the guidance of honourable members as to how they should table cuts And in that the order arranged is, the reduction of the total demand (voted and non-voted) is placed last So, the cut tabled including both the heads is in order And there is an underlying principle in that Although the non-voted amount cannot be reduced, it cannot go out of discussion, it is brought under discussion by tabling a cut which includes both If the cut is carried, in practice it will apply only to the voted amount Although the non-voted portion is saved from reduction, it is not saved from discussion or criticism If only one portion, the voted amount, is tabled for a cut, then the non-voted cannot be brought under discussion If the whole amount is tabled to be reduced, then both the heads are brought under discussion

Mr. J. G MORE (Sholapur District) Sir, I beg to move

Reduce by Rs 1,26,900 total voted demand Rs 6,42,000 (Page 191, Civil Estimates) under Education (Reserved)

Sir, at the outset, I may say that being a representative from the rural area, I am not in close touch with the detailed working of these European and Anglo-Indian institutions which are centred mostly in Bombay and Poona But I am sorry to observe that here is another field where unfair discrimination has been exercised by Government between European and Indian institutions And greater liberality has been extended to Anglo-Indian and European institutions as against Indian institutions If we go to the budget figures, it will be obvious that this reserved Education has been treated by Government more liberally than transferred Education I will first take the grand total at page 191. It will be seen that according to the accounts of the year 1930-31, the money expended in 1930-31 is Rs 6,63,746, while the budget provision for the current year is Rs 6,68,000 That is, a sum nearly more than Rs 4,000 was budgetted for these institutions in the current year If we go through the figures for the current year in regard to transferred Education we find that there is a cut of more than 15 per cent in the grants to various local bodies and more than 5 per cent in the grants to secondary and higher education That is for Indian Education But we see that Rs 4,000 more was provided for reserved Education From this it will be clear that in spite of the financial stringency that prevails, the tendency of Government is to give more grants to European and Anglo-Indian institutions Now, look at the percentage of retrenchment that has been effected in this branch of Education I think the figure given in the accounts column of 1930-31

[Mr J G More]

should be taken as basis for purposes of calculating the retrenchment Taking that figure as the basis and comparing it with the revised estimate, we get nearly 1½ per cent cut in this branch When we have got more than 5 per cent cut in Indian Higher and Secondary Education, we have only 1½ per cent retrenchment effected by Government in the European branch If we compare the budget estimate of the next year with the figures of 1930-31 (accounts), then the retrenchment effected is nearly 3 per cent and not more So, it will be seen on the whole that the percentage of retrenchment that has been effected in the reserved side is not as much as that carried out in the transferred side Then, go to item G—Direct Grants to non-Government secondary schools There we have two sub-heads (*a*) and (*b*). If we look at the Total—Voted, it will be seen that the budget estimate figures of 1931-32 are Rs 4,74,000, while the expenditure that is being incurred in the current year is Rs 4,000 more The provision under "Revised Estimate" is Rs 4,78,000 So, the acute financial stringency is not felt here by Government, on the contrary, we get Rs 4,000 more being spent on this branch of education

The Honourable Mr G A THOMAS Is the honourable member speaking about the next year?

Mr J G MORE I am talking of the current year Now, if we compare the next year's budget figures with the budget figures of 1931-32, then the percentage retrenchment effected is 3½ and not more Again, under sub-head (*a*) of G "Ordinary Grants-in-aid to secondary schools," there is a cut of nearly Rs 17,000 If you go to the second item (*b*) "Special Grants-in-aid for European and Anglo-Indian Education," there is no cut at all effected Not a single pie is cut So, my submission is that while Government have effected drastic cuts in the case of Indian education all round, they give a specially favoured treatment to Anglo-Indian and European schools Now, there is one funny thing about this to be observed. In the column for "Revised Estimate, 1931-32," we get a total of Rs 4,78,000, while in the column for Budget Estimate, the total is only Rs 4,74,000 How the provision was expended has not been shown in detail I think that under the head "Special Grants-in-aid" Government must have spent more than what is given in the budget estimate So, deliberately, these figures are not mentioned there

The Honourable Mr G A THOMAS Is the honourable gentleman accusing Government of fraud?

The Honourable the PRESIDENT Is the allegation against Government one of fraud?

Mr J G MORE I do not mean that there is fraud That this item should escape the sight of Government——

The Honourable Mr G A THOMAS The honourable gentleman said that we were deliberately keeping back the figures I think he should withdraw that statement

The Honourable the PRESIDENT The honourable member said that probably there was a larger amount spent surreptitiously. That

[The President]

was the purport of the honourable member's statement I think a statement like that is tantamount to an accusation of fraud, as the Honourable the Home Member has put it

Mr J G MORE I will try to explain it first

The Honourable Mr G A THOMAS I wish him to withdraw it

Mr J G MORE The total expenditure incurred by Government is Rs 4,78,000 That is Rs 4,000 more than what is estimated for the current year Therefore, I want to know how this Rs 4,000 is being spent by Government, whether under the sub-head (*a*) or (*b*)

The Honourable the PRESIDENT That is perfectly right, a legitimate enquiry But what the honourable member said in the same breath was that Government had spent surreptitiously or fraudulently a greater amount than was sanctioned I think the honourable member should withdraw it

Mr J G MORE I did not mean that However, I beg to withdraw if at all such implications might have been conveyed by my remarks to avoid unpleasantness

The Honourable Mr G A THOMAS I am glad the honourable gentleman has withdrawn it

Mr J G MORE Now, at page 193 (Civil Estimates)—Direct Grants to non-Government special schools Here too we get——

The Honourable the PRESIDENT Now that the honourable member has withdrawn those words, I suppose the explanation asked for will be given as to how that amount differs

Mr J G MORE At page 193, again, under the head "L-Direct Grants to non-Government Special Schools," we see that more money is being spent by Government and the financial stringency which is felt by Government in the case of education of Indians is not felt by Government so far as Anglo-Indian and European education is concerned In the current year's budget estimate the figure is Rs 96,000, and the revised estimate is Rs 89,000 That means Rs 7,000 has been reduced But for the next year Rs 96,000—that is the same figure as the budget estimate of this year—has been provided So, there is no cut there On the contrary, there is an increase of Rs 7,000 from the revised estimate for this year It will, therefore, be seen that the education of Europeans and Anglo-Indians is being treated with more liberality than the education of Indians, at the expense of Indian money

So far as Inspection is concerned, we get, "Pay of Inspector, Rs 12,582" for the next year and the budget estimate for 1931-32 is Rs 12,200 Here also there is no retrenchment effected at all There ought to be a ten per cent. cut, instead of having that ten per cent cut, we get an increase so far as the pay of the Inspector is concerned Still more provision is being made (under establishment) Under the item "Servants at rates varying from Rs 16 to Rs 19" there are only 3 servants The provision is Rs 636, while for this year we have got

[Mr J G More]

only Rs 245 More than double the amount has been allotted for the pay of servants We also see that the pay of inspectors has been increased So, this establishment has received no cut, either in salary or in number If we turn to page 194, we see under the head "Scholarships" that the amount of scholarships so far as secondary education is concerned, is being reduced by Government, while under "Colleges" we see an amount of Rs 4,320 This provision has not been made for the current year So we have a new provision for scholarships under Colleges So also in special schools The amount for the current year is Rs 10,240, while for the next year it is Rs 12,480 So, honourable members will see that the education of Europeans and Anglo-Indians is being very favourably treated at the expense of Indian treasury

The Honourable Mr G A THOMAS May I ask the honourable member what the increase under secondary schools is? It is *minus* Rs 7,000

Mr J G MORE I do not speak about that

The Honourable Mr G A THOMAS The honourable member takes two items and says there is an increase in them, but there is no mention of the third, in which there is a bigger decrease

Mr J G MORE There is a decrease so far as secondary education is concerned But the special grant-in-aid for European and Anglo-Indian education has not been reduced by a single pie That is what I said

The Honourable Mr G A THOMAS The honourable member did not understand me He referred to page 194 He complained that there was an increase in the grant next year for colleges, an increase in the grant for special schools, but he ignored the fact that there was a decrease under the sub-head "Secondary Schools"

The Honourable the PRESIDENT There is a decrease of Rs. 7,000 to which the honourable member has not referred

Mr J G MORE I have proposed a cut of nearly Rs 1,26,000. If we give effect to this cut, we shall have 20 per cent to 21 per cent cut in the whole establishment, and I justify this on the ground that this subject has received special treatment at the hands of Government at the expense of the Indian treasury But if you look to the percentage cut effected in primary education, we get nearly 18 per cent whereas here we have practically no cut at all There is a very small cut which does not affect the education of Europeans and Anglo-Indians I propose a cut of 20 per cent or 21 per cent in this department I think of all the communities in India, the Anglo-Indians and Europeans are happiest so far as their finances are concerned If this cut is effected, I do not think their education will be starved On the contrary, if we have a cut in primary education to the extent of 18 per cent ——

The Honourable Mr G A. THOMAS May I interrupt the honourable member for a moment, Sir? Is the honourable member aware that the total provision under this head includes reformatory schools to which Europeans are not sent?

Mr J G MORE There is one important fact to be remembered in this connection We know that unfair and unequal treatment is given to Indian students who attend European or Anglo-Indian schools If parents of Indian boys and girls are inclined to send their boys and girls to these schools, we see that Indian students are charged double the fees that the European or Anglo-Indian students pay

Mr S H PRATER The honourable member is under a misapprehension Indian students do not pay higher fees than Anglo-Indian or European students The fact is that the cost of running these schools is met by endowments and these endowments are intended to help European and Anglo-Indian children——

The Honourable the PRESIDENT If the honourable member wishes to speak, he can get a chance I will not allow such interruptions in the shape of counter-arguments

Mr J G MORE For lodging and boarding also Indian students have to pay double rates So, if we look to this invidious treatment that is being given to Indian students in these schools, we can certainly note from that conduct that these schools are meant only for the purpose of Anglo-Indians and Europeans and that Indians are deliberately forbidden to attend these schools and hostels

An important fact to be remembered by this side of the House is that these institutions are giving differential treatment to students of other communities So what I propose is to have a 20 per cent or 21 per cent cut in the whole establishment I am not in a position to show in what item what particular amount can be saved That can be done by Government themselves So, I move that a cut of Rs 1,26,900 be effected in this Department I hope honourable members on this side of the House will support this cut

Question proposed

Mr S H PRATER Sir, in discussing the question of European and Anglo-Indian education, the first point I would like to make is that the duty of educating Anglo-Indian and European children is not met by Government, but is given over mainly to religious bodies and institutions We have 39 schools in this Presidency for Europeans and Anglo-Indians and 30 of them are run by religious bodies and 9 by railways

The second point I would like to make is that the greater proportion of the cost of the education of our community is met by fees and by endowments A reference to the most recent report available to me on Education in this Presidency issued by the Department of Public Instruction shows that the cost of European Education in 1929-30 was met thus

	Rs
Government grant	5,27,417
Fees	5,95,596
Endowments	3,15,779

so that nearly 63 per cent. of the cost was met by fees and from private sources. Now, this will show that our community is not the pampered child of Government as people imagine It is a poor community The Pickford Commission pointed out that more than 17 per cent of our community were destitute Owing to recent conditions and to economic

[Mr S H Prater]

depression and other causes, the percentage of unemployment has increased much further But we realise how necessary secondary education at least is for our children and we are only too willing to make sacrifices in this direction

I have pointed out how the community bears the greater proportion of the cost of education Another point I would like to make is that when assessing the cost of Anglo-Indian education, we must remember that the majority of European schools in Bombay are boarding schools Five out of 8 high schools for boys and 11 out of 13 girls' schools are boarding schools In these schools the cost per pupil includes boarding charges Again, while the cost of Indian education has steadily increased, as it ought to, with the advance of primary education, the cost of education of our community has steadily decreased In fact, we are trying to decrease the cost further by a federation of our schools and have already done something to decrease the expenditure in this direction

The honourable member opposite (Mr More) referred to the unequal treatment or unequal charges recovered from Indian pupils as against Anglo-Indian and European pupils of these schools The real facts of the case are, as I have said, that these schools are largely supported by endowments and these endowments were made in favour of European and Anglo-Indian children, and because of these endowments our children are able to attend these schools by paying a lower fee and pupils who do not belong to our community and whom these endowments do not cover have naturally to pay the full fees It is not a question of double fees at all Again the number of Indian children in these schools is steadily increasing In the Hartog Committee's report they say that out of 4,921 pupils in our schools there were 1,050 Indians, which is 21 3 per cent. In the Bombay European schools the proportion is higher These schools are appreciated by a growing number of Indians as they appreciate the standard and the type of teaching in these schools and I am sure no Indian would like to see the standard in these schools reduced in any way

I wish the honourable mover of this motion had not introduced into this House the subject of trying to reduce the grants in the education of another Indian community I am sorry that he has moved it and I hope after the explanation I have given him that he will agree to withdraw his cut

Mr R H BECKETT Mr President, in the beginning I should like to offer an explanation of one or two points which have been raised by the honourable mover of this motion in connection with the budget estimates as printed in the White Book

In the first place, turning to page 191 of the White Book, he pointed out that the revised budget estimate for grants to secondary schools for the current year is Rs 4,000 higher than the budget estimate itself That is true If, however, honourable members will look higher up on the same page, they will see that the revised estimates for European Education as a whole are Rs 6,56,000 as compared with Rs 6,68,000. In other words, the total expenditure on Education (Reserved), as

[Mr R H Beckett]

estimated for the current year, is really less than the grant which was passed by the Council Now the explanation of that Rs 4,000 is as follows A certain school had erected a building The society which manages the school is in extremely straitened circumstances Under the ordinary Grant-in-aid Code the society was entitled to a building grant-in-aid, and that grant-in-aid to which it was entitled was paid from savings, the straitened circumstances of the society being taken into consideration That is the reason why the revised budget estimate for grants to European secondary schools was slightly increased

The next point in connection with the budget to which I wish to refer, is to be found on page 193 of the White Book The honourable mover of the motion for reduction has pointed out that the budget estimate for 1932 is higher than the revised budget estimate for the current year. The position in regard to the provision made for grants to non-Government special schools is that there has been a 5 per cent cut under special schools Training institutions receive fixed grants amounting to Rs 10,200 (There are, for European schools, no Government training institutions) The grants given to Apprentices' Homes will be paid as earned, subject however to a maximum of Rs 5,000 But why the revised budget estimate is less than we anticipated, and why we have provided for a larger expenditure next year than the revised estimate for this year, is because the major portion of the expenditure under this head is for reformatories, and it is impossible to foresee how many boys will be in these reformatories If the number of boys is large, the expenditure goes up They have to be fed, they have to be clothed. If, however, the number is smaller, or if the cost goes down, then the expenditure, of course, falls That is why the expenditure has gone down this year But we cannot anticipate what will happen in the year to come All I can say is that if that expenditure is not incurred on the reformatories, it will appear at the end of the year as a saving

Another point raised by the honourable member was in connection with the pay of establishment and servants at varying rates of pay But if you look to the budget of establishment, you will see it has gone down from Rs 4,860 to Rs 4,468, that is by 10 per cent If you look at the pay of servants, it will be seen that it is Rs 636 on both sides, but that unfortunately, owing to a misprint, 636 under the budget estimate for 1931-32 has been placed under "Leave salary" If you interchange the position of 636 and 245 you will see, the real state of affairs, namely, that there is 636 on each side and that the 245 for leave salary sanctioned in the current year is cut out from next year's budget

Then the honourable member referred to scholarships If you look at the total for scholarships, you will see that the allowance for scholarships in the budget for next year is Rs 17,000 as compared with the budget estimate of Rs 19,000 in the current year In other words, the demand under this head has gone down by Rs 2,000 The honourable member, whilst going into the figures, referred to the fact that in the budget estimates for 1931-32 and 1932-33 we have Rs 10,240 and Rs 12,480 for scholarships in special schools What has happened

[Mr R H Beckett]

is that in the budget estimate for next year the scholarships as they exist are provided for in full But if he looks underneath, he will see that the sum of Rs 2,680 is taken off What happens in practice is that certain scholarships when awarded are vacated or not taken up by the pupils, and therefore the full estimated amount is not always spent. That being so, we put down a probable saving of Rs 2,608 But I wish to point out that the main factor under these scholarships is that the total grant has been reduced from Rs 19,000 to Rs 17,000

The honourable member has proposed a cut of Rs 1,26,000, and he has attempted to justify that cut by saying that non-European schools are receiving unfair treatment I think it unfortunate that an honourable member of this House should have supported his proposal to reduce the reserved education budget by an argument of that kind He should treat the case, I submit, on its merits, and not try to make comparisons of an invidious nature In regard to the reserved education budget as a whole, I may point out that it has not increased, in fact, it has steadily decreased over a number of years Take the last two years. I divide this reserved education budget up into two heads, European Education and Reformatories Now, clearly, Sir, the expenditure on reformatories does not normally go down, unless the number of boys sent to the reformatories also goes down, and therefore, year after year we find that the expenditure under reformatories is practically the same In 1930-31 the budget estimate—and, after all, it is only fair to compare a budget estimate with budget estimates, not with actuals—was Rs 5,70,000, it was reduced to Rs 5,33,000 in the current year, and it has been reduced to Rs 5,14,000 in the next year

Now, has there been an unfair discrimination in favour of the European schools? Most emphatically, no There are no Government European schools. All the schools are aided institutions, and both on the reserved side and on the transferred side of the budget a 5 per cent cut has been made in the grants-in-aid of secondary schools, so that, the treatment that is meted out to European schools in this respect is exactly the same as the treatment which has been meted out to Indian schools I may say that it was with the very greatest reluctance that the Department agreed to any cut in the grants-in-aid to secondary schools, not only in the case of European schools, but in the case of Indian schools also

Mr J G MORE. On a point of information On page 191 of the White Book, under "D", "Special Grants-in-aid for European and Anglo-Indians education," there is no cut effected in the grant. I wish to know the reason why it is so

Mr R H BECKETT: What the honourable member says is perfectly correct: The grants under "Special Grants-in-aid for European Education" consist of "orphan" and "destitute" grants These are grants paid under articles 40 and 42 of the European Code They are fee grants and grants to assist towards the maintenance of orphanages and schools which support and educate destitute European children In addition to that there are grants to soldiers' children I may point out that the amounts of these grants paid to schools and orphanages

[Mr R H Beckett]

only form a small fraction of what it costs these institutions to maintain these orphans I feel sure that honourable members would not desire to see these grants cut I do not wish to make comparisons between the grants for education reserved and transferred, but the honourable member's remarks compel me to do so. Although we have not got identical grants in the case of the transferred part of the budget, still there are grants of a very similar nature For example, something between Rs 60,000 and Rs 70,000 are provided on the transferred side of the budget for fee grants, that is freeships in Government schools Similarly, we have some Rs 4,50,000 on the transferred side of the budget which provide scholarships for the less educationally advanced communities in the conditions for which scholarships there is a "poverty" clause Similarly in regard to grants to soldiers' children, we have I think—I speak from memory—some Rs. 20,000 on the transferred side of the budget, to enable the sons of soldiers who fought in the War to be sent to educational institutions The conditions, Sir, of Education reserved and Education transferred are somewhat different, as I pointed out Their needs are not exactly the same, but I would point out that these grants-in-aid assist orphanages attached to the schools to keep these children and turn into useful citizens people who might otherwise become wastrels and in some ways a charge on the State Looked at from this point of view it is a very cheap way for the State to get the work done We have similar grants to assist charitable institutions in another part of the budget which does not concern education

I hope, Sir, in view of these explanations, that the honourable mover will see fit to withdraw his motion I feel certain that a reduction of the sort proposed could not be made without doing very great harm

Mr V A SURVE (Ratnagiri District) (Addressed the House in Marathi) Mr President, there is a Marathi proverb that if one sees a hare in one's hand then he is the hunter Similarly, because Government have made this extravagant provision for the education of Europeans, you can easily infer that they are the people who have the power in their hands If you want some more provision for the poor schoolmaster in Indian schools and if you want some more provision for opening new primary schools, you do not get the money These are men who draw fat salaries, live in bungalows and ride in motor cars They enjoy all comforts and they can afford to pay for the education of their children Still, we see in the budget an extravagant provision made for the education of the children of Europeans Whether it is medical aid or education, they get the lion's share On the other hand the ryots who contribute to the fat salaries of these men, they are starved both with regard to education as well as medical aid This discrimination has been made in spite of the fact that there are five Indian ministers on the cabinet If the Government is just, it should be impartial in looking after the needs of its subjects While the children of the poor ryots are struggling for want of facilities for education, we see here a lavish provision for the education of the well-to-do Europeans and Anglo-Indians I request the Honourable Minister to

[Mr V A Surve]

fight for impartial treatment for all and to provide whatever money is available for the education of all children alike I should think that it is unjust that this lavish provision of 4½ lakhs should be made for the education of the children of fat-salaried European population, while the provision made for the education of the children of the ryots is negligible in proportion to their population

Mr J G MORE (Sholapur District) Sir, as to the points raised by my honourable friend Mr Prater, he means to say that there is a 63 per cent contribution made by the European community to the total cost of these institutions That supports my argument why the cut should be larger They can afford to spend for the education of their children

With regard to the explanation he has offered with regard to the treatment given to the Indian boys and girls I am not satisfied with it If a student goes to a European school, he is made to pay double the charges I do not think that an Indian student who goes there eats double the quantity (An Honourable Member Why should he go there ?) We have got every right to go there These are institutions supported by our money What I mean to say is that these institutions are so managed as to forbid Indian students from going there

Regarding the points raised by the Director of Public Instruction, he has not been able to point out the percentage of cut in this reserved subject He says that there is a reduction There is a reduction in certain items and not in all But the percentage of cut effected is very small when compared with the percentage of cut that has been effected in the provision for the education of the Indian students So far as that expenditure is concerned, he has not made out any case to support his contentions So, I think, under the circumstances, this House should vote for the cut

The Honourable Mr G A. THOMAS Sir, I do not know how to wind up this debate There has only been one speaker intelligible to me on the other side of the House I am afraid I could not understand a single word of what the honourable member Mr Surve said, but as he would not understand a single word of what I may say in reply, I may cry quits

Every point that has been raised by the honourable mover of this cut has been more than effectively replied to by the honourable member the Director of Public Instruction, and I will only be covering the same ground over again if I answer each point seriatim. I must again remind the honourable House that of the total of Rs 6,42,000 no less than Rs 1,27,000 is for reformatories As the honourable member the Director of Public Instruction has said, it is quite impossible to make any cut in the provision made for reformatories, because we do not, in the beginning of the year, know how many boys will take advantage of their hospitality If the whole of that amount is taken out, the retrenchment proposed will have to come out of the remaining Rs 5,14,000, which is the estimate for European education, and that comes to a cut of 25 per cent.

I understand that the gravamen of the honourable member's charge against Government is that they have treated the transferred subject

[Mr G A Thomas]

of Education very much more drastically than the reserved branch of Education, and the honourable member in his reply said that he was not satisfied with the figures given by the honourable member the Director of Public Instruction It might, therefore, interest this House if I gave them the figures of the year 1921-22 and the figures of the current year as well as the figures proposed in the budget. In the year 1921-22, the provision for European Education (Reserved) was Rs 6,76,000, in the current year it is Rs 5,33,000—a reduction of 21 per cent in ten years Whereas the provision for Education (Transferred) in 1921-22 was Rs 1,75,62,000, in the present year of grace it is Rs 1,94,90,000—an increase of 10 9 per cent That is to say, in the last ten years, whereas there has been a decrease of 21 per cent in European Education, there has been an increase of practically 11 per cent in transferred Education. It is perfectly true that in the budget of next year Government propose to make a smaller percentage reduction in European education than in transferred Education European Education will be reduced by 3 6 per cent compared with this year, that will mean that next year the percentage reduction compared to 1921-22 in European Education will be no less than 24 per cent The reduction next year in transferred Education is 13 8 per cent which means a reduction of 4 3 per cent on the figures of 1921-22 That is to say, the position next year will be that European Education in the last ten years has suffered a cut of 24 per cent whereas transferred Education will have suffered a cut of only 4 per cent I venture to think that no one can accuse Government of having treated the European schools more generously than the Indian schools

Question put, and negatived

Question put, "That the total demand under 31-Education (Reserved)—Rs 6,42,000—be granted," and agreed to

The Honourable Sir RAFIUDDIN AHMAD Sir, I rise to make a demand of Rs 1,62,31,000 under Education (Transferred)

Question proposed

The Honourable the PRESIDENT There are cuts to this The first motion standing in the name of the honourable member Rao Bahadur Naik is out of order there can be no motion to omit the total demand The next motion stands in the name of the honourable member Mr More. Will he be able to move it within the ten minutes available?

Mr J G MORE I shall be able to do it in three minutes, Sir I beg to move

"Reduce by Rs. 5,000 the provision for Grants to Universities, Rs. 1,22,000"

The reason why I move this cut is this. Primary, secondary, higher and special education have all suffered on account of the financial stringency. If we look to the figures from 1930 onwards, we find that there is no reduction at all effected in these grants. In 1931-32 there is the same provision as for the preceding year and even in the next year there is no reduction So, I think, in fairness, when there is retrenchment in other branches of Education, there ought to be retrenchment in this branch as

[Mr. J. G More]

well. I move a cut for a very little reduction, Rs 5,000, which I hope will be accepted by the Honourable Minister

Question proposed.

The Honourable the PRESIDENT. Will the honourable member the Director of Public Instruction be able to reply to that before we adjourn at seven ?

Mr R H BECKETT Sir, the position in regard to the grant to the University is that, out of the demand of Rs 1,22,000, Rs 1,17,000 is statutory The remaining Rs 5,000, the whole of which the honourable mover proposes to cut, was a grant made to the University when it constituted the University Students' Information Bureau, which on the recommendation of the Lytton Committee took over the work formerly done by the Provincial Advisory Committee for Indian Students The Provincial Committee, as honourable members are aware, gave information to students who proposed to go to England, Europe, or other foreign countries to continue their education, and put them in touch with educational institutions The University Bureau, I may say, is doing excellent work Since they have taken over the work formerly done by the Provincial Advisory Committee, the number of enquiries has largely increased In the year 1929-30 there were some 1,500 enquiries by post, the number of prospectuses of educational institutions sent to students was over a thousand, the number of enquiries made in person by students was nearly a thousand, the number of letters despatched was 2,304, and so on In view of the existing financial stringency, Government approached the University to find out whether they would have any objection to this demand being withdrawn The University, however, pointed out that when they took over this work, Government undertook to pay them what the Advisory Committee for Indian Students had cost Government, namely, Rs 5,000, and as the work of the Information Bureau was costing the University more than Rs 5,000, it did not seem right to the University that Government should withdraw the grant The attitude of the University in this matter was reasonable, but Government again approached the University and said that in view of the fact that Government was effecting a 10 per cent cut in the salaries of its servants, they hoped that the University would see its way to the grant being reduced by 10 per cent., i.e. to Rs 4,500. That position the University, I think, has accepted.

The University is doing definite work which it was asked to do by Government and is performing that work efficiently. It is actually costing the University more than the Government grant. It is very useful work that the University is doing for Indian students I hope, therefore, that the honourable member will withdraw the motion.

Mr J. G MORE Sir, I beg leave of the House to withdraw the motion.

Motion, by leave, withdrawn.

The Honourable the PRESIDENT The House is now adjourned to 2 p m , on Monday, the 7th March 1932.

MG Hb 212—5

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Monday, the 7th March 1932

The Council re-assembled at the Council Hall, Bombay, on Monday, the 7th March 1932, at 2 p m, the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt, Bar-at-Law, presiding

Present

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr A B
ALLAHBAKSH, Khan Bahadur
AMBEDKAR, Dr B R
ANGADI, Rao Bahadur S N
ASAVALE, Rao Bahadur R S
BAKHALE, Mr R R
BALOCH, Mr HAJI MIR MAHOMED
BANGI, Mr A K J
BECKETT, Mr R H
BELL, Mr R D
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S K
BOWERS, Mr P L
BRANDER, Mr J P
BULLOCKE, Mr A GREVILLE
CHITALE, Rao Bahadur G K
CLAYTON, Mr H B
DAVIS, Mr G
DESAI, Rao Saheb B G
DESAI, Mr H R
DHALUMAL LILARAM, Mr
DIXIT, Dr M K
D'SOUZA, Dr J ALBAN
FREKE, Mr C G
GANGOLI, Mr G S
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr M D
GOKHALE, Mr L R
GOVER RORA, Mr
HADDOW, Mr R R
HUDSON, the Honourable Mr W F
HUMPHREY, Mr JOHN
JAM JAN MAHOMED KHAN, Khan Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr HAJI IBRAHIM
JOG, Mr V N

JONES, Major W ELLIS
KADRI, Mr J S
KALBHOR, Mr G M
KALE, Rao Bahadur R R
KAMAT, Mr B S
KAMBLI, the Honourable Dewan Bahadur S T
KARBHARI, Mr M M
KHUHRO, Khan Bahadur M A
KULKARNI, Rao Saheb P D
LANE, Mr C M
MACKIE, Mr A W W
MACLACHLAN, Mr D
MATCHESWALLA, Mr G E
MCELHINNY, Mr G W
MEHERBAKSH, Mr S
MEHTA, Mr M H
MODAK, Rev R S
MODI, Sardar Davar T K
MONTEATH, Mr J
MORE, Mr J G
NAIK, Rao Bahadur B R
NAVLE, Mr N E
OWEN, Mr A C
PARULEKAR, Rao Bahadur L V
PATEL Khan Bahadur A E
PATIL, Mr N N
PERRY, Mr E W
PETIT, Mr J B
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G V
PRATER, Mr S H
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr HOOSENALLY M
RESALDAR, Mr A K
ROOSE, Mr F O J
SHAIKH ABDUL AZIZ, Mr
SHAIKH ABDUL MAJID, Mr
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr
SHINDE, Mr R B
SINDHA, Mr MADHAVSANG JORBHAI
SOLANKI, Dr P G
SPENCE, Sir REGINALD
SURVE, Mr A N
SURVE, Mr V A
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr
TALPUR, MIR BANDEH ALI KHAN
THOMAS, the Honourable Mr G A
TOLANI, Mr S S

TURNER, Mr C W A
VAISHAMPAYAN, Dr V G
VAKIL, Mr PESTANSHAH N
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R V
WILES, Mr G
WINTERBOTHAM, Mr G L

NEW MEMBER SWORN.

Mr. G WILES made the prescribed oath of allegiance to His Majesty the King-Emperor, and took his seat in the Council

STARRED QUESTIONS AND ANSWERS.

FLOODS IN RATNAGIRI DISTRICT

*Rao Bahadur S K BOLE Will Government be pleased to state—

(*a*) what talukas and how many villages in those talukas in the Ratnagiri District were affected by floods in July last,

(*b*) the number of houses damaged by floods in each of those talukas and the number of persons that were drowned,

(*c*) the number of persons rendered destitute in each of those talukas,

(*d*) what is the total loss due to floods,

(*e*) what measures Government have taken to give relief to the persons who were affected by the floods?

The Honourable Mr W F HUDSON (*a*), (*b*), (*c*) and (*d*) The requisite information is furnished below —

Taluka or Peta.	Number of villages affected by the floods.	Number of houses damaged.	Number of persons drowned.	Number of families rendered destitute	Approximate estimate of losses			
					Houses and moveable property	Crops	Fields and embankments.	Total
					Rs	Rs.	Rs	Rs.
Ratnagiri	10	25		6	6,275	4,435	10,290	21,000
Rajapur	6	166		17	25,000	13,029		38,029
Devgad	9	85		34	8,900	6,377		15,277
Vengurla	5	25		11	3,000	4,083		7,083
Malwan	28	946	5	65	1,20,090	19,372		1,39,462
Dapoli	0					1,782		1,782
Sangameshwar	22					7,232		7,232
Mandangad			2					
Khed	28					1,440	4,205	5,645

Enquiries regarding the permanent damage caused to lands are being made by the officers of the Agricultural and Land Records Departments

(e) Government sanctioned a grant of Rs 6,000 for gratuitous relief in necessitous cases Besides a sum of Rs 1,248 was received by the Collector from private sources for grant of such relief So far assistance in cash to the extent of Rs 1,621 has been given Contracts have been given for the supply of timber and tiles to the sufferers and the articles are being supplied Information regarding the total expenditure incurred on this account will be available after the articles are fully supplied and the accounts settled An amount of Rs 35,000 was allotted by Government for loans and advances for reconstruction or repairs of houses damaged by the floods but it is anticipated that the actual requirements on this account will not exceed Rs 17,500

Remissions of land revenue were granted in 1,181 cases amounting in all to Rs 1,690

LAND REVENUE ASSESSMENT AND FALL IN PRICES

*Rao Saheb P D KULKARNI for Mr L R GOKHALE (Poona City) (1) Have Government received a letter from the District Local Board of Poona forwarding a resolution requesting that remission should be granted to the agriculturists as regards the land revenue in proportion to the present prices of agricultural produce as compared with the average prices from the years 1919 to 1929 ?

(2) If so, what action have Government been pleased to take in the matter ?

(3) Have other district local boards forwarded similar resolutions ?

(4) Are Government aware of the low prices of agricultural produce prevailing this year ?

(5) What relief, if any, do Government intend to give to the agriculturists as regards the land revenue assessments ?

The Honourable Mr W F HUDSON (1) No

(2) Does not arise

(3) Only the Thana District Local Board

(4) Yes

(5) So far Government have directed that all authorised arrears due for collection this year should be resuspended throughout the Presidency proper Thus not more than one year's assessment will be levied this year except where the arrears are unauthorised They have also granted a suspension of 3 annas in the rupee in the following talukas and mahals of Thana, Bombay Suburban and Kolaba Districts and of two annas in the talukas and mahals of the Ratnagiri District mentioned below —

Thana District

(1) Thana
(2) Bhiwandi
(3) Kalyan
(4) Bassein
(5) Murbad

Bombay Suburban District

(6) Ambernath
(7) South Salsette

Kolaba District	*Ratnagiri District*
(8) Karjat including Khalapur Petha	(13) Rajapur
(9) Panvel including Uran Mahal	(14) Devgad
(10) Pen	(15) Khed
(11) Roha	(16) Mandangad
(12) Alibag	

A suspension of four annas in the rupee has been given in 27 villages of the Sampgaon Taluka, Belgaum District, and in the Ahmednagar District the same concession has been granted in special cases. The question of Sind is being considered separately

FLOODS IN RATNAGIRI DISTRICT DAMAGE AND RELIEF

*Rao Saheb P D KULKARNI for Mr L R GOKHALE (Poona City) (*a*) Will Government lay on the Council table a statement giving the following information about the damage caused by the recent floods in the Ratnagiri District :—

(1) The number of the houses damaged,

(2) The total extent of the loss to the agriculturists,

(3) The approximate loss caused to the crops,

(4) The loss caused to moveable property of the residents of the Ratnagiri District,

(5) The number of individuals who suffered by the recent floods ?

(*b*) What amount of money has been sanctioned by Government to help the residents of the Ratnagiri District to rebuild their houses, damaged by the recent floods ?

(*c*) Have Government issued any orders for remission of land revenue in that area of Ratnagiri District where crops and lands were damaged by the recent floods ?

(*d*) If so, in which villages of the various talukas of the Ratnagiri District have the orders been applied, and to what extent ?

The Honourable Mr W F HUDSON (*a*), (*b*) and (*d*) The Honourable Member is referred to the reply given to Rao Bahadur Bole's question† on the subject during the current session

(*c*) No orders of Government are necessary as the Collector is competent to grant remissions of assessment in deserving cases

ENTERTAINMENTS TAX DUTY, SUPERVISOR, BOMBAY . RETIREMENT

*Mr J S. KADRI (Northern Division) Will Government be pleased to state—

(1) the name, age, caste, pay and qualifications of the Supervisor, Entertainments Tax Duty, Bombay,

(2) when he will complete his age of 55 years,

(3) whether this post will be advertised when the present incumbent retires ?

† Printed in to day's Debates

The Honourable Mr W F HUDSON

(1) *Name*—Mr J Stenson

Age—64 years

Caste—Mr Stenson is a European

Pay—Rs 800 per mensem

Qualifications—Was Superintendent, Bombay City Police, before his appointment as Supervisor for the City of Bombay under the Bombay Entertainments Duty Act

(2) Does not arise

(3) Government will consider the question when the occasion arises

Mr J S KADRI With regard to the gentleman's qualifications, the reply states that he was a Superintendent in the Bombay City Police before his appointment as Supervisor under the Entertainments Duty Act Is that a qualification for this special post ?

The Honourable Mr W F HUDSON Yes, I think that is as good a qualification as any I know of No special qualifications have been laid down for this post, but if the honourable member wishes to suggest any, I will think about it The point, however, is that the gentleman in question knows Bombay City inside out

Mr J S KADRI What about his age, 64 years ? Is that not too advanced an age for that kind of work ?

The Honourable Mr W F HUDSON No, Sir In the opinion of those best qualified to judge, this particular gentleman is still quite competent to do his work, and when he ceases to be competent, I can assure the honourable member, his services will be dispensed with

Mr J S KADRI Thank you, Sir

TEMPORARY ESTABLISHMENT OF THE PUBLIC WORKS DEPARTMENT, AHMEDABAD DIVISION . RETRENCHMENT OF CLERKS

*Mr J S KADRI (Northern Division) Will Government be pleased to state—

(*a*) the names, castes and period of service of the clerks in the temporary establishment of the Public Works Department in the Ahmedabad Division, who have been or are about to be retrenched ;

(*b*) whether, in effecting the retrenchment, the Executive Engineer, Ahmedabad Division, had scrupulously observed the directions of Government contained in their Circular dated the 23rd October 1930 and the subsequent orders regarding the maintenance of the required representation of the Mahomedans and backward classes in the temporary establishment ,

(*c*) whether it is a fact that a Mahomedan clerk, named F A Vajifdar, has been retrenched in preference to one N J Kantharia ,

(*d*) the total number of clerks in the temporary establishment at present ,

(*e*) how many of them are Mahomedans ,

(*f*) how many of them are from the backward classes ?

The Honourable Dewan Bahadur S T. KAMBLI (*a*) The names, castes and period of service of the clerks on the temporary establishment of the Executive Engineer, Ahmedabad Division, who have been or are about to be retrenched are—

	Name	Caste.	Period of service
1	Mr M H Pandya	Brahmin	35 years
2	Mr H C Patel	Patidar	3 ,,
3	Mr F A Vajifdar	Mahomedan	5 ,,

(*b*) Yes

(*c*) Yes Mr Kantharia also belongs to a backward community

(*d*) Seventeen.

(*e*) Two

(*f*) Six.

Mr J S KADRI With regard to answer to (*e*), it is stated that out of two Mahomedans one is to be retrenched so that there will remain only one Is that a fact ?

The Honourable Dewan Bahadur S T KAMBLI The honourable member, I believe, knows arithmetic very well, and in this simple arithmetical calculation, he may not need mine or anybody's help

Mr J S KADRI In answer to (*c*) it is stated that one Mahomedan clerk Mr Vajifdar is to be retrenched in preference to Mr Kantharia Is the Honourable Minister aware that Mr Kantharia has put in one year's service while the other man has put in five years' service ? Why was a senior man retrenched in favour of a junior ?

The Honourable Dewan Bahadur S T KAMBLI If the honourable member gives me notice, I will find out whether he has put in only one year's service

ADMINISTRATIVE OFFICERS OF DISTRICT SCHOOL BOARDS IN SIND

*SYED MIRAN MAHOMED SHAH (Hyderabad District) Will Government be pleased to state—

(*a*) whether it is a fact that some administrative officers of district school boards in Sind are drawing personal allowances to the extent of one hundred rupees per month, with the sanction of Government, while others have been refused in spite of the request of the local authorities concerned ,

(*b*) if the reply to (*a*) is in the affirmative the reasons for the differential treatment ?

The Honourable Sir RAFIUDDIN AHMAD (*a*) There is only one District School Board Administrative Officer in Sind at present who is drawing a personal allowance of Rs 60 per mensem It is a fact that Government have refused to sanction the grant of personal allowance to School Board Administrative Officers of certain District Local Boards in Sind

(*b*) The applications of the School Boards concerned for sanction to the grant of allowances were considered on their individual merits It is also the fact that the policy of Government in such matters is stricter to-day than it used to be

SYED MIRAN MAHOMED SHAH Is it a fact that there are two administrative officers who are drawing personal allowances ? May I know if it is not a fact that there is one administrative officer at Sukkur and another at Karachi drawing such allowance ?

The Honourable Sir RAFIUDDIN AHMAD My information is that there is only one I will find it out

SYED MIRAN MAHOMED SHAH What are these individual merits on which some of the administrative officers are allowed a personal allowance and others are refused ? What are these peculiar merits required ?

The Honourable Sir RAFIUDDIN AHMAD The answer is quite clear Our policy is not to allow in all cases But in the case of one or two that have been receiving the allowance, continuance has been permitted for special reasons

SYED MIRAN MAHOMED SHAH On what grounds were those persons allowed this allowance and the others were refused it ?

The Honourable Sir RAFIUDDIN AHMAD In the case of one he has been allowed in consideration of his services and as regards the other I will find out if the honourable member gives me notice

SYED MIRAN MAHOMED SHAH Is it a fact that one of the gentlemen draws the maximum salary and does not need any personal allowance to supplement his income ?

The Honourable Sir RAFIUDDIN AHMAD I will make enquiries

SYED MIRAN MAHOMED SHAH Have Government got any objection to local authorities paying anything further to their administrative officers on their own merits and from their own funds if they appreciate their services ?

The Honourable Sir RAFIUDDIN AHMAD Each application will be considered on its merits

Khan Bahadur M A KHUHRO Is the Honourable Minister aware that the administrative officer, Larkana, was granted Rs 100 till he left charge ?

The Honourable Sir RAFIUDDIN AHMAD I do not know

Khan Bahadur M A KHUHRO Is it not a fact that if Government servants are transferred to school boards they will naturally require more pay or some more consideration than what they get at present and therefore it is necessary to pay something more ?

The Honourable Sir RAFIUDDIN AHMAD I do not think that arises

MALEGAON MUNICIPAL SCHOOL BOARD APPOINTMENT OF CHIEF OFFICER

*Rao Bahadur S K BOLE for Mr SYED MUNAWAR Will Government be pleased to state—

(*a*) whether their attention has been drawn to the article in the Khilafat Daily of the 19th August 1931 under the caption "Malegaon Mussalmans' Painful Condition",

(*b*) whether it is a fact that the name of one Mr A H Pirzada was among the candidates selected by the sub-committee of the Malegaon School Board for appointment as Chief Officer of the Board,

(*c*) whether Government are aware that the President of the School Board opposed the inclusion of Mr Pirzada's name among the candidates and brought pressure on the Muslim members of the Board to abandon the idea of putting up Mr Pirzada's candidature for the post,

(*d*) whether they are aware that the President of the Board declared Mr Pirzada as incompetent for the post and that his candidature was contrary to law,

(*e*) whether there is tense feeling against the President due to his said ruling,

(*f*) whether representations have been addressed to the higher authorities for intervention in the matter,

(*g*) if so, what action Government propose to take in the matter?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL (*a*) Yes

(*b*) The Honourable Member seems to refer to the appointment of Chief Officer to the Malegaon Municipality for which Mr Pirzada was a candidate

(*c*) to (*e*) Government have no information

(*f*) The Collector of Nasik and the Commissioner, Central Division, have been approached

(*g*) None

RATNAGIRI FLOODS RELIEF MEASURES

*Rao Bahadur S K BOLE for Mr SYED MUNAWAR Will Government be pleased to state—

(*a*) the amount spent by them from the Famine Relief Fund on relief in the areas devastated by the recent floods in the Ratnagiri District,

(*b*) the relief measures undertaken so far or proposed to be undertaken by Government,

(*c*) the relief measures undertaken by public organisations?

The Honourable Mr W F HUDSON (*a*) An allotment of Rs 6,000 has been placed at the disposal of the Collector for gratuitous relief.

(*b*) The Honourable Member is referred to the reply given to clause (*c*) of Rao Bahadur Bole's question† on the subject

(*c*) The following information is not necessarily complete The Salvation Army distributed cloth of the value of Rs 5,000 provided by Sir Victor Sassoon The Rajapur Flood Committee received Rs 1,700 from Bombay Associations Cloth was distributed by the Salvation Army to 200 persons at Rajapur Rice was also distributed in Rajapur and Malvan talukas and help for building temporary cottages in Malvan taluka was granted by some private bodies The Malvan Flood Committee is said to have raised collections of over Rs. 8,000 The Committee appointed by the Mamlatdar, Malvan, has also collected Rs 200 The Collector also received Rs. 1,030 from the workers in the Bombay Textile mills and Rs 218 from other institutions and persons The Central Flood Relief Committee has also sanctioned grants for relief measures in Malvan, Deogad and Rajapur talukas

† Printed in to-day's Debates.

WATER WORKS AT PILGRIM CENTRES

*Rao Saheb R V VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) the number of pilgrim centres in which Government have constructed water works at their own expense or given free grants to the municipalities for constructing such works,

(*b*) the amount of such grants and the total expenditure on the works in each case, where the municipalities have constructed the water works?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL (*a*) At three centres Government have constructed water works at their own expense and have given free grants to municipalities for works at two centres

(*b*) Name of Pilgrim centre	Total cost of construction			Grant in aid given by Government
	Rs	a	p	Rs
Nasik	5,47,426	0	0	3,47,726
Saundatti Yellamma	5,280	2	6	1,079

MALVAN FLOODS RELIEF MEASURES

*Rao Saheb R V VANDEKAR (Nasik District) (*a*) Will Government be pleased to furnish in a tabular form a statement of estimated loss and damage to the crops, cattle, other properties, and the number of loss of lives of the population on account of the recent floods and heavy rains in Malvan, district Ratnagiri?

(*b*) What relief measures have been, or are intended, to be adopted by Government to help the distressed people?

(*c*) If they have not begun any relief measures themselves, have they encouraged or assisted the efforts made by the different Bombay relief committees or any other private agencies for the purpose of mitigating the hardships of the distressed people?

The Honourable Mr W F HUDSON (*a*) and (*b*) The Honourable Member is referred to the replies to question† by Rao Bahadur S K Bole and question† by Mr B S Kamat

(*c*) Does not arise

FLOODS IN RATNAGIRI DISTRICT RELIEF

*Mr J G MORE for Mr B P WADKE (Bombay City, South): (*a*) Will Government be pleased to state the total number of persons swept away during the last floods in the month of July 1931 in the Ratnagiri District?

(*b*) At the time of floods, what immediate help did Government render to relieve the sufferers and what help they propose to give to those whose houses and cultivated lands have been swept away or damaged?

The Honourable Mr W F HUDSON (*a*) The Honourable Member is referred to the reply given to clauses (*a*) to (*d*) of Rao Bahadur Bole's question† on the subject

†Printed in to day's Debates

(*b*) There was no demand for immediate relief from Government as the distress was not acute anywhere Local relief committees were established which commenced working immediately As regards the help given later by Government the Honourable Member is referred to the reply to clause (*e*) of question† by Rao Bahadur S K Bole on the same subject

UNSTARRED QUESTIONS AND ANSWERS

RAILWAY BUILDINGS AND LAND, DHARWAR VESTING IN GOVERNMENT

Mr H R DESAI (Deccan Sardars and Inamdars) Will Government be pleased to state—

(*a*) how many buildings formerly belonging to the Madras and Southern Mahratta Railway Company situated in Dharwar have vested in Government and since what time,

(*b*) whether any of these buildings are rented, and, if so, what is the amount of rent charged for each,

(*c*) whether any open area on the northern side of the Dharwar Railway station fit for building purposes, formerly belonging to the Madras and Southern Mahratta Railway Company, has vested in Government and since what time, if so, what is the total area and the assessment thereof ?

The Honourable Dewan Bahadur S T KAMBLI (*a*) and (*b*) A statement containing the requisite information is furnished.

(*c*) Yes · There are two plots, one in Survey No 75 and the other in Survey Nos 77 and 78 The area of the former is 11 acres and 5 gunthas and that of the latter is 14 acres Both the plots vest in Government since 1925 and 1928 respectively They are unassessed waste

Statement showing the number of Railway buildings situated in Dharwar vesting in Government and the amount of rent received for the occupation of those buildings which are being used as residences

Serial No	Number in the printed Return of Buildings	Name of Building	Date of purchase	Whether residential or non residential	Designation of the occupant, if residential or purpose for which the same is used *If non residential*	Amount of rent charged
1	2	3	4	5	6	7
						Rs
1	214 1 to 20	Railway Central Offices now Karnatak Arts College, Dharwar	1920 21	Non residential	Used as Karnatak Arts College	Nil
2	215 1 to 5	Clerks quarters 6 units now used as Karnatak College Hostel (Pioneer Club)	Do	Residential	College students	24 per annum per student
3	216 1 to 5	Railway Institute, now Gymkhana for students	Do	Non residential	Used as Gymkhana for students	Nil

† Printed in to day's Debates

Serial No	Number in the printed Return of Buildings	Name of Building	Date of purchase	Whether residential or non residential	Designation of the occupant, if residential, or purpose for which the same is used if non residential	Amount of rent charged
1	2	3	4	5	6	7
4	217 1 to 7	Clerks quarters 4 units now Karnatak College Hostel (Union Club)	1920 21	Residential	College students	Rs 24 per annum per student
5	218 1 to 4	Ten quarters for clerks now hostel for students (Karnatak Club)	Do	Do	Do	Do
6	219 1 to 4	Well with water supply to College compound.	Do	Non residential	Used for supply of water to Karnatak Arts College	Nil
7	220 1 to 9	Deputy Chief Engineer's Bungalow now Principal's bungalow	Do	Residential	Principal, Karnatak Arts College	Rent free.
8	221 1 to 12	District Engineer's Bungalow now Senior Professor's bungalow	Do	Do	Senior Professor Karnatak Arts College	Do
9	222 1 to 4	Single cottage now quarters for the Professor of Sanskrit	Do	Do	Professor of Sanskrit, Karnatak Arts College	30 per mensem
10	223 1 to 4	Double cottage, now quarters for the Professor of Mathematics	Do	Do	Professor of Mathematics	30 per mensem
11	224 1 to 6	Married clerks' quarters, now Professors' quarters	Do	Do	Professor Professor	Rent-free 18 per mensem
12	225 1 to 8	Clerks quarters 4 units now quarters for Professor of History and Philosophy	Do	Do	Demonstrator Professor	12 8 per mensem 12 8 per mensem
13	226 1 to 6	Clerks quarters 2 units	Do	Do	College students	24 per annum per student
14	227 1 to 5	Do do	Do	Do	Professor	Rent-free
15		Sweepers quarters, 8 units—				
	228	Quarter No 1	Do	Do		
	229	Do 2	Do	Do		
	230	Do 3	Do	Do		
	231	Do 4	Do	Do		
16	236 1 to 6	Sergeant Instructor's quarters now used as Professor's residence	Do	Do	Do	36 per mensem
17	253 1 to 6	Railway Assistant Engineer's bungalow No 3027 with trollyman's quarters No 3073, now Divisional Forest Officer's residence	Do	Do	Divisional Forest Officer Dharwar	60 per mensem
18	275 1 to 5	Railway bungalow No 3028 (Married Officer's quarters) now Criminal Tribes Settlement Officer's quarters	Do	Do	Criminal Tribes Settlement Officer, Dharwar	96 per mensem

DISTRICT COURT, SURAT RETRENCHMENT

Dr M K DIXIT (Surat District) (1) Is it a fact that five members of the staff of the District Judge's Court—two in the grade of Rs 105—5—140 and three in the grade of Rs 30—5/2—80—all above 55 years, are on extension and the extended period granted to them expires on the 31st March 1932 ?

(2) Is it a fact that the District Judge of Surat has proposed to retire them from the 1st June 1932, though the period of extension expires on the 31st March 1932 ?

(3) Is it a fact that such a proposal gives the benefit of the full pay of the long summer vacation to these men ?

(4) Is it a fact that the above officials who are on extension do not require any notice for their retirement under sections 291, Bombay Civil Service Regulations, and 436, Civil Service Regulations ?

(5) If such a notice is not necessary, why did the District Judge not retire them by the 1st January 1932 ?

(6) Does Government Resolution, Home Department, No P-42, dated 18th December 1931, give the District Judge any other option but to reduce his establishment by retiring all officials above the age of 55 by the 1st of January 1932 ?

(7) What would have been the saving to Government in the current year as well as the next year had these officials been retired by the 1st January 1932 ?

The Honourable Mr G A. THOMAS. (1) and (2) These persons are on the staff of the District Court and the First Class Subordinate Judge's Court They are not under extension, but are retained in service after the age of 55 years under rule 161 (*b*) of the Bombay Civil Services Rules The District Judge had proposed to retire them from 1st June 1932 but his proposal was not accepted

(3) Yes

(4) and (5) A notice is required, as these persons are not under extension

(6) This Government Resolution contained no such orders

(7) Unless the posts held by those made to retire had been abolished, there would have been no saving

CIVIL COURTS, SURAT RETRENCHMENT

Dr M K DIXIT (Surat District) Will Government be pleased to state—

(*a*) how many officials there are under the District Judge, Surat, and under the Sub-Judges in the Surat District who have completed 30 years' service,

(*b*) how many of them have been served with notices to retire,

(*c*) what would be the saving to Government if all those that have completed 30 years' service were made to retire by 31st March 1932 ?

The Honourable Mr G A THOMAS (*a*) 8 clerks and 7 bailiffs

(*b*) One clerk and 2 bailiffs

(*c*) Unless the posts held by those made to retire were abolished, there would be no saving

MR M T ADALJA, EXECUTIVE ENGINEER, AHMEDABAD DIVISION INSURANCE BUSINESS

Mr J S KADRI (Northern Division) Will Government be pleased to state—

(1) whether it is a fact that Messrs Krishnalal and Ranchhodlal, the two sons of Mr M T Adalja, Executive Engineer, Ahmedabad Division, are doing life insurance business with the Hindusthan Co-operative Insurance Society of Calcutta and the Sun Life Assurance Company of Canada,

(2) whether it is a fact that Mr Adalja has been exerting his personal influence in securing insurance business for his sons,

(3) how many persons employed in and connected with the Public Works Department in the Ahmedabad Division have got their lives insured in the abovementioned insurance companies through the sons of Mr Adalja, during the tenure of Mr Adalja's service in Ahmedabad Division?

The Honourable Dewan Bahadur S T KAMBLI (1), (2) and (3) Government have no information on the subject

DISTRICT LOCAL BOARDS' INTEREST IN CATTLE-BREEDING

Mr G M KALBHOR (Poona District) (*a*) Will Government be pleased to state whether they are aware of the reasons why District Local Boards have not shown enough interest in cattle-breeding?

(*b*) If so, will they state them?

(*c*) Did any of the District Local Boards request Government for help in the matter?

(*d*) If so, what are their names?

(*e*) What was the nature of their requests?

(*f*) To what extent did Government grant them?

The Honourable Dewan Bahadur S T KAMBLI (*a*) and (*b*) Government are aware that a few District Local Boards like those at Ahmedabad and Sholapur take some interest in the matter Others do not do so on the ground that they cannot afford money for such objects as grants to breeders for purchase of bulls and for cattle shows In the opinion of Government the real reason is that very few members of these bodies are interested in cattle breeding.

(*c*), (*d*) and (*e*) Only one The District Local Board, Ahmednagar, made a proposal regarding cattle-breeding, but when approached by the Agricultural Department, replied that owing to financial stringency they could not proceed with the question.

(*f*) The District Local Board, Ahmednagar, was helped by the Agricultural Department by giving expert advice and the District Local Board, Sholapur, was also helped by the Agricultural Department in procuring a bull

DISTRICT LOCAL BOARD, POONA REPAIR AND MAINTENANCE CHARGES, KHADAKWASLA ROAD

Mr G M KALBHOR (Poona District) Will Government be pleased to state—

(*a*) whether the income from the three *kurans* of Dharjai from Ghera Sinhgar is being credited to the District Local Board, Poona, to meet the charges of repair and maintenance of the road from Khadakwasla to Sinhgar fort,

(*b*) if not, the reasons therefor,

(*c*) how they intend to compensate the board for the money spent by it over the road ?

The Honourable Dewan Bahadur S T KAMBLI The Honourable Member is referred to the reply given to a similar question* asked by him at the current session

ADMISSIONS TO GOVERNMENT SERVICE, REVENUE DEPARTMENT.

Mr G M KALBHOR (Poona District) Will Government be pleased to state the names of persons admitted to Government service, whether permanent or temporary, in all grades up to District Deputy Collector and Superintendent of Land Records in the Revenue Department and in the Land Records Department of the Central Division during the last three years, and their pay and caste ?

The Honourable Mr. W. F HUDSON The time and trouble involved in the compilation of the information required is incommensurate with its public interest and utility Government are not therefore prepared to undertake it

IRRIGATION DEPARTMENT TEMPORARY SERVANTS. PENSION.

Mr G M KALBHOR (Poona District) Will Government be pleased to state—

(*a*) whether it is a fact that the Irrigation Department is a temporary department and that the persons serving therein are placed in temporary cadre,

(*b*) whether it is a fact that they have under rule 248 of the Civil Service Regulations powers to count such temporary service as duty for pension,

(*c*) whether it is a fact that they have up to now given pensions to persons who had served on the temporary establishment and whose temporary service had been treated as qualifying for pension under rules 248 and 361 of the Civil Service Regulations, if so, the names of such temporary servants who received and who are entitled to receive pension ?

* Printed in the Debates of 22nd February 1932

The Honourable Sir GHULAM HUSSAIN (*a*) No

(*b*) Yes under Bombay Civil Services Rule 248

(*c*) Yes, in deserving cases only under Bombay Civil Services Rule 248 and Civil Service Regulation 361-A The time and labour involved in collecting the information required by the Honourable Member in the concluding portion of the question are incommensurate with its public interest and Government regret that they do not see their way to undertake its compilation Each case is decided on its own merits

FLOODS, RATNAGIRI DISTRICT DAMAGE AND RELIEF

Mr B S KAMAT (*a*) Will Government be pleased to place on the Council table a full statement of the damage caused by the recent floods in the Ratnagiri District, especially in the Malvan Taluka, in respect of life, cattle, crops and house property ?

(*b*) What areas did the Collector of the District personally visit in connection with the floods ?

(*c*) What relief measures, if any, have Government been pleased to sanction and what is the total estimated cost of relief ?

The Honourable Mr W F HUDSON (*a*) For information regarding the damage to houses, loss of lives and estimates of damages, the Honourable Member is referred to the reply to Rao Bahadur Bole's question* on the same subject As regards loss of cattle, only one bullock was washed away

(*b*) Four villages in Malvan Taluka

(*c*) The Honourable Member is referred to the reply to clause (*e*) of question* by Rao Bahadur S K Bole

INSECURITY OF LIFE AND PROPERTY AT GODHRA, PANCH MAHALS DISTRICT

Mr M H MEHTA (Panch Mahals District) Will Government be pleased to state—

(*a*) whether they are aware of the murder of Bai Mahalaxmi, a school mistress, committed at Godhra,

(*b*) whether it is a fact that she was kidnapped on the 26th September 1931,

(*c*) whether information was given by the husband of the woman at the police chowky and to Mr Rathod, the Sub-Inspector of Police,

(*d*) whether it is a fact that the Sub-Inspector failed—

(*i*) to take any notice of it,

(*ii*) to record the complaint, and

(*iii*) to proceed to the scene of offence,

(*e*) whether the Sub-Inspector of Police was specially requested to go immediately and search the neighbouring houses,

(*f*) whether the locality is thickly populated by the Ghanchis and males and females sit on the public road near Bai Mahalaxmi's house till late at night,

* Printed in to-day's Debates

(*g*) whether it is a fact that the Sub-Inspector of Police went to the spot next day at 11 a m at the request of the relations of the woman but failed to make any enquiry,

(*h*) whether they are aware that the Sub-Inspector of Police called upon the relations of the woman to give in writing the names of the suspects and failed to make searches of any neighbouring houses as such names were not supplied,

(*i*) whether it is a fact that petitions were made to the District Superintendent of Police, District Magistrate, Commissioner and Government direct requesting them to investigate into the matter,

(*j*) whether it is a fact that the dead body of the woman was found floating in the city tank in the morning of the 28th,

(*k*) whether they are aware that the inquest report showed that the woman was actually murdered and then thrown into the tank and that her dead body showed signs of violence;

(*l*) whether the case is now filed and no further enquiry is being made,

(*m*) whether applications were made to them complaining about the inefficiency and indifference of the local police and requesting them to entrust the enquiry to the Criminal Investigation Department,

(*n*) if the answer to (*m*) is in the affirmative, the reasons why the matter was not entrusted to the Criminal Investigation Department,

(*o*) whether a number of thefts committed in the town have not been detected,

(*p*) whether they are aware that each and every article from the house of a certain pleader at Godhra has been stolen away and yet no trace has been found,

(*q*) whether their attention has been drawn to the fact that about 72 bales belonging to a merchant have been stolen and there is no trace,

(*r*) whether they are aware that the Hindu public of Godhra consider their life and property insecure,

(*s*) what steps they propose to take for the preservation of the public safety?

The Honourable Mr G A. THOMAS (*a*) The alleged murder has been brought to the notice of Government

(*b*) She was found missing on that day

(*c*) The Sub-Inspector of Police, Godhra Town, was informed.

(*d*) No

(*e*) No

(*f*) No

(*g*) No, he started making enquiries of his own accord as soon as he was informed of the matter

(*h*) Such is not the case

(*i*) Yes

(*j*) Yes

(*k*) There was no evidence of murder The post mortem examination disclosed no marks of violence and indicated that death was due to drowning

(*l*) Yes
(*m*) Yes
(*n*) The District Police were competent to investigate the matter
(*o*) No
(*p*) Yes The case is under investigation
(*q*) No
(*r*) No
(*s*) The public safety does not appear to be endangered

BOMBAY LEGISLATIVE COUNCIL COST OF SEPTEMBER-OCTOBER SESSION

Mr HOOSENALLY M RAHIMTOOLA (Bombay City) Will Government be pleased to state—

(1) the cost of the September-October 1931 session of the Legislative Council,

(2) the amount paid in travelling and daily allowances for the same ?

The Honourable Mr G A THOMAS (1) Rs 4,738-11-0
(2) Rs 17,274-12-0

PUBLIC WORKS DEPARTMENT, PRESIDENCY PROPER MAHOMEDANS.

Mr SHAIKH ABDUL AZIZ (Central Division) (*a*) Will Government be pleased to state the percentage of Mahomedans in the Bombay Engineering Service and the Subordinate services in the Public Works Department in the Bombay Presidency proper ?

(*b*) How many applications were received from Mahomedan qualified graduates in Engineering for employment in the Public Works Department since 1930 from the Bombay Presidency proper ?

(*c*) How many vacancies in the Provincial and Subordinate services generally offered to qualified engineers have been filled up since then and how many of them have been given to Mahomedans ?

(*d*) If no Mahomedan qualified candidate has been employed since then, what is the reason therefor ?

(*e*) Have any, and if so what, steps been taken to give proportionately adequate employment to Mahomedans in this Department ?

The Honourable Sir GHULAM HUSSAIN (*a*) 4 16 in the Bombay Service of Engineers and 2 41 in Subordinate services

The Bombay Service of Engineers cadre is however maintained for the whole Presidency (including Sind) and the percentage is 5 68

(*b*) Since 1930, applications from 22 applicants for appointment to the Engineering Services have been received from Mahomedans Out of these two were from the Bombay Presidency Information as to the native places of the remaining applicants is not available

(*c*) 13 vacancies in the Bombay Service of Engineers and 30 vacancies in the Subordinate services have been filled since 1930, out of which 3 vacancies in the Bombay Service of Engineers and 2 vacancies in the Subordinate services have been given to Mahomedans.

(*d*) Does not arise

(*c*) Government have laid down rules to give proportionately adequate representation of Mahomedans in this Department

ADEN POLICE EXPENSES. CONTRIBUTION FROM COLONIAL GOVERNMENT

Mr A N SURVE (Bombay City, North) Will Government be pleased to state what amount of contribution is received from His Majesty's Colonial Government towards the expenses of the police in Aden ?

The Honourable Sir GHULAM HUSSAIN His Majesty's Government bear wholly the expenses amounting to Rs 1,03,294 for the temporary Force of 100 armed Police recruited from India pending the raising of a permanent armed Force of 200 men. On completion of the recruitment and training of 200 men for the permanent Armed Police Force, the temporary force of 100 men will be disbanded. The contribution payable by His Majesty's Government towards the expenses of the permanent Armed Police Force at its full strength is £8,000 per annum

FLOODS, MALVAN TALUKA OFFICERS' REPORTS.

Mr A N SURVE (Bombay City, North) Will Government kindly state—

(*a*) how many times, by whom and on what dates enquiries were made on behalf of Government to ascertain the damage caused by the last floods in Malvan Taluka of the Ratnagiri District,

(*b*) the number of reports made by the officers—

(*i*) by separate officers of the rank of Mamlatdar and others of superior rank, and

(*ii*) by the same officer on different dates,

(*c*) whether copies of the reports will be laid on the Council table ?

The Honourable Mr W. F HUDSON (*a*) The District Deputy Collector made enquiries from 18th August to 4th September 1931 and the Mamlatdar from time to time from 27th July 1931 to 6th September 1931

(*b*) (*i*) and (*ii*) The District Deputy Collector made 5 *ad interim* reports and 1 final report and the Mamlatdar made 3 *ad interim* reports.

(*c*) No.

FLOODS, MALVAN TALUKA RELIEF MEASURES

Mr A N SURVE (Bombay City, North) Will Government kindly state—

(*a*) whether relief is being administered to sufferers in the Malvan floods through private and non-official agencies,

(*b*) the number of such agencies and their names,

(*c*) the kind of relief they administer,

(*d*) the date or dates on which they made a beginning in administering relief, and

(*e*) the extent or amount of relief they administered up to 25th September 1931 ?

The Honourable Mr W F HUDSON (*a*) Yes

(*b*) Their number is 4 and their names are (*i*) Malvan Taluka Flood Relief Committee, (*ii*) Ramkrishna Mission, (*iii*) Sir Victor David Sassoon (through the Salvation Army) and (*iv*) Relief Committee established in Bombay

(*c*) Rice, cloth and assistance for reconstructing temporary houses

(*d*) The Malvan Taluka Flood Relief Committee began to administer relief from 3rd August 1931 Exact dates in respect of the remaining committees are not available, but they began to distribute relief in the beginning of September

(*e*)	Rs	a	p
The Malvan Taluka Flood Relief Committee	1,268	7	6
Sir Victor David Sassoon	5,000	0	0

Government have no information as regards the other bodies

FLOODS, MALVAN RELIEF MEASURES

Mr A N SURVE (Bombay City, North) Will Government kindly state—

(*a*) the nature of relief asked for by the sufferers in the Malvan floods, e g ; (1) food, (2) clothing, (3) shelter, (4) seed for resowing, (5) tagai or takavi, (6) suspension or remission of land revenue ,

(*b*) what relief falling under the abovementioned categories they have given up to the 25th September 1931 ,

(*c*) what relief they intend to give in the course of the year ?

The Honourable Mr. W F HUDSON (*a*) No requests for relief of the kinds mentioned at (1) to (5) were made but applications for remission of land revenue were received and in 641 cases land revenue to the extent of Rs 466-9-8 was remitted

(*b*) Relief in the shape of rice and cloth which was required to meet the immediate needs of the destitute people was given by the local committees

(*c*) The Honourable Member is referred to the reply given to clause (*e*) of Rao Bahadur Bole's question† on the subject For Malvan Taluka only Government sanctioned a grant of Rs 4,000 for gratuitous relief in necessitous cases Assistance in cash was given to the extent of Rs 380 and remission of land revenue was granted in 641 cases aggregating Rs 466-9-8

FLOODS, MALVAN TALUKA ACTION BY OFFICERS

Mr A N SURVE (Bombay City, North) Will Government kindly state—

(*a*) whether the statement of loss or damage by floods in the Malvan Taluka made by the Honourable Member Mr V A Surve in the Council on the 7th August 1931, after the statement made by the Honourable the Revenue Member is correct or even approximately so ,

† Printed in to day's Debates

(*b*) if it is, the reason why non-official agency could and the official agency could not get the figures he gave,

(*c*) whether Government made any inquiry to ascertain whether the District Officer and his subordinates discharged their duties promptly and conscientiously,

(*d*) if so, whether Government are satisfied that there was no failure of duty on the part of its officers in the matters of time and carefulness ?

The Honourable Mr W F HUDSON (*a*) The figures given by Mr V A Surve were—villages flooded 26, houses lost 773, people rendered homeless 6,000 The official figures are villages flooded 28, houses and huts completely collapsed 324, houses and huts partially damaged 622, inmates affected (but not all homeless) 6,488, families reported to be destitute 65

(*b*) It required time to collect correct information

(*c*) No

(*d*) Yes

FLOODS, MALVAN TALUKA DAMAGE

Mr A N SURVE (Bombay City, North) Will Government kindly state—

(*a*) the number of persons killed or injured,

(*b*) (*i*) the nature and (*ii*) the extent and value, of the damage caused by the floods in the Malvan taluka to—

(1) cattle,

(2) dwellings,

(3) crops, and

(4) area of land under cultivation—

(*i*) by washing out of the soil,

(*ii*) by deposit of sand and stones thereon,

(*iii*) whether its cultivability is lost permanently,

(*iv*) if lost temporarily, the labour and cost involved in restoring it ?

The Honourable Mr W F HUDSON (*a*) Five persons were drowned

(*b*) (*i*) and (*ii*)—

(1) One bullock of the value of about Rs 50 was washed away

(2) 324 houses completely collapsed and 622 were partially damaged The extent of damage on this account was approximately Rs 1,20,000

(3) Crops were damaged to the extent of about Rs 19,372

(4) (*i*), (*ii*), (*iii*) and (*iv*) Nearly 135 acres This information is not available at present as the matter is under investigation by officers of the Agricultural and Land Records Departments.

TODDY TREE TAPPING LICENSES INAM LANDS

Sardar BHASAHEB RAISINGHJI (THAKOR of KERWADA) (Gujarat Sardars and Inamdars) Will Government be pleased to state—

(*a*) whether it is a fact that consent in writing of the proprietor of the land or trees is required before a pass is issued for tapping toddy trees,

(*b*) whether in an alienated surveyed and settled village the proprietorship of the land or trees is considered to be of the inamdar or of the registered occupants for purposes of issuing permits to tap toddy trees,

(*c*) whether a tenant is considered as proprietor of the land or such trees in inam villages which are unsurveyed and unsettled and where Record of Rights does not exist,

(*d*) whether Government are aware that no uniform rule is applied in this respect throughout the presidency,

(*e*) whether in some districts the Revenue and Excise authorities endorse the toddy tapping licenses in favour of tenants in unsurveyed and unsettled inam villages without seeing the written leases or getting the countersignature of the inamdar on toddy tapping applications?

The Honourable Sir RAFIUDDIN AHMAD (*a*) Yes

(*b*) In alienated surveyed and settled villages registered occupants are considered to be the proprietors for purposes of issuing permits to tap trees

(*c*) In unsurveyed and unsettled inam villages the question of proprietorship depends on the conditions of the Sanad granted to the Inamdar In some villages the Inamdar is the owner of the soil and in others he is not The Inamdar's consent is obtained in the former case and the occupants in the latter

(*d*) As circumstances vary and the nature of rights differs no uniform rule is possible

(*e*) Permission to tap toddy trees is granted not to tenants as such but to holders of toddy licenses These latter rent the trees from the tenants who sign the application as proprietors of the trees and this is considered sufficient for the purpose of issuing tapping licenses

NON-GAZETTED POSTS DAIVADNYA AND TWASTA KASAR COMMUNITIES

Mr B P WADKE (Bombay City, South) Will Government be pleased to state—

(*a*) the total number of recruits to the non-gazetted posts in the various Departments of Government in the Bombay Presidency during the last three years,

(*b*) how many of these posts were given to the minority communities of Daivadnyas and Twasta Kasars,

(*c*) the present percentage of employees belonging to these communities in the various Government offices,

(*d*) whether it is a fact that the present percentage is quite low, if so, whether they intend to take steps to ensure that more employment is afforded to these minority communities?

The Honourable Sir GHULAM HUSSAIN (*a*), (*b*), (*c*) and (*d*) In view of the small numbers of these communities and the fact that the time and labour involved in collecting the information required is disproportionate to its utility or public interest, Government regret that they cannot reply to the question

DISCUSSION ON DEMANDS FOR GRANTS—*resumed.*

Rao Saheb P. D KULKARNI (Poona District) Sir, I beg to move

Reduce by Rs. 100—(B)—Government Arts Colleges—(B) 2—Other Arts Colleges—Voted—Rs 4,49,000 (C E page 197)

Sir, good many opportunities are taken by honourable members on Government benches to give advice and offer remarks in seeking co-operation from honourable members representing urban and rural areas, but when a real opportunity arises, the official side seems to be not very much willing to give effect to the advice offered at so many times. This remark is particularly applicable here in the case of educational grants I will cite one glaring instance to indicate how the recommendations of the Retrenchment Committee are disregarded, particularly on this question You will see that that committee particularly recommends that there should not be the least cut in educational grants because the Education Department is a nation-building department and the grants for that department should not be curtailed whether there may be a financial stringency or not or whatever the policy of Government may be On page 26 of the Retrenchment Committee's report they say

"We are not in favour of further arresting the progress of education by a cut in this department, as it may mean a disastrous setback from which it may take years to recover"

When they have, in clear terms, expressed their ardent desire that there should not be a cut, as if to take revenge, Government came forward and gave us at the very beginning a 15 per cent cut in the grants to local bodies This year 25 lakhs of rupees are taken away from education only On page 61 of the Blue Book you will find it as stated below

"The decrease under this head is mainly due to the decision of Government to reduce by 15 per cent. grants payable to local bodies for primary education next year owing to the acute financial stringency"

This is the glaring example which I give to show how a distinct recommendation of the Retrenchment Committee is completely disregarded

Mr R H BECKETT May I ask the honourable member what this has got to do with the cut in the grants to colleges? He is speaking, I understand, on a cut in the grants to Government colleges, but his remarks relate to primary education.

Rao Saheb P D KULKARNI I shall make it clear in my speech

The Honourable the PRESIDENT. I think the honourable member should tell us how he makes that relevant

Rao Saheb P D KULKARNI It shows the policy of Government, namely, curtailment of expenditure on primary education to foster the superfluous Arts Colleges in the Presidency

The Honourable the PRESIDENT This cut is on a particular sub-head

Rao Saheb P D KULKARNI The general policy is under discussion, I think.

The Honourable the PRESIDENT General policy as regards Arts Colleges

Rao Saheb P D KULKARNI I want to show how Government deprive primary education the benefit of grants while they are extravagant in supporting superfluous arts colleges And in order to justify my statement, I must show that they are very extravagant in providing for arts colleges at the starvation of primary education

The Honourable the PRESIDENT The honourable member's remarks should be confined to the cut which he has moved This is a cut to raise a general debate on the Government policy in the matter of their provision for Government arts colleges and the honourable member must confine himself to that The objection raised is perfectly correct

Rao Saheb P D. KULKARNI But in order to make my point more clear please let me follow my own line of argument

The Honourable the PRESIDENT The honourable member would be well advised to follow the line I lay down

Rao Saheb P D KULKARNI Sir, my object in giving those facts to the House was to show that primary education was being starved for the sake of pampering arts colleges It will be seen that the progress made in primary education has been very slow when compared to the progress made in collegiate education The percentage of the school-going population was 5 in 1930-31 At the time of the introduction of the Primary Education Act, i e , in 1921-22 it was 4 So that, the progress made within last ten years is to the extent of one per cent for every ten years If we follow this rate of progress we will require at least a hundred years more to attain the goal achieved in England and in other civilized countries, namely 15 per cent of the population as the number of school-going children That is the goal laid down for us by the late Honourable Mr G K Gokhale The progress made uptill now is very slow

Again, take the expense per head in primary schools and colleges Fifteen annas per month, or Rs 11-4-0 per year, is the amount spent on the education of a boy attending schools giving primary education, while Rs 502 is the sum spent per annum on a boy attending Government arts colleges The report shows that last year (i e , 1929-30) the sum of Rs 342 was spent on each boy attending Government arts colleges So, there has been an increase of Rs 160 per head within the period of one year Then, again, while on one hand nice buildings are provided for the accommodation of Government officers at the cost of lakhs of rupees, and new additions are made to arts college buildings, on the other hand fifty out of every hundred primary schools are held in *dharamshalas*, temples, *chavdis* and mosques It is mentioned in the report that fifty out of every hundred primary schools are without buildings of their own Eventually, Sir, arts colleges are maintained at the expense of primary education We have already a large number of arts colleges conducted by societies, public bodies and associations, and as they ably meet the want there is no necessity to continue the present policy of helping Government arts colleges at the expense of primary education. If the policy is to be continued, the prospect for primary education will

[Rao Saheb P D Kulkarni]

not be as bright as of the arts colleges But we are in bad need of primary education and to secure that aim I move the motion of cut.

Question proposed

Mr G S GANGOLI (Kanara District) Sir, in availing myself of this opportunity to indulge in a general discussion about Government arts colleges, I do not think I can support the cut, because I am not for any cut in any educational grant However, I have two points to bring to the Honourable Minister's notice The first is, that two of the arts colleges, one in Bombay and one in Poona, which are maintained by Government, may with advantage be discontinued That has been urged several times on the floor of this House I think the Honourable Minister will do well to place the matter before the Gauntlett Committee That will bring a good amount of saving and save us from unnecessary taxation to balance the budget The second point is with regard to the professors of vernaculars We are nowadays crying that in our secondary schools, high schools and colleges, instruction should be given in our mother tongue In four colleges, one each at Poona, Bombay, Ahmedabad and Dharwar, there are professors of vernaculars—two for Gujarati, one at Bombay and one at Ahmedabad, one for Marathi in Poona, and one for Kanarese at Dharwar I shall restrict myself to the Kanarese professor He is a person well versed in the Kanarese language, he has passed every kind of examination in that language, he is lecturer for the B A and M A classes and is also examiner for B A and M A examinations, and I think he is also on the Senate of the University of Bombay Such being the case, I do not know why his pay, which was Rs 300 per mensem was reduced to Rs 150 per mensem I do not know how the Honourable Minister allowed this, because he always fights for a good cause I learn that Government did not fully approve of this reduction and so have not applied the ten per cent general cut to this post as a special case If these are facts—I think they are—then there is a real grievance not only to the person concerned but also to the Kanarese public In fact it is a challenge to our mother tongue He is the only professor so far as Kanarese is concerned, and I do not know why he should be brought to a level which is inferior even to the ordinary high school teacher He is also a graduate He was specially brought from Mysore or Madras on Rs 300 and now all at once he is reduced to Rs 150 per mensem. If Government were to say that this was done owing to stringency in finance, my reply would be that all languages should have been put on the same level I find that the other professors are given their old scales and usual promotions, Only this poor man and the professors of Indian languages are reduced, because they happen to be professors of Indian languages I hope that the Honourable Minister has a good cause If he is really suffering from financial stringency, he will do well to reduce the pay of professors of all languages and not hit this poor man alone These are the two grievances so far as arts colleges are concerned

Rao Bahadur G K CHITALE (Ahmednagar District) Mr President, on a motion of this kind it is quite pertinent to enquire what policy

[Rao Bahadur G K Chitale]

the Honourable Minister has enunciated and practised in the development of our colleges As a parent who has some boys in the college, one thing that I find is that collegiate education has become more and more costly That is partly due to the change in text books from year to year, which can be avoided I was myself at a college about 45 years ago, when our seniors used to hand over their books to us when they passed out But nowadays I find that the text-books on compulsory as well as optional subjects are changed from year to year, Consistency is not a virtue in politics, but it is a virtue in education, and the Educational Department should, I think, examine whether this frequent change in text-books cannot be avoided I may be told that the Educational Department is not so much responsible as the University But my answer to that is that even if the University is the body primarily responsible, the Educational Department represented either by the Director of Public Instruction or by the popular Minister has a very potent and influential voice in the matter That is grievance No 1

There is another grievance So far as the student world is concerned, I must say that, in spite of temptations, discipline is being maintained on a high level, for which the educational authorities are entitled to great credit, But along with it, no consistent effort appears to have been made to follow the system in force in Cambridge and Oxford of having tutors They are very necessary in these days when we find that the number of boys in the class—at least in the first stage of collegiate education—is so large that it is not possible to give that individual attention to the students which is necessary I do not know when the larger reform will come, under which the University will cater only for the best pupils and those who are competent only for a common degree will be weeded out I do not know when the other recommendation to take away the Previous and Inter-arts from the college course will come Even though the Previous is made an examination of the college and not of the University, I believe the pressure on the students which was intended to be taken away remains the same The tutorial institution has not yet been introduced, and even though the fees are raised, individual attention is not received by the students and I may say that there is a good deal of room for improvement in that direction, if only the educational authorities would look to the question of the hours of work I must say regarding the hours of work for professors in these colleges, that if these public servants are compared with other public servants similarly situated, the hours of work are so few that I am not prepared to admit that they are at all overworked With long holidays and vacations intervening, the hours that they are expected to work in colleges for bringing up the youth of the country in proper surroundings and in a proper way are so few that I believe a few more hours given to that useful part of instruction will be welcome to everybody In our days an hour had a meaning, namely, 60 minutes Now that meaning has changed Sometimes you have 40 minutes, sometimes 45 minutes and they are called hours

The Honourable Sir RAFIUDDIN AHMAD: Periods

Rao Bahadur G K CHITALE: You may call them periods, but they are hours. Suppose English is taught for only 45 minutes, we call that period an hour in these days. We have a right to protest against that system. How can you expect a particular subject to be taught in a period, if you like to call it, of 40 or 45 minutes? Well, the professor takes some time for introducing his subject, whether it be a lesson or any other subject, and by the time he begins, the only way in which he can usefully occupy the remaining minutes is to read in such a way as to see that the prescribed book is finished within the term. I was myself very unfortunate in having a professor for English, but those were good old days, and perhaps education was at a very low ebb. Then we were told, whenever we came across an expression, that it had a negative force, as if "No" and "Not" had ever a positive force! However, I should think that a subject of this kind cannot be taught in so many "periods" as they say. In our time an hour, as I said, meant 60 minutes, and although sometimes the previous professor engaged his class for 50 minutes later on he used to give us at least 67 minutes——

The Honourable Sir RAFIUDDIN AHMAD: What was the college, may I ask?

Rao Bahadur G K CHITALE: Do you want to know? But what will be the use of it? But if you want it, I was at the Fergusson College; I was at the Deccan College, and I was at the Elphinstone College. I have the experience of all these three colleges and can give you many more lessons out of my memories, if you care for them. But when the Honourable the popular Minister asks me that question, he thinks that I am not serious, that I am speaking without the book, that I have no experience to go upon. But I may tell him in all seriousness that whenever I talk, I do not like to talk in that light vein. Not only that, I have my relations brought up in colleges during the last 50 years—in professional, science and arts colleges. I am in touch with them. It is as a parent that I feel the necessity of the remarks which I am making here. Let the Minister not take them light-heartedly, I beseech him, and so far as I am concerned, nothing will daunt me. I was only making one point for his consideration. It was perhaps years before the Honourable Minister left any college, if he was at any Indian college. Naturally, therefore, I am not surprised at his inexperience of our Indian colleges. I expected him to go over the several colleges, but these visits are such that everything is pre-arranged. He cannot see any defect. I do not blame him. But it is a handicap to him that he cannot see these colleges at first hand. The Director of Public Instruction, who is the next head, is absorbed in files—almost buried, buried so deep in them—and even though he is paid handsomely, we cannot get anything out of him, except perhaps correlation of certain facts and figures and certain conclusions. He is not like the old Director who used to walk on foot and examine every school in every village and be in touch with all educational institutions. Therefore, whatever he may say in his reports, we should always take it at a discount now-a-days. I do not wish to blame him

[Rao Bahadur G K Chitale]

He is the creature of circumstances These educational institutions have grown in number with the result that he cannot manage them all personally That was expected, I know, when I was in the first Council A Deputy Director's post was created and, that was created with the specific purpose of relieving the Director of part of his work But so far as the rural and urban parts are concerned, I do not think his work has at all been reduced We do not see him going out and inspecting the educational institutions at first hand I do not mean to say that he may not give surprise visits to institutions where incidents of indiscipline occur or are likely to occur But as far as the Deputy Director is concerned, he has disappointed us The appointment was made with a purpose and that purpose has not been achieved Probably the Deputy Director's services are being utilized for office work But it is taking me away from my criticism of the present college life

Now, so far as these Government colleges are concerned, I may say that I am biassed in favour of Government colleges, perhaps on account of my old love for the Deccan and Elphinstone Colleges, and it would not do for me to say that they should be abolished At least as far as the Elphinstone College is concerned, I should think that it is being maintained and ought to be maintained, maintained for the reason that it has a very high reputation and that reputation is still being kept up. The cost of that institution is also not so high, if we consider the fees which are higher than in any other colleges, and I believe that Government is managing it almost on the same funds as an aided institution would require But with so many arts colleges growing up in Poona, and with the addition of the Modern Education Society's new college at Poona, I am not quite sure whether the Deccan College, which is the oldest college, cannot well go I know at the Deccan College the day students are residents of the Camp area I believe that at present the day students in the Previous class number about 100 or 135 They come from the Cantonment of Poona When the Modern Education Society's College is fixed up in the Cantonment, as it is proposed to be, I am sure that the presence of these students would be lost to the old college I have seen it very lately, and I found that some residential rooms were vacant This question might be considered by the authorities, namely, whether the college cannot well go Well, I may say that I have seen the other side of the shield At one time it had very nearly gone But that was many many years ago and since then the proposal has not been revived, and I do not hope that it will be revived so soon, but if the new college matures, I do not see why Government should maintain their own college at Poona That is the suggestion which I would make for the consideration of the Honourable Minister and the Director of Public Intruction, because I know they have also a potent voice in saying "Yes" or "No" to the new college which is being started

With these remarks, I hope that the Honourable Minister and the Director of Public Instruction will take my suggestions in the spirit in which they are made I do not wish to be a carping critic I am never a

[Rao Bahadur G K Chitale]

carping critic Not only that, but I know that if after making these suggestions I find that they are going to be turned a deaf ear to, then certainly I would myself be very sorry I would be watching for the answer I have many more opportunities to take action while this department is before us for discussion With these remarks I hope they will be taken in the spirit in which they are made

SYED MIRAN MAHOMED SHAH (Hyderabad District) Sir, I, being a representative of Sind, will not be able to support the policy advocated by my honourable friend Rao Bahadur Chitale I would rather suggest and even pray to Government to shift one of these colleges which are not required in areas like Poona to the province of Sind. Sind has got a certain claim upon the Presidency so long as the forced wedlock between Sind and the Presidency stands intact

As has been made out by the honourable member Rao Bahadur Chitale, the people of the Presidency are far advanced and can stand on their own legs. Government will therefore be well advised to establish a Government College in the province of Sind There are two reasons for this There are only two aided colleges in Sind One is an old college at Karachi and the other is situated in Hyderabad But owing to lack of funds, both are deteriorating I have been urging upon Government the necessity of contributing to their funds in order to enable them to maintain themselves That is one of the defects in Sind colleges Another defect in those colleges is that as they are privately managed institutions, the students are drawn into the whirlpool of politics and every day we see that there is nothing but indiscipline among the students They are drawn away from their academic course and they think of nothing but politics every day I am a member of one of the college boards and my experience is that when I enter the college precincts I feel that I have not come to an academic institution but to some political meeting the fundamental functions of which are to deliberate upon the present-day politics and lay out schemes, carry on campaigns against Government and against their own institutions This has been the complaint of saner elements connected with the college administration.

Therefore, I think in order to maintain a uniform course of life for the students, it is absolutely necessary and urgent that a Government college should be established in a central place like Hyderabad and financed from Government funds Every division of this presidency has got a right to get the benefit that could be drawn from the funds in the public exchequer As regards the other divisions of the presidency, each division can boast of a Government College There is no danger of their deterioration, as long as Government have got funds and as long as Government are in a position to finance their own institutions, and there is no apprehension that they will not be able to do so Therefore, a Government institution in a division gurantees to the public of that division a course of studies to students who really wish to pursue an academic course and not to be trained in extraneous matters Therefore,

[Syed Miran Mahomed Shah]

I earnestly appeal on behalf of the people of Sind as they have been appealing to Government so long, that this is really a case in which the Honourable Minister must take the boldest step and stop one college in a locality like Poona, which can afford to stand on its own legs, and establish a college in Sind, which is very much prayed for With these few remarks I resume my seat

Mr HAJI MIR MAHOMED BALOCH (Karachi City) Mr President, I endorse the views expressed by the honourable member Syed Miran Mahomed Shah It is now more than 85 years since the advent of British rule in Sind, whose population is about 35 lakhs Up till now, there have not been many people who have passed a university course Even among the members of this Council, Hindus and Mahomedans, there is only one exception in the honourable member Syed Miran Mahomed Shah who has passed the portals of the University Several of the honourable members from other parts in this House are M A 's, B A.'s and LL B 's From this it can be seen that the standard of education in Sind is very low Mussalmans of Sind in this House and from outside are united in their appeal to Government to establish a Government college in Sind

The existing colleges are private colleges and the Mussalmans students are sometimes turned out for want of accommodation They therefore are compelled to go to Aligarh and Junagad If Government establish a college of their own in Sind, there will be no necessity for Mahomedan students to go all the way to Aligarh or other places Either in respect of primary education, secondary education or collegiate education, Sind cannot compare with presidency proper, where people are well-versed in English I want to give here one instance Karachi is the capital of Sind In Ranchore and Lyari Quarters poor people live Majority of them are Mussalmans Very few know English When they are away on their work, if a telegram is received, with great search a man is found to read it When this is the condition in Karachi, what will be the condition in rural areas of Sind ?

Another point I wish to bring to the notice of Government is that they have been having the support of Sind Muslim *bloc* for a very long time Now, it may be evident to Government that that support is dwindling since March last The reason can easily be found out Therefore, I say that the Government has no sympathy for Sind Muslims For want of a Government college, where discipline will be enforced, the students in colleges are without discipline So, I warn Government that the establishment of their own college is absolutely essential

I am not particular about the closing of the college at Poona But my request to Government is that they should somehow find money for the opening of a college in Sind

Mr R H. BECKETT Mr President, first of all, I should like to say that I very much appreciate the attitude of honourable members who have spoken on this motion to reduce the grant to Government arts

[Mr R H Beckett]

colleges. I think that throughout they have shown an appreciation of the good work which is being done by these colleges As I understand the position, honourable members want to satisfy themselves that, in a year of financial stringency, the money that is being spent on Government arts colleges is being well-spent and that it could not be better spent on some other kind of education I think the honourable members are exaggerating the cost of Government arts colleges Naturally, Sir, when I knew that the budget was to be reduced, I went into the question, amongst other things, of whether it was necessary or desirable that Government arts colleges should be closed The first thing which I did was to look up the cost of collegiate education in other provinces in India and compare that cost with the cost of collegiate education in this Presidency I found that the percentage of provincial expenditure on education which is expended on collegiate education, is smaller in this Presidency than in any other province of India I give the figures for 1929-30, because that is the latest year for which I could get the figures for the other provinces The percentage of provincial expenditure on University education in this Presidency to the total provincial expenditure on education was 6 6, next to it comes Madras with 9 5 (omitting the North-West Frontier Province which is 8 6), then comes the Central Provinces 10 4, the Punjab 12 4; Bihar and Orissa 19 4, the United Provinces 20 6 and Bengal 25 2. So, it did not look as if this Presidency was spending an undue amount on collegiate education But honourable members may ask whether the money that is being spent is being spent to the best advantage, and whether too much is not being spent on Government arts colleges If members will turn to page 196 of the White Book, they will find that the gross expenditure on Government arts colleges is Rs 6,71,000 On page 42 of the White Book, they will find that fees from Government arts colleges amount to Rs 3,41,000 In addition to that, we receive a sum of Rs 48,000 from endowments Perhaps, in passing I may mention that these endowments have been given subject to certain conditions Before Government could close down these arts colleges, legal opinion would have to be taken, as to whether this step was in accordance with the conditions which Government agreed to when the donations were accepted I do not wish to lay too much stress on this point, but it is one which Government would have to take into consideration, for if they did not carry out their undertakings, other donors are not likely to come forward in the future If we now deduct the receipts from fees and endowments from the total cost of Government arts colleges, the total net expenditure to Government comes to Rs 2,82,000 only I have asked myself what would be the result if we closed all Government colleges We should first of all have to pay the pensions of the staff; and, secondly, we should have to aid the colleges which take their place It is very difficult to calculate what the pension charges would amount to Putting it at one-fourth of the expenditure on salaries, it would come to Rs 1,39,000 leaving only about Rs 1,50,000 saved Out of this saving we should have to pay grants to aided colleges Hardly anything would be left Honourable members

[Mr R H Beckett]

may argue that in course of time the pensions would be paid off, because members of the staff would die and so, in the end, that money would be saved. But I would like to point out that the cost of the staff is getting less and less each year Within a few years the whole of the Indian Educational Service will be replaced by Class I of the Provincial Service for which the rates of pay are substantially smaller Also the rates of pay for class II of the B E S have recently been reduced for new entrants So we see that in future the cost of the colleges, instead of being Rs 2,82,000, will be very substantially less If in addition we remember that, if the colleges are closed, other colleges which take their place will have to be aided, I think the House will realise that the saving to Government would be very little. The time is coming when Government colleges will not cost very much more than aided colleges

Now, Sir, there is another point which I think I should raise This question has been brought up by certain honourable members who have referred particularly to the two oldest colleges, the Elphinstone and the Deccan Colleges These colleges, Sir, are the two of the oldest in the Presidency They have both of them histories which date back over a century, and they have built up valuable traditions Traditions are easier to destroy than to build up This House is building up traditions under the guidance of its Presidents and the example of its senior members These traditions are felt by every member of the House and all members are influenced by them They will leave their impress on the history of the Presidency Still more do the traditions of an old college influence and, indeed, leave an indelible mark on the characters of the generations of students which pass through it I think, therefore, that it would be a bad day for this Presidency if one of these old colleges were to be closed The saving effected would not be much It is true that in the case of the Deccan College at the present moment the cost per student happens to be higher than in some of the other colleges, but it must be remembered that this is because it has so happened that certain highly paid senior officers of the Department are on the staff of that college The cost of the Deccan College will, in my opinion, be reduced substantially in the years to come. There are, for example, 4 I E S professors of over 50 years of age on the staff, 3 of them are over 52 years of age, and they will soon be going Thus the cost of the Deccan College will fall at no distant date Also, if the Deccan College were to be closed, it does not mean that the whole of the staff of the Deccan College will be dismissed forthwith At least some of them would be transferred to other colleges, and if they were more expensive than the men whom they have displaced, the cost of those colleges would go up That is why I have thought it desirable to treat the colleges as a whole No country can afford not to give the best education possible to its best brains, and although we cannot measure it in actual money, I think we must all realise that these colleges have played a great part in the development of the Presidency. For the comparatively small sum which Government is spending on its Government colleges, the Presidency is getting very good value indeed

[Mr R H Beckett]

Therefore, when I advised Government regarding the reductions to be made in different parts of the budget, I thought that it would be a blunder of the first magnitude to recommend the closing of any of the Government colleges I hope that what I have said will convince honourable members that I was right in coming to that conclusion

So much for the general principle as to whether these colleges should be closed or not One or two other matters have been raised by honourable members It has been pointed out that the cost per student is high, figures being quoted from the Annual Report which has recently been published It should be remembered, however, that those figures were taken in an exceptional year when the number of students in the colleges had decreased and before the increased fees had come into effect

A question has been raised by another honourable member regarding the reductions in pay of the lecturers in vernaculars That, I think, has already been dealt with in this Council in reply to questions The position is that these lecturers were only part-time lecturers, they have not a great number of students, nor have they to work for a great many hours per week If as a result of legislation by the University, vernaculars are introduced into the Intermediate course, so that these lecturerships become full-time jobs, then I am sure Government would reconsider the question of their salaries

Another honourable member said that there is a constant change of text-books, but as he himself remarked afterwards, that is really a matter for the University to consider I do not think, Sir, that the Department can accept responsibility for it

The hours of work are said to be few as compared with the work of other public servants I do not agree with that It is true that the hours of lecturing, the actual lecturing, may be fewer, but lectures require preparation, particularly post-graduate lectures In addition a great deal of tutorial and other work has to be done, so that the hours of lecturers are by no means a true figure to quote as a measure of the amount of work that is done

Honourable members from Sind have shown that they appreciate the Government colleges, and I am very glad to find that they would like to have a Government college in Sind But I should be sorry to see this done at the expense of closing one of the oldest colleges in the Presidency

Mr B S KAMAT Sir, I am rather at a disadvantage owing to my arrival in the House a little late not to know the previous points raised in the debate Speaking about the two Government colleges, to which the honourable member the Director of Public Instruction has just now referred, I wish to reiterate, if I may, my views on this question, views which I put forward in this House only a few days ago while talking about the general discussion of the budget

Sir, in the Retrenchment Committee we had the occasion to go into the question of the abolition of these two colleges,—the Deccan College

[Mr B S Kamat]

and the Elphinstone College—from the financial point of view. I think we threshed out at that time the amount of economy that could be achieved if Government were to abolish these two colleges, and after taking the balance of advantages and disadvantages into consideration, I believe the majority of the members came to the conclusion that it would be entirely bad economy to abolish these two colleges The Director of Public Instruction has just now pointed out that many people have got an exaggerated notion about the money spent on these colleges One point, however, which is overlooked generally is that, even assuming that these colleges were abolished, many of the students in these colleges would have to go and join some other colleges which would have to be paid for in a way by Government, inasmuch as probably increased grants-in-aid will have to be given to the colleges which they join

Then again, the other day I pointed out the moral value, the value of a good model and the value of a good tone which these colleges maintain in the Presidency I do not therefore take my stand on purely the question of tradition and the question of sentiment for retaining these colleges, but even on the ground of economy I think people have greatly magnified ideas of the amount of economy they would be able to effect if these colleges were to be abolished I happen to know something about non-Government colleges as well I know there are many educational societies in the Presidency, which are doing very good educational work I have nothing to say against them Yet, those who can compare students turned out by a Government college with the students turned out by a non-Government college will feel, if they have an unbiassed mind, that there is a great deal, there is a distinctive feature, in the Government colleges which they can see in the products of those colleges I for one hold, Sir, that the Government colleges have more or less a cosmopolitan air about them You find in Government colleges students in fair proportion belonging to every community, Parsi, non-Brahmin, Mahomedan and so on, and there is not a predominating communal tone in the Government colleges, which is generally and inevitably found in colleges where students from the poorer communities have to go for their education I do not mean that it is a defect of the other colleges for which we can blame them, it is inevitable in them Those colleges are meant for less expensive style But in the case of the Government colleges there is automatically a cosmopolitan air and this intermixture of students has a great deal of effect on the moral tone, the manners and the general refinement and culture of the students joining the Government colleges Secondly, a great deal depends on the staff which is in many respects unlike the staff in cheaper colleges A great deal also depends on the environment and surroundings provided by the Government colleges On these general grounds, I maintain there must be some sort of a college where well-to-do parents, who like to have a certain high level of manners, of refinement, of polish, may send their boys to, if we have to cater for such parents in the Presidency, I do think, even at the risk of having a little bit

[Mr B S Kamat]

of expenditure on these colleges, Government must maintain these two colleges, for the sake of those parents who are prepared to pay higher fees I think it would be a bad day, as the honourable member the Director of Public Instruction said, to entirely abolish these colleges in favour of those which are ostensibly and necessarily run on cheaper lines

The Honourable Sir RAFIUDDIN AHMAD Sir, I think almost all the criticisms that have been made have been answered by my honourable friend the Director of Public Instruction There is really nothing for me to add With regard to some of the remarks which have fallen from the lips of my honourable friend opposite, I may say that when I made enquiry as to what college the honourable member was attending, my question was perfectly relevant Because the honourable member had informed the House that about 50 years ago he was attending a college where an English Professor was delivering lectures which were not very satisfactory I really wanted to know who that professor was and whether it was a Government or aided college I really do not see why the honourable member flew into temper and said that I was overawing him On the contrary, it was evident that I was being overawed by him. The Government colleges, as the honourable member the Director of Public Instruction has said, are doing very useful work Wherever I go, I hear good words used for Government colleges and also a desire of parents expressed to send their boys to them With regard to hours of lectures and periods, may I inform the honourable House that of all departments and of all subjects, education is a subject in which experiments have to be tried? It is essentially an experimental subject and therefore what was considered good 50 years ago when the honourable member was attending a college might not be considered quite useful in these days We have to follow the system in colleges of advanced countries and the system followed there is being adopted by the Educational Department If any system is found unsuitable after trial for this country, it would be dropped " But experiments must be tried

With regard to the remarks of my honourable friend from Sind, I do not want to answer the questions raised by my honourable friend Mr Haji Mir Mahomed Baloch because those questions are perfectly irrelevant But he is not justified in telling this House that because Sind sends members here who have not got degrees, therefore Government ought to step in The best example is that of his own, and how can we blame the voters of Karachi for sending the honourable member in preference to a graduate? It is not in our hands

Mr HAJI MIR MAHOMED BALOCH There is no graduate available

The Honourable Sir RAFIUDDIN AHMAD As long as honourable members like himself are in evidence before the voters, I do not think graduates will have any chance With regard to the remarks of the only honourable member from Sind who is a graduate, I think when he wants a Government college in Sind, I really do not know whether he is

[Sir Rafiuddin Ahmad]

echoing the feelings of the people of Sind Does he want the Madressah to be abolished ?

SYED MIRAN MAHOMED SHAH No, in addition

The Honourable Sir RAFIUDDIN AHMAD In addition to the Madressah ?

Khan Bahadur M A KHUHRO He spoke about the discipline of the present colleges

The Honourable Sir RAFIUDDIN AHMAD That is a different matter These are remarks about the want of a college, no remarks were addressed by the honourable member about discipline I think the whole gravamen of his speech was that he wanted a Government college Of all years, the present is the worst in which an appeal of that kind could be made Perhaps it would be difficult for Government to give even the usual grant to the Madressah this year If the full grant is given this year it would be as much as Government could manage But a new college is out of question

Honourable MEMBERS . Not for Mahomedans only

The Honourable Sir RAFIUDDIN AHMAD I think the principal demand comes from Mahomedans in Sind I have not heard it coming from the general public asking for a Government college, but if there be any general demand I think there will be time enough for Government to consider it The speeches by members coming from Sind have been very sympathetic and I hope the House will realise that the cut does not deserve any support and that the honourable member who has moved it will withdraw it

Rao Saheb P D KULKARNI I beg leave to withdraw my motion, Sir.

Motion, by leave, withdrawn

Dr M K DIXIT (Surat District) Sir, I beg to move the motion which stands in my name, viz —

Omit—(D)—Government Professional Colleges—Provision for Training College for Secondary Teachers—Rs 73,000 (C E page 200)

I move this cut as a protest against the further expenditure asked for the expansion of Secondary Training College and against the closing down of 14 classes from the Elphinstone High School In the Blue Book, page 211, we are told that the Secondary Training College, Bombay, has at present accommodation for only 60 students That this is very inadequate will be clear from the percentage of trained teachers to the whole body of teachers in Anglo-Vernacular schools which is only 5 2

I cannot make out how this figure of percentage of 5 2 has been arrived at I have looked through the reports of the Department of Public Instruction for the last three years I have not been able to look through the most recent report because I have not received a copy of it yet, but I have just read a review of it in the local papers Probably it has been received in the Council library, but some honourable member has taken it and I have not been able to look through it, but I find that nowhere

[DR M K DIXIT]

this figure of 5 2 could be traced I have come across, however, a figure of 17 6 which is the percentage of trained teachers from amongst the teachers in the Anglo-vernacular schools I do not know if this is really a mistake or if it is due to my inability to find from the report, but so far as I am concerned, I feel that the percentage of trained teachers to-day stands at 17 6 and not 5·2 Of course, I stand open to correction in case my honourable friends opposite show me that the real percentage is 5 2 and not 17 6 I have got figures from the last three reports For 1927-28, the total number of teachers was 4,581, of whom about 887 are trained This comes to 21 5 per cent In the year 1928-29, the total number of teachers was 4,749, of whom 855 were trained The figure comes to 18 per cent For the year 1929-30, the total number of teachers I find in the report as 4,787, of whom 833 were trained, and the percentage works out at 17 6

The point that I wish to make is this, that though the percentage looks small, according to my working out, it comes to 17 6 and the percentage given in the Blue Book comes to 5 2, but really it is not so The point on which I want to lay special emphasis is this, that the training college only admits graduate teachers for training and other teachers are not eligible for admission in that college So, this is a faulty method of calculating the percentage If we take the number of teachers who are graduates and who are eligible for admission into this college and then take the number of trained teachers, I think it will be justifiable to take percentage from those data To take percentage from the data of 4,787 teachers in all, of which only about 1,900 are graduates and therefore are eligible for admission for training, and then to calculate the percentage is a wrong way of putting the figures as those figures are likely to prove misleading Really speaking, the percentage of trained teachers to graduate teachers will be more than 40.

Then, Sir, we have been told that there will be a saving of Rs 34,368 by closing down fourteen classes in the Elphinstone High School This figure is also, to my mind, somewhat misleading It is stated that the closing down of 14 classes will mean a saving to Government on account of the pay and allowances of 17 assistant masters on Rs 70—200 and one drawing teacher on Rs 60—150 and on account of the reduction of a special post of Rs 250—10—350 to that of an ordinary teacher on Rs 70—200 This figure of Rs 34,368 has been arrived at by taking it for granted that those teachers who will be relieved will be drawing the average on the scale of Rs 70—200, namely, Rs 135 But what will be the result of closing down these 14 classes from the Elphinstone High School? The senior assistants who are in charge of the classes will not be sent away, the teachers who will be relieved will be the most junior drawing not more than Rs 70 Government have arrived at the figure of Rs 34,000 and odd by taking the average of Rs 135 per teacher, while really speaking the teachers who will be relieved will be drawing only Rs 70 Therefore, the actual saving will be far less than Rs 34,000, really speaking, it will be only half of that, because in arriving at Rs 34,000 Rs 135 has been taken as the average saving per teacher,

[Dr M K DIXIT]

whereas the real saving per teacher will be only Rs 70, which is nearly half of Rs 135 These 17 teachers, if you take account of the ten per cent cut, will be drawing Rs 63, and 17 teachers drawing Rs 63 per mensem for one year, including the Bombay allowances, will give something like Rs 17,340 and not more The actual figure that has been shown is Rs 34,368, while the amount actually saved will be only half of that I am open to correction, if there is any mistake in my calculations So, Sir, if you take that the amount that will be saved by relieving these 17 teachers will be only Rs 17,340, we have against this a loss of Rs 22,000 being the amount shown in the Blue Book (page 211) as the fees from students who will be thrown out by the closing down of the 14 classes in that institution Thus, actually Government will have a loss of Rs 4,660 and not a gain of Rs 16,568 as shown in the Blue Book When to this amount of Rs 4,660, which is the loss according to my calculation, is added the sum of Rs 7,411, which is asked for as the grant, the extra expenditure will be Rs 12,000 and a little more every year. Now, in these days of financial difficulties, when we are cutting down the grants for nation-building departments, if my calculation is correct, we shall be incurring a further cost on the Secondary Training College of Rs 12,071

Has an emergency really arisen for the expansion of this training college ? We have been told that the University Reform Committee of 1924 recommended that one hundred graduates should be trained every year We are now in the year 1932 We slept over it for nearly seven years, did not do anything during this long period, and when our finances are so bad that new taxes have to be imposed and funds have to be borrowed for carrying on the administration of the presidency, are we justified in increasing and expanding the Secondary Training College at an extra expenditure of Rs 12,000 per year ? I think we can as well wait till the finances of our presidency improve

Further, I would point out that though it is stated there is room in the Training College only for 60 students, we find it stated also in the report that some more students were allowed to attend and actually 75 students attended the college and got through Besides, I am told that there is also a private institution in Poona conducted by one Mr Atre which is training up students for the University examination If that institution is working satisfactorily—I am told it sent up 15 students last year for the B T. examination of the University and almost all of them got through—I do not see why we should incur a further expenditure of Rs. 12,000 on the Secondary Training College, Bombay, and not allow Mr Atre's institution to progress further Even if this provision is wholly cut out, and this Secondary Training College is closed and ceases to grant any diploma as it used to do before, or ceases to train up students for the University degree of B.T as is done at present, we can provide for training of secondary teachers elsewhere without much expenditure. We can have three training colleges, one at Poona, one at Bombay and one at Ahmedabad, and I think they have got a sufficient number of hands, professors or teachers, who can train up the students in the curriculum of the secondary training course (B T degree).

[Dr M K DIXIT]

Some difficulty may be pointed out regarding this suggestion on the score of the absence of facilities for giving practical lessons in teaching in practising schools But in all these three centres, Bombay, Ahmedabad and Poona, there are a sufficient number of secondary schools where arrangements for giving practical lessons can be made so as to meet the needs of the University degree Moreover, as 75 students were trained last year, if it is absolutely necessary to train the full hundred in the Secondary Training College, Bombay—which I think will not be necessary, as a private institution already exists in Poona—but if it were absolutely necessary, I do not see any reason why the present staff, which can manage 75 students, cannot manage a hundred In various arts colleges we find that there are classes containing 100 or 150 pupils and even more, and the college professors are quite able to cope with these classes These are all advanced students, all graduates, and if 75 students can be coached up by the present staff, I do not see why a hundred cannot be coached up by them I do not, therefore, see any necessity for increasing the staff

Then, look at the expenditure that we are incurring The expenditure per pupil comes to something like Rs 1,000 per student That is certainly a very high expenditure If it is possible to effect economy by closing down this college, I think we will be saving a fairly good amount, viz Rs 73,000

I have not yet touched the other side of the question, namely, the effect of closing down the 14 classes of the Elphinstone High School The last paragraph of the note in the Blue Book says that Government are satisfied that in a city like Bombay, no hardship will be felt by the public if the number of classes at the Elphinstone High School is reduced by half Whenever Government wish to carry out any proposal of theirs they are always satisfied no matter what obstacles come in the way But what will be the exact situation ? By closing down these 14 classes, you will have to disband nearly 500 students, taking 35 students as the average for a class These 500 students will be removed from the Elphinstone, High School and they will have to go somewhere else I dare say that there are a number of schools in the city and they can be accommodated But of these 500 students who will be disbanded, how many are receiving tuition free ? I am told, Sir, that in this school 22 per cent of the backward class and Mahomedan students are given freeships and all the depressed class students are taught free If this is correct, then the question arises whether all these pupils who have been taught free in this school, but will be thrown out as a result of the closing down of these 14 classes, will also be admitted as free students in the other high schools of the city The difficulty will be tremendous for them We have always been clamouring in this House that we must make available plenty of facilities for the education of the depressed classes, backward classes and Mahomedans. If, as I say, the effect of closing down these 14 classes is the stoppage of facilities for freeships to some of the depressed class, backward class and Mahomedan students who now study in the school, I ask the House,

[Dr. M. K DIXIT]

I ask the Government, why should they close down these 14 classes and prevent 500 students from taking their education in a Government high school ?

There is another aspect of the question also We were told by honourable members on the opposite side that the education imparted in Government high schools is certainly more desirable than that given in private schools, and that the education given in private schools does not come up to the same standard as that imparted in the Elphinstone High School Is it, Sir, worth while removing these 500 boys from a better-managed institution to private schools where the management is not so efficient ? I put this view also before the House, that in the interests of the depressed, backward classes and Muhammadans it is not desirable that these 14 classes should be abolished and provision made for the expansion of the Secondary Training College

I think, Sir, that I have made out a good case for not expanding the Secondary Training College at the cost of 500 students I have also made out a good case for keeping intact the 14 classes which are intended to be closed down, for some years to come at any rate, and not forcing the hands of the poor depressed class, backward class and Muhammadan students by seeking education on payment of fees I am afraid many of them will have to discontinue receiving education for want of means Therefore, I hope the House will agree with me that the Secondary Training College should not be expanded at the cost of the 14 classes of the Elphinstone High School but should be deferred to a future date With these words I commend the motion to the acceptance of the House

Question proposed

Rao Saheb B G DESAI (Kaira District) Sir, I support the cut proposed by the honourable member from Surat (Dr Dixit) on the ground that the expansion of the Secondary Training College that is sought to be effected at the cost of 14 classes from the Elphinstone High School is absolutely undesirable As at present, the cost of the Secondary Training College is really very heavy, as would appear from the last paragraph on page 23 of the report of the Director of Public Instruction for the year 1930-31 It says

"The expenditure on the College during the year was Rs 68,366 and the cost to Government per student was Rs 1,099"

The training of students at a cost of about Rs 1,100 each is no doubt very costly

Again, there is another item which you find at page 200 of the White Book The item refers to the grant of stipends to teachers from non-Government schools, for which purpose a sum of Rs 10,000 has been provided Government can very well retrench this expenditure and spend the amount in some more desirable channels They have already withdrawn stipends from primary training colleges the students wherein are poorer than those receiving training in the Secondary Teachers' Training College When stipends from these primary colleges have been abolished, it sounds all the more logical and reasonable

[Rao Saheb B G Desai]

that they should not be continued any longer in the Secondary Training College

Mr R H BECKETT On a point of information, Sir Did I understand the honourable member to say that stipends have been discontinued in primary training institutions ?

Rao Saheb B. G. DESAI Yes, Sir.

Mr R H BECKETT That is not the case. The honourable member is misinformed

Rao Saheb B G DESAI What I mean to say is that the stipends have not been allowed to the extent they were allowed before, but only a very small sum is allotted for that purpose now When I say that stipends have been discontinued, I mean to suggest that they are appreciably curtailed, so much so that the grant that is allotted for the purpose is comparatively insignificant and small In comparison with that grant, I say that Rs 10,000 that is being spent from year to year for giving stipends to non-Government teachers in the Secondary Training College is rather too large and of course tends to raise the expenditure to a very great extent

The honourable the mover of the cut has already drawn the attention of the Honourable House to the figures of the three years 1927-28, 1928-29 and 1929-30, and hence I need not repeat them On further reference to the report on Public Instruction for the year 1930-31, it would appear that the total number of teachers is 4,808 of whom 815 teachers are trained That brings us to a percentage of 17 Thus it clearly appears from the very latest reports on Public Instruction that have been published by Government that the figure of 5 2 mentioned at page 211 of the Blue Book is not correct Looking to the proportion of graduate teachers that are trained, it will appear that in the year 1927-28 in Government schools there were 493 graduate teachers of whom 334 were trained That gives a percentage of 67 In the year 1929-30 there were 510 graduate teachers in Government schools of whom 328 were trained That gives us a percentage of 64, and in the year 1930-31 the total number of graduate teachers was 493 of whom 342 were trained, which gives a percentage of 69 It will thus appear that of the total number of graduates that are admissible to the S T Training College more than 69 per cent graduates are already trained. So, Sir, there is no case for undertaking a scheme of expansion of the Secondary Training College in these days of financial stringency

Again, Sir, there is another ground on which I am opposing the expansion of the College at the cost of the 14 classes in the Elphinstone High School. The Elphinstone High School, I understand, is primarily meant for high school purposes The contribution has been given by the original donors specifically for accommodating a high school in the building We find, however, that year after year the main object of the donation has been given the go-by and another institution which is not meant to be accommodated there has been allowed to creep in and expand at the cost of the High School It is certainly not advisable or

[Rao Saheb B G Desai]

proper to abolish 14 classes to make some room for the expansion of the Secondary Teachers Training College With these words I support the cut moved by my honourable friend Dr Dixit and trust that the Education Department will consider it advisable to give up the proposed scheme for the expansion of the Secondary Teachers Training College and further refrain from abolishing 14 classes from the Elphinstone High School, which is, as has been amply proved by the Honourable the mover of the cut a measure involving clear loss in revenue and hence entirely inexpedient and unsound even from the practical point of view

Rao Saheb R V VANDEKAR (Nasik District) Sir, I rise to support the cut moved by the honourable member Dr Dixit The proposal is to create new highly paid posts, in these days of financial stringency on the cadre of the Secondary Training College which teaches up to B T degree, but in order to enable Government to spend in the way proposed, no less than 14 classes in the Elphinstone High School will be abolished In this way 17 teachers will lose their employment and two young men will be luxuriously provided for By closing 14 classes, nearly 500 boys will have to go to private schools and will lose the advantage of education in a well-managed Government High School

I have to bring to the notice of this honourable House that the College at present has an adequate staff of 6 lecturers and professors to teach 75 B T degree students It passes my comprehension why this staff is not able to teach 25 students more and why two more highly paid teachers are wanted

There is also another aspect of this question In a training college a sufficiently large and adequate practising school is an absolute necessity At present 28 classes provide practice for 75 students, out of which 14 classes will be abolished under the new scheme But I fail to understand how the remaining 14 classes will suffice to give adequate teaching practice to the 100 students that will, in future, be trained at the college Under ordinary circumstances, one would expect that provision for more classes would be made when the proposal for increasing the admissions is put forward In these days of financial stringency which compels the Honourable Minister to reduce the expenditure on primary education, a substantial increase of expenditure on higher education is not justified and I am, therefore, compelled to support this cut

Mr M H MEHTA (Panch Mahals District) Sir, I rise to support the cut and in doing so I must say that I differ from the view of the honourable member Dr Dixit His view is that the College should be abolished There is necessity of such a college to which private schools are allowed to send teachers for the B T examination As we see in certain districts a model school is a necessity Similarly, a model college for training teachers is also a necessity It may be that we can develop the training of teachers by allowing well-equipped and well-managed schools to send up teachers for the B T examination The whole point that is to

[Mr M H Mehta]

be considered in this case is whether the expenditure that is proposed to be incurred is justifiable or not My submission is that at the present time, when there is so much depression and when Government has proposed a very drastic cut in education, there is no hurry to go in for the development of this training college We see that out of nearly 75 teachers that are sent for training about 10 to 11 come from Government schools The rest of them come from Native States or aided and unaided schools It is an admitted fact, and the Director of Public Instruction's report also shows, that owing to want of sufficient funds many of the schools are not in a position to pay sufficient salaries to graduate teachers. In the last report it has been stated that in many of the schools graduate teachers are paid from Rs 40 to Rs 80, Rs 80 being the maximum salary that is being paid in many of the schools

Under these circumstances, I say that it is not possible for aided or other schools to depute teachers to the Training College for acquiring better qualifications Even after they are trained, they would aspire to a higher salary which the schools are not in a position to pay Therefore, there will be much more discontent among the teachers This is not the proper time when the Training College should be developed and more accommodation should be provided for the students If the work goes on as at present, the time will come for the expansion of this college

Again, I differ from the honourable member Rao Saheb Desai that the stipends should be abolished altogether or should be reduced We find now that out of 75 students only 25 students are given stipends They used to receive Rs 40 per month for 10 months So, Rs 10,000 is spent. Now, the stipends have been reduced from Rs 40 to Rs 30 and so Rs 7,500 has been provided for stipends If the college is to be made much more popular, instead of decreasing the stipends, more stipends should be given to the students, so that private aided schools may be encouraged to send more teachers for training Those students who get stipends from Government will get the salary from the schools from which they are sent The schools which are not fortunate enough to get stipends for their teachers will have to pay the full salary to the teachers when they are sent for training and will have to engage additional hands to work in their schools That is why the schools are handicapped Year after year we receive circulars from the department to send applications for admissions to the training college But we are not in a position to send a sufficient number, owing to financial stringency So, instead of developing the institution by additional professors, the best course for this institution to be more popular would be to give the additional amount of Rs 30,000 that is proposed to be spent on the additional number of professors, for stipends That will be a better solution Again, it is necessary also to encourage the training college by giving additional grant to those schools which are able to secure qualified and trained teachers A special amount should be spent on teachers who get such qualification We have an appreciation grant, which is paid to teachers when they pass with a high percentage of marks They are given a certain reward When such teachers, after taking their degree,

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join their respective schools, they should be paid certain additional pay for which the schools must get a special grant If that is done, the training college would be better patronised According to my opinion that will be a proper remedy, rather than having this burden on the training college Even at present the expenditure on the college is too high We find that the salary of the principal is extremely heavy What is spent on the principal is spent on the rest of the staff It is better to find out a principal who will draw a less salary than at present The complaint that was made by the Director of Public Instruction in his report is that sufficient attention is not being paid to the practical work The Director of Public Instruction did not recommend that the classes should be reduced to 14 and that highly qualified professors should be added He stated in his report that more attention would be necessary for practical work and not for lectures It would have been enough, if some junior assistants were added so that the batches of students may be supervised or some more trained teachers may be added That is the proposal that was made by the Director of Public Instruction I do not understand why the classes have been reduced to 14 It would not matter, even if there be 100 boys, so far as lectures are concerned The chief thing is the training of students for practical work For that different batches must be supervised by different persons So, my submission is that junior assistants who may take notes are required Even if 100 boys are admitted, instead of 75, still the work will go on by having two or three additional assistants There will not be any difficulty, because the same professor can lecture to 75 as well as 100 students Again, I do not understand why the classes have been reduced to 14 and how more accommodation will be necessary for the development of the college If at all one or two rooms are required, if this arrangement is put into force a number of rooms can be kept vacant If Government have any idea to utilise these rooms for police station as they have done in the Anglo-middle school, it is a different matter For the purpose of expansion of the college, I do not think that 14 class rooms will be required

The economy that has been shown is also faulty as my honourable friend has shown If the teachers were reduced there will be a saving of Rs 17,340 as against a loss of Rs 22,000 shown in the Blue Book The expenditure on the salary of the teachers as has been pointed out by the honourable mover will be Rs 70, and not Rs 135 as these teachers have been recently engaged temporarily That is all I would urge in respect of this cut

Mr R H BECKETT Mr President, I confess that I am amazed to find that an honourable member of this House has proposed a reduction which would result in the total closing down of the secondary training college One of the first things I did when I came to this Presidency was to go into the matter of the training of teachers and I must say that it is in a very unsatisfactory condition Secondary education has developed for a number of years and there has been no corresponding expansion of the resources for training secondary teachers The honourable mover of

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the motion is, I believe, a doctor, and he will agree with me when I say that a doctor, in addition to receiving theoretical training, must have practical training in hospitals Similarly, the teacher of a secondary school should not only receive training in the theories of education but he should practise how to teach, under expert supervision It is on this supervision that a great deal of the time of the professors of any training institutions is taken up The University require that a minimum of 30 lessons under supervision should be given by each teacher under training This in effect means that no less than 150 lessons per week have to be supervised by the members of the staff of the Training College Not only that, but the notes which the teacher prepares for his lesson have to be discussed and the lessons themselves criticised by the members of the staff of the college and by the other students Only in this way is it possible to see that students of the college are able to put into practice the theories of education which they learn As I have said, the position with regard to the training of secondary teachers in this Presidency leaves much to be desired The Principal of the college was deputed to go round and see training institutions in other Provinces He reported that a great deal must be done if the secondary training college is to be put on the same level as the training institutions elsewhere May I point out that by turning out a larger number of competent teachers, the standard of secondary education throughout the Presidency will be raised ? At present the college staff is hardly sufficient to undertake the training of 60 teachers per annum It is true, as the honourable mover said, that last year 75 pupils were taken in, but that was an exceptional measure which entailed some sacrifice in efficiency It could not be done as a permanent measure His argument was, "as you increased it from 60 to 75, let us increase it to 100" I ask whether that would be possible without also increasing the staff of the college It is necessary that teachers going through this course should receive proper training, not only in regard to lectures, but also in regard to supervision in their practical work

In support of his motion for a reduction of the total grant for the secondary training college, the honourable mover has questioned the Government figure of 5 2 per cent of trained teachers There are, I find from my draft letter to Government, 4,719 Anglo-vernacular teachers in private institutions, of whom only 245 or 5 2 per cent were trained graduate teachers The figure, Sir, is correct

A point which he has raised in support of his motion for reduction is that the statement of saving in expenditure given in the Blue Book is not in accordance with the facts In fact, if the House is to accept the figures put forward by the honourable mover, they would accept the position that by abolishing 14 classes in the Elphinstone High School, Government is going to lose Rs 4,000 per annum If the honourable member will look at the cost of Government secondary schools and take from it the receipts in fees from Government secondary schools, he will find that these schools do cost money, and it is certain that if you abolish 14 classes of a secondary school, you do save money Now, it is true,

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Sir, that the figures for the saving in expenditure are based on the average cost But I would also point out that the figures for the increase in expenditure are also based on the average cost, so that that argument applies to both sides That is the correct way of estimating It is of course a difficult matter to say precisely what actual saving will be effected in the first year, because it will depend on what teachers are retained and what teachers dismissed But a correct estimate has been placed before the House, in that we have shown what the average saving effected will be and what the average cost will be I can assure the House that the figures of the honourable mover of the motion, whereby he shows an extra expenditure of Rs 12,000 per annum, are a gross exaggeration He has assumed that the superfluous staff would displace the lowest paid teachers in the new reduced rates of pay That assumption is not correct It is impossible to say exactly at this time what teachers will be displaced, but even assuming that the saving will in the first year not be quite equal to the figure given, yet that figure is substantially correct, and it does really represent what the ultimate position will be

There is another point, Sir, in regard to this saving in expenditure which is worthy of mention, viz that at present we depute for training teachers from Government schools, and pay them salaries during the period of their training, this costs on an average over Rs 10,000 per annum Now, I anticipate that, when we increase the number of trained teachers turned out by the training college, we shall be able in time to appoint teachers who are already trained making it unnecessary for Government to spend money on their training This, in the long run, will mean a very substantial saving to Government I have explained, Sir, how important it is that the teachers of the secondary schools of the Presidency should be trained Any one with educational experience will support me in this The training college has not expanded with the development of secondary education in the Presidency, and by increasing the numbers to 100—of whom at least 80 per cent will be available for the non-Government schools of the Presidency—I think that during the course of a few years the percentage of trained teachers will be increased and the standard of instruction raised In the course of time it will be realised that this has been a most wise step, conceived in the very best interests of secondary education

But, Sir, this is a year of financial stringency There are several things to be done in connection with the training of teachers It is a question of what is practicable in a year of financial stringency, and it was in order that this most important and pressing measure might not be any longer delayed that I suggested that the number of classes in the Elphinstone High School should be reduced In this way, as has been shown, it is possible to do a great deal of good to secondary education, without any cost to Government, indeed it will result in ultimate saving to Government

The closing of the 14 classes has been opposed on the ground that it will mean that some 500 boys will have to seek accommodation

[Mr R H Beckett]

elsewhere That is something of an exaggeration Only about 350 boys will be affected, because two classes are not full at present, I do not anticipate that these boys will have very serious difficulty in obtaining accommodation in a large city like Bombay I would also point out that the average size of a Government high school is 14 sections, and that this reduction in the number of classes will only reduce the school to the average size of a Government school Sir, the training college is the only college affiliated to the University which trains for the B T degree The cost per student is admittedly high, but not when the value which Education receives in return for that expenditure is taken into consideration The cost per head will be considerably reduced as a result of this enlargement of the college

Another point which has been raised by the honourable mover is in connection with the free studentships now given to certain pupils in the Elphinstone High School These free studentships are spread out over the whole Division, but I feel sure that Government will take the honourable member's remarks into consideration in regard to this matter

The honourable member Rao Saheb Desai has suggested, in opposing the closing of the 14 classes that the Rs 10,000 allowed for stipends should be taken away, and he said in support of his statement that the stipends have been taken away from primary training institutions As I pointed out at the time, that is not correct The stipends for teachers in primary training institutions for men have been reduced by Rs 2-8-0 per mensem and the rate of stipend in the training college has been reduced from Rs 40 to Rs 30 per mensem If the honourable member will refer to the White Book, he will see a reduction in the provision from Rs 10,000 to Rs 7,500 Now, a point does arise as to whether Government should economise this Rs 7,500 I do not think so as we should hit the poorest type of school Honourable members are aware that we have not been able in all cases to give full grants-in-aid to these schools owing to financial stringency Certain schools can afford to depute their teachers for training, but certain schools cannot, and it would be very hard on those schools who have no trained teachers and who cannot afford to depute them to the training college if no assistance in this direction was given by Government I therefore think that to reduce this grant would be opposed to the interests of the schools, particularly the type of school which most needs the services of trained teachers

I hope, Sir, that what I have said will induce the honourable mover of the motion to withdraw it To close down the Secondary Training College would do incalculable harm to the cause of secondary education in this Presidency That there should be only 5 2 per cent trained graduates in non-Government secondary schools is a matter for grave reproach It is essential, Sir, in my opinion, that we train more teachers, and now that the way has been found of doing it at very little expense, I hope that it will be accepted as a marked advance and that the honourable mover will withdraw this cut

(*After recess*)

Dr M K DIXIT (Surat District) Sir, the honourable member the Director of Public Instruction said he was amazed at my suggestion that the secondary training college should be closed down In the very beginning, Sir, I said that this motion was made by me as a protest against any further expenditure that was intended to be incurred by the expansion of the college and by closing down 14 classes in the Elphinstone High School Sir, in his remarks he went on further and gave me light—not new light but old light—that I was a doctor and should know that practical training by going down to the hospital under the supervision of an expert was necessary for a doctor and equally so for the teachers undergoing a secondary training college course I thank him for all that he said and I never deny that the practical experience of giving classes is absolutely necessary to the teachers undergoing secondary training college course But all that could be done without a special training college as is done now and as is proposed to be expanded further The University require 30 practical classes; and a lot more which he suggested would do greater benefit to the students under training there But, Sir, I submit that at present the students who are undergoing that secondary training college course are giving practical classes, some under the supervision of their own professors and lecturers and some under the supervision of the senior trained teachers who are working in the Elphinstone High School at present It is not necessary to employ fresh men in order to supervise the giving of lessons in those classes. The senior assistants in the Elphinstone High School are all trained teachers They have experience of teaching before they were trained as well as after they were trained, and they could be called expert supervisors for supervising the training of students who give practical lessons in the classes So, I do not think that is also an absolute necessity I am grieved to hear from the responsible officer that education in the secondary schools is disgraceful I hope that just as a new broom sweeps clean, our new Director of Public Instruction will set matters right and bring up education in the secondary schools to a standard which is at once good and efficient

Then, regarding the figure of 5 2 per cent, Sir, in the remarks in the Blue Book I read out, no mention has been made about the graduate trained teachers, and the only source of information which we have is the report under his signature and the Blue Book that we possess, and there it is definitely stated in the report of 1929-30—page 29—that the number of teachers trained is 17 4 per cent and not 5 2 I am glad, however, that he has given this new information that of the 833 trained teachers as mentioned in the report, only 245 are graduate trained teachers, and the rest are undergraduate trained teachers possessing the old diploma of the secondary training college All the same, I admit, and he also will admit that the trained teachers, whether graduate or undergraduate, have undergone a course of training in the secondary training college and that though they may not be graduates, they have received actual training in that college——

Mr R H BECKETT I do not wish in any way to interrupt the honourable member, but the training college only trains graduate teachers It does not give any training to undergraduate teachers

Dr M K DIXIT Thank you, Sir Yes, I know that admission to the training college is reserved for graduates only, but those that have been trained have received the S T C or S T C D diploma from the training school or the training college That is what I understand——

The Honourable the PRESIDENT . I believe the honourable member the Director said that those who enter the college enter with the idea of graduating themselves in training as teachers

Mr R H BECKETT The S T C is the Departmental certificate given on the results of an examination and certain practice in teaching, but it can hardly be held to take the place of the training which is given in the training college for graduates only

Dr M K DIXIT I hope due correction will be made in the next administration report and a distinction will be made between the graduate trained teachers and the diploma-holders who do not undergo regular training in the training college or who did not undergo that training there

Then, Sir, the honourable member the Director of Public Instruction admitted that the actual figure of Rs 34,000 and odd may not be a correct figure, but he also submitted that my calculation was not accurate He said that it all depends upon what teachers would be relieved out of these 17 assistant teachers who will be free when 14 classes in the Elphinstone High School are closed down I do not know which teachers will be relieved by the Director of Public Instruction But so far as I understand, the departmental rule is that it is the junior men that are relieved first I do not know if he wants to deviate from that principle, but I leave it entirely to him However, the figure given in the Blue Book does not seem to me very accurately worked out, and during the course of the next year we shall find out what teachers have been dispensed with and what actual saving has been effected Though my figure may not be very accurate, I believe it is nearer the truth than the figures that have been given in the Blue Book, and I should not be surprised at the end of the year to see the Honourable Minister come forward with a demand for a supplementary grant that so much money is required for this department on account of certain mishaps, or misunderstanding or miscalculations, and the House will have to sanction that supplementary demand

There is nothing else which I want to add, except one thing which the honourable member the Director of Public Instruction mentioned, that the training college is the only Government institution training students for the University degree I admit that that is the only secondary training college we have, but with a view that the training of teachers may be done more rapidly and that secondary teaching or secondary schools will be more efficiently managed and taught, would it not be far better, if it is possible, to open training classes and to attach them to the three Government colleges which exist at Ahmedabad, Bombay and

[Dr M K Dixit]

Poona so that this sort of training can be given? We have got a number of hands there and a number of secondary schools, and when those students are undergoing training and when they are given practical lessons in the classes, the secondary trained teachers of good standing, who will be working in those schools, can easily supervise those teachers in those three places. And if economy is to be effected, it may not be an ideal economy, but still in this financial stringency many needs have got to be left out and the Secondary Training College may as well come under that category. The training of these teachers may be done at these three centres fairly well, if not up to the same mark as in our Secondary Training College. As I said before, my object in moving this cut is not to do away with the Secondary Training College, but to raise a protest against the extension of the institution, involving as it does unnecessary expenditure, according to my calculation of Rs 12,000, and against the closing down of the 14 classes in Elphinstone High School. The honourable member the Director of Public Instruction remarked that by cutting down these 14 classes in the Elphinstone High School that school will be brought to the level of the ordinary high schools. I do not know what his exact idea is of an ordinary high school—how many classes it should contain—but I think it may be proper to assume that his idea is that it is much easier to manage 14 than 28 classes, a small institution than a big institution with double the number of classes. I have nothing more to add in this connection.

The Honourable the PRESIDENT: The honourable mover has expressed that his object was not really to get the cut effected, a big cut of Rs 73,000, but to protest against the action of Government in increasing the expenditure, to a limited extent. I must point out that that is an entirely wrong procedure, to move a cut of this kind to achieve that object. What he really should have done was to have moved a small cut and raised a general discussion. A big cut like this leads the discussion into a different channel. I think it is high time that honourable members understood the real nature of the cuts they propose.

The Honourable Sir RAFIUDDIN AHMAD: Mr. President, you, Sir, and my honourable friend the Director of Public Instruction have considerably lightened my work. I wanted to tell the honourable member Dr Dixit that this was not the way to achieve the object which he had in view,—moving a cut of such a substantial amount.

My honourable friend the doctor will excuse me if I do not consider him as an authority on education to-day as I did consider him as an authority on medicine yesterday. I do not know why such an intelligent and a usually shrewd observer like himself has fallen into such an error. All the time I was thinking that his case was very weak and I think he himself must have thought it likewise. I was considerably amused at this great concern as to how the depressed class and Mahomedan students would find admission or receive concessions in aided high schools. One would think, on the other hand, that the

[Sir Rafiuddin Ahmad]

shades before him were those of the disappointed teachers more than those of the depressed class students for whom he has not always been excessively considerate

Dr M K DIXIT Which teachers you mean ?

The Honourable Sir RAFIUDDIN AHMAD The displaced teachers from the 14 classes at the Elphinstone High School

Now, coming directly to the question, just a few minutes ago, we were told that the policy of Government should be to cut down Government institutions, to reduce them, if not altogether to abolish them About the colleges the policy has been explained by the Director of Public Instruction Now, Sir, when we have proposed to cut down a few classes in one of these schools, a protest is raised. So, it seems to me that that policy does not commend itself to the House, except to some people

May I inform the honourable member that it was with considerable difficulty that I got this little amount for the Secondary Teachers' Training College ? This is the only constructive work in this year's budget If I had not secured that money for the college, it would have gone to the general pool So, as a matter of fact I ought to be congratulated on getting this additional sum,—[*Honourable Members* Hear, hear],—for this particular piece of constructive work If we fall into an error we are blamed, if we happen to do a good thing we are equally blamed for that Well, I do not want to use the Hindustani phrase which was used the other day by my honourable friend the Honourable the Finance Member to describe the situation But I do say that this is not very encouraging A Minister has a right to expect much more consideration when he has honestly worked to get money from Government for such purpose

Now, the honourable member says that this object can easily be achieved by having three separate schools in Ahmedabad, Karachi and Belgaum, or some such places But it is our experience——

Dr M K DIXIT You must have misheard, I never said Karachi or Belgaum

The Honourable Sir RAFIUDDIN AHMAD I am very sorry if I have given the names of wrong cities, but all the same, the principle remains What I want to say is that it has been our experience that it is much better to concentrate all classes in one big institution rather than have this bifurcation into small classes where teaching is not really to the satisfaction of all concerned I therefore think that the policy which has been adopted by the department is very sound, and the only one that is sound under the circumstances I hope, therefore, that my honourable friend the doctor with his usual moderation will withdraw the motion

Dr M K DIXIT Sir, I want to give an explanation in view of your remark that it was high time that members knew exactly what sort of cuts should be tabled The idea underlying this cut was that this

[Dr M K DIXIT]

sort of secondary training course could be given in the three Government colleges in Ahmedabad, Bombay and Poona Of course, the object was to protest against the extension of the college by spending more money, and the shutting down of the 14 classes in Elphinstone High School, and to throw out a constructive suggestion to the Honourable the Finance Member and the Minister of Education that this Rs. 73,000 could be saved by opening three classes in each of the three different centres, Poona, Ahmedabad and Bombay That was the reason why I moved this cut

The Honourable the PRESIDENT Does the honourable member withdraw the cut ?

Dr M K DIXIT I beg to withdraw it

Motion, by leave, withdrawn

Mr. V A SURVE (Ratnagiri District) (Addressed the House in Marathi) Sir, I beg to move

Reduce by Rs 100, total demand under B—Secondary Education (Civil Estimates, page 195)

Sir, my object in moving this cut is to protest against the policy of the Minister His policy has been to starve existing schools, well-conducted schools, of funds in the name of financial stringency and to start new classes and new schools where none exist The policy is not right What is the use of new schools when you cannot support even the existing schools ? Many schools in the Ratnagiri district have had their grants cut down How are we to run the schools ?

Mr. G S. GANGOLI (Kanara District)—*[Inaudible]*

Honourable MEMBERS Louder please

Mr G S GANGOLI Sir,——

The Honourable the PRESIDENT I am unable to hear the honourable member

Mr G S GANGOLI Sir, I take delight in supporting the last speaker, because he supported the cause of English education without knowing himself how to speak or write English He has urged that the existing schools ought first to be supported That is also my demand

Speaking about Kanara, I must say that our villages have not enough number of schools I was myself in a village For the first three vernacular standards I had to go to a small school in a forest village one mile away from my village For the fourth standard I had to go to another school in a big village For the first three English standards I had to go to a town near by, and for the high school I had to go to the headquarters town of the district I think this state of affairs obtains both in Ratnagiri and Kanara which are adjoining districts When I started for the Council, some of the high school teachers approached me and said to me, " If you cannot do anything else, at least see that our poor institutions are not deprived of their grants " I do not think this Minister has visited Kanara and seen the schools in our district He is cutting 5 per cent of the

[Mr G S Gangoli]

grants in our district also This will work very hard on our institutions. I would urge that he should make a distinction between institutions in applying the cut Well managed institutions should go free of the cut, institutions which are not well managed may be given a cut of 10 per cent I promised the teachers that the Minister was a valiant fighter in the cause of education, that even Government had recognised him to be a gallant knight, and that he would do the proper thing I hope the Honourable Minister will have a soft corner in his heart at least for the schools in our backward district

Mr J S KADRI (Northern Division) Sir, I want to touch the point of Muhammadan secondary education, and in this connection, I desire to bring to the notice of the Honourable Minister the serious handicaps under which the Muhammadan students in the Northern Division have been labouring in the prosecution of their studies in secondary schools Muhammadan students, as a matter of fact, have, for various reasons, to undergo a good deal of trouble and difficulty even in the primary stages, but when they emerge from the primary course to enter secondary schools, they are faced with the serious difficulty about the schools where they can find themselves at home for their English education Our Urdu schools impart instruction through the medium of Urdu and when Muslim lads enter the portals of middle Anglo-Vernacular or secondary schools, they are at the very outset confronted with the language difficulty and find themselves very much handicapped in schools, where the medium of instruction is not their own vernacular This drawback proves to be a great handicap on their future progress in secondary education. There are no secondary schools in the whole of the Northern Division, where the medium of instruction is Urdu Consequently Muhammadan students have perforce to join schools where they have to undergo training through the medium of the district vernacular This is the reason why a large number of Muslim students drop away from the lower standards In the chapter on Muhammadan secondary education, the Director of Public Instruction has stated that there is a deplorable wastage in secondary schools, as out of a large number of students attending these schools, only about 33 per cent are able to reach higher standards. Generally speaking, about two-thirds of the students are in the lower three standards and only a small fraction is able to go up to the fourth and higher standards The unsuitable medium of instruction is the real cause why they are not able to pull on with their studies in the lower standards, in which education is imparted not through their own vernacular but through the vernacular of the district The special committee which investigated the question of Muhammadan education about 12 years ago, and of which our Honourable Minister was also a member, had expressly laid down that special facilities should be provided for Muhammadans in the shape of Anglo-Urdu middle and high schools in each district Fortunately, the Central and Southern Divisions got the benefit of the recommendation of that committee, but, unfortunately, the Northern Division is the only division which has still been destitute of even a single Anglo-Urdu middle school, not to speak of the Anglo-

[Mr J S Kadri]

Urdu high school I think Government owe a duty to the Muhammadans of the Northern Division that they should provide facilities for the English education of their sons through the medium of their own mother tongue

In Ahmedabad, we have got a high school managed by the Anjuman-i-Islam The Muhammadans have from time to time requested Government to take over this school and turn it into an Anglo-Urdu High school. There is a decent building available for the school, but the Anjuman is not in a position to provide adequately competent and trained staff to put it on a sound basis In this matter, Government is not only uncharitable towards Muhammadans, but is rather unjust, because this high school of Muslims—and that is the only high school conducted by Muslims in the Northern Division—is not properly aided Only the three lower standards of the school are registered for grant which is merely Rs 300 per year while the expenditure on the school amounts to about Rs 10,000 per year If Government is not in a position to start a school of its own for the benefit of Muhammadans in the Northern Division, it behoves them to at least assist the existing school with a decent grant, to enable the Anjuman to put it on a sound and stable basis

My object in bringing this matter to the notice of the Honourable Minister and the Director of Public Instruction is that the Northern Division has not been treated fairly in the matter of Government patronage so far as Muhammadan secondary education is concerned Now that Government is able to scrap 14 classes of the Elphinstone High School and create a saving for the sake of expanding the Secondary Training College, it seems that if they take it into their head, they can very well manage to create a saving for assisting a really deserving Muhammadan institution like the high school of the Anjuman-i-Islam at Ahmedabad, either by increasing its grant substantially or by taking it over and managing it as a Government institution

I conclude with the hope that this request of mine, which has been repeated from year to year, will not fall on deaf ears and the Muhammadans of the Northern Division will have the consolation of feeling that their representatives are not crying in the wilderness, when they ventilate their grievances in the matter of their education before this honourable House

Mr A J BANGI (Southern Division) Sir, at the outset I would like to make a few general observations before going into the subject under discussion, namely, secondary education

Sir, it is a common complaint that the present system of education is not adjusted to the economic needs of the Presidency, that it is of too literary a character and that it is divorced from the realities of daily life Sir, in the Assembly the other day, when the subject of education came up for discussion, a number of members spoke at length upon the necessity of technical education for the material prosperity of the country But Government has not done much in this direction There are

[Mr A J Bangi]

some such institutions—in Bombay two and in Surat one and in Ahmedabad one—but their number is too small to meet our present requirements With these few general remarks, I would proceed to the consideration of secondary education

Secondary education is, at present, under dual control It is under the control of the University and of Government It is under the control of the University so far as the laying down of courses of study and the affiliation of secondary schools are concerned It is under the control of Government in that they inspect the high schools and register them for grants But the defects of this dual control are obvious and need not be mentioned It will be better if secondary education is handed over either wholly to the University or taken over by Government Then all these difficulties would disappear altogether

I would like to say a few words as regards some of the examinations. It cannot be denied that there is a widespread desire for English education. The knowledge of English is considered as essential in the daily life of large sections of the people. Sir, it is essential to traders, merchants, men of business and seekers after Government service It is also sought by those who want to take up one of the professions It is natural that under these circumstances every boy passing the vernacular fourth standard examination should express a wish to join a secondary school The result of this is that many boys—whether rich or poor, capable or incapable—seek admission to high schools and there is thus a considerable incapable element which entails considerable waste of time, money and effort The best way of keeping this element out is to stiffen the 4th standard examination and thereby secure the admission of really good boys into the high schools If the same thing is done as regards the high school and matriculation examinations, the University and the colleges will find the finest material to work upon

Sir, I would like to say a few words as regards the prevailing unemployment The question of education is so inextricably interwoven with that of unemployment in some of its aspects that it is not possible to treat them separately In 1926 the Bombay Labour Office conducted an enquiry into the question of unemployment and at that time it was found that 77 per cent of the unemployed were young men under the age of 32 Again, it was found that the majority of them were those who had left school or college If industrial and commercial schools are opened or an alternative curriculum is introduced in primary and secondary schools, many of these boys will be diverted to more useful and lucrative careers.

Sir, the Public Works Department has opened a workshop class at Dapuri near Poona To this class boys between the ages of 15 and 17 who have passed the vernacular 3rd or Anglo-Vernacular 5th are admitted as junior and senior students It is said that many of the craftsmen who have been turned out by this institution are earning Rs 6 to Rs 7 per day Such institutions at other places are well worth a trial

[Mr A J Bangi]

Sir, the present efficiency of secondary schools, and specially of the aided ones, is not of a high standard, and it could only be raised by the introduction of a larger trained element I suggest that in making selections for admission to the Secondary Training College, large numbers of teachers from secondary schools should be given preference so that the education imparted in these institutions may be improved. Sir, I emphasise the need of Anglo-Urdu Schools for the education of Muhammadans There are two full-fledged high schools, one in Hubli and the other in Poona, but more of such institutions are necessary, particularly Anglo-Urdu middle schools, which are expected to play an important part in the development of Muhammadan education. No doubt, there is one such school for girls in Poona and two for boys in Nasik and Sholapur, but more of these are necessary for the educational advancement of that community When I put a question to the Honourable Minister the other day, he said that if classes were attached to local Urdu schools, it would be possible to recognise them and bring them on the aided list But who is to finance all these schools ? The local bodies will not do it because the Muhammadans have no voice there, and Muhammadans are not in a position to finance these institutions and incur the expense of running them until their recognition by Government

Sir, there is one local grievance which I want to bring to the notice of the Honourable Minister During the last five years, 135 students were refused admission in the Anglo-Urdu High School, Hubli, for want of room I think some correspondence is in progress as regards the opening of double classes in the lower standards of this school This matter has been hanging fire for the last two or three years I take this opportunity of inviting the attention of the Honourable Minister to this pressing need of my constituency

There is one thing more An additional teacher for Arabic is needed for the Anglo-Urdu High School, Hubli, as the students of that school are very desirous of learning Arabic also, but unfortunately no provision is made in this direction. I hope something will be done to supply this acutely felt need.

Mr S S TOLANI (Western Sind) Sir, I support the cut moved by my honourable friend Mr Surve I have various reasons for supporting the cut The policy adopted by the agents of Government is far from satisfactory It has been neither in the larger interests of education nor in the best interest of the country It will not be an exaggeration to say that the policy adopted will jeopardise the smooth working of educational machinery I wish to make particular reference to the province of Sind and shall state what has happened in the two Government high schools, one at Shikarpur and the other at Larkana In Shikarpur, on the 26th January, certain boys hoisted the national flag on the school building The police was called for by the authorities of the school and inhuman treatment was meted out to the boys These boys were kept in custody for some time and then let off. This action of the authorities enraged certain other boys and a few others also joined

[Mr S S Tolani]

this group In the school at Larkana, the boys picketed the school. I do not by any means defend the action of the boys, as I believe that the boys should not take part in the political agitation and they must confine themselves to their studies, but the authorities should also behave themselves and take little notice of these things, but if they do take notice they should not completely lose themselves. Our hot-headed educational inspector in Sind ordered the dismissal of the boys, he also recommended to the Director of Public Instruction that these boys should be rusticated for various terms and should not be allowed admission in any Government school. This is the maximum punishment that can be inflicted on the boys by any educational institution Boys are, after all, boys [*Laughter*] You will agree with me, Sir, that youth is apt to be impulsive and even most sober boys are likely to lose their head in a moment of excitement I consider that the punishment of rustication is too much and out of proportion to the crime they committed The honourable the Director of Public Instruction who is now a member of this honourable House confirmed the recommendation of the educational inspector If these boys are not to be admitted in any other Government school, what will be the result of this action? These boys who have been thrown away from education may plunge themselves headlong in the civil disobedience movement and court imprisonment May I ask whether this action of the authorities will not add incentive to the civil disobedience movement? Is not an idler bound to play mischief, specially when he has an immature judgment? This is not all The educational inspector was requested by many people that he should excuse these boys, in view of the fact that the boys are prepared to give an undertaking that they would not join any subversive movement and that their parents also are prepared to give an undertaking to control their boys, but our worthy inspector would not consider this point again Our honourable member the Director of Public Instruction was also approached by many honourable members of this House with the request that he should either excuse these boys or give them a lighter punishment But he would not budge an inch Even the policy of Government with regard to civil disobedience movement or in fact any political movement has been that, whenever any man gives an undertaking that he will not any more join the movement, he is let off Even persons undergoing various terms of imprisonment for joining the movement, if they give an undertaking, are let off The Honourable the Leader of the House will agree with me that there have been such cases What about these poor boys? They must be thrown to the winds! The Director of Public Instruction, by his kindly action, could have not only saved the life of students but made them loyal to the institutions. Once the boys mix themselves up in civil disobedience movement, they instead of turning into loyal citizens, will be disloyal to the Government and will be seething with discontent In case of some boys, specially one, the Director of Public Instruction defends his action on the ground that the headmaster of the Larkana High School gave a warning to the boy in the last civil disobedience

[Mr S S Tolani]

movement, and the honourable Director of Public Instruction says that the boy verbally made the headmaster to understand that he would take no part in politics I assure the honourable member the Director of Public Instruction that it is not a fact, and that the headmaster is drawing on his imagination The educational inspector, who is callous to all fine feelings, has based his recommendation on the report of the headmaster The boy to whom I am referring is a blood relation of mine [*Laughter*] The boy is a bright student, he left the Larkana High School only a month before the boy is said to have taken part in the hoisting of the flag and the headmaster has certified to his good progress and good conduct, and he has not made any mention of the warning that he now says that he has given I think it is most unfair to connect the warning of the headmaster with this act of 1932 This is how the secondary education is being conducted in Sind The officers who are at the helm of affairs in Sind by kindly action can make things nice and wean them away from any subversive activity

The Honourable the PRESIDENT The honourable member is repeating his argument

Mr S S TOLANI I appeal to the Honourable the Minister for Education to lend the matter his best consideration and put things right immediately, before it becomes too late I am very reluctant to pass any remarks on the Honourable Minister of Education, but I will say this much that if the present system of provincial Government is not an absolute farce, the chosen representative of the people, the Honourable Minister, should exercise proper control over his subordinates and bring the matters to a happy pass

I now come to the general policy so far as Sind is concerned The expansion of primary and secondary education has been rather unsatisfactory Sind has not been given an adequate share in the grant for education nor is the number of schools as it should have been I would cite an instance The Larkana Municipal A V school has not been getting even one-fourth of the grant that it is entitled to under the rules There are many schools in Sind which do not get a pie of grant I also find from the report of the Director of Public Instruction of 1930-31 that there are about 16 high schools in the Presidency which do not get any grant I think, if Government do not aid these schools, they would die automatically As regards the high schools, we have the smallest number in Sind In all we have got 193 high schools in the whole of the Presidency and there are hardly 28 high schools in Sind as against 60 in Bombay division, and I do not know how these schools will be able to educate the masses when the province of Sind is separated

The Honourable Sir GHULAM HUSSAIN The honourable member ought to be grateful to Government

Mr S S TOLANI I will make a grievance regarding the fact that there are many appointments which are reserved only for Mahomedans. We Hindus are in a minority Instead of encouraging the minority, they are encouraging the majority by reserving certain appointments

[Mr S S Tolani]

for Mahomedans only, but none has been reserved exclusively for Hindus. For instance deputy educational inspector of Mulla schools, the headmasterships of Naushahro and Mirpurkhas and so on I asked a question in the current sessions regarding these appointments and the Honourable Minister gave me the following answer :

The Government regret that they are unable to supply the information as the labour and time involved in its collection would be incommensurate with its utility (Vol. XXXIV, page 72)

Well, Sir, if this is the reply from a transferred department, what better reply can we expect from the Government in reserved departments ? I can well understand if this answer comes from a reserved department

An Honourable MEMBER What is the question ?

Mr S S TOLANI The question is as follows

Will Government be pleased to give in a tabular form the following information regarding appointments to the posts of three Mulla Deputies now called Deputy Educational Inspectors for Mahomedan Education and the Headmasterships of Naushahro Madressah and Mirpurkhas from time to time the introduction of these appointments or bringing them under the Government —

The Honourable Sir RAFIUDDIN AHMAD For how many years ?

Mr S S TOLANI It has not been mentioned here It only says "from time to time" The appointments are reserved only very recently

Well, Sir, with these remarks I support the motion, and protest against the policy adopted by the Government in Education Department.

Khan Bahadur GHULAM NABI SHAH (Thar Parkar District) (Addressed the House in Urdu) Mr President, in the district of Thar Parkar, there is only one high school and it is at Mirpurkhas This high school has no building of its own Sir, taking the Presidency as a whole, our district is the most backward in point of education, even in Sind, Thar Parkar is the most backward district The reason for this is that from the very beginning Government have neglected to educate the people of the district Sir, for the last 6 or 7 years I have been bringing to the notice of Government the urgent necessity of having a building for the high school I had every hope that when the Director of Public Instruction and the Honourable Minister for Education visited the place on tour, the difficulties of the school and the necessity for a building would be realised by them But the Honourable Minister has not yet paid a visit to Sind, and the Director of Public Instruction, though he toured in Sind, did not pay a visit to Mirpurkhas, thus neither of these gentlemen has had an opportunity of seeing for himself our difficulties For the last two years I have been pressing upon the attention of the Honourable Minister the great need of a building for the high school I am told that the plans and estimates for the building are ready May I hope that in a couple of years at least the building will be provided ? In the whole of Sind, the Honourable Minister will find this is the only school which has no building The result is that the different classes are divided from one another, and this creates a great deal of difficulty for the boys Various Collectors of the district, the

[Khan Bahadur Ghulam Nabi Shah]

Commissioner in Sind and even His Excellency the Governor of Bombay have admitted that a building is necessary for the school; I would like to ask Government whether in a year or two arrangements will be made to fulfil our demands in that respect The district local board of Thar Parkar has already opened 10 more secondary classes in Primary schools In other districts where there are other high schools than the Government high school grant is given to them by Government, therefore to such 10 secondary classes opened in Thar Parkar District, Government should arrange to pay the grant-in-aid My point is that in a district in which secondary education is extremely backward, as in the case of Mirpurkhas, Government should pay more than for other districts for secondary education

Then, Sir, with regard to *scholarships for boys in secondary schools*, I understand that the Director of Public Instruction has issued orders that if there is a break in the attendance of a boy in receipt of a scholarship through illness or any other cause, the practice of giving the balance of the scholarship to other deserving boys on the recommendation of the headmaster of the school has to be discontinued I wish to ask the Honourable Minister what good it does to Government to stop the payment of a scholarship for which provision has been made in the budget Perhaps, they may plead that there is financial stringency But the fact is that this is not extra expenditure, but the spending of money in accordance with the provision in the budget Therefore, I request that the above order be cancelled Sir, the greatest need of the country is education, for the old and the young alike I say that the Honourable Minister must ask the Honourable the Finance Member to give him the necessary money for the purpose I do not think there is a single member of this House who would not support the Honourable Minister in his request If the people are not properly educated, whatever other facilities are provided for them will not be taken full advantage of In conclusion, I hope that the Honourable Minister will take note of what I have stated

Khan Bahadur M A KHUHRO (Larkana District) Sir, I feel it necessary to say a few words in connection with the secondary education of this Presidency At the very outset I would like to make a very strong protest at the lump cut which has been effected in the Educational Department Whether the cut is of 5 per cent, 10 per cent, or 15 per cent, with regard to secondary and primary education I must say that this is a department in which it will be and it is bound to be most unsuccessful, if Government are going to cut down in round figures any grants Sir, I would deal with this question at great length when I speak on primary education, which will come up for discussion later on At present, I want to say a few words with regard to the policy of Government in connection with secondary schools in my province (Sind)

I must confess that I cannot give a definite opinion with regard to secondary education in the Presidency proper. Two of my honourable friends have already addressed the House on the question But, Sir,

[Khan Bahadur M A Khuhro]

with regard to education in the Province of Sind, I would say that if Government wish to effect savings in the Educational Department, there is one way which I would like to suggest as most favourable, and which will be very agreeable to the public at large in Sind, I mean the majority of the public in Sind At present, Sir, there are certain high schools in Sind which are run by Government Now, it is unquestionably true that the cost of these high schools which are run by Government is larger than the cost of the aided institutions One of the reasons for it perhaps is that the scales of pay are higher in a Government high school. Quoting the case of Larkana District, there are at present two high schools in Larkana proper; one is run by Government entirely and the other is run by the local board, which is called the Madressah High School Now, since Government are spending large sums of money on their own school at Larkana, they are giving no substantial help whatsoever to the other institution, which is at present run entirely more or less out of the district local board funds Originally, Sir, that institution was started as an Anglo-vernacular school entirely from funds contributed by the local zamindars Subsequently it was found necessary to have more efficient management for the school and to run the school on sound lines Therefore, the control of the school was transferred to the local board with the consent of the board Now, Sir, the grant at present paid to the Madressah is between Rs 2,000 and Rs 3,000, and the ordinary expenditure of that school is something between Rs 30,000 and Rs 35,000 Sometimes it exceeds Rs 30,000 and sometimes it is somewhere about Rs 30,000 But even much larger expenditure is incurred by Government over the Larkana High School Sir, a suggestion was made some time ago that instead of running 2 institutions in Larkana, if the Government institution at Larkana is transferred to the local board, there will be a distinct advantage to Government, as they will not have to spend anything more on the institution than they are doing at present That is one distinct advantage There will be no burden on Government of the usual promotions which have to be given to the staff, and there will be no burden on Government with regard to the repairs, etc The district local board will effect certain savings by running one institution with substantial help from Government Now, Sir, the point is that at present the huge building which cost something like Rs 3,00,000 accommodates something like 800 boys to be educated there Simultaneously, the Madressah also provides for about 250 boys Now, Sir, as the district is broken up and has become much smaller, and there is an institution of the kind already in the new district of Dadu, this is the proper time when Government should accept this scheme, and thereby they would be able to effect considerable savings

Mr R H BECKETT On a point of information Do I understand that the honourable member wishes to have the Government high school in Larkana closed? Or am I to understand that he wishes it to be handed over with a grant equal to the full cost, in other words, that Government should have to pay the full cost and let the district local board manage it?

Khan Bahadur M A KHUHRO What I mean to say is this . the institution should be transferred to the local board, and thereby the extra expenditure which Government incur in the grant of promotions to the staff, the maintenance of the building, etc , year after year will be saved. The President, District Local Board, can better answer the question Certainly, I must say that Government would be spending less by this method than they do at present Suppose they are at present spending Rs 30,000 over that institution, and the district local board are prepared to contribute Rs 10,000, Government will save Rs 10,000, and in addition to that, the expanding expenditure for promotions and for maintenance of buildings and other expenses——

Khan Bahadur ALLAHBAKSH You wish it to be earmarked and to be transferred to the district local board ?

Khan Bahadur M A KHUHRO I want a certain amount to be fixed by Government to be paid annually as a grant-in-aid to the district local board which may be some substantial amount that may be settled between the local board and Government That is my point In the case of primary schools, when they were transferred to local bodies Government fixed a certain amount of grant to be paid to the institutions and a similar policy should be adopted in the present instance not only in Larkana but also where there are similar other institutions Government have at present got four institutions at Larkana, Shikarpur, Hyderabad and Karachi, and if a similar offer comes from another local body or from any other established and well-run association, Government should really in these times welcome such an offer in order to save the extra cost on the coffers of Government and that saving could very well be spent with advantage for primary education which needs it most

The other point is that I wish to make a reply to what my friend from Larkana Mr Tolani has said I am really sorry that he inported communal matters He brought in this House only two matters, one communal and another rather personal First I would deal with the communal question and say that I wish to bring to the notice of the honourable member himself—he must be knowing it also—that there is no discrimination shown whatsoever and no preference is shown whatsoever in the matter of selection to the Mussalman community The question is that a certain number of appointments are the bone of contention There are very strong reasons for it He referred to the appointment of headmasters In the first place, there are two high schools one at Nowshero and the other at Mirpurkhas who have got Mussalman headmasters Originally they were—to go into their history —started purely on funds paid by the Mussalman zamindars and subsequently they were run by local boards and by arrangement arrived at between the local boards and Government, they were taken over by Government because the local boards were not able for want of funds to run those institutions independently At that time when so much property or money in the shape of buildings and in some cases endowment etc. was invested, an understanding was arrived at that they would be called Madressah high schools and that Government would always have Muslim headmasters I submit this for the consideration

[Khan Bahadur M A Khuhro]

of this honourable House But if you were to take the case of other four institutions, namely Larkana, Shikarpur, Hyderabad and Karachi, all of them have got headmasters of the honourable member's community——

Mr S S TOLANI That is because of their seniority

Khan Bahadur M A KHUHRO Seniority apart, I am giving details of facts as they are The honourable member makes a grievance of some of the administrative officers being Muslims It is a matter entirely for school boards to make a selection of their administrative officers If school boards prefer any person it is their choice and look-out If the honourable member makes a complaint that the district local boards are appointing Muslim administrative officers, may I also make a similar complaint that the municipal school boards are invariably appointing Hindu administrative officers ?

Mr S S TOLANI No, that is not so

Khan Bahadur M. A KHUHRO Of course that is a fact It is absolutely wrong and it would be misleading this House to say that any posts have been set apart for Muslims without any sufficient justification for it

The honourable member also spoke about the administration and discipline in high schools, and that point was somewhat personal to him as it concerned his own nephew——

Mr S S TOLANI Not only my nephew, but also others

Khan Bahadur M A KHUHRO I do admit and I am one of those who will stand for proper administration at all times, and I will support Government in administration when they are out to see that proper and efficient administration of an institution is run But there is another point connected with this and it is that the honourable member himself said that some of these students who have been rusticated for certain periods have apologised and given an undertaking in writing and that their parents too have given an undertaking in writing—that those boys will not misbehave again It is of course the declared policy of Government, which they have often given effect to, that whenever anybody, who has joined any of the political movements, subsequently expresses regret and gives an undertaking that he will not take any part in the movement, Government have invariably forgiven those people so much so that even criminal cases filed against them have been withdrawn or if they were undergoing imprisonment they have been set free or if any other kind of punishment was awarded to them, that has been remitted It is but right that in the case of students, they should, on expression of regrets, be readmitted when they gave an undertaking that they would behave properly Therefore, I really cannot understand why one uniform policy is not being pursued by Government and why different policy is being adopted in different places With regard to the D J Sind College, Karachi, in the earlier hours of the day a clear grievance was made by my honourable friend from Hyderabad that the administration

[Khan Bahadur M A Khuhro]

of the Sind College in Karachi has actually gone to rack and ruin. There the boys are taking open part and a much more serious part in politics Several articles have appeared in the *Daily Gazette*. Unfortunately I have not got a copy of it just now but I have read those articles in which names have been given of students who have always been taking part in politics, and who have been breaking the discipline of the college every time Speaking from my knowledge as a member of the standing committee of the college, these names were even brought to the notice of the standing committee which did insist upon the principal to see that these boys are properly punished But so far the principal has taken no notice of the boys who go on repeating the same sort of action That college receives a large sum from Government as grant and therefore Government should really see that proper discipline is restored in the college Government are very keen on maintaining discipline in the secondary institutions and I cannot see why they do not maintain the same standard of discipline here also In the present case, I say that as long as those boys continue to take part in the political movement, Government will certainly be right in taking action against them in the interest of administration, but the moment those boys give an undertaking or the moment their parents or guardians give an undertaking that they will not continue taking part in the political movement, then it is right that they should be leniently treated

With these few remarks, I take my seat

Mr HAJI MIR MAHOMED BALOCH (Karachi City) Sir, I only want to point out that out of the 21 lakhs and odd reserved for secondary education, very little comes to the share of Sind, and out of whatever comes to Sind's share, not more than four annas share goes for the education of the Muslim community who are 73 per cent of the population This is so in spite of the assurances which we have always received from the Honourable Minister that he will take care of our requirements. In Karachi city, more than half or half the population is Muslim and the rest is non-Muslim, but there is only one Government high school in regard to which I have often spoken on the floor of this House That high school has a Sindhi branch, a Gujarati branch, even a Marathi branch but no Urdu branch, although half the population is Muslim. Some years ago, the parents of Muslim boys were not very particular that their boys should learn Urdu and were learning Sindhi or Gujarati but now that state of affairs has changed and our Muslim parents want their boys to learn Urdu as their language Karachi is a cosmopolitan city, where Muslims from other provinces have come and permanently settled Their language is Urdu therefore Sindhi Muslims of Karachi want to learn Urdu What has Government done? Nothing No Urdu branch has yet been opened I do not think there are more than ten Muslim students in that high school because of the absence of Urdu classes

Government want that the burden of primary education or secondary education should be borne by the public and not by themselves, and they

[Mr Haji Mir Mahomed Baloch]

expect the municipalities or local boards to bear that burden What was it that was promised to the district local boards at first ? There is one Sind Madressah where they teach standard 1 to standard 7 Lihari is 3 miles distant, Keamari is 4 miles distant, Garden quarters are four or five miles away——

An Honourable MEMBER There is the tramway service

Mr HAJI MIR MAHOMED BALOCH Yes, but tramway service is not gratis, it costs money and how can you expect poor parents, in these times of unemployment and depression, to spend money on tramway fares for their children twice a day in addition to school fees, etc ? The parents of those boys are labourers who do not now get enough work to pay for their daily maintenance The municipality has opened schools teaching up to fourth standard but Government say they cannot give any grants Government want the municipality to bear the expenditure, although they have reserved so much for this education I hope the Honourable Minister of Education will look into this and set matters right, by facilitating the opening of an Urdu branch

The honourable member Mr Tolani says that our Honourable Minister always fills appointments of headmasters with Mussalman candidates That is not at all so The Honourable Minister has done nothing special for Sind or for Mussalmans so far and in fact he appears to me to be rather afraid of the honourable members sitting opposite I think neither he nor Government should be terrified by their agitation Why should a Muslim not be appointed to any place that falls vacant ? Government themselves have laid down the 50 per cent rule I request the Honourable Minister to be strong-minded and I request Government also to be strong-minded and to issue a Government Resolution ordering that the filling up of posts should be done in such a way that the 50 per cent proportion is soon reached

The Honourable the PRESIDENT I think the discussion has gone on too long over a small cut, and, if the honourable member the Director of Public Instruction wishes to address the House, I will give him an opportunity

Mr R H BECKETT Mr President, I find myself in rather a difficult position in regard to this cut, because such a variety of points have been raised I am afraid that my reply must be somewhat disjointed The honourable member who moved the cut spoke in Marathi, and I did not understand what he said The next speaker was inaudible So, I am unable to say anything with regard to their criticisms

The honourable member Mr Kadri put in a special plea for Mahomedan education in the Northern Division I think that if he reads the last Annual Report on Public Instruction, which has been placed on the table of the House, he will see that Mahomedans have a good deal to be pleased about in regard to the progress made in the year under review In some respects it is quite striking. I notice that in the Presidency proper there was a 7 2 per cent increase in the numbers in all institutions

[Mr R H Beckett]

over the figures for the previous year The number of Mahomedans in arts and professional colleges increased by 38 to 518, and that in a year when the number of students as a whole went down The number of Mahomedan boys who passed the matriculation rose from 266 to 382, which represents an increase of 43 6 per cent Although there was an increase in the percentage of passes as a whole, the increase of 43 6 per cent is striking With regard to the Mahomedans of the Northern Division it is true that there is no Government Anglo-Urdu High School, but Government have recently raised the percentage of places reserved in Government schools to the Mahomedan community from 15 to 20 per cent After all, it is not possible for Government continually to open new high schools for any community Another point which was raised was that one of the high schools, I think the Anjuman High School, did not receive the grant-in-aid to which they consider themselves entitled Other members also have made that criticism I admit, Sir, that the criticism unfortunately is justified We have not sufficient money to give the grants-in-aid to aided institutions to which they may reasonably consider that they have a claim under the Grant-in-aid Code It was a position that I had hoped it would be possible to right, but circumstances have been too strong for us, and, therefore, it has happened particularly with new schools that they are not receiving the aid which they might hope for I can only trust that better times will come, when I am quite certain that one of the first things that the department will do will be to right the position under the Grant in-aid Code I am sorry that I cannot do any more than hold out a promise of this kind

An honourable member raised a very big question when he talked of practical bias and vocational training It is a subject on which one might speak for a long time, but I do not wish to weary the House I can only say, Sir, that it is not at all an easy matter, even if it is desirable—which I question—to introduce vocational training into an ordinary high school If honourable members take a particular high school and then ask themselves "What vocational training shall we introduce in this school?" they will at once see the difficulty, because in a high school you have a large number of pupils who when they leave school go forth into a hundred different occupations There is no single vocation which you can introduce into an ordinary high school for general education which would meet the requirements of one per cent or at any rate more than a small percentage of the students It is true that vocational training can be given in special institutions It is being given, Sir, in special institutions Whether those institutions are adequate, is a matter of opinion But even if they ought to be extended and developed, that will mean money I am quite aware, Sir, that a good deal might be done, but the financial position and other factors do not always enable us to do all that we might wish to do

An honourable member has raised the question of the disciplinary action which the department found it necessary to take in a certain high school I am sorry that I have not got the papers with me But in

[Mr R H Beckett]

that particular school there was a grave breach of discipline The school was invaded by a crowd, which included some of the pupils, who raised the Congress flag interrupting the work of the school and converting it into a bear garden The headmaster tried to get them out but failed Finally the police had to be called in and certain of the boys had to be brought down from the tower by the police It would be impossible to maintain discipline in Government institutions if that sort of thing were allowed to pass without punishment The department has shown restraint in dealing with these matters On the one hand, we are criticised for not being strict enough, and, on the other hand, when disciplinary action is taken, we are told that we are being too severe Two of these students had been warned before and had given an undertaking——

Mr S S TOLANI This is contrary to the facts and the honourable member is misinformed

Mr R H BECKETT In any case it was a grave breach of discipline and the punishment meted out was not in any way in excess of the needs of the situation

Mr S S TOLANI What about the undertaking that the boys or the parents gave ?

Mr R H BECKETT The honourable member Khan Bahadur Ghulam Nabi Shah has raised the question of the Mirpurkhas Madressah I am quite aware that a new school building is needed for the school, but here, again, financial stringency prevented us from doing what the department knows to be desirable and even necessary It will not be lost sight of

The honourable member Khan Bahadur Khuhro has protested against the cuts in the Education grants, but I think we all realise that these cuts were inevitable He has suggested that the Government high school at Larkana should be closed—for that is what it would amount to—and handed over to the District Local Board I do not know whether his proposal would meet with general approval in Larkana But, as I understand the position, he wants Government to pay the whole of the cost and leave the District Local Board to manage the school Would the school gain thereby ? It would certainly cease to be a Government school A Government school has certain advantages which other schools do not possess, in regard to recruitment of staff, for example, also the staff can be changed as Government have a larger staff to draw upon I really do not see why Government should incur the whole of the expenditure on an institution and allow another body to manage it He has drawn attention to certain——

Khan Bahadur M A KHUHRO I never said that Government should bear the whole cost

Mr R H BECKETT That is what I understood, that we should bear the whole cost

[Mr R H Beckett]

Another point which he raised is the state of discipline in the D J Sind College The honourable member's remarks will be taken note of I may say that I have already made a reference to the college authorities

These are the main points which have been raised in the debate As I have said, I am quite aware that everything in secondary education is not perfect, in many respects reforms are necessary, but we do the best we can in the present circumstances

Mr V A SURVE (In Marathi) I have nothing to say in reply

The Honourable Sir RAFIUDDIN AHMAD Mr President, I will take the remarks of the honourable member Mr Kadri first With regard to his remarks that the department was not doing much for the education of Mahomedans and specially their education through the medium of Urdu, I may mention here, Sir, that, as my honourable friend the Director of Public Instruction said, many of the remarks he has made are absolutely correct I had taken the opportunity during my last visit to Ahmedabad of visiting the high school there It is creditable to the Mahomedans that they are maintaining their own high school there Government is not in a position to give them the grant which they consider they are entitled to claim, but I do hope that when the finances of Government will permit, more money will be granted to the school which no doubt it deserves

With regard to the remarks of the honourable member Mr Bangi, it is true that at the Anglo-Urdu High School at Hubli Mahomedan students do not always get admission and also that they have applied for double classes therein Again, I must say that the condition of the finances comes in and we are not in a position to have double classes throughout the school this year It is clear that something will have to be done to increase the number of classes, but the whole question is being examined

With regard to the remarks of my honourable friend from Karachi (Mr Haji Mir Mahomed Baloch), it is true that I had promised that an Urdu side may also be introduced into the Karachi High School, again, if finances permitted I am sorry to say that I had to disappoint my Sindhi friends, but it is not my fault I still hope that something may be done to have Anglo-Urdu classes at the Karachi High School

With regard to the remarks of my honourable friend Mr Tolani, I am surprised to learn that, at the end of his very interesting speech, he confessed that the student was his nephew He had come to me after having appealed to the Director for help, but I declined to interfere Sir, as you can easily see, how can a constitutional Minister interfere in matters of discipline which are entirely left to the Director of Public Instruction and his subordinates? Sir, I was no doubt very sorry not to have been in a position to oblige the honourable member from Larkana (Mr Tolani) I may take this opportunity of informing the honourable members that in all matters concerning discipline they should not come to the Minister

[Sir Rafiuddin Ahmad]

Now, with regard to what the honourable member for Larkana (Khan Bahadur Khuhro) said, I may observe that the honourable member representing the University has expressed the opinion that Government schools should, as far as possible——

Rao Saheb R V VANDEKAR The honourable member Mr Kamat said that——

The Honourable Sir RAFIUDDIN AHMAD I am referring to the honourable member Rao Bahadur Kale, who wants Government institutions to be handed over to societies Now I understand from the speech of the honourable member Khan Bahadur Khuhro that he wants Government to take up the school maintained by the board He wants Government to take over the Madressah——

The Honourable the PRESIDENT I think he said just the reverse

The Honourable Sir RAFIUDDIN AHMAD That was about the high school, but about the Madressah, the honourable member wanted Government to take over the institution——

Sir SHAH NAWAZ BHUTTO He meant that the Madressah does not receive a fair amount of grant

The Honourable Sir RAFIUDDIN AHMAD If that is so, that is a different matter I thought perhaps he wanted two Government high schools in Larkana and that the Madressah should be turned into a Government high school But that is not so That, again, is a question of finance I am sorry I am not in a position to answer it

On the whole I think it will be seen from the trend of the debate here that there is nothing very seriously wrong with Government administration of high schools Only some persons who represent headmasters and private aided schools say that they are not flourishing in the way they ought to be I do not blame them I take it that the honourable House has perfect confidence in the Government's administration of these schools

Mr V A SURVE (in Marathi) Sir I beg leave of the House to withdraw my motion

Motion, by leave, withdrawn

Rao Bahadur B R NAIK (Surat District) I have, Sir, tabled a cut of Rs 10,000 If you allow me to move it and go into a general discussion——

The Honourable the PRESIDENT That is impossible It is a cut of Rs 10,000 and the honourable member has to justify it on specific grounds within its limits

Rao Bahadur B R NAIK I am not moving it

Mr V A. SURVE (Ratnagiri District) (Addressed the House in Marathi) Sir, I beg to move

"Reduce by Rs 100—Total demand under C—Primary Education (C E page 195)."

[Mr V A Surve]

Sir, the Primary Education Act of 1923 was, once for all, passed into law by Government with a view to showing their liberality in the matter of education and proving that they were prepared to spend freely for making the masses literate by making primary education compulsory and free and agriculturists saw the unlucky feet of this baby in the form of law Flatterers and proteges of Government began to be seen in villages and towns carrying on a propaganda (in favour of this Act) among the ignorant and backward classes with a view to making them sing the praises of Government's liberality Those who conscientiously regarded the (Primary Education) bill to be unsatisfactory and delusive were even told by European members like Mr Rothfeld that they had lost their mental equilibrium Dr Paranjpye, the then Minister of Education, managed to convince the members who opposed the Bill on principle and got it passed into law Those who toured in villages carrying on propaganda in favour of the Bill tried according to their light to create ill-will among the people against those who opposed it But the backward classes who have seen both the propaganda in favour of the Act and the education that is being given in accordance with it and the starvation of primary education by Government are now convinced that the professions of liberality indulged in by Government, about giving free education to the backward classes were empty and they have realized the true nature of those favourites of Government, who tried to prejudice the agriculturists against those who opposed the bill on principle, as well as of Government and they have no hope at all that Government will do anything for the benefit of the rayats

The amount of Rs 1,30,16,927 was spent on primary education in 1930-31 but the epidemic of retrenchment which raged in 1931-32 has affected education to a great extent The revised budget for the said year has escaped the epidemic and Rs 1,25,60,000 are provided This means that in 1931-32 the amount of Rs 4,56,927 has been reduced under the head of Primary Education In the Budget for 1932-33, Rs 1,07,37,000 have been provided which means that the grant for Primary Education this year is reduced in the revised estimates for 1931-32 by Rs 18,23,000 In the budget for the year 1932-33 Rs 1,07,37,000 have been provided, that is to say, this amount is less than that in the revised budget for 1931-32 by Rs 18,23,000 It cannot be definitely said to-day that the reduction this year will be only this much because it cannot be definitely said that the same amount will be included in the revised budget or spent on primary education It is thus well-known what sympathy Government have for the education of the children of Agriculturists

The amount of Rs 1,07,37,000 provided for primary education is to be divided (*vide* page 206 of the White Book) as (under) Grant to the Bombay Municipality Rs 6,67,250, Local Boards, Bombay Municipality and other municipalities Rs 1,00,59,600 in all. This Government which poses as the protector of agriculturists and the partisan of the Marathas and which knows no sleep owing to its professed anxiety for

[Mr V A Surve]

the interests and educational and economic improvement of all the backward communities has provided the large (!) amount of Rs 21,150 for erecting excellent and beautiful buildings for giving primary education to the children of the classes referred to above Even the bureaucracy cannot have the moral courage to say how and when the improvement of primary education is going to take place when the amount has been divided into so many shares

The Primary Education Act was passed in 1923 but anyone can guess from the general policy of Government that they are not prepared to act in accordance with it The scissors of retrenchment have not at all been applied to the grants for the education of European and Anglo-Indian children The employment of officers who eat the cream in the shape of high salaries in each and every department increases the expenditure and the pay of semi-starved teachers working in a nation-building and sacred department like that of Education is constantly subjected to retrenchment From this it will be seen that the solicitude shown by the bureaucracy for the education of the backward classes is not real. If the amount spent on the employment of highly paid officers and inexperienced Educational Inspectors, who learn work while drawing fat salaries in the office of the Director of Public Instruction is utilised for primary education and if the recruitment of highly paid officers is stopped, an amount equal to the expenditure incurred on education in 2 or 3 districts can be saved and the same can be applied to primary education For example, let us take the case of general administration In 1905 the expenditure on this department was Rs 3,01,802 but that very Government and its bureaucracy who openly proclaim every year, and in and out of season that they are sincerely making efforts in the interests of the education of agriculturists and backward classes and for conferring other benefits upon them, spends in the year 1932-33 Rs 2,08,23,000 on that very department This expenditure has begun to increase from the year 1912-13 That is to say that this department has swallowed an amount of Rs 2,03,47,520 in 20 years By appointing 4 or 5 officers such as Secretary, Assistant Secretary, Deputy Secretary, Chief Secretary, etc, in place of one Secretary drawing Rs 1,500 to 2,000 per month and giving them Rs 1,500 to 3,000 by way of pay and paying house-rent, travelling allowance, special allowance, special pay in addition and squandering money in every possible way by thrusting it into the mouths of those officers who are already eating the cream in the shape of fat salaries, the Government has deliberately neglected the education of the children of poor agriculturists and half-starved servants with a view to destroying it completely by refusing sufficient food to those who exert themselves in giving education and helping the officers to drive in motor cars by giving them fat salaries

The people who can be put off by telling that there is no scope for retrenchment and there is no money for works of public utility are the agriculturists (the main-stay of the administration) who are completely

[Mr V A Surve]

weighed down by the burden of innumerable taxes, who have become disappointed, owing to the absence of education and subsidiary industries and who have become pale by drinking the hot water (oppression) of the rulers However, the bludgeon of the bureaucracy always threatens this very class If an unsuccessful attempt is made to kill a serpent, the serpent spreads its hood in exasperation and satisfies its thirst (for revenge) by killing its assailant Other reptiles, though resembling the serpent in appearance, do not possess this power and so any one can strike them with his stick The poor agriculturists and backward classes are in this very condition The agriculturist toils for the luxuries of the rich There is a proverb in Marathi meaning that (some) women, though feeding themselves at the expense of their husbands, attribute the credit for the same to their brothers This proverb can be appropriately applied to those who eat the cream in the shape of fat salaries Eighty per cent of the amount earned by the agriculturists by toiling day and night goes into the Government treasury directly or indirectly Although the bureaucracy knows this fact, the reply they give to the demand of the agriculturists is "You collect funds and begin to give education If Government recognize the institution, you will receive a grant" But who gives the money from which grants are paid? The bureaucracy does not remember even in its dream the people who toil hard to fill the treasury They do not admit that the agriculturist pays the greater part of the Government revenues and do not care to remember their requirements, but assert that the fat salaries given to them are paid by Government The fact, however, is that they enjoy their luxuries at the expense of the agriculturist but they hesitate to give utterance to the generosity of the agriculturist It is for the Council to see whether the proverb applies to the bureaucracy or not

Government hastily transferred the Educational Department in each district to the District Local Board of that district By passing the Primary Education Act Government agreed to pay to the Local Boards the amount they used to spend on primary education prior to its transfer to Local Boards and to contribute two-thirds of the additional expenditure incurred by the Boards on education, in opening new schools, in erecting new buildings for schools and in employing new teachers The unwillingness of Government to discharge the responsibility imposed on it by law shows that it has no scruples in transgressing the bounds of moral courage and law

Who is responsible for the discontent and mutual hatred created among teachers since the passing of the (Primary Education) Act of 1923 by the introduction of separate classification for different classes of teachers such as old and new teachers servants of Government and servants of Local Boards, third year trained, second year trained, etc., and by issuing circulars regarding the payment of the attendance allowance, the training schools, Postal allowance, etc? What further evidence is required to prove to the agriculturists and the backward classes how Government are protecting them and how dyarchy is working?

The Honourable the PRESIDENT Is the honourable member likely to take more time ?

Mr V A SURVE As I will require some more time, I will continue my remarks to-morrow

The Honourable the PRESIDENT The House is now adjourned to 2 o'clock to-morrow, Tuesday, the 8th March 1932

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Tuesday, the 8th March 1932

The Council re-assembled at the Council Hall, Bombay, on Tuesday, the 8th March 1932, at 2 p m, the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt, Bar-at-Law, presiding

Present

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr A B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S N
BALOCH, Mr HAJI MIR MAHOMED
BANGI, Mr A K J.
BECKETT, Mr R H
BELL, Mr R D
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S K
BOWERS, Mr P L
BRANDER, Mr J P
CHITALE, Rao Bahadur G K
CLAYTON, Mr. H B
COOPER, Khan Bahadur D B
DAVIS, Mr G
DESAI, Rao Saheb B G
DESAI, Mr H R
DHALUMAL LILARAM, Mr
DIXIT, Dr M K
D'SOUZA, Dr J ALBAN
FREKE, Mr C G
GANGOLI, Mr G S
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr M D
GOKHALE, Mr L R
HADDOW, Mr R R
HUDSON, the Honourable Mr W F
HUMPHREY, Mr JOHN
JAM JAN MAHOMED KHAN, Khan Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr HAJI IBRAHIM

Jog, Mr V N
Jones, Major W Ellis
Kadri, Mr J S
Kalbhor, Mr G M
Kale, Rao Bahadur R R
Kamat, Mr B S
Kambli, the Honourable Dewan Bahadur S T.
Karbhari, Mr M M
Khuhro, Khan Bahadur M A
Kulkarni, Rao Saheb P D
Lane, Mr C M
Mackie, Mr A W W
MacLachlan, Mr D
Matcheswalla, Mr G E
McElhinny, Mr G W
Meherbaksh, Mr S
Mehta, Mr M H
Modak, Rev R S
Modi, Sardar Davar T K
Monteath, Mr J
More, Mr J G
Naik, Rao Bahadur B R
Navle, Mr N E
Owen, Mr A C
Parulekar, Rao Bahadur L V
Patel, Khan Bahadur A E
Patil, Rao Bahadur D R
Patil, Mr N N
Patil, Mr V N
Perry, Mr E W
Petit, Mr J B
Pradhan, the Honourable Sir Govindrao
Pradhan, Rao Bahadur G V
Prater, Mr S H
Rafiuddin Ahmad, the Honourable Sir
Rahimtoola, Mr Hoosenally M
Resaldar, Mr A K
Roose, Mr F O J
Shaikh Abdul Aziz, Mr
Shaikh Abdul Majid, Mr
Shankarrao Jayaramrao Zunzarrao, Mr
Shinde, Mr R B
Sindha, Mr Madhavsang Jorbhai
Solanki, Dr P G
Spence, Sir Reginald
Surve, Mr V A
Syed Miran Mahomed Shah
Talpur, Mir Bandeh Ali Khan
Thomas, the Honourable Mr G A
Tolani, Mr S S

TURNER, Mr C. W A
VAISHAMPAYAN, Dr V G
VAKIL, Mr PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R V
WILES, Mr G
WINTERBOTHAM, Mr G L

DISCUSSION ON DEMANDS FOR GRANTS—*resumed*

Mr V A SURVE (Ratnagiri District) (Addressed the House in Marathi)

Sir continuing my speech of yesterday, I would point out to the House that before the Educational Department in the Ratnagiri District was transferred to the Local Board, Government were being urged to open 102 new schools, for the buildings of which village contributions had already been paid, and to appoint 92 new teachers in the existing schools which were in need of more teachers Without complying with any of these demands even partially Government transferred the Department to the Local Board

The Ratnagiri District has a population of about 13,37,000 If we calculate the number of children of school-going age to be 30 per thousand, the number of such children comes to about 40,110 There are 1,339 villages and about 700 schools in the district 639 villages are without a school and there is no provision whatever for the education of children in them Government have shifted their responsibility on to the Local Board by somehow transferring the Department to it and have made the Board helpless in the matter of supplying these needs After the transfer, the Ratnagiri Board appointed 80 new teachers for affording facilities for the education of the children of agriculturists in the belief that under the Primary Education Act it will get from Government two-thirds of this additional expenditure, but Government have not discharged this responsibility imposed upon them by law although more than 2½ years have elapsed since the appointment of new teachers It is therefore hardly necessary to search for evidence from other records to prove how Government are starving the Educational Department

Sir, the district of Ratnagiri is the most backward district in the whole Presidency of Bombay and utter poverty prevails in it In the matter of its uplift in regard to its economical, educational, industrial, condition and improvement of its public health, Government's attitude has been one of utter indifference and hopelessness Take for instance the case of primary education The Bombay District Local Board Act and the Bombay Primary Education Act both lay down that whenever any Board wants to prepare any new scheme for the expansion of Primary education, it has to raise funds for that purpose by taxing the people in such a way as not to overburden them and then Government is

[Mr V A Surve]

to give grant equal to two-thirds of the net proceeds of the additional taxation Following this procedure, the Ratangari District Local Board imposed a new tax on all imports—called the "octroi duty" which is a mild measure and falls equally on all from the poor to the rich This tax is recovered from the merchants in the first instance, and although it is a fact that it hits them hard, still it is equally clear that ultimately all have to share the burden one way or the other Thus for the last two years the Board has been receiving the tax, and I think that the proceeds from the tax might well reach the figure of Rs 1,30,000 At the time of sanctioning the taxation and during its operation Government have done their best to reduce it as far as possible In spite of this the District Board and the people and the merchants of the district never grudged the taxation and in due course Government were approached for their two-thirds contribution but it is a matter of surprise that even up till now, Government in total disregard of their liability, failed to make any provision for their share Does this not show that the very Government which make laws fail to observe them themselves? Similar is the case with practically all District Local Boards right down from Sind to Karnatak They have all increased their revenues by fresh taxation of some sort or other; but I don't think that a single Board has properly received its due share of the two-thirds Government grant, and I shall rest assured if the Honourable Minister of Education would kindly let me know which Board has received it When Government themselves shirk their responsibility, the ryots are helpless. I would like to quote a Marathi adage bearing on this It is to the effect "The mother refuses to give food and the father prohibits begging" This adage can be interpreted thus The land which feeds the ryots may be taken to mean their "mother" and as its produce is insufficient for their maintenance, they are starving The King is regarded as the "father" of the ryots The present Government do not pay proper heed to the grievances of the ryots Nowadays "Ordinances" is the usual answer to popular demands for any rights Thus "the begging" (in the adage) for grant of any rights or redress of grievances has become altogether difficult This is what "the father prohibits begging" occurring in the adage stands for

The fee for the Vernacular Final Examination, which was formerly Rs 2 only was raised to Rs 3 during the ministership of Ex-Ministers, the Honourable Dr Paranjpye and the Honourable Mr Jadhav, and the scholarships of the value of As 6 or As 8, that were meant for the pupils of Depressed Classes were not awarded to many but a single pupil attending a school This went on for some 2 or 3 years and thereafter these scholarships were abolished These scholarships were called "King's Scholarships" and the money wherefor came from the pockets of the poor agriculturists by way of increased fees! and still the scholarships were being called "King's Scholarships" Now though these scholarships have been withdrawn the increase in the fees stands intact Does this connote the generosity of the Educational Department or its greed? It is not impossible to determine between the two

[Mr V A Surve]

It is since 1923, that the vexed question of fixing the "Datum Line" is thrashed out over and over again and still there is no trace of any definite decision being arrived at in that matter!

Sir, the "Datum Line" can in my opinion be fixed thus —Take into account the expenditure on the Educational Department for one or more years prior to its being handed over to the District Board and add to it the expenditure, to be incurred in removing the short-comings that were in existence during the period the Department was under Government, viz insufficiency of the teaching staff, building programme for housing the schools, left over, opening of new schools, If with clear conscience Government proceed to fix the "Datum Line" as detailed above and further in pursuance of the Primary Education Act, 1923, undertake to contribute their ⅔rd share of the additional expenditure incurred by the Boards on matters educational, this will, in my opinion, be agreeable to all the Boards But if Government do not fix the "Datum Line" as detailed above and if in fixing it they would not take into account the needs of the Educational Department in existence prior to its being handed over to the Board's control, and arbitrarily fix the same, then I think not a single Board would consent to it

I am constrained to say that the Honourable the Educational Minister is not doing his best in regard to the subject of Primary Education Reductions in the expenditure on Primary Education are being effected from time to time and such proposals first come before the Cabinet—composed of seven members of which five are Indians—for consideration, and it is impossible to attribute alertness on the part of these five Indians to safeguard the sacred cause of Primary Education It is incumbent on you to do your utmost in the cause of Primary Education and thus to do your best in securing the greatest amount possible for being expended on Education At least in future, I hope, you will do as suggested

Sir, I have brought forward this cut motion for Rs 100 in the expenditure on Education with a view to subjecting this Department's expenditure to the criticism of the elected representatives of the people At the conclusion of the debate I shall be required to answer all points raised therein, but I make it plain that in case I do not receive satisfactory replies, supported by proofs, to the various complaints that I have submitted to the Director of Public Instruction and receive only off-hand replies, I would refuse to make a speech On the contrary if I receive satisfactory replies from the officers of the Educational Department and if I am further assured of the redress of grievances pointed out by me, I might perhaps make up my mind to withdraw the cut—but not till then

Question proposed.

Rao Bahadur B R NAIK (Surat District) Sir, this is a very important subject, at any rate from the viewpoint of this side of the House, but I am not going to cover the same ground which has already

[Rao Bahadur B R Naik]

been covered by the previous speakers Moreover, the subject was fully discussed in this House last year and during previous years I do not want to lay before the honourable House the grievances—though they are very legitimate—about the Government's not coming forward with their share or contribution for increasing the number of teachers for the undermanned schools nor for the opening of new schools for the expansion of primary education, nor for employing the new supervising staff as laid down under the Act and the rules But I want to lay before the House one fundamental issue But, Sir, before laying before the House the fundamental issue, I will briefly refer to the history of primary education in this presidency Under the Local Boards Act of 1884, the primary education in the presidency was managed and controlled by Government and out of the total cost incurred after primary education 88 per cent was borne by Government and 12 per cent. was borne by the local bodies When I talk about local bodies, I mean district local boards and I leave the question of municipalities to be dealt with by some other honourable member Before the Act of 1923 was passed, 88 per cent of the cost was borne by Government and 12 per cent only was borne by the district local boards, and for any further expansion in primary education, the district local boards had to share nothing as their liabilities were fixed—one-third of their cess plus fees. So if expansion had then taken place, it was at the cost of Government. When the Act of 1923 was passed, it was laid down that for the expansion of primary education either on a voluntary or compulsory basis the district local boards have to bear one-third of the extra cost while the remaining two-thirds would be borne by Government and the cost incurred by Government before the transfer of control was to be borne by Government For this, I have to invite your attention to two relevant sections in the Act of 1923 Section 8 (1) says,

"(1) A local authority shall take over and employ such primary school teachers employed under the Educational Department of the Government as the Government may direct, on the same terms and conditions on which such persons were employed under the said department.

(2) The existing and future rights, liabilities, duties and powers of the Government in respect of such teachers shall vest in and be exercised or performed by the local authority

Provided (*a*) that any such teacher shall have a right of appeal to the Government against any order of dismissal,

(*b*) that the scales of pay and allowances applicable to such teachers at the time at which they are taken over and employed by the local authority shall not be altered without the previous sanction of Government."

Another section on which I want to take my stand is 13 (2), which says

"Nothing in this section shall affect the claim of any local authority to any annual grant which at the time this Act comes into operation is being paid to it by the Government for purposes of primary education, provided that if the Government consider that the educational fund of any local authority has been or is about to be misused or misapplied, they may call upon such local authority for an explanation of such misuse or misapplication, and if not satisfied with the explanation given may make such reduction in the grants payable to such local authority as they deem proper"

[Rao Bahadur B R Naik]

My complaint is this : Under section 13 (2) Government cannot make any reduction in the datum line grant That is the amount which they used to spend before the transfer of control They can stop their contribution for further expansion of primary education if their funds do not permit But whatever liability Government undertook when the Primary Education Act was passed, they should discharge, that is, they should not reduce the datum line grant. Till now, the question of expansion of education, of sanctioning schemes on voluntary or compulsory basis and so on was talked But here it is a fundamental question that the Government should pay to the local boards whatever expenditure they incurred at the time of transferring the control of primary education to the local bodies and that they should continue to give it to the local bodies What do we see today ? They have made a cut of 20 per cent from the datum line Five per cent during the current year and 15 per cent during the ensuing year My argument is that they cannot do it under the Act I ask the Honourable the Leader of the House who was in a great measure responsible for the Act, though Dr Paranjpye was in charge of the Bill, whether it is not a fact that 88 per cent of the total cost was incurred by Government and that they undertook to pay it to the local bodies at the time of the transfer of control of the primary education to them This was the clear undertaking given by Government at the time of the transfer to the local bodies of the control of primary education This undertaking is not given by any rules or circulars or Government resolutions, but it is a statutory provision, which no Government have the right to over-ride Unless this very Act is scratched, Government cannot say "We can make a cut of 10 per cent or 20 per cent in the datum line grant" I sympathise with Government when they are in financial difficulties The other day the Honourable the Finance Member said "Give us the money for carrying on the administration of the presidency" What about the district local boards, which have a narrow margin of revenue ? I shall take the Surat district for illustration When primary education was transferred to this local board, Government was incurring an expenditure of Rs 4,73,000 out of the provincial funds, and Rs 63,000 was contributed by the district local board Out of this Rs 4,73,000, Government have made a cut of 20 per cent A cut of 5 per cent this year and a cut of 15 per cent for the next year

An Honourable MEMBER : There is a cut of 10 per cent in the salaries of teachers

Rao Bahadur B R NAIK : Government say that a cut of 10 per cent has been imposed on the salaries of teachers. Out of 1,099 teachers in Surat District, if you effect a ten per cent cut on the salaries of teachers who are drawing over Rs 40 it will give you about Rs 12,468 saving per year If you apply the cut to the supervising staff, it will give about Rs 900 and the clerical staff will give you about Rs 400 The total saving from the cuts will at the most come to about Rs 15,000. According to the cut (5 per cent and 15 per cent,) made by Government in the grant, the reduction in the grant comes to about more than

[Rao Bahadur B R Naik]

Rs 87,000 If you deduct the saving from the cut on the salaries from this amount of Rs 87,000, the balance which the district local board will have to find comes to about Rs 72,000 How will the district local board be able to find this amount of Rs 72,000 ? I am prepared to help the Government at a time of emergency, but at the same time, it is the duty of the Government to suggest to the local boards as to how they should meet this deficit It is not only in the grant for education that the cut has been made, but in the other grants also—medical relief, engineering staff and so on Therefore, I wish to know from Government the sources of revenue for the district local boards from which these deficits can be met The just and proper course for Government would have been to resume the administration of primary education at the present juncture when there is the financial stringency and transfer the control when the financial situation gets better I do not know of any civilised Government shirking a statutory liability On this question, my lawyer friends will throw more light It is the duty of the Government to point out to the local bodies the sources from which they can meet the deficit in the grants Nobody knows better than the Honourable the Leader of the House about the scheduled taxes which are assigned to the local boards I should like him to be honest and frank———

The Honourable Sir RAFIUDDIN AHMAD Honest ?

Rao Bahadur B R NAIK To be honest in his speech Generally, politicians are diplomats and particularly Government members

The Honourable the Leader of the House knows the scheduled taxes that have been assigned to the local boards If they were put into operation, they would have to spend more in some cases for the collection of those taxes than realizations That is why I pointedly said that he should be honest We are prepared to do whatever you ask us to, if we can do it But we have got our own responsibility to continue to give the primary education How are we to find the money for it ? Our source of income is the local cess A straightforward course for Government would have been to ask the district local boards, before making the cut in the grants, whether they were prepared to hand back the control of primary education till the finances of the Government were improved

There are other difficulties also We cannot cut down the salaries of the teachers nor dismiss them under section 8 (*1*) which I referred to We have no right to touch the salaries and allowances fixed by Government or drive them out There is another responsibility imposed on the district local boards by the rules under the Primary Education Act There should be a supervisor for every 6,000 pupils There are about 42,000 children in primary schools of the Surat District and we have to maintain according to the rules 7 supervisors If we were to cut down say two of them, the Educational Inspector will report, that there are not the required number of supervisors under the rules for the inspection of schools The result will be that the grants will still further

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be reduced There are certain obligations imposed upon the district local boards and certain obligations imposed upon Government under the Act and the rules Government get out of the obligations imposed upon them and ask the district local boards to carry out their obligations What is the total asset of the district local boards ? I do not want to cast any reflection on the Honourable Members sitting on the opposite benches When this question was considered in the cabinet, it might have been well known to them that the only source of income for the district local boards was the local cess I ask whether there is any other source

Mr R H BECKETT The district local board can raise its local cess

Rao Bahadur B R NAIK Out of the 27 district local boards, 17 or 18 have already raised their cess from one anna to two annas This was done with a view to meet the cost for further expansion of primary education Take the district of Satara They have already increased the cess by one anna They never thought that Government would come forward with a reduction of 20 per cent in their grants My question is, what about meeting the deficit in the share of Government to be caused by this cut ? The Director of Public Instruction comes forward and says they should raise the cess Local Boards may raise the cess to 2 annas, or more—which is not possible in some cases But that is not the question What about Government share ? That is my question Whatever revenue district local boards raise, is for the expansion of primary education or for other purposes of the district local boards I have again to repeat the obligations contained in section 13 (2) of the Primary Education Act To my mind its wording is very clear I do not know whether the honourable member the Legal Remembrancer will be able to throw some light on it It says that the boards shall have every claim on Government to receive the same amount of grant which Government used to spend at the time of transfer There is no ambiguity in the wording If there is any ambiguity, it is for my honourable lawyer friends to point out As a layman, I can say that the wording is quite clear I have read the debates on this Bill in 1923 I have also seen the proceedings of the select committee and I am quite convinced about the intention of Government This liability was intended to be shouldered by Government and not by the local boards Why should I go back to 1923 ? Only last month the honourable member the Director of Public Instruction who has just now interrupted me sent an officer to Surat——

The Honourable the PRESIDENT (*Observing a stranger in the House*) Order, order That is not permitted

Rao Bahadur B R NAIK Only last month the Director of Public Instruction sent round an officer, named Mr Gokhale, to Surat and he gave the figures which the District Local Board of Surat is entitled under the Act to receive as a grant from Government, namely Rs 4,73,800 This is not my figure It has been fixed by the officer appointed by the Director of Public Instruction And we are

[Rao Bahadur B R Naik]

going to get about Rs 87,000 less if 5 per cent and 15 per cent cuts are to be effected Where are we to get the money from to carry on our administration ?

In summing up, I will say that the district local boards have got only two alternatives One is to request Government to take back the control of primary education in order to relieve the district local boards from their very difficult position I do not wish to say that Government have intentionally or deliberately placed the boards in this position But this position is due to the present financial stringency I do not blame the Honourable the Educational Minister or the honourable member the Director of Public Instruction, because it is part of the policy of Government as a whole But so far as datum line grants are concerned, Government have no right to reduce them Government can say that they cannot carry out the provisions of the Act The Act imposes the liability on Government, and if Government have no funds to meet these liabilities, they can come to this honourable House and scrap the Act. But I do not know how they can do it as long as the Act stands The second alternative open to district local boards is to close down their schools and dismiss their teachers But there again we find it difficult Under the Act, we cannot dismiss the teachers We do not know what to do Therefore, my sole object in rising to speak is to get some suggestions either from the Honourable Minister in charge or the honourable member the Director of Public Instruction for the guidance of the district local boards The other day during the course of discussion the Honourable the Leader of the House rose and said, " The whole grant goes to the teachers as salaries " Therefore, I have pointed out that out of Rs 4,34,000 which the district local board of Surat has to pay to the teachers, there is a cut of about Rs 12,500 There are only 214 teachers drawing more than Rs 40 The others numbering 885 are not to be touched according to the Retrenchment Committee's report and according to Government orders So even there you cannot make this cut of about Rs 87,000 That is my point

The Government of this Presidency always took pride and credit that it was far ahead of other presidencies in the matter of education I think we are losing ground I do not know whether the contention was correct formerly, but if we take the figures of other Presidencies in India, even without taking this cut into consideration, two years ago, there were three Presidencies which were ahead of this Presidency in the matter of expenditure on education Our expenditure was, two years ago, 13 per cent of the total revenue, while it was 15 per cent in the three other provinces I have got the figures with me They may have reduced their expenditure now owing to financial stringency Even the other Presidencies are not far below the mark Bengal spends 12 8 per cent , Madras spends 13 4 per cent , Central Provinces spends 12 7, United Provinces spends 15, Behar and Orissa spends 15 7 per cent and so on So, we cannot say that we are far ahead of the other provinces in the matter of education

[Rao Bahadur B R Naik]

Before I conclude, I have only to request Government to solve this problem—a very difficult problem I do not speak as a mere critic of Government I know Government are in the same difficulty as local boards are But we want to know how to get out of the present difficulties We do not find any means of getting out of our difficulties Let the Director of Public Instruction issue some instructions or orders He does not require any statutory powers Sometimes these officers issue what orders they like. I may tell you that the Primary Education Act has got 27 sections and under those sections 160 rules have been framed by Government and to elaborate and make these rules explicit they have issued 300 circulars I have referred to this point the other day in my speech at Anand The result is that the rules nullify the Act and the circulars and interpretations nullify the rules Everything is in a mess They do not know where they are Therefore they come before us and say they have reduced 20 per cent from the grants and say that there is no obligation under section 13 (2) When discussing this question on the floor of the House, the late Honourable Minister, Dewan Bahadur Harilal Desai, said that Government had no obligations except so far as the datum line grants were concerned And to-day we see that 20 per cent has been cut down from datum line grants I therefore request the Honourable Minister to throw some light on the point With these remarks I resume my seat

Mr L R GOKHALE (Poona City) Sir, it was said yesterday that secondary education has not been a success I believe that primary education has not only not been a success, but it has been a failure in certain respects Government themselves have been admitting this fact from time to time in their annual reports In the report for the year 1929-30, at page 41, it is stated :

"The need for adapting education to the requirements of those for whom it is intended is universally recognised It is a common complaint that the teaching in the higher standards of primary schools is of somewhat too literary a character for the children belonging to the rural classes"

And this complaint about the unfitness of primary schools for those in rural areas has been repeated many times In fact, not only the rural areas are given primary education which is unfit for their purposes, but even in the urban areas the people have got the same complaint to make. Too much attention is paid to literary knowledge where it is not wanted and no attention is paid to commercial education, and no attention is paid to industrial education also There are no industrial bias and agricultural bias classes worth the name in any of the areas in the Presidency I believe Government are aware that in the proceedings of committees appointed in the year 1925 and again in 1927, this was pointed out I refer to the proceedings of the Bombay Provincial Board of Agriculturists held in 1927 It was pointed out in a resolution of that committee that it was very necessary that the question of linking up the agricultural bias classes with the vernacular agricultural classes and consequently the question of raising the age and standard of admission to these latter as well as the extension

[Mr L R Gokhale]

of the period of the course at these latter schools might be considered by the authorities concerned That was done in 1927 I find that nothing has been done up to now as regards these proposals made by the Committee to the Government In the year 1925 another suggestion was made of equal importance by a resolution of the proceedings of the Board There it was pointed out to Government that it was necessary to have a committee appointed to settle the question of agricultural bias classes and the industrial bias classes I do not know whether such a committee has been appointed, but at any rate their report is not yet available I believe no such committee has ever been appointed by Government I do not really see the purpose of wasting our money to such a large extent on education which is of so very little practical value I think the figures of wastage are also very illuminating We find at page 39 of the report on Public Instruction for the year 1929-30 under the heading "Wastage"

"The following table shows the percentage of children who enter school and pass the 4th standard."

In the year 1921-22 there were three lakhs and odd boys who entered the infant class, in 1925 only 15 per cent of them reached the 4th standard In the years 1922 and 1926 16 per cent reached the 4th standard In 1923 and 1927 19 per cent reached the 4th standard In 1924 and 1928 the percentage was 20 In 1925 and 1929 the percentage was 18

So, out of 100 boys attending school in the infant class, within the course of four years only 18 reach the fourth standard Is not this an abominable waste, not only of money, but of energy? I believe that the honourable member from Ratnagiri (Mr Surve) has put the case in a convincing way in his eloquent speech It is really true that the boys are taught some literature The boy is made to read something and all that will be misused by him afterwards If these facts are before Government, I wonder why Government is not trying to look into this question of wastage before trying to cut down expenditure on primary education I think, Sir, that thus the primary education as given in this Presidency is an entire failure from the utility point of view of the rural as well as urban classes The highly paid officials of Government who have special knowledge of the circumstances existing in foreign countries ought to utilise that knowledge in India and give us a return for the high salaries that they draw from the Indian exchequer

As regards the attitude of the boys turned out of these primary schools, I can do nothing better than read a few lines from the report of one of the Government officials What the mentality of such a boy is we have been told in these terms

"The boys become unfit for any actual manual work either in the fields or elsewhere Their only ambition is to seek for Government service and they start with an idea that they are going to attend a school simply because in the long run they are destined for a big office"

I do not know whether it is the Collector's or the Commissioner's, but that is the mentality with which the boys start and which the parents also cherish for their boys Afterwards, as time passes, they find a natural disinclination to manual labour They get aversion to manual labour As time passes, they get disinclined to any labour and in the

[Mr L R Gokhale]

long run hardly 5 or 7 per cent of the boys go beyond the final standard. What is the cause of all this? Cannot Government officials see what this is due to? If 91 per cent of the boys do not reach the final classes of the vernacular and they drop out, either the education is such as is not wanted or that people have no means of taking the sort of education that is being given to them now I may also say that Government are such spendthrifts in this matter of primary education that there is no comparison at all Look at the buildings which Government erect or under the Act insist on local bodies erecting for primary schools The boys live in small huts in their villages in small areas, but when they attend school they sit in buildings constructed at a huge cost of some thousands of rupees The boys certainly acquire a different mentality and when they return to their huts, they naturally look down upon their humble huts in which they are brought up What is the necessity of building such extravagant and costly buildings, which are imitations of buildings in other countries? Cannot our boys be taught in temples, mosques, chavdis and other places with which they are familiar? That certainly is a great waste of money. I find that at many private houses buildings are not occupied, 50 per cent. of the buildings are left unoccupied These can be used as school houses Moreover, there are many people in villages who are prepared to hand over their houses, which generally are not occupied by people due to migration to towns There are many empty houses which are available for holding classes But, Government have their own ideas of sanitation, their hobbies of hygiene and so on, as if all that sanitation and hygiene is centred in these school-houses, and on account of these hobbies, Government go in for costly buildings which are generally unsuited to the requirements of schools This is another wastage which I find in the present management of funds of the Education Department

I quite agree with the view taken by my honourable friend from Surat as regards the obligatory character of the Act that he referred to I was rather anxious to see whether any of the Government officers would help us in understanding this section I thought one of the Government legal officers was looking into books and probably he would be helpful to members on this side before they had their say on this matter. I really thought at one time that the honourable member on the Government bench was going to correct the position that we had taken. But that is not going to be However, as I understand the Act, under section 13 it is obligatory upon Government not to go beyond a certain line, certain proportion to which they must stick I really wonder how Government has not considered that position Of course if the honourable member the Legal Remembrancer afterwards explains the position to us, some lawyer member from this side will reply and point out what our contention is

Lastly, about the grants to local bodies and the cut of 15 per cent in those grants On page 61 of the Blue Book we find

"142, C Primary—The decrease under this head is mainly due to the decision of Government to reduce by 15 per cent the grants payable to local bodies for primary education next year owing to acute financial stringency"

[Mr L R Gokhale]

Of course if next year they have occasion to introduce another cut, they will again say 15 per cent but they will never say it is 5 *plus* 15 *plus* 15 This is the way they do their calculations of this cut——

Rao Bahadur B R NAIK This year it is not 15 per cent but in reality 20

Mr L R GOKHALE I am sure that my honourable friends will not be misled by this 15 per cent , which, as I have shown, is really more than 15 per cent When our declared and determined policy is to advance primary education is a cut of 15 per cent at all desirable ? Of all the nation-building departments' activities, the primary education activity is of the utmost importance Of course, we have no right under the rules to ask that certain grants should be increased and we cannot do it, but then we can express our view that this is a most undesirable cut that possibly could be made by Government for the purpose of effecting retrenchment Whether it is within the law or whether it is against the law, viz , section 13 of the Local Boards Act, is immaterial from my point of view As I say this cut is not in consonance with the spirit of the section Supposing some way is found out by some legal method of saying that this is not an obligation binding upon Government, even then I say that this is the most undesirable and uncharitable and, I should rather say, the most unstatesmanlike cut that should possibly be even thought of by any Government I have full sympathy with Government, but, Sir, we have also shown methods of retrenchment to them This is not an occasion for me to suggest lines of retrenchment In fact, if you were to take away primary education—even that sort of primary education that you are giving at present—you would be causing an amount of harm to people and blot on the British administration of a hundred years old After a century of an enlightened British Government working in India, if that Government is not able to teach young children the primary rudiments of A B C or even to read and write, is that sufficiently statesmanlike, is that sense of duty on the part of Government ? That is how I put it Never mind if other departments might have to starve, never mind what their defects are, would Government like to starve children of being taught and educated ? I know that Government have difficulties to face—everyone of us has difficulties to meet and overcome, but does any one of us ever think of withdrawing our boys from primary schools for want of money ? My suggestion therefore is that this cut is most unreasonable, unstatesmanlike and it is such that will create a very bad impression upon the people in general about the intentions of Government The Poona City Municipality tried to introduce compulsory primary education but it had to hold its hands under circumstances which I need not detail here About 12 other local bodies have undertaken to introduce compulsory primary education—both municipalities and district local boards—but all of them find it very difficult to fulfil the obligations of compulsory primary education in their jurisdictions which they cannot undertake

[Mr L R Gokhale]

I find a further defect in the way of primary education, namely, the absence of any religious or moral teaching in primary schools In my opinion it is necessary that primary education should be coupled with some sort of religious and moral training, and I do believe that it is necessary to lay down a sort of foundation of character for the youngster when he enters school If he is a Mahomedan, let him read the Koran , if he is a Hindu, let him read the Gita , if he is a Christian, let him read the Bible It matters very little to me what religion the child belongs to, but there ought to be some provision made for giving him moral training and religious training both of which ought to be the backbone of any sort of education or instruction that you may give him. I do not think that Government need be afraid of being accused of interfering with religious liberty of the people or interfering with the religious sentiments of the population As a matter of fact, it will be found in the report of the Education Department that in Sind special encouragement is given to Koran or Mulla schools That is really very creditable both to the people of Sind and to Government officials. Of course figures are given here and so I need not repeat them, but I ask, why not try that very experiment in other districts of the Presidency as well ? Has any attempt been made to do that ? Have Government been told at any time that such an attempt will not be welcomed by the people ? On the other hand I find that in many primary schools such attempts have been made by private agencies which give some religious instruction which is certainly received with great enthusiasm and warmth So, that is another defect of the present system of primary education which I think Government should try to remedy I believe that in some of the schools run privately—I mean in schools run by missionary societies—religious instruction is given and the Bible is taught to Christian boys It is not given in Government schools My point is that the method of giving religious instruction should be extended to all the communities—Hindus, Mahomedans, Depressed Classes and other communities without any distinction

The Honourable Sir RAFIUDDIN AHMAD Did the honourable member say that in Government schools provision is made for Christian boys ?

Mr L R GOKHALE No, I did not mean to say that I meant mission schools aided by Government who give them grants

Now about text books Even in primary and secondary schools, a very bad system has grown up of prescribing new text books every year Education is now becoming costlier every day and I do not see the object of the Department in having these changes made so rapidly I find sometimes that the text book is changed every alternate year and for the 4th, 5th, 6th or 7th standard some new book is prescribed every year This practice has become so prevalent that the belief is gaining ground that it is only one of the ways of patronising publishers or authors, with the necessary result that education becomes more costly than before An elder brother's book is hardly useful to the younger brother or to the one

[Mr L R Gokhale]

next to him I also find that even primary school students are required to buy notebooks and exercise books, as if they were studying in higher classes somewhere in an English school That is not what is wanted in a poor country like India We may have been a golden land once but now that we are not What I would suggest is let the method of education be as simple and as less costly as it possibly could be But that is not being given attention to and only forms are being introduced and education is getting out of the hands and beyond the capacity of parents

With these words, I support the cut that has been proposed and the remarks that have been made by my honourable friend from Surat, Rao Bahadur Naik

Sir REGINALD SPENCE (Bombay City) Sir, I should like to take this opportunity of expressing my feelings on this question of expenditure on primary education because I consider that there is a great deal of money wasted Unfortunately, perhaps, my views as to what is waste may not be the same as those of the honourable members on the other side of the House, but I rather think from what the honourable member who has just sat down—I mean the honourable member Mr Gokhale—said, that I shall have a great deal of sympathy with what I am going to say, because what he wanted, and what I think we all want, is that primary education should be the means of the foundation of character, and it seems to me that we are wasting our money very largely, because we do not provide in our primary schools trained teachers sufficient for their needs, and also because we do not provide sufficient inspection of these schools, to see that Government money is not wasted One of the honourable members of this House mentioned to me a few days ago that a good many of our primary schools in villages were nothing but creches, they were merely places, you might say, where the children were put to keep them out of harm's way Now, I thoroughly agree with what the honourable member Mr Gokhale said, namely, that we ought to have a little more religious training, because I believe that if you bring up a child without any religious foundation at all, he loses a lot of his character, you cannot raise people above your own level—I suppose you can if you have big levers and the equivalent of levers, but without these you cannot expect to improve and build up what we all want We want to build up the character of the people in India so as to make them fit for the great increase in their political power which they are going to have, we must put more character into them Now, if you have primary teachers paid the absurd, tiny salaries that they are paid, Rs 15, Rs 20 and Rs 25 each, you cannot get good men If you cannot pay higher salaries to these men, you are wasting your money again, and it seems to me that we should do very much better with our money if we said to Government, "Instead of giving all this money to the local boards for education, we will give less money to the local boards, but we will provide the local boards with trained teachers" If we give you something sound to build upon, surely your local bodies can contribute a little money towards education, and between the two—between Government who provide trained teachers

[Sir Reginald Spence]

and the local body—we shall be able to educate perhaps not so many people, but we shall be able to turn out a far greater number of trained, educated and worthy citizens What is the use, Sir, of our wasting all our money and not turning out a good product? I do not mean to imply it is the fault of the children It is our own fault, because we do not give these children a chance to take advantage of that which we want them to have, it would be far better if we lessened our numbers and had fewer in our schools and had fewer schools but had for those schools trained teachers Yet if Government were to come to this House and say, "Increase our training colleges, increase the payment for trained teachers," would the House afford Government the money? I do not think the members of the House would And yet we go on objecting and criticising Government for wasting money, when we do not give Government constructive lines on which to work We do not tell Government that if they will avoid waste we will give them the money

An Honourable MEMBER: Retrench.

SIR REGINALD SPENCE: Retrench? By all means retrench. But what are you going to retrench on? Are you going to retrench on your staff of teachers? Are you going to cut down the opportunities for training your teachers? I say that what you should ask Government to do is to cut down the number of schools, provide good trained teachers, and tell the various local bodies, "Here we are giving you something worth having, take advantage of these trained teachers, take advantage of what we can give you and get better value for your money" I would ask this honourable House, when criticising Government on the question of primary education, to remember that, although I agree with them when they say that there is a waste of Government money, we in this House have a lot to blame ourselves with, because we do not help Government with any constructive policy to make that education better. I will give you an example Some of us paid a visit the other day to the training ship "Dufferin" We saw what was being done there. We saw how well disciplined the children were That was because they had trained teachers Those children were a product of India that we were proud to see It was absolutely magnificent We were so proud to think of those youngsters going out to represent Indian youth all over the world Why were they better than other children? Not from birth They come from all parts of India and belong to all classes and creeds, but they have been given a chance in their school time to be well disciplined and well taught I am afraid that most of the troubles that come to us in India come from the fact that our children in schools are not well disciplined I think we in this House, who are really keen on the primary education of Indians, who believe that unless her population is taught and is literate, she cannot proceed as we want her to proceed, ought to think a little bit more as to how to help Government rather than desire to cut Government where Government should not be cut and criticise where Government should not be criticised

Rao Bahadur G K CHITALE (Ahmednagar District): Sir, this is one of those annual occasions on which we indulge in a lot of criticism, which bears no fruit at the end of the year, and we again try to rewrite on the same slate, perhaps to be wiped out again The honourable member who just addressed the House, the honourable member representing the Bombay City European constituency (Sir Reginald Spence), I am afraid has missed the whole point which the Opposition wants to raise I think perhaps it is excusable in him, because he has not yet come across and also into close contact with the trained teacher who now runs the present primary schools in the mofussil If he were to come over—and I would welcome him in that position—as our future Minister for Education, when he will have the fullest possible opportunity of putting his ideas into practice, with the Director of Public Instruction under him to execute his behests, I am sure he will have to revise many of his ideas, and his conjured paradise will be lost to him Living as we do in this world in our present conditions, what little he has seen on the S S "Dufferin," the little example of perfection that he has seen, will not stand him in good stead We have to face the facts in the outer world, wherein poverty, and poverty and nothing but poverty, reigns supreme, and his ideas of Government trained teachers, who appear to him as model men who are going out of these Government institutions, will have to be very much revised I wish to point out that that is exactly the policy which the Honourable Minister for Education, who happens to be our popular Minister, has been enunciating in the past I have culled down certain remarks from his speeches which will show the trend of his policy so far as this portfolio is in his hands Going back to the early British days in 1840, he takes, rightly perhaps, the Government to task for catering only for one community, particularly the Brahmins, and neglecting the other communities, and therefore it is that he now thinks that everything must be done for the backward communities, the Mahomedans and others. Apart from that argument, which he has done well to omit, I am entirely at one with his idea that the backward classes, the Moslems and the depressed do stand in need of help I would entirely agree with his policy in that respect if he were really——I wanted to use the word earnest, about it But what is his policy?

Sir, the policy of the Honourable Minister is nothing else but one of drift—go on drifting His policy is a lot of caution, but no action These are his two principles—go on managing things as they are, let us drift together, let there be a great deal of caution lest the ship might flounder, but no action He says by way of defining his policy that there is no public spirit and self-sacrifice enough He wants public spirit and self-sacrifice to come to his aid, so that he may show a wonderful advance in this field of expansion of primary education Couple it with his idea that the enactment of the Compulsory Primary Education Act was a blunder of the first magnitude He says in its financial aspect the Act has completely failed. So, he starts with this, viz, that the Compulsory Primary Education Act, which was passed by this House under circumstances well known to the whole public, is a blunder Then he

[Rao Bahadur G K Chitale]

says that the financial clauses contained in the Act are such that Government never intended to put them into action, and are almost a bugbear on the financial side of Government Sir, as one who has done his humble best in having that particular Act on the statute book, after a good deal of labour and thought, in which team work was done by the Honourable Minister of Education who then occupied the opposite bench, I should think that the Honourable Minister is absolutely wrong in his view that the Act was a blunder If he is not exaggerating, let the Honourable Minister stand up and say why it is a blunder Which clause is he able to show that he cannot execute ? What is wrong therein ? Then he goes on and says, " Oh, I did my best. " But he has never come forward with any proposal either for mending the Act or ending it If he says it is a blunder, he can show his better hand and his better qualities, but he never comes forward He never says that this Act should be ended or mended As far as I have been able to read his speeches, he is harping back on " public spirit and self-sacrifice " He says that the teachers who are now in charge of these schools should flourish and should be content with a pittance of Rs 15 or Rs 20 a month

Sir REGINALD SPENCE I never said that

Rao Bahadur G K CHITALE That is the Honourable Minister's idea I make a present of this to you, so that you may think over how the primary education will advance He says that the cry is that their pay should be increased more and more and takes the House to task for saying " Yes, " whenever such proposals are made It is absolutely wrong and doing an injustice to this part of the House We have never stated that the primary teachers should have higher and higher salary Government themselves in their wisdom, manifested by their Ministers then in power in those days, thought that a man could not live on a pittance of Rs 15 or Rs 20 a month The salary was then raised to Rs 25 at the most It is at present lower down I am making a present again to the Honourable Minister that new hands are being engaged on Rs 15 or Rs 20 a month—temporary hands who have Government service to their credit

Then he says that the Primary Education Act was passed without looking into the consequences He says that this House has not assisted him in giving him more taxation There again he is wrong I say that it is not only wrong, but it is adding insult to injury to this part of the House Whenever Government have come forward with any taxation proposal, I should think Government have succeeded—it does not matter whether we howl or feel sorry I know that Government have obtained several taxes, several increments in the existing taxes, which have not been used for the purpose for which they were wanted I may draw the attention of the Honourable Minister to those taxes The Entertainments Tax was intended primarily—old members of this House may remember—for this purpose Though we meant it for education, under the rules it was not possible to put it in one particular purse, as there must be only one common purse Then, there are various additions which have been made to taxation, and which come from the pockets of

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the agriculturists Need I mention the increased fees under registration ? Need I mention the increased fees on stamps or court-fees or anything ? At least a part of it is due to the department, which, though placed last, ought to play a great part Only last year, we knew that the tax on book-makers was needed by Government It was then stated that this money was needed for that purpose The Honourable Minister then said that he put up a tough fight and did his best but could not succeed If so he should have come out then as a popular Minister and said that a great injustice was being done by Government I think this House would have expected the Honourable Minister to come over to this side, and no one would have occupied the seat on that side, before this cut was restored I may remind the Honourable Minister of one instance, which happened on a similar matter like this in the House when I was a member There was a cut of about Rs 65,000 on secondary education The popular Minister then did good team work The popular Minister, who was one of us, came to us when we attacked him and said that he had to go out of the ministry, because Government had made up their minds that the cut should be maintained The cut motion to express our views was carried by a majority of half a dozen votes We do not claim that we ever had a very large majority Still the cut motion was passed at about 7 o'clock, just at the time of parting on a Saturday After the cut motion was passed, the Honourable Minister came and said that he would not be in the House on the following Monday on the Government benches and that he would come to this side of the House. We said we would welcome him with cheers and that no one from this side would occupy that seat there It must be said to the team work of popular Ministers in those days that—those good old days are past—a cabinet meeting was held on Sunday and by the time we met on Monday an announcement was made that Government were pleased to hand back the cut of Rs. 65,000. I think if the Honourable Minister had the courage and strength of his convictions and carried on the fight in that mood and come to us, we would have welcomed him with us here on these benches It is an object lesson and an eye-opener to the whole Government That was not to be Why do I say so ? Last year, I pointed it out, when speaking about this wastage, which was pointed out by my honourable friend whose name I do not want to mention, but who was referred to by the honourable member representing the European constituency A reply was given to me that "we are doing our best by the bifurcation of the duties in appointing an assistant to the inspector for closer supervision." This point was rightly made by the last speaker It has never struck the Honourable Minister up to now, though it was commented upon last year that the present Education Inspector does not know the vernacular in which the boys are taught in the schools of the Central Division Then I had made it clear, Then again it was stated that an assistant was being given to him so that he could be in closer touch with the primary education as it was going on What has happened ? An English gentleman was appointed I have no quarrel because he is an

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Englishman, because an Englishman is as good as an Indian My only quarrel is that he too does not know the vernacular in which the boys are taught Look at the way in which it is done It was again stated that he was doing his best. We have an educational inspector who does not know the language in which the boys are to be examined He is given an assistant who too does not know the language He insists in one of his speeches " In order to wipe out all these difficulties, he should be a man who is trained in the best possible methods and who would possess the highest and the most effective qualification which direction and supervision require " He quotes with pride the opinion of the Director of Public Instruction that he agreed with his opinion Well, that is rather an uncouth way of putting things Therefore, an assistant was given to him with the best qualification, a European gentleman, over the head of an Indian gentleman, who was available It is again past history A fresh man, however best his training may be, cannot do justice, if he were to be appointed in England to supervise the staff This is commonsense He has never inspected any of the schools and, after a short time, I believe after 5 or 6 months, he was transferred as assistant to the Director of Public Instruction He was then transferred to the Northern Division This waste is so much complained about and rightly too in this House I am entirely in agreement with the view that this wastage must be stopped at any cost After spending over a crore of rupees, 18 per cent. of the boys pass the 4th standard! That is to say, 82 per cent of the cost goes for nothing Is that business? What is it? What has the Honourable Minister done to stop it? He has done nothing as far as I know Yesterday, an honourable member complained that the honourable member the Director of Public Instruction could not understand what he spoke in Marathi It was his business to know. He must know the vernacular It is not our fault If he does not know the vernacular, he may not have to sit in this House, so that——

Mr R H BECKETT Does the honourable member know all the vernaculars spoken in this House?

Rao Bahadur G K CHITALE I am not the Director of Public Instruction If I were so, I would have tried to pass an examination It must be taken in the humour in which it is made If he is not capable of that humour, he is not worth sitting in this House What I mean to point out is that you are following a suicidal policy of drift by making a show of strength, not showing it in the proper time This policy does not give any hope of further advance

Going back to the enactment of the Primary Education Act, it was rightly pointed out that Government was responsible for the cost which they were then incurring on primary education Suppose for instance that the cost was X then Government stated that they would be responsible for finding out this amount X As the Primary Education Act itself provided, this percentage of 86 or 88 per cent was to go down to 66 per cent, because a percentage of the cost was to be borne in the proportion of 2 to 1, it was thought a good business proposition that in

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future years for extra expenditure which would be necessary for making primary education compulsory that Government should pay two-thirds, and Government's cost would be correspondingly reduced from 85 or 88 per cent. to 66 per cent. The whole quarrel came about in this way. What was the cost which Government was bearing in those good old days? That cost is considered to be the datum line grant which is being investigated into for so many years. A Government which is not able to solve this particular problem of datum line—an amount which they themselves were spending—if they are not able to make up their mind, is not worth its job. There are the items of expenditure. There are the tables giving all expenditure from every district. There was your own inspecting staff in the Deputy Educational Inspectors. You knew exactly what you were spending. A little subtraction here or a little addition there was the only thing needed. But Government has been all along playing with time and has not yet come to a decision as to what amount is really due on the first percentage to the local bodies. They have become bankrupt in the meanwhile. They try to say, "We cannot pay you now even if you go to court. We know our liabilities; but we have no funds." That is what we find to-day. Take the case of the Bombay Municipality. The case was fought out in the High Court. The High Court admitted the moral claim and said that the Municipality had a very good case. But as a matter of fact, the contract was not entered into between the proper authorities and therefore the High Court thought that the suit must be dismissed. I should think that the suit was dismissed on technical grounds, but Government does not come out with flying colours. If that is the policy of Government with respect to primary education, I for one think that the local bodies are entitled to protest, and if some local board takes it into its head to sue Government, I think it will be worth while. Instead of asking what my view is or what somebody else's view is, I think it much better that a rich school board or a local board should file a test case and find out the exact position. I am not prepared to advise one way or the other.

An Honourable MEMBER: Not paid for it.

Rao Bahadur G. K. CHITALE: It is not a question of payment. The question is not altogether free from doubt.

However, I was speaking on this policy of drift. I must say on the floor of this House that my old friend and colleague at the college (Mr. Jadhav) when he was Minister in charge of Education, was more honest in his policy. He told me point-blank that he did want the increase of schools, he wanted his own teachers to teach them. At present they are not available. So he would better wait. That was his policy. One can understand it. One can sympathise with it. I have no quarrel with that view. He certainly succeeded in creating a particular cadre of teachers capable of teaching in school board schools. Even from that point of view the present Honourable Minister has failed. Muslim education, even in its primary stages, of both boys and girls, is in a miserable and deplorable state, more miserable and

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deplorable state than the education of our boys and girls. What has he done to improve it, may I ask in all humility? It is his own community, and whenever he goes out on an election campaign, the people feel pride in him and think that he is the man who would be able to solve their difficulties. May I know what kind of Muslim education he has imparted in primary schools? What efforts has he made to improve the state of their education and what additional help has he given to them? He may have given a few scholarships. I do not find my friend the member for the depressed classes here. They are satisfied with sweet words and promises. Well, I know my Muhammadan friends too well. They are a very easily contented lot. They think that they have their own Minister on the bench and it does not matter whether he works for them or not. If one Minister coming from the backward classes was able to give effect to his wishes in the short term of three years, why is it that the Honourable Minister who now occupies the bench has not catered for the wants of his own community? Though I am proud to be a Brahmin, I think that the other classes must be brought up to the level of Brahmins, not by lowering down the Brahmins —it may be a policy, though wrong in my opinion, it may suit others— but by bringing up the other classes. Nobody would grudge the Honourable Minister the least expenditure, or at least the least necessary expenditure even in these lean years, if he were to come out with a scheme which would do credit to his head and heart. But he points out that he has no money. He is only able to quote only one achievement viz., the starting of the Andheri College. But that only shows that there was a distinguished Muslim donor who had enough money to give; he has given it. The sum was lying for a long time with Government. Government felt ashamed of not having utilised the money for the purpose for which it was donated. Therefore the Honourable Minister has now used it for a college, which was not a prime necessity. I can join issue on this head, that want of primary education is the foundation of all our ills and that is a defect in any national Government which would be found to impede our progress all along. On behalf of the Muslim community and myself, I welcome this college, but again my charge remains that as far as general Muslim education is concerned, the condition is really deplorable. I know in his reply he will say, "What experience have you got? What are your credentials?" I say I have got very good credentials——

Rao Bahadur D. R. PATIL: Wait for his reply.

Rao Bahadur G. K. CHITALE: No, no. What is the use of waiting for his reply? I have very good credentials. I had a very small Muslim school under my care which was being conducted from charity funds. I was the secretary of that institute for 20 long years. I did my best to promote it, but having regard to the present democratic ideas, when the community itself came forward and asked me to transfer the control of the school, I was the first to hand it over. I do not know whether the Honourable Minister has seen it. Has he seen, not only that school, but the other Muslim schools, in which the first great defect is the medium

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of instruction, which is Urdu? I have no quarrel with it. He is right in sentiment. Let him at least bring out his ideas and work on them to the fullest possible extent. That is my wish. Let us have no haphazard things. If he were to visit the schools, if he were to speak to the parents and guardians of the students, he would find that one of the chief difficulties of Muslims being poverty—they are poorer than the Hindus—and their small numbers, naturally, they go in for education in order that they may be able to enter the public services. Urdu not being the medium of instruction, they find great difficulty in entering the public services, and naturally they are found deficient, much more deficient than other candidates. My Muslim friends must not misunderstand me. They must take facts as they are, and whatever else may be said in favour of that sentiment of Urdu being the medium of instruction for Muslim students in bigger cities, let us, or rather, let them face the problem in the outlying districts as it at present exists. The teachers who come out of these Muslim institutions cannot be taken up anywhere else, Muslim institutions being very few. If they go to the training colleges, they will find this particular difficulty. May I know what has been done by the Honourable the popular Minister to overcome this difficulty? He can only overcome it in one way, namely, if he has that sentiment which I welcome, which I respect, he must have several stages. It is no use, as I said the other day, staffing a particular department. You must have assistants also lower down. You find that even in that sphere there has been no progress.

As regards the education of Muslim girls, the less said the better. All that I find the Director of Public Instruction says is that this deplorable state was due to those social customs which are not giving way to the present day advancement. Naturally, that is a handicap. Of course it is their concern. So far as the Department is concerned, I should think that there is also room for improvement even on the slender basis of the revenues that we have.

Another point that I will make is this: my honourable friend Sir Reginald Spence stated that Government is not doing its utmost in the supervision and direction of education. But here the honourable member again appears to me to be wrong. Government is spending enough money on this head. In 1910 the number of pupils in primary and secondary schools was 760,887. In 10 years the number rose to 842,495, and in 1930 the number stood at nearly 12 lakhs. The total expenditure has also risen proportionately. In 1910 it was Rs. 4,75,000 and at present it is 15 lakhs of rupees. That figure probably includes the expenditure on supervising staff of the boards also——

Sir REGINALD SPENCE: The pay of teachers also has gone up as well as the cost of inspection. You cannot compare 1910 and 1930 with reference to costs.

Rao Bahadur G. K. CHITALE: I gave you the comparative cost of the education of boys and girls. I gave you the number of pupils which was about 750,000 in 1910 and I compared it with the present

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figure of 12 lakhs. I say that it appears to be perfectly in proportion to the rise in the number of pupils as we find it to-day, and as far as I know, I think the difficulties about inspection and supervision really lie at the root of the trouble.

I have one more grievance to bring to the notice of the House and it is this, that these highly paid officers are at present buried under files and a lot of clerical, tabular and other routine work which might be given over to subordinates. But so far as the real administrative work and the useful part of it is concerned, I must again raise my voice that it is no use spending such a large amount on the salaries of first class officers. I should think that this is a point which the Honourable the Minister has to look into. It is not for the paid servants, they are not appointed to do this kind of work, they do their jobs to the best of their ability and power, but it is for the Honourable Minister to see that that work—that to and fro work of correspondence, statistics, tabular statements etc. should be, if possible, cut down to the lowest possible limit and to see that the higher staff is used for inspection and direction only, a process and policy which was followed in olden days. In the olden days, in spite of the absence of facilities for travel, the Director and other executive officers were moving about and having their fingers on the movement of education as they found it. Therefore, that is a point which at present as a policy has been abandoned, and I say these are the evil results of that policy, namely, this wastage. This wastage is not due only to causes which have been pointed out in the report itself but having regard to all that I have stated, it is necessary that the Honourable Minister must not only tell us that he fights and fights and fights but there should be action, not merely caution, and I do hope that he will take my remarks in the spirit in which I make them and that next year he will come out much better than this year.

The Honourable the PRESIDENT: Before the honourable member Khan Bahadur Khuhro proceeds, I might suggest to the honourable members who may speak hereafter that the demand under this head must be put to the House at 6-45 this evening. The speech of the honourable member who just sat down aimed, more or less, at a general impeachment of the policy of the Honourable Minister; other honourable members need not do the same but might only speak on primary education.

Khan Bahadur M. A. KHUHRO (Larkana District): Sir, under this head 31-C—Primary Education—I certainly join in the protest that the cut effected is very severe and seriously affects the primary education of this Presidency. Sir, the first objection of mine in this connection is that the reason advanced, that the cut in education is inevitable, because of the financial position of the Presidency is fallacious and baseless. I grant that a certain cut is inevitable at present even in Education budget but the question is how far the amount actually cut down from the education budget is justified as compared with other departments. Education has been hit hardest in the present retrenchment and as compared with

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other departments, the cut in primary education, as compared with 1930-31, is no less than 23 lakhs of rupees and on the whole education budget has been cut down by 31 lakhs. This cut in the Education Department does not compare favourably or even fairly with any other department, which spends equally or even more. The budget figures clearly indicate that expenditure on land revenue and general administration in this Presidency in the year 1930-31 was 281·1 lakhs and that on education was 206·4 lakhs, whereas according to the cut that has been effected, I find that land revenue and general administration has been cut down only to the extent of 4·6 lakhs whereas education has been cut down to the extent of 31·9 lakhs. Similarly, if you take one or two other important departments of this Government for comparison, just as the police, administration of justice, excise, etc. you will find that the Education Department is certainly cut much more in proportion than any other department. In the matter of excise I find on the contrary that there has been an excess of 10·5 lakhs. I agree that there has been a substantial cut in 41-Civil Works, but that cut is mostly due to the postponement of certain expenditure and that more or less is a temporary cut. Last year Government cut down 5 per cent. in primary education and after the lapse of 2 or 3 months, the honourable member the Director of Public Instruction issued instructions as to how this expenditure should be cut down but by that time most of the school boards in Sind went on incurring expenditure in the manner they usually incurred. I submit that after certain period had expired, instructions were received to close down a certain number of schools. I do not know whether this proposal was made in all seriousness realising the present conditions. I am speaking from my own experience as the chairman of the school board of Larkana. I know that people have now begun to realise that it is essential to receive education and there is a growing demand every year for opening more schools than closing down existing schools. It is administratively impossible for any school board in Sind to close down any number of schools. It is very easy for the honourable member the Director to suggest that a number of schools should be closed down, but I suggest that if he were to specifically indicate which school should be closed down, it would be easier for the school boards to give practical shape to his wishes, wherever possible. But on the other hand I and many other chairmen of school boards can point out that there are many people who are genuinely anxious for schools to be opened in their villages. So any cut on this head and in this direction is practically impossible.

The second suggestion is with regard to the salaries of teachers. It has been a general cry of teachers as well as of honourable members representing the public here that the pay of teachers has always been very low as compared with other Government servants, and certainly it is a genuine cry. Ever since 1910 revision of pay has been taking place in every other department of Government and the salaries have been almost doubled. The pay of the tapedars even has also considerably increased, and we know how these tapedars make good deal of extra

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money through outside resources, namely, rasai and lapo, which have formed the subject of discussion on the floor of this House on several occasions. The poor teacher gets the initial pay of Rs. 20 which is now reduced to Rs. 17-8-0 in Sind as compared with Rs. 52 given to a tapedar as a start. This comparison is enough to clearly bring out the absurdity of the position of the teacher's salary in Sind——

The Honourable Sir RAFIUDDIN AHMAD: May I ask the honourable member to state what salary was paid to primary teachers in the good old times of the Mirs?

Khan Bahadur M. A. KHUHRO: I am surprised at the Honourable Minister's question. He wants me to compare the present salary with that given in pre-British days in Sind. May I put him a similar question? What were the tapedars getting in those days? They were getting practically nothing. There was no such system as obtains now, as the whole system of administration was different, and it is really wrong to make any comparison with pre-British days. In those days the zamindars used to collect land revenue for the Mirs and they used to get certain remuneration in the shape of some inam lands, but in the case of teachers there used to be certain sources of income for each school that existed then in the shape of jagirs for the promotion of Persian and Arabic languages.

So, Sir, by comparing the present period with that of the last 20 or 30 years, one can easily come to the conclusion that the pay of the teachers has been ridiculously low, and now at the top of all that we are asked to cut down their pay. How that step will be welcomed by the teachers or by the public in general can well be realised by the Honourable Minister who represents the people here.

Another question was raised by my honourable friend Rao Bahadur Chitale, that is, that we are asked to cut down only salaries of Rs. 40 and above. The actual realisation and the savings from that cut will be negligible and the amount will not be anywhere near the figure expected from it.

Coming to the question of the supervision and the staff required for supervision, the contention of my honourable friend Sir Reginald Spence is that the supervision is not sufficient and Government should know how the money is being expended and that there should be more inspectors appointed for that work. Before the control was transferred, the same administrative officers who are at present acting in Sind held mostly the grade of deputy inspectors which corresponds with the grade of administrative officers. In almost every school board in Sind the administrative officer has been drawn from Government service and the supervisors also in a large majority of cases are those who were employed by Government themselves. In addition to that, Government have appointed one inspector for each district to take the position of a watch-dog. But coming really to the question of utility of these Government inspectors, I certainly fail to see any justification to retain them. Let alone the question of increasing or doubling their number, they are going

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over and over again the same questions and the same inspections which the school board staff is doing and which is quite competent to look after the administration of schools and which was all along regarded as a competent staff by Government themselves——

Mr. R. H. BECKETT: On a point of information, Sir. What staff does the honourable member refer to? Is he referring to the supervisors in the employ of the district local boards or is he referring to a single Government officer, namely, the senior assistant deputy?

Khan Bahadur M. A. KHUHRO: I started with saying that the supervisors under the employment of the school boards are mostly the same as those employed by Government as assistant deputy inspectors before and in addition to those, the honourable member the Director of Public Instruction himself knows, there is for each district a separate inspector appointed to supervise the work of the school boards and these inspectors are practically under the control of the educational inspector.

Mr. R. H. BECKETT: Does the honourable member suggest that they are superfluous?

Khan Bahadur M. A. KHUHRO: I do make that suggestion. I say that there is practically no need to increase their number as certainly they are serving no useful purpose. I am speaking at present from my experience of Sind. I do not know what the conditions in the Presidency are, but as regards Sind my confirmed opinion is that there is absolutely no justification for having dual control and dual staff of this character. It is, therefore, in my opinion, very hard and very difficult for school boards to cut down to the extent of 23 lakhs as Government requires them to do. Last year, too, in most of the cases the school boards had only put off certain expenditure that they had to incur, for instance, in connection with repairs to buildings, etc. and the grant of free books and slates, etc. to the poor boys. Even at that time it was found difficult to cut down expenditure to the extent of 5 per cent. Now, all of a sudden, Government is asking this Council to approve of the policy of cutting down the expenditure by 15 per cent., which will reflect very adversely on primary education, which is already starved. Sir, the contention that primary education is not receiving sufficient sympathy in the province of Sind is fully supported by the Hartog Committee's report, and the Director of Public Instruction knows that the percentage of literacy in Sind is very low. The reports that are year after year issued by the Department indicate that the percentage of literacy in Sind is only 3. This percentage, I maintain, is ridiculously low, and therefore it is the duty of Government to see that percentage of literacy is increased as early as possible, and measures should be advanced to see that more money is spent on primary education, which naturally builds up the career of these young boys who go to receive education. It is very essential that these boys should receive proper and due attention.

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Sir, I am one of those who believe that some sort of religious instruction, in addition to the education at present imparted to the boys, is also essential, and therefore it is necessary to maintain religious teachers. In my own experience, of four years, I have made suggestions for engaging religious teachers, viz. Quran-teachers, on various occasions but the department has turned down the proposals. The local boards are willing to engage such teachers, but in the absence of any Government grants, they cannot do it, because their funds are limited. They have taxed themselves to the extent of a 2-anna local cess, and most of the income derived from it is at present spent on education.

Then, Sir, the point has been raised by many honourable members who preceded me that it is not right that Government, having once given a pledge to the local bodies that they would contribute up to a certain extent, which is called the datum line, should go behind that promise and should reduce year after year the amount which was originally promised at the time of handing over control to the local bodies. It was definitely promised that the amount which was being spent by Government on primary education was to be given to the school boards, and whatever further cost was incurred on primary education by the local bodies in the expansion of compulsory primary education as well as voluntary, one-third of it was to be borne by the local bodies and two-thirds by Government. Apart from that, there are many honourable members who will bear me out certainly when I say that most of the schemes which the local boards and municipalities have sent up to Government for the expansion and introduction of primary education in certain areas have been kept back on the plea that there are not sufficient funds, and therefore the expansion of compulsory primary education has not progressed. But now we are faced with the problem, that Government are cutting down the quota which they contributed before 1923. Sir, soon after the Compulsory Primary Education Act was passed 8 years ago, the control of primary education was transferred to various local bodies, and now Government ask these local bodies to curtail their expenditure, and they want the local bodies to bring the expenditure down to less than what they were actually spending 6 or 7 years ago. Therefore, Sir, it is very clear that this step is bound to prove very unpopular with the public, and it is also very unpopular with the local bodies. Therefore, the only proper way in which the local bodies can deal with the question, as my honourable friend Rao Bahadur Naik suggested, is to ask Government to take back the control of primary education into their own hands. Government must bear this responsibility on their own shoulders. Indirectly the local bodies are made responsible and they are made unpopular with the general public.

Then, Sir, the point was raised by the honourable member Sir Reginald Spence that in the education that is imparted at present much of the money is being wasted, and therefore he jumped to the conclusion that Government should give still less money for primary education, but they should see that trained and efficient teachers only, are engaged

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and higher salaries are paid to those teachers. Now, I cannot understand how this argument applies to the case. If Government are going to still further reduce the expenditure, then certainly a very large number of schools will have to be closed down; and again if in addition to that higher salaries are to be paid and only trained teachers are to be appointed, it will mean that the number of schools will have to be cut down far more than otherwise anticipated. All the local bodies will thereby be compelled to cut down the present number of primary schools to a much greater extent. Pushing his argument therefore to its logical conclusion, it means that the present percentage of literacy which is only 3 will be still further reduced. Therefore, the suggestion is absolutely impracticable, and no sensible Government and no local body could ever accept it.

With these remarks, I strongly protest against the cut in expenditure which is made applicable to primary education, which is a large cut. I join with all those honourable members who have protested against this cut. If the Honourable Minister really stood for the advancement of primary education, he should have defended its cause properly and fought for it, and should have seen that no injustice is done to this department. As compared with other departments, it is very clear from the figures which I have quoted that this department has suffered most in these critical times.

Mr. SHAIKH ABDUL AZIZ (Central Division): Sir, it has already been pointed out by my honourable friend Rao Bahadur Naik in what way the Government are not helping the cause of primary education. He has very clearly shown that so many district local boards and municipalities have collected money by levying special taxation, and still Government are not coming forward to help them in the cause of primary education, and the excuse given by Government is that they have got no money. At least I am not able to know in what way Government are unable to get money for primary education. They say that in these days of depression there is great scarcity of money, that there are other works to be done, and so they cannot afford to spend much money over education. Sir, I remember that in 1929 a suggestion was made by this side of the House with regard to the financial side of the question. I know that at that time the honourable member from Nasik (Mr. R. G. Pradhan) suggested to Government that if they come forward with a scheme for an education cess for primary education, this side of the House will certainly support Government. But they never bring up any proposal of this sort in this House. They say that they cannot levy a tax simply for purposes of education. They say that they have only one coffer, and all the money will be put into that coffer and will be spent for each branch of the administration as necessity arises. Why not a special cess for primary education be levied if Government is short of money? So many times it has been emphasised that if Government come forward with a Bill imposing a tax the proceeds of which would be utilised only for primary education or general education, this side of the House would help them. But for the past 10 years they are not

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coming forward with any such Bill. It may be said that as the honourable members of this House are always opposed to any increase of taxation, they will oppose such a measure. But I can honestly say that I have consulted so many members in this House, and my feeling is that if Government bring forward any Bill for an educational tax, this side of the House will certainly support them. In my opinion, Government are not very serious in the matter of propagating education among the backward classes. To my mind, it is really a serious charge against Government as to why they cannot find themselves in the way to get money by special taxation for the sake of education and education alone.

An Honourable MEMBER: Are you willing for it?

Mr. SHAIKH ABDUL AZIZ: Certainly, Sir. Not only that, but in 1929 so many honourable members on this side of the House told the Honourable Minister that if Government brought forward a measure of taxation, with the provision in it that the money collected would be utilised only for education, this side of the House would support Government. But they never gave a promise that they would accede to our wishes.

Now, Sir, I wish to make a few remarks about primary education and the way in which it is imparted in the schools. I wholly associate myself with the remarks made by my honourable friend Rao Bahadur Chitale that the education given in the schools is not proper. So many boys who get their primary education, especially those taught in Urdu schools, are deficient in Marathi. The course adopted by Government in 1921 was all right. By the method then adopted, the boys who passed from the Urdu schools were not so much deficient in Marathi as they are at present. The reason is that in the Urdu-Marathi school, Marathi is not taught properly. In the 4th standard the second Marathi book is taught, in the 5th standard the third Marathi book is taught, and so on. In that respect, the course should be changed. I think in 1921, in the 4th Urdu standard the 4th Marathi book used to be taught, in the 5th Urdu standard the 5th Marathi book and so on. I would suggest that the old course should be restored. I do not know why the course was changed. The difficulty now is that the man who passes the 4th Urdu standard is unable to get entrance to the high school, because of his deficient knowledge of the vernacular, that is, Marathi. Had there been Anglo-Urdu High Schools such difficulty would not have arisen, and as there is no money for starting Anglo-Urdu High Schools the only course remains to change the course in primary education. If they change the course in the Urdu schools, and the boys are taught the 4th Marathi book in the 4th Urdu standard, the 5th Marathi book in the 5th Urdu standard, and so on, then the students coming out of the Urdu schools will know Marathi well, and it will then be easy for them to get entrance to the ordinary high schools. I hope that the Honourable Minister will see to this matter.

Now, Sir, the second point which I wish to emphasise is that the rule is that for 40 students there must be one teacher. But in the Urdu

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schools, the teachers have to teach Urdu as well as Marathi. So, if you apply to them this rule, it will be rather difficult and they will not be able to take proper care of the students. Similarly in giving grants Government shows too miserly spirit. I can give one instance. In one village there is a school where there are 20 boys and in another village there is a school which has a strength of 20 boys. Government will give the grant for one teacher only, because they will say that in both the villages taken together there are only 40 boys. It looks ridiculous. So, in this matter, and in Urdu schools, where both Marathi and Urdu are taught, rules should be modified.

As regards girls' education, it was stated on behalf of Government that the backwardness of Mahomedans was due to the purdah system and the paucity of proper trained mistresses. In the Central Division, there are many Mahomedan communities who do not observe purdah. In spite of that, Government have not opened any training school for mistresses at Malegaon, as was suggested by the Director of Public Instruction in his report of 1929. The educational inspectors have made this recommendation more than once. Still no action has been taken by Government in this direction. If they open a school for the training of mistresses, I think there will be greater facilities for the education of the girls. I hope the Honourable Minister will take notice of it. With these few remarks I resume my seat.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu): Mr. President, during the last 3 or 4 years our Government have been going on reducing the grant for primary education. When the whole world is bent upon progress, our Government of Bombay is putting behind the clock of progress. Education was made a transferred subject by the Government and an Indian Minister was appointed with the hope that the public would be satisfied thereby. But, what can the Indian Minister do, if he is kept down with his hand and foot tied. If he is unable to get the necessary finance, how can he be expected to advance the cause of education? The executive part of the Government holds money in its hands. The Ministers in charge of the nation-building departments have no money. On the reserve side of Government, they get everything they want. Though the Government levies new taxes every year yet the nation-building departments have no funds and are being starved. When primary education was handed over to the municipalities and district local boards, the Government gave an undertaking that illiteracy would be removed from this Presidency within ten years. Now, ten years have passed and illiteracy remains where it was. In the great soviet Russia, the Government set up a ten-year programme to educate the whole population. Now there are 90 to 95 per cent. literate persons. In spite of the fact that we are having the British rule here for the last 150 years, hardly 10 or 12 per cent. of the population are literate. In Sind, the literate population is 7 per cent. and when we come to Mahomedans, it is hardly 3 per cent. because the Government gives less grant to Sind than to the other parts of the Presidency proper. Out of the grant given to Sind hardly 25 per

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cent. are spent on Muslim education. If you take the secondary education among the Mahomedans of Sind, there is hardly ½ per cent. who go up to the secondary standard. What is the good of transferring education to the local boards and municipalities, if Government refuse to give them money enough for their expenditure in accordance with the statutory obligation, they have imposed upon themselves? When this is the pitiable plight to which the nation-building departments have been reduced, we see that the expenditure on the reserved side is going up.

The honourable member Sir Reginald Spence said that the expenditure on primary education is wasted as trained teachers are not available who could build the character of the boys under them. Therefore the fullest return for the money spent is not derived. It is all true. How can you have qualified teachers, unless the Government spend money for their training? When we take into consideration European education, we find that they get Rs. 6,42,000 and the ratio of expenditure per head comes to Rs. 32. In the case of Indians, the total expenditure is Rs. 1,21,00,000; out of that, the expenditure that is incurred on primary education is Rs. 1,07,00,000. So, if we take the total amount of expenditure on education, the ratio of expenditure per head comes to 13 annas including secondary education; and in the case of primary education only the ratio of expenditure comes to 8 annas. This cost includes all the languages, Gujarati, Urdu, Sindhi and so on. I do not understand in the least why we Indians should not have the same quality of education and the same proportion of expenditure as in the case of European education. Government should be impartial in their treatment of the people. Why should this discrimination be made between Indians and Europeans in the matter of education? When the new reforms come then probably there will be no reservation for Europeans. They will be treated equally with the Indians. Will then the Europeans not cry as we are now crying? On the top of this, they have not even discharged their statutory obligation with regard to the grant to the local boards and municipalities. The matter has already been referred to by honourable members Khan Bahadur Khuhro and Syed Miran Mahomed Shah with regard to the local bodies with which they are connected. I know myself what has happened in the Karachi municipality. The Karachi municipality offered to open new schools and buildings and employ more staff and asked the sanction of Government. But Government refused sanction on the ground that funds are not available or similar excuses. How will education progress, if Government put obstructions in this manner? I give here an instance. Bombay Municipality started giving free and compulsory primary education with the approval of the Government. They did so for years and requested the Government to pay their share of expenses, which Government did not pay. Therefore a suit was filed in the High Court of Bombay. On a technical point, the Bombay Municipal Corporation lost the suit it filed against Government. The High Court gave the judgment that the Government were only morally bound and not legally bound to give the grant. I do not think Government should lay themselves open to charges of this nature.

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They must give the usual grants to district local boards and municipalities in order to advance the education of the masses. Though the percentage has increased by 2 in the last 8 or 10 years, this is not due to the Government's efforts, but of the Local Boards and Municipalities. Ever so much we may talk, it will not affect Government. It is like pouring water on oil.

(After recess.)

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, I would like to express a few words with regard to the subject under discussion. Sir, I happen to be connected with this Department for the last few years as Chairman of the School Board and also as President of the District Local Board, Hyderabad. I claim to know something about the working of the system and the supervision exercised by the Government of Bombay over the department.

So far as my experience goes, my grievances are two-fold. One refers to the attitude of Government with regard to the Education Department as a whole on financial grounds and the other is with regard to the working of the system.

The Honourable the PRESIDENT: Is the honourable member speaking on primary education?

SYED MIRAN MAHOMED SHAH: Yes, Sir. I am speaking on primary education. Sir, we have been observing that for the last few years Government have not been paying the attention to this department which is due to it. They are beginning to think that this is really the function of the people and not of the Government, and some officers have gone to the length of saying that the people should know how to stand on their own legs and conduct their own business. But the reply from the people will be that as long as the power of taxation lies in the hands of Government, as long as the keys of the exchequer are in the hands of Government, so long will the people not be able to stand on their own legs. Their hands and heads are secured by the Government. They cannot tax themselves in addition to what they pay to Government. Government are piling taxes after taxes upon the shoulders of the people and there is no margin of profit with which they can finance their educational system. Of course, in the past when people were very lightly taxed, they could start their own schools in villages and finance them. Now people are contributing a greater share of their income to the public exchequer than before. Therefore it is their right to claim a proper share for the development of this department which concerns their nation-building activities. I mean to say that this department is the pivot, the foundation on which India or any other country can build its nationhood.

Now, Sir, we are very much advancing in these days. We are on the threshold of responsible government and committees like the Franchise Committee and other responsible bodies are asking the representatives of the people whether or not education should be made a qualification for enfranchisement. When we cast our glance behind and look at the apalling figure of illiteracy, we simply shirk to give an affirmative answer

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and we are constrained to say that education should not be made the basis of enfranchisement because of the inequalities of the standard of education among the various sections of the people. It is from primary education that enlightenment starts, and if Government are not able to impart preliminary education to the people, to make them read and write, in order to understand how to exercise their right to vote and to know its meaning, I think this Government as any other civilized Government will be failing in its fundamental duty towards the subjects that it rules. It is no use maintaining such departments only which are for purposes of piling up taxes and collecting them. The fundamental duty of Government is not only to collect revenue but also to spend it on the evolution, and on the amelioration of the subjects from whom the taxes are collected. Government cannot give any sound argument in support of their policy recently adopted, namely, curtailing mercilessly this department. When I look at the figure provided in the year 1931 and compare it with the estimates for 1932-33, I find that there is a cut of nearly 23 lakhs, which is inequitable in the circumstances.

When the Primary Education Act was introduced in this House and when the control was transferred to our hands, it was predicted that we would miserably fail and that we would not be able to manage this department as efficiently as the Government had done. Still the control was transferred to us. But the crutches on which we were made to walk have been withdrawn. We admit that we are still in the stage of infancy and we cannot finance ourselves. We have not got sources of income—independent sources from which to finance our education. Our education has reached such a plight that we are almost becoming unpopular and there is a cry even for the abrogation of the Primary Education Act. Many local bodies have even suggested to Government that they should take back the control of primary education. They have not got sufficient funds even just to maintain their prestige with the people. We, as representatives of the people, certainly have to maintain our dignity and prestige before them. We do not want to become unpopular owing to faults committed by Government. Our people cannot understand that it is Government who behind the curtain are withdrawing and curtailing our grants.

As an argument against this complaint of ours, sometimes Government have stated in the debates that we are not taking into consideration the wastage consequent upon the indifference shown by the local bodies in spending money and not taking full value for the money spent. But, Sir, I would ask them kindly to cast a glance over other departments and see whether there is wastage in other departments also. Every honourable member has given expression to his feeling on the floor of this House in regard to every department of Government like Public Works, Irrigation, General Administration and so on. There is wastage; there has always been wastage. Several loopholes have been found and superfluities have been detected. Because there was room for saving, because there was extra expenditure being incurred, therefore, we could cut them down by appointing retrenchment committees and by accepting

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departmental suggestions for curtailing the expenditure. But there was wastage of money and when we came to our wit's end, we have been compelled to cut out those superfluities. So that wastage there will always be. It is not we alone that are responsible for that. For that Government is mainly responsible. For instance, if the full number that enters the infant class does not pass the 7th standard, there are manifold reasons for it. No encouragement is given to poor people by way of scholarships; no encouragement is given by way of free books, by providing a library for every school or with travelling libraries so that even if they leave school after passing the fourth standard they may maintain their knowledge of reading and writing. All these facts go to prove that it is not the fault of the local bodies only and that Government is to some extent responsible, I may say chiefly responsible on account of the indifference shown and the stringent policy followed in regard to primary education. In the Educational Department, Sir, there is no sense of discrimination. They ought to weigh the importance of each section of this branch of education with the other. For instance, if they want to keep up the literacy of village children, then for every primary school there should be a corresponding adult school and a night school. They will cost comparatively very little money. I have experimented in my district and have got about 10 adult schools being carried on with an additional expenditure of Rs. 5 only as an additional allowance to the teacher and a contribution from the students who pay for the books and for the lamp that they burn at night. If Government were to give a direct incentive to this sort of education, it would accelerate the speed of literacy in the rural areas rather than child education alone. But the lead must be given by the Government. We do not want any additional grant, but some encouragement must be given. If they were to declare that they are prepared to contribute their quota to such schemes, which are really necessary for the development of the people, then I think that would silence the critics of Government and many of their grievances would go redressed.

On the side of female education also, the same indifference is shown. They do not take the conditions of each locality into consideration. I will illustrate the position in Sind. Sind is predominantly a Muhammadan province with 73 per cent. Muslim population. Muhammadans are generally said to be conservative so far as their female education is concerned. That is my experience in Sind. They are very reluctant to leave their girls—even small girls—in the public schools. They will, therefore, naturally require segregated schools for female children. For their maintenance we will require school mistresses, and in a community where there is a paucity of education, there is naturally a very small number of school mistresses. So that the paucity of female teachers also handicaps us and it should therefore be the policy of Government to give the female teachers proper stipends, to get them properly trained, to give them something which will really be attractive, something extraordinary, something over and above what is offered to males. We must give them special encouragement. If this distinction

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is made and this distinction alone, we shall get a sufficient number of female teachers to meet our needs.

Another drawback on that score is that naturally when small girls go to school, they require somebody to look after them, to take them to and back from school, and many parents do not like to leave their girls in the streets to go anywhere they like unprotected and unattended. Therefore a female peon is an absolute necessity for every female school. There is of course the financial stringency, but money should be saved from one source or the other and the money should be applied towards the engagement of female peons which may not be necessary in the case of male students because several primary schools of large size for male children have got peons. Local bodies have to pay from their grants and each little amount which they pay goes to be a burden on their slender purse and so they have to draw on their reserve funds. How long this is going to continue I do not know and where and when it will stop is equally beyond the scope of my comprehension. Even such a small amount which Government have to contribute for female education they are not coming forward to pay, so that on the side of female education—I urged this strongly on the attention of the Honourable Minister several times, but no effect seems to have been produced on his mind—my cry has been a voice in the wilderness. This is a burning evil of Sind in particular and it will remain a burning evil as long as Sind is with the Presidency. Sind is now thinking of its own self-evolution, there is a cry from the people that every section and every sex in the province should be educated uniformly in order to keep pace with the speed of progress that is taking place in that province on account of the Sukkur Barrage and other political developments. We are very much handicapped on account of the indifference evinced by Government towards the local bodies and our resources being already slender, we do not know how we can meet the situation. I will therefore appeal to the Government of Bombay as a whole that they should not treat this department as a step-child or as a thing beyond the scope of their powers and duties but they should consider that this is rather their paramount duty to maintain this department at a high level because this should be the consideration of Government that at this stage when political developments are fast taking place and responsibility is going to be transferred to the popular hands, naturally this should be the concern of Government that as many people as possible and as many subjects as possible of this Presidency should be educated.

As regards the curriculum also, that too has much to do with the progress of primary education. The complaint of the public is that education imparted by local bodies under the control of Government does not meet the requirements of the country and is inconsistent with local conditions so that it is not really useful to the inhabitants of the villages to whom it is imparted. Bias classes and other technical classes have been started here and there but lukewarmly and half-heartedly. If such schemes are taken in hand, they should be given full scope and they should be fully tried and if they fail, other schemes which

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are consistent with the local demands of the people should be taken in hand and experimented upon, so as to correspond with the expectations of the people as a whole, so that people should rather begin to think and look upon this department as their saviour or benefactor rather than one which lives to manufacture only clerks and school masters. This is the impression created for the time being upon the mind of an average villager that the education which he derives from the primary school is mainly for the purpose of becoming a schoolmaster or a clerk or a pound-keeper. If any of them passes the vernacular final examination and does not get service, he begins to think and his parents and neighbours begin to think that this education is of no use because so and so could not get a job. This is simply because the education as imparted to him does not meet his requirements and does not correspond to the expectations of the people of the village. It should be practical and then and then alone people will really take interest in their education.

The question of imparting moral and religious instruction to primary school students is still hanging fire and no decision has been arrived at because it is foreign to the policy of Government to allow religion to have anything to do with their administration. But we should not overlook our duty, we should take into consideration the present outlook and the present mentality of various communities inhabiting this Presidency. Moral and religious instruction is the only ground on which they can withdraw their children from other schools which do not give proper education or which would rather induce people to let their children come to Government schools if they impart moral and religious instruction. This is the only policy which Government should adopt in Sind at least. Although Government know that unless they introduce the instruction of the Koran simultaneously with primary education, Sind Muslim education will not flourish and yet I do not know why Government should have hesitation to promote such a scheme. If they promote such a scheme, why should they not finance it? I had been the Chairman of the district school board in 1926. Since then correspondence has been carried on and I have been receiving only promises from Government that this correspondence is under the consideration of Government. During the past four or five years Government have not taken into consideration a particular scheme which is very necessary in the interest of the maintenance and popularity of the whole system of education in my district——

An Honourable MEMBER: They are gaining time.

SYED MIRAN MAHOMED SHAH: When the new constitution comes, popular ministers will come and I will see how the question fares then.

Certainly, the Honourable Minister I am told is a representative of the people, but he has got certain limitations; he is governed by a system of Government which is called Dyarchy and we know the defects of Dyarchy. We should not blame him alone, but the Government whose part he is. We may blame him if he does not exert

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his personality, just as the honourable member Mr. Baloch quoted the Honourable Minister himself the other day. He should as far as possible assert himself, and get grants from Government. Mainly, it is the function of the Finance Department which sits over the purse of the Presidency. I am sure the Honourable Minister must have exerted himself, he knows that he is bound to do it in the interests of the people. If he felt that he could not succeed, then he has one weapon in his hand and which he could have utilised, but perhaps he does not gather sufficient courage to utilise that weapon which he possesses, namely, resignation. There is no such precedent in this Council and I do not think he could be expected to establish a precedent. Cursorily mentioning all these defects, I wish to urge upon the attention of my honourable friend the Minister of Education the need for treating female education on different lines from male education, especially if he wishes to do any distinct service to the people of this province and especially if he wishes to distinguish himself from his predecessors in office and to be remembered for long by the people as one who having held the portfolio of education rendered a distinct service to the people. Our progress will not make any headway unless he introduces adult education. This is one way and the other way is acceleration of female education. By introducing adult education in this Presidency, the Honourable Minister for Education, if he succeeds in it, will render another distinct service and will distinguish himself for ever.

Thirdly he should take up the introduction of libraries in order to prevent wastage and to maintain the level of literacy among the masses. He might argue in reply to my assertion that all these things require money. I say "Yes, they require money and therefore we are sanctioning fresh taxation not for the financing of the General Department, not for the financing of the Finance Department, not for the financing of the Revenue Department, but for the financing of the nation-building departments such as his". I make no secret of what I heard from some of Government members who said that they were bringing this fresh measure of taxation because they could not finance the nation-building departments otherwise. On this distinct understanding we have been lending our support to fresh taxation and at the top of my voice I say on the floor of this honourable House that if these nation-building departments are going to be neglected, we shall always be on the side of the popular Ministers to back them up in their demands for financing their departments and that they share proportionately and adequately in any additional income Government may get and that such additional income as comes to Government is not absorbed by the General Department or by any other department only. I think, Sir, that is the only assurance which lies in our power to give to Honourable Minister of Education and I think I can expect the same kind of assurance from him.

With these remarks, I resume my seat.

Rao Bahadur D. R. PATIL (East Khandesh District): Sir, it is a matter to be regretted that when we discuss the policy in connection

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with primary education the official benches should be vacant. It is a matter for regret because we wish to place our views before Government so that they may consider them in their proper perspective.

The Honourable Sir GHULAM HUSSAIN: All concerned are here, Sir. There is the Honourable Minister of Education, the honourable member the Secretary, Education Department, the honourable member the Director of Public Instruction.

Rao Bahadur D. R. PATIL: I am thankful to the Honourable the Leader of the House for pointing out that these three officers are present. He merely anticipated what I was going to point out myself.

Sir, our general cry has been that primary education is a subject which should be properly cared for. I may tell the Honourable Minister of Education that the desire for receiving primary education is on the increase in the mofussil areas. Illiteracy is the enemy of progress and it is therefore the bounden and paramount duty of Government to see that illiteracy is removed as early as possible. I know at the same time that our wants are plenty but that the funds at our disposal are scanty, but all the same Government should do their very best to promote the cause of primary education, and when they do that we shall be quite satisfied.

Now, Sir, as a member of the Retrenchment Committee I suggested and all the other members agreed with me and suggested that primary education should not be touched at all in the matter of retrenchment. Why did we do so? Because primary education is the real welfare of the people and that is why we saved that department from the operation of retrenchment. But, unfortunately, we are sorry to find that Government have retrenched even in the case of primary education, and I appeal to the Honourable Minister that this cut in the grant should be restored, and I think we shall then be quite satisfied so far as primary education is concerned.

I might submit, Sir, that the district local board of East Khandesh has increased the local cess from 1 anna to Re. 0-1-6, and that board has opened 50 new schools, I believe in the year 1929, without the permission of Government. When we informed the Government that we had opened these 50 new schools for which we wanted grants according to rules from Government, Government said that the district local board had not taken their permission, and so they could not give any grants. I think to say so is not a good thing on the part of Government. They must not take advantage of these technical irregularities. When they find that it is the keen desire of the people of a particular district to expand primary education, inasmuch as the local cess has been increased from Re. 0-1-0 to Re. 0-1-6, and they have opened accordingly these new schools out of their own funds, then does it not become Government to give grants to the local board in the matter of primary education? I hope the Honourable Minister will take a note of it. I again appeal to the Director of Public Instruction to make a special note of it, and in these days of financial stringency if nothing more can be done, I hope

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that at least the case of the district local board of East Khandesh will be taken special note of, on account of the fact that they have voluntarily agreed to the increase of the local cess from Re. 0-1-0 to Re. 0-1-6 for the purpose of opening new schools. I believe Government will pay proper attention to this, and I expect the Honourable Minister will give a reply in this connection. I have observed many times that he takes a keen interest in the promotion of the education of the backward classes. Now, this is a case of the backward classes. So, it is naturally in the fitness of things that the Honourable Minister for Education will specially take this fact into consideration, and I hope that he will specially say in his reply to the debate that he will necessarily give grants to the local board of East Khandesh as Government have satisfied themselves that it is the sincere desire of the local board to promote the cause of primary education.

I know, Sir, that we cannot compel Government to spend more money in the spread of primary education, especially in the face of the fact that they have not got sufficient funds. All the same, Government must do their best to see that at least the cause of primary education does not suffer. Of course, if they have a mind to retrench, they can do it in so many ways, as they have done even this time, but I specially bring to the notice of Government this prominent fact that the cause of primary education should not suffer. If they want, let them reduce the grants for secondary education. I do not care much for that. The agriculturists who are the pillars of the country pay a large revenue to Government, and so it is the duty of Government to pay more attention to the cause of primary education. Of course, I do not mean to say that secondary education should be neglected, but first supply the needs of primary education, and if there is any surplus, then it may be utilised for the spread of secondary education. Unless and until you satisfy the wants of the people in the matter of primary education, for God's sake do not spend money on secondary and collegiate education. I hope the Honourable Minister will take a special note of my remarks on the question of the opening of 50 new schools by the district local board of East Khandesh, for which no grants have been paid by Government, and will in the course of his reply give an assurance that he will pay special attention to the matter.

Mr. PESTANSHAH N. VAKIL (Ahmedabad City): Sir, yesterday evening, when our honourable friend the mover of the cut (Mr. V. A. Surve) was pouring forth in his choicest Marathi, declaiming against the educational policy of the Bombay Government, I noticed a flicker of amused mirth on the countenance of several honourable members on the opposite benches. The honourable member Mr. Surve may have been entertaining. But he was giving expression to a thought which was uppermost in the minds of many honourable members sitting in this part of the House. He was expressing the feelings that were exercising the minds of honourable members in this section of the House. There could be no doubt as to the identity of that thought. The thought was one, its mode of expression may be legion. He was giving expression

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to that thought in his racy vernacular; our honourable friend Haji Mir Mahomed Baloch had given expression to it in his flowing Urdu; another honourable member may express it in Sindhi or in English. But the thought is the same. We were all thinking that thought; we were all feeling it; every one was actuated by the same feeling. The honourable member Mr. Surve alone of all men was giving expression to it. He, so to say, gave it a local habitation and a name. What was that thought, Sir, which was passing through the minds of all honourable members sitting in this part of the House? It was one of resentment, regret, shall I say? dismay, at the act of a popular Minister having consented to a cut of as much as 15 per cent. on the top of the 5 per cent. cut in the previous year in the sphere of primary education, as against a cut of 5 per cent. in the domain of secondary and higher education. This thought did violence to some of our pre-conceived ideas. Have we not been taught from our infancy that the root-cause of all the various troubles from which the teeming millions of this country are suffering is the gross illiteracy of the masses? If that is so, the panacea for all the ills, the ignorance, the misery, the squalor of the poor people and their poverty is surely primary education. Now, Sir, this object cannot be achieved in a day, not even in a year, not even perhaps in 10 years. It is late in the day to expatiate upon the advantages of instruction in the three R's. It is not merely a desirable thing; it is an absolute necessity. And Government have acknowledged it in their preamble to the Bombay Primary Education Act of 1923. That object could only be achieved by gradual stages. I shall, for the edification of the House, read only one or two lines from that preamble. It says:

"Whereas it is expedient to provide for a progressive development and expansion of primary education, so as to reach that goal on lines recommended by the Compulsory Education Committee of 1921....."

So that, Sir, the idea was that there should be a gradual expansion and spread of primary education.

But this act of the Bombay Government has given a very grievous set-back to that policy of expansion. It has broken the continuity of our policy. I wonder how it will ever be possible for them to make up so much leeway, when the cut is, not 15 per cent., but, as has been pointed out by my honourable friend Rao Bahadur Bhimbhai Naik, something like 20 per cent., coming as it does on the top of the previous 5 per cent. cut.

Sir, I understand that about 30 municipalities and district local boards have approached Government with a request to allow them to introduce compulsory primary education into the areas controlled by them. I am told that about 19 or 20 municipalities and a dozen district local boards have already approached Government with this request. The collective population served by these 30 public bodies could not be well under a crore of people. So that it comes to this, that out of a total population in the Bombay Presidency of 2 crores odd, nearly half has unmistakably expressed its desire for primary education. And yet Government have not thought fit to pay any attention to this request! And they have

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expressed this desire through their chosen representatives, namely, the municipalities and the district local boards.

Coming to the City which I have the privilege to represent, soon after the passing of the Primary Education Act of 1923, the Ahmedabad Municipality submitted a complete scheme for the approval of Government. They had also earmarked certain sources of revenue for defraying the expenses of compulsory primary education. They had even gone to the expense of taking a census of all the children of school-going age. They waited, and they waited, and they waited for the much longed-for reply from the Government. It did not come. Then came financial stringency. Government did not know their own mind. Having waited indefinitely, the Municipality ultimately approached Government with a request to let them go on with their own plans, without any financial commitments for the present, only on condition that when the financial clouds dispersed, Government would be prepared to fulfil their financial liabilities. I am afraid there has been no reply—if there is one, Sir, it is one of despair and disappointment. But, Sir, the case of the Poona District Local Board, as stated by my honourable friend Rao Saheb Kulkarni, is even worse than this. That board requested Government to allow them to introduce compulsory primary education into 44 villages controlled by the District Board. That request was not coupled with any demand for financial assistance. But no. The policy of Government, as has been rightly stigmatised by my honourable friend Rao Bahadur Chitale, has been one of drift, and that local board has not been permitted to introduce compulsory primary education, because Government, with a lively sense of dangers to come, have not thought fit to accede to the request. This particular request, was not one for financial assistance, it is true, but a future request may not be so innocuous. So, here we are, Sir. We are not going to have any progress. We are not progressing—we are retrogressing—in the sphere of primary education.

Now, Sir, I want to give expression to a sentiment which has been exercising the minds of many honourable members occupying these benches, and it is in regard to the way in which the Honourable Minister has been dealing with the numerous points raised by honourable members in their discussion of these grants. They have no desire to embarrass the Government. If we had any such desire, we should not be in our places here. We want to co-operate with Government. We are keenly alive to their financial difficulties and other difficulties as well. Especially do we realise the difficulties of the transferred half of the Government. We know that the Ministers have entered upon their duties burdened with the legacy of the past. They are answerable for the many acts of omission and commission of their predecessors, and all our support and sympathy should naturally go with them. But there should be a corresponding obligation on the part of the Ministers as well. And how is this obligation discharged? We have listened, day after day and week after week, very attentively to the words of wisdom which were falling from the experienced lips of my honourable friend Moulv

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Sir Rafiuddin Ahmad. We have waited in an attitude of expectancy for such small crumbs as might fall from his over-loaded table. We have asked for bread, and we are given stone. But, as if that is not enough, he has been mercilessly using a new weapon which he has now taken out of his armoury, and that is the weapon of persiflage, if I may call it, or raillery. He, Sir, is playing the role, much to his own satisfaction, of a mocker. His one aim seems to be to smother the well-meant criticism of honourable members on this side under the wet blanket of raillery and badinage. Now, it is hardly necessary for me to remind him of the well-known saying of Abraham Lincoln. May I ask: Is there any necessity for raising all this smoke-screen of sally and banter day after day to cover official inaptitude? I trust my honourable friend will take the criticisms of his friends on this side of the House in the spirit of seriousness that they deserve.

Sir, we shall be told that we on this side have so far been indulging in destructive criticism, that we have not suggested anything constructive or practical. Have we not? The report of the Retrenchment Committee would give the lie direct to such a charge. The non-official majority of the committee made certain proposals. These proposals were looked at askance by the official part of the committee. It is all in the report. They suggested economies to the tune of Rs. 1,21,00,000. What was their reward? They were pooh-poohed; their suggestions were at first shelved. "What did they know of administrative details?" But, later on, driven by dire necessity, the Finance Department was compelled to accept those very suggestions, and they even went a step further and effected on their own initiative retrenchment to the tune of 37½ lakhs. And they now take credit unto themselves for having effected economies to the extent of a crore and upwards. Similarly several suggestions were made by my honourable friend and leader, Rao Bahadur Kale, and some other members too. But we are never taken seriously. We are not supposed to know anything about the intricacies of administration. The cumulative effect of all these suggestions would in the long run amount to a very respectable figure. But the Government are not prepared to accept these suggestions, with the result that the administration is really top-heavy and the nation-building departments are starved. This, Sir, is the state of things. It is no use complaining day after day. One thing, however, is certain. Of all the nation-building departments education stands pre-eminently in need of very careful nurture and that it has not received. It is the duty of the Honourable Minister to satisfy this part of the House that, so far as his department is concerned, he has tried his level best, he has left no stone unturned, to get from the Government that financial assistance which is the irreducible minimum to keep up the efficiency of this department.

Mr. R. H. BECKETT: Mr. President, so much ground has been covered during the debate, that I think it will best serve the purpose, if I first make some remarks of a somewhat general nature. First of all, honourable members have blamed the Minister and the members of the Department for the fact that the education grant has been cut. We,

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Sir, are not responsible for the unprecedented fall which has taken place in the revenues of the Presidency. I cannot help feeling that honourable members themselves must realise that, under the very exceptional circumstances of this year, a reduction in the education grant was really inevitable.

It fell to my lot, Sir, to make suggestions to Government as to how this cut should be distributed. It was a matter to which I gave the most careful consideration. Honourable members have criticised the Department, because so much of the cut falls on primary education. In the first place, I must point out that by far the greater part of the money expended by Government on education in this Presidency is expended on primary education. I have got the figures extracted for other provinces. The latest figures available for other provinces are for 1929-30. I will give the percentages of provincial expenditure on primary education to the total provincial expenditures. In the case of the Bombay Presidency, I can give the figures for this budget. If honourable members will refer to page 195 of the White Book, they will find that one crore and nine lakhs are budgetted to be spent on primary education out of a total demand of a crore and sixty-eight lakhs: in other words 65 per cent. of the money provided for education in this Presidency is to be given for primary education. When I look at the figures for the other provinces in India, I find that Madras comes next to this Presidency in that it has a larger percentage devoted to primary education than any other province in India. Madras comes next with 44·3 per cent. only. [*An Honourable Member:* "Compare it with 1930-31."]

The Honourable the PRESIDENT: The honourable member may proceed.

Mr. R. H. BECKETT: Now, Sir, I hope that I have proved to the satisfaction of the House that it was inevitable, that, if a cut is to be made in the education budget, a substantial portion of that cut must come from primary education. [*Honourable Members*: "No, no."] I suggest that, if honourable members would not continually interrupt me, I shall be able to give more information. Now, of the amount expended on primary education by Government, by far the greater portion goes to the district local boards. The question of legality of this reduction has been raised by some honourable member. This is by no means the first time that this point has been raised in this Council. Even at the time when the Act was under consideration, the exact meaning of this clause (section 13 (2) of the Primary Education Act) was made clear by the Advocate General who said:

"Now, no right exists. There is no statute, and no contract with Government, giving any such right. If a local authority were to file a suit, it would not succeed, because this sub-clause does not create a right and there is no other law giving it the right. The annual grant which is paid is a gift."

Not only was the position made clear at that time, but subsequently a press note was issued from which I read the following sentence:

"It should be emphasised that the liability of Government to contribute towards the cost of primary education on a voluntary basis is a purely moral one, which Government has undertaken not by statute, but by executive orders and such liability has been, and must always be, subject to finance being available."

[An Honourable MEMBER: "Explain the section."] The section, Sir, reads:

"Nothing in this section shall affect the claim of any local authority to any annual grant which at the time this Act comes into operation is being paid to it by the Government for purposes of primary education, ..."

That is to say, you have the same claim now which you had before the Act; that claim is a moral claim and not a legal claim. [*Interruption.*]

The Honourable the PRESIDENT: That is the honourable member's view.

Mr. R. H. BECKETT: Now, Sir, with regard to the district local boards, it seems to me that they are very liberally treated by Government. The honourable mover of the cut said that at one time the proportion of the grant paid by Government amounted to something like 88 per cent.

Rao Bahadur B. R. NAIK: I said that. In the year 1923, it was 88 per cent., when the Act was passed. The ratio between Government and the local bodies was 88 per cent. and 12 per cent.

Mr. R. H. BECKETT: Nevertheless, Government is treating the district local authorities very generously.

Rao Bahadur B. R. NAIK: That is a statutory obligation even in the Act of 1884.

Mr. R. H. BECKETT: I will refer to the Interim Report of the Indian Statutory Commission. On page 260 of the report, honourable members will find that the percentage of expenditure contributed by the local boards towards primary schools is the smallest in India. Thus, the percentage of Government's expenditure on primary education is the largest in India and the percentage contribution of district local boards towards the expenditure on primary education is the smallest in India.

Now, Sir, the question arises as to how this reduction in the grant-in-aid is to be met. The honourable member, Khan Bahadur Khuhro, complained that when a reduction in the grants was made last year, the district local boards were not informed until some months after the grant had been made. I would point out that the honourable member was in this Council when the reduction was made, so that he knew all about it himself. But I addressed the local boards on the 1st of April, that is, on the very first day of the financial year, informing them that the cut had been made and making certain suggestions to enable them to overcome the difficulties which might in consequence arise. Similarly with regard to this cut I have written to local authorities in advance, warning them to curtail their expenditure.

The honourable member for East Khandesh has been complaining that Government has not given his Board all that he could hope to get on the Rs. 2 : 1 basis. That may be true, we have not the funds, but the honourable member may be interested to know that across the border, in Berar, over 55 per cent. of the expenditure of the district local boards on primary education is met by local taxation. That, Sir,

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is an exceptional case, and one which I do not wish to stress. But it shows that district boards in this Presidency are not badly treated. It is all very well for honourable members to say to the Government, "Why don't you give more?" But where is the money to come from? District local authorities have shown themselves unwilling to do anything unless they get Rs. 2 for every Re. 1, from Government, for all schemes of expansion, and as Government has not got the money, a position of deadlock has been reached. One honourable member has suggested that there should be more provincial taxation. One thing seems certain, that if expansion is to take place, money must be found, either by provincial or local taxation; if from local, honourable members will at least have the satisfaction of knowing that any funds that they raise in this way would be spent locally on the education of local people. One of the ways, therefore, in which district local boards and local authorities can meet this reduction in the Government grant-in-aid is by local taxation——

Rao Bahadur B. R. NAIK: Will you point out the source?

Mr. R. H. BECKETT: As I understand the position, Sir, certain members asked me how this position, arising out of reduced grants, was to be met, and I am merely making certain suggestions for their consideration. Another way is by reducing the salaries of teachers. Now, certain members have said that the salaries of teachers are already low and that they ought not to be reduced further. Nobody, Sir, wishes that the teachers should not receive a living wage. But in this connection, I think I might point out to the House that very substantial increases in teachers' salaries have taken place in the past. I will quote from the report on Public Instruction for the year 1918-19. After referring to the grant of war allowances to teachers, it says:

"The minimum pay of untrained assistant masters was raised from Rs. 10 to Rs. 12 and that of untrained headmasters from Rs. 12 to Rs. 15. After careful consideration, the Government was also pleased to revise the rates of pay for trained primary school teachers and has initiated a time-scale system on a uniform basis for all divisions with, however, a marked differentiation in favour of Sind. Trained teachers of first, second and third year are respectively to start on Rs. 15, Rs. 20, and Rs. 25 in the presidency proper and on Rs. 20, Rs. 25 and Rs. 30 in Sind."

That is to say, the starting pay of trained teachers in those days was raised to Rs. 15, Rs. 20 and Rs. 25 in the presidency proper and they were placed on a time scale. The report goes on to say:

"The revised rates of pay constitute a very marked improvement on the rates *actually* obtainable hitherto."

Rao Bahadur B. R. NAIK: On a point of information, Sir,——

The Honourable the PRESIDENT: The honourable member does not yield.

Mr. R. H. BECKETT: Now, Sir, the present rates of pay as sanctioned are for unqualified teachers Rs. 15 per mensem, for permanent qualified but untrained teachers Rs. 20 on a time scale, and for first year trained, second year trained and third year trained teachers the initial rates

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are Rs. 25, Rs. 30 and Rs. 35 respectively. That is to say, the initial rates are Rs. 10 higher, in both the Presidency and in Sind, than those revised rates which came into operation in the year 1918-19.

Rao Bahadur B. R. NAIK: Are these scales which you just read out fixed by Government or by local bodies?

Mr. R. H. BECKETT: These scales are laid down by Government as a maximum for the purposes of grant for teachers appointed after 1923.

Rao Bahadur B. R. NAIK: Then it is up to Government to revise them and not local bodies.

Mr. R. H. BECKETT: I would point out to honourable members that an increase of Re. 1 per month in the salary of primary school teachers, of whom there are more than 30,000, means an expenditure of 4 lakhs of rupees per annum. After all, the rate of living for primary teachers has admittedly fallen substantially in the last year or two. And, therefore, it seems to me that another way that would not be unreasonable is for local boards, if necessary with the sanction of Government, to reduce the rates of pay of teachers. It seems to me that unless they are prepared to find the additional funds from their own revenues, some such reduction is inevitable, unless there is to be a wholesale closing down of primary schools; which every one desires to avoid.

Another method by which the reduction may be met is by reducing, with the approval of Government, the allowances paid to headmasters and first assistants. Another method which might be considered is whether fees might not be charged to pupils whose parents are well-to-do. As a last resort perhaps it might be necessary to close some of the less efficient schools. But I hope, if school boards set to work with a will, that they will be able to meet the position arising from their straitened circumstances without having to resort to the closure of schools. My excuse, Sir, for going into this detail is that I have thought it might be useful to the school boards if I ventured to give some advice as to how the position might be met.

Khan Bahadur M. A. KHUHRO: Does the honourable member the Director advise the reduction of pay even of those getting less than Rs. 40?

Mr. R. H. BECKETT: It seems inevitable.

Khan Bahadur M. A. KHUHRO: What about Government servants in other departments getting less than Rs. 40? They will not be affected.

Mr. R. H. BECKETT: Another point which has been raised is the question of wastage. Now, I would like to point out to honourable members that the wastage in this Presidency, although no doubt deplorable, is not nearly as great as the wastage in other provinces.

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A reference to the Statutory Commission's interim report will show that in Madras for every 100 pupils in class I in the year 1922-23, there were only 11 in class V. In Bombay for every 100 in class I there were 36. The next highest figure after Bombay is 18 for the Punjab. That seems to show that this Presidency is far more advanced in this respect than is the case with the rest of India. But there is a point in regard to this wastage which, I find, is constantly overlooked. I refer to the fact that the greatest part of the stagnation takes place in the infant standard. Now, there are reasons for that. An honourable member said that the infant class was partly used as a crêche. I am afraid there is some truth in the remark. Another reason is that the pupils in the infant class have been allowed to come in at all times of the year. That is undesirable, and the department is considering what steps they should take in order to rectify it. But let me give you the figures, not from the infant class to the fourth standard, but from standard I to standard IV. Thus, in the year 1922-23 there were about 2,88,000 in the infant class. In standard I, next year, there were only 1,57,000, that is to say, a number of pupils in the infant classes are really children unfit to go to standard I, and to that extent the infant classes can be called crêches, and therefore it frequently happens that infants continue for two years in one class, the pupils being in some cases not much more than infants in arms—I am no doubt exaggerating, but wish to explain why it so frequently happens that they are for two years in one class. If you go from standard I to standard IV, three years afterwards, you will find that 62·8 per cent. of those who were in class I in the year 1923-24 were in the fourth standard in the year 1926-27. Similarly, for the next year there were 1,60,000 in standard I in 1924-25, of whom 62·3 per cent. were present in standard IV in 1927-28. For the next year 1928-29 the corresponding percentage in standard IV was 58·7, and for 1930-31 it was 58·1. Therefore, if you start from standard I, which I submit is a far more correct way, you will realise that the wastage is not as bad as honourable members seem to believe.

As to dealing with that wastage, the department has issued circulars to local authorities advising them as far as possible to promote, on the recommendation of the headmasters, from the infant class to standard I and from standard I to standard II as soon as the pupil is fit for promotion, and every half year instead of every year.

The system of one-teacher schools is criticised, and of course everyone recognises that the one-teacher schools leave a good bit to be desired, but you will always have one-teacher schools. In England there are many one-teacher schools and in a small village a one-teacher school is inevitable and will continue to be inevitable. The only way in which we can meet the difficulty is to train the students of the training colleges to take several classes together, in fact to have a sort of practising one-teacher school attached to the institution. Nothing more can be done by the Department.

Mr. J. S. KADRI: What about Urdu one-teacher schools?

Mr. R. H. BECKETT: The same remark applies to Urdu one-teacher schools as to other one-teacher schools.

Another point of general interest which has been raised by several honourable members is the question of vocational training. The department is told that what it teaches in the schools is useless; that it should teach some industry. Now, I should like to split up educational institutions into two heads, viz., (1) institutions which are definitely training for vocations, and (2) institutions for general education. Of the former type you have your trade school, to which the pupils who have completed the elementary primary school course go to learn a trade. You may have your junior technical schools to which the pupils from the middle schools sections of secondary schools or from the upper primary schools go to learn a trade or occupation. I may say, Sir, that in those schools, for example, in a carpenters' trade school it takes three to four years of actual carpentry work, working all the time, to train good carpenters. Is it possible, I ask, in an ordinary primary school to train a boy to be a carpenter without unduly interfering with his ordinary studies? I say definitely that it is not possible, and I say further that of the pupils in any primary school not one per cent. want to become carpenters. Therefore, surely it would be wrong to take up too much of the time of these pupils in learning carpentry. I have selected this subject merely to illustrate the point. A certain amount of manual training, or hand and eye work, is desirable, something which will teach the pupil not to look down upon manual labour, and which will teach him to be dexterous with his fingers. But in a primary school our main effort must be to give him education in the 3 Rs a certain amount of geography and general knowledge which will be of service to him in after-life. Any pupil, who has had his wits sharpened by this general education and who has acquired a certain amount of manual dexterity, will be a better artisan or a better hand at whatever occupation he may take up.

As I have said, from the primary school boys go to a certain class of vocational school, and similarly from the secondary school, boys go to a certain higher class of vocational institution, and from the colleges to institutions which train for the professions. In the primary schools all that you can do is to give a good general education accompanied by some form of manual training or work and in certain cases in agricultural districts you can give an agricultural bias, but anything more than that is impossible and would do harm rather than good to the pupils themselves. In this connection, the report of the Consultative Committee on the Education of Adolescents in England is of value. The Committee found that the employers of labour were less in favour of a strong bias and more in favour of a good general education comprising a sound knowledge of English grammar and composition, accuracy, powers of observation, a good training of the hand and draftsmanship, elementary mathematics and intelligence. In other words, this merely emphasises that in a great majority of occupations what is wanted is a man whose powers of observation and intelligence have been developed and whose knowledge has been extended by a general education. It must not be

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forgotten that in most cases pupils learn their business in the business itself.

The Honourable the PRESIDENT : I must point out to the honourable member here that we have only 22 minutes, and according to the rules laid down, I have to put the demand to vote at 6-45 p.m. I do not know whether the honourable mover wishes to have the right of reply and I do not also know whether the Honourable Minister would like to speak and wind up the debate. If he does, I must interrupt the honourable member the Director of Public Instruction in his very instructive speech.

The Honourable Sir RAFIUDDIN AHMAD : There are certain technical points which it would be better for the honourable member the Director of Public Instruction to explain.

The Honourable the PRESIDENT : In that case the Honourable Minister may not get a chance of a reply.

The Honourable Sir RAFIUDDIN AHMAD : It is all right. I shall finish my reply in 10 minutes.

The Honourable the PRESIDENT : Will the honourable the mover have anything further to say ?

Mr. V. A. SURVE : No, Sir.

The Honourable the PRESIDENT : The honourable member the Director of Public Instruction may in that case take 10 minutes more.

Mr. R. H. BECKETT : Sir, having spoken on certain matters of a general nature raised by honourable members in the debate, I will endeavour to answer one or two of the more detailed criticisms which have been made. The department has been criticised for not giving religious instruction. I would point out that under rule 72 of the Bombay Primary Education Rules religious instruction, including the teaching of the Koran, may be given in schools managed by local authorities provided that (1) there is no local objection to such instruction, (2) the attendance of the pupils is optional and (3) the time devoted to it is not included in the hours of instruction prescribed in rule 73. So, Sir, if members of local authorities feel that religious instruction should be given in schools, and that it is the desire of the parents that it should be given, then there is nothing to prevent them——

SYED MIRAN MAHOMED SHAH : Will any grants be given ?

Mr. R. H. BECKETT : No, Government does not give grants for religious instruction, for obvious reasons.

Another honourable member has criticised the fact that there are not sufficient trained teachers. I am afraid that there is a great deal of truth in his criticism, but the fact of the matter is that the high rates of salary and the insufficient money available have compelled Government to aim at restricting the number of trained teachers to 50 per cent. I regard that as most unfortunate, for I regard the training of teachers as most important. As honourable members are aware, I have submitted

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a scheme which they have sanctioned for increasing the number of trained teachers in secondary schools. Similarly, I may say that I have practically prepared a scheme for increasing the number of trained teachers in primary schools. Unfortunately, it involves an initial outlay with the result that I have had to hold it up; clearly it was of no use submitting it to Government at the present time. I can only say that the position is perfectly well realised by the Department and that, as soon as circumstances permit, steps will be taken to put it right.

I was surprised to find that an honourable member objected to the single Government inspecting officer per district, and in that connection, I should like to read an extract from a very instructive book of "The Board of Education" written by Sir Amherst Selby-Bigge, Bt., K.C.B., Permanent Secretary, Board of Education, from 1911-1925:

"The British Treasury has always laid great stress on frequent inspection as a security against waste of public money and though the establishment of responsible local educational authorities has given much relief to the central authority and though many of them have officers whose vigilance and intimate knowledge of everything that goes on in the schools affords great security against waste, it still remains the fact that for the prevention of waste and securing a higher return for expenditure, the taxpayer has to look to central inspection."

The book goes on to give other very strong reasons of an educational nature to show that a Central Government inspectorate is most essential. In these circumstances, I confess that I am amazed that even the hopelessly inadequate Government inspecting staff obtaining at present is criticised by an honourable member as being superfluous.

The Honourable Sir RAFIUDDIN AHMAD: Sir, I am sorry that the debate has taken a turn which I did not expect. I thought that I would receive certain constructive suggestions, but I did not receive any. My honourable friend opposite is at present playing the part of the Leader of the Opposition, and it is the business of the Opposition to oppose. I really do not understand, Sir, the nature of the charges that he made against me. First, he said that I used the word "blunder" in connection with the Primary Education Act. Blunder means a mistake, and I said it was a financial mistake that was committed. The Act did not take into consideration the financial liabilities which are involved in it. As far as that is concerned, the Primary Education Act was a mistake, and it has been acknowledged not only by one but by several honourable members that financially it is a mistake.

An Honourable MEMBER: It is a mistake.

The Honourable Sir RAFIUDDIN AHMAD: Therefore, that charge falls to the ground.

Then with regard to the charge that I did not ask any taxes to be levied for education, as honourable members are aware, I had held a conference at Mahableshwar about three years ago. I invited as many persons as possible connected with primary education, including non-official members of this Council, to give advice to the Government as to how that Act should be amended and to see if there were any sources by

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which money could be found for the carrying out of the Act. But, Sir, there was no fruitful suggestion made. Every member said that no fresh taxation could be levied. I also held conferences of different members to find out really the defects in the Act, and we have under contemplation a Bill to amend the Act, which we hope to present at the next session. As far as that charge is concerned, it falls to the ground.

Then my honourable friend said that even for the Mahomedan community I was not doing enough and they were complaining regarding my neglect of them. Well, I consider this charge as being the best certificate that I have received at the hands of the honourable member regarding my impartiality. The fact that I am not showing any favour to the Mahomedans, and that too from the mouth of an honourable member like Rao Bahadur Chitale, is the best certificate that can be given to a Minister in my position. It has been admitted that I am doing my best, and if my best is bad, it is because the financial position of Government is bad. What more can a man do than do his best ?

Then, I come to my honourable friend Mr. Gokhale. He has made some very useful suggestions. It is quite true that when primary schools were conducted in mosques and dharamsalas and in temples, the expenditure was very little. There were hardly any fees, and people were doing it for sake of charity and for the sake of God. It is very difficult to return now to that primeval simplicity of life, but if honourable members would desire that magnificent buildings, or at any rate stone buildings, should be done away with and that we should go back to the days when schools were held under the *peepul* tree, I am at their disposal ; I have nothing particular to say about it.

Then, with regard to the complaint of frequent change of text books, that again is not always the fault of the Department ; it is the fault of the University. Two of my honourable friends remarked that in the good old days, two, three and four brothers used to read the same book one after the other, as they used to wear the same coat one after the other very often. But those days are gone beyond recall. Our experts advise us that new text books should be introduced, because the methods of training are always changed and always improving, and therefore we must keep pace with the times.

An Honourable MEMBER : Why should there be a change every year ?

The Honourable Sir RAFIUDDIN AHMAD : I do not know. I leave it to the experts of the Department. The Minister has very little to do with it. It is the business of the Department, and I hope the Department will take due note of what the honourable member has said.

With regard to religious education, I may point out to the honourable member Mr. Gokhale that resolutions of this Council upon the subject are on record, and as long as those resolutions are not cancelled, we cannot change the policy with regard to religious education.

Sir, I was very much amused at the remarks of my honourable friend Mr. Pestanshah Vakil, a brother of a Minister similarly situated as

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myself. I do not know, Sir, why he has fallen foul of me, because I am sure I have never obliged him.

Mr. PESTANSHAH N. VAKIL: Nor have I ever asked for any obligation.

The Honourable Sir RAFIUDDIN AHMAD: As a matter of fact, I do not know what I am to blame for. I have always tried my best to be serious and to return serious replies to the House; but, if I have at times considered that the observations of some of the members were not serious, it was no fault of mine. I have always taken education seriously. Forty years of my life have been spent in the promotion of education alone. For 20 years in this Council, since the time of the late Sir Pherozeshah Mehta, I have devoted my best attention to education, and that is my first and last love. I therefore really do not understand how it can be said for a moment in my case that I do not take education seriously. It may be that I do not take some members seriously, but that is a different matter.

Now, with regard to Sind, when I asked the honourable member Khan Bahadur Khuhro as to what was the scale of the salaries of teachers in the time of the Mirs and under the Mahomedan Government, my object was to point out this, that under the Mahomedan rulers the teachers were actuated by motives of service, of religion and of sacrifice, and they did not expect high salaries. Indeed, the work of teachers was not considered to be a paying profession; it was a calling or a mission. I still believe that a teacher who merely serves for money or mercenary motives has mistaken his profession. There must be some kind of mission or feeling in him that he is doing his work for the sake of patriotism, or for the sake of some noble feeling. Therefore it is I always say, particularly to the teachers, that they should think it their duty to work under such an inspiration. If my time is over, I shall resume my seat. [*An Honourable Member:* "Five minutes more."]

With regard to female education, the honourable member Syed Miran Mahomed Shah drew my attention to two subjects—female education and adult education. He said that I would live in history, if I devoted my attention to this and did something. Many other honourable members said that I would live in history for many things. It is not with the intention of living in history that I do my work. However, I may tell him what I have done. I have taken the greatest interest in female education. In Sind the department has given instructions for Mahomedan girls' schools to employ call-women. They have said that Koran education must be encouraged. As the Director of Public Instruction said, there is no prohibition for Koran reading in Muhammadan schools. If the House wants the State to give direct encouragement to religious education in public schools, they should pass a resolution to that effect. Government will spend the money. Unless such sanction is given, Government will have to follow the old rules.

For adult education, we have just made a commencement. In this respect, Mahomedans will have to follow the example of their Hindu brethren in Poona, where they have the Seva Sadan and other similar

[Sir Rafiuddin Ahmad]

institutions of sacrifice and service. It is impossible for the State to satisfy all the demands of the community. I hope, Sir, that if I have not touched upon any of the points mentioned here, it will not be considered that there is a desire on my part to evade them but that want of time comes in my way.

Rao Bahadur G. K. CHITALE: A little while back, the Honourable Minister dropped a remark that those who opposed him did not want to be obliged. Is that a proper remark?

The Honourable the PRESIDENT: I do not think the Honourable Minister stated quite what the honourable member says. I think he said that he could not understand why the honourable member Mr. Pestanshah Vakil had fallen foul of him.

Mr. PESTANSHAH N. VAKIL: May I know whether I have ever gone to him for any obligation?

The Honourable Sir RAFIUDDIN AHMAD: Never.

Question put. The House divided: Ayes, 26; Noes, 40.

Division No. 2

Ayes

ACHREKAR, Mr. A. B.	MORE, Mr. J. G.
CHITALE, Rao Bahadur G. K.	NAIK, Rao Bahadur B. R.
DESAI, Mr. H. R.	NAVLE, Mr. N. E.
DIXIT, Dr. M. K.	PARULEKAR, Rao Bahadur L. V.
GANGOLI, Mr. G. S.	PATIL, Mr. N. N.
GILDER, Dr. M. D.	PRADHAN, Rao Bahadur G. V.
GOKHALE, Mr. L. R.	SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
JOG, Mr. V. N.	SHINDE, Mr. R. B.
KALE, Rao Bahadur R. R.	SURVE, Mr. V. A.
KAMAT, Mr. B. S.	TOLANI, Mr. S. S.
KARBHARI, Mr. M. M.	VAISHAMPAYAN, Dr. V. G.
KULKARNI, Rao Saheb P. D.	VAKIL, Mr. PESTANSHAH N.
MODAK, Rev. R. S.	VANDEKAR, Rao Saheb R. V.

Tellers for the Ayes: Dr. V. G. Vaishampayan and Mr. G. S. Gangoli.

Noes

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur	KADRI, Mr. J. S.
ALLAHBAKSH, Khan Bahadur	KAMBLI, the Honourable Dewan Bahadur S. T.
ANGADI, Rao Bahadur S. N.	LANE, Mr. C. M.
BANGI, Mr. A. K. J.	MACKIE, Mr. A. W. W.
BECKETT, Mr. R. H.	MACLACHLAN, Mr. D.
BELL, Mr. R. D.	MCELHINNY, Mr. G. W.
BHUTTO, Sir SHAH NAWAZ	MEHERBAKSH, Mr. S.
BHUTTO, WADERO NABIBAKSH ILLAHI BAKSH	MODI, Sardar DAVAR T. K.
BOWERS, Mr. P. L.	MONTEATH, Mr. J.
BRANDER, Mr. J. P.	OWEN, Mr. A. C.
CLAYTON, Mr. H. B.	PERRY, Mr. E. W.
COOPER, Khan Bahadur D. B.	PRADHAN, the Honourable Sir GOVINDRAO
DAVIS, Mr. G.	RESALDAR, Mr. A. K.
DESAI, Rao Saheb B. G.	SHAIKH ABDUL AZIZ, Mr.
FREKE, Mr. C. G.	SYED MIRAN MAHOMED SHAH
GHULAM HUSSAIN, the Honourable Sir	THOMAS, the Honourable Mr. G. A.
HADDOW, Mr. R. R.	TURNER, Mr. C. W. A.
HUDSON, the Honourable Mr. W. F.	VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
JAM JAN MAHOMED KHAN, Khan Bahadur	WILES, Mr. G.
JAN MAHOMED KHAN, Khan Bahadur	
JONES, Major W. ELLIS	

Tellers for the Noes: Mr. A. C. Owen and Mr. R. R. Haddow.

The original total demand put, and agreed to

30, Scientific Departments—Transferred.

The Honourable Sir RAFIUDDIN AHMAD: Sir, I make a demand for Rs. 91,000 under "30, Scientific Departments—Transferred."

Question put, and agreed to.

27, Ports and Pilotage—Reserved.

The Honourable Mr. W. F. HUDSON: Sir, I make a demand for Rs. 2,000 under "27, Ports and Pilotage—Reserved."

Question put, and agreed to.

26, Police—Reserved.

The Honourable Mr. G. A. THOMAS: May I move my demand now, Sir?

The Honourable the PRESIDENT: Yes.

The Honourable Mr. G. A. THOMAS: Sir, I make a demand for Rs. 1,74,00,000 under "26, Police—Reserved."

Question proposed.

The Honourable the PRESIDENT: There are several cut motions with regard to this demand. The first two by the honourable member Mr. More are out of order. They are Nos. 107 and 108. The items sought to be omitted are not new items at all, but items which have been sanctioned by the Finance Department during the current year out of the savings. They are merely brought to the notice of the House and there could be no cut to those items. The items referred to are in Statement G of the Blue Book.

The next cut motion is by the honourable member Rao Saheb Kulkarni. Does he wish to move it? It is No. 109.

Rao Saheb P. D. KULKARNI: Yes, Sir.

The Honourable the PRESIDENT: Then we shall take that up tomorrow.

If the House remembers (the Honourable the Leader of the House reminds me of it), I mentioned that there was an invitation to some of the honourable members from the Sheriff of Bombay for the 10th. He has written to me asking whether it would be possible for the House to adjourn early. If the House is not so inclined, I might give him a reply that the House cannot adjourn earlier. What is the view of the House?

Rao Bahadur R. R. KALE: If we meet a couple of hours earlier——

The Honourable Sir GHULAM HUSSAIN: We are meeting the Indian Franchise Committee that day, and we will not be able to attend earlier.

Rao Bahadur G. K. CHITALE: We do not want to adjourn.

The Honourable the PRESIDENT: I understand the House is not agreeable to the adjournment.

The House is now adjourned to 2 p.m., tomorrow, Wednesday, the 9th March 1932.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Wednesday, the 9th March 1932.

The Council re-assembled at the Council Hall, Bombay, on Wednesday, the 9th March 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
HADDOW, Mr. R. R.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JAM JAN MAHOMED KHAN, Khan Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.

KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACKIE, Mr. A. W. W.
MACLACHLAN, Mr. D.
MCELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PERRY, Mr E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR

VANDEKAR, Rao Saheb R. V.
WADKE, Mr. B. P.
WILES, Mr. G.
WINTERBOTHAM, Mr. G. L.

STARRED QUESTIONS AND ANSWERS.

TOURING OF MINISTERS.

*Mr. G. S. GANGOLI (Kanara District): Will Government be pleased to state—

(*a*) whether it is a fact that Ministers do not tour every district in the Presidency during the course of the year;

(*b*) whether it is obligatory on them at present to tour in every district for a fixed number of days every year;

(*c*) if the answer to (*b*) is in the negative, whether it is the intention of Government to frame a rule in this regard, so as to make it obligatory on Ministers to do so?

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes.
(*b*) and (*c*) No.

MALWAN FLOODS: RELIEF.

*Mr. L. R. GOKHALE (Poona City): (1) Are Government aware that by the recent floods in the Korli and Kalavali creeks within the area of Malvan Taluka, Ratnagiri District, 973 houses in 26 villages have been washed away and that 6,040 men, women and children have been rendered homeless?

(2) Are Government aware that the inhabitants of these 973 houses have lost all their clothing, foodstuffs, etc.?

(3) Are Government aware that many lands by the side of these creeks have been rendered uncultivable by the deposit of sand, etc., and that the crops on those lands have been washed away?

(4) Is it a fact that the Mamlatdar of Malvan has made a report describing all these calamities in detail?

(5) Have Government taken any steps to alleviate the suffering caused by the floods? If so, what steps have been taken?

(6) What amount, if any, has been sanctioned for relief work and what amount, if any, has been spent so far?

The Honourable Mr. W. F. HUDSON: (1) 28 villages in the Malvan Taluka were affected by the floods. 324 houses and huts completely collapsed while 622 were partially damaged. The inmates affected numbered 6,488. 65 families are reported to be in a destitute condition.

(2) Owing to the continuous rainfall preceding the floods, most people had taken precautionary measures for removal to safer places of their families, livestock and other belongings. Those who did not do so sustained some damage.

(3) Seedlings in the kharif lands on the creeks, which are usually marshy and muddy, were waterlogged or became silted. Crops in an area of 1,048 acres assessed at Rs. 3,795, were thus damaged.

(4) Yes. The Mamlatdar's report was found to be based on incorrect information. The District Deputy Collector was, therefore, asked to make an exhaustive report after personal inspection.

(5) and (6) The Honourable Member is referred to the replies given to clause (*e*) of Rao Bahadur Bole's question† and clause (*c*) of Mr. A. N. Surve's question† on the subject during the current session.

Mr. L. R. GOKHALE: The question in part (3) is:

"Are Government aware that many lands by the side of these creeks have been rendered uncultivable by the deposit of sand, etc., and that the crops on those lands have been washed away?"

The answer to that is:

"Seedlings in the kharif lands on the creeks, which are usually marshy and muddy, were waterlogged or became silted. Crops in an area of 1,048 acres assessed at Rs. 3,795, were thus damaged."

I want to know whether it is the whole area or part of the area?

The Honourable Mr. W. F. HUDSON: I do not know that, but I shall try to find out the information for the honourable member. We have now arranged to have the whole area examined by experts to find out whether any serious damage has occurred. If so, the classification will be altered.

Mr. L. R. GOKHALE: The answer to part (4) is:

"Yes. The Mamlatdar's report was found to be based on incorrect information. The district deputy Collector was, therefore, asked to make an exhaustive report after personal inspection."

I want to know whether the mamlatdar reported a larger number of sufferers and a larger area damaged or whether it was similar to the report of the Deputy Collector?

The Honourable Mr. W. F. HUDSON: I am not sure. I think what happened was this: As usual in the case of disasters, the earlier report is published rather in haste and so the figures are not quite correct. As we had reasons for suspecting those figures, we deputed the District Deputy Collector who did nothing else for a month but this work. So, the final report is a more complete one.

The Honourable the PRESIDENT: Has it been published?

The Honourable Mr. W. F. HUDSON: Long ago.

Mr. L. R. GOKHALE: The figures are there.

The Honourable Mr. W. F. HUDSON: I understand the question of the honourable member. I shall endeavour to satisfy the honourable member. I think the answer is in the affirmative, but I would not like to say so offhand.

Mr. A. N. SURVE: I am referring to part (4) which reads——

The Honourable the PRESIDENT: It has been reads.

Mr. A. N. SURVE: A statement is made that the mamlatdar's report was found incorrect and therefore the District Deputy Collector was asked to make a report. In this connection a question was asked by me. It is printed in the 9th list.

†Printed in the Debates of 7th March 1932.

The Honourable Mr. W. F. HUDSON: Which question? The honourable member gave notice of several questions but did not take the trouble to put the questions himself in the House.

Mr. A. N. SURVE: Question No. 1 in the 9th list. The answer is given there:

"The district deputy Collector made 5 *ad interim* reports and 1 final report and the Mamlatdar made 3 *ad interim* reports."

I want to bring out the point that the District Deputy Collector was made to submit this report, because the mamlatdar's report was found to be based on incorrect information. Therefore, why are the mamlatdar's reports called *ad interim* reports? They were final?

The Honourable Mr. W. F. HUDSON: They were *ad interim* reports. The mamlatdar sent in reports as he moved on. They are not final reports.

APPOINTMENT OF FOREST ADVISORY COMMITTEE IN SIND.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will Government be pleased to state—

whether they intend to appoint the Forest Advisory Committees for the various Districts in Sind? If so, when? If not, what are the reasons therefor?

The Honourable Dewan Bahadur S. T. KAMBLI: The institution of the Forest Advisory Committees is an experiment, which is being tried in districts of the Presidency proper where the forests are extensive and important. The question of forming such Committees in the districts of Sind will be considered if the experiment proves successful.

I may add that I received a deputation of Sind members in February last in this connection and the representation of the deputation in this connection is receiving my best attention.

NON-COMPOUNDABLE CASES: APPLICATIONS FOR WITHDRAWAL: KARACHI AND HYDERABAD (SIND).

*Mr. SHAIKH ABDUL MAJID for SYED MIRAN MAHOMED SHAH (Hyderabad District): Will Government be pleased to state—

(*a*) how many applications for withdrawal of non-compoundable cases were presented to the District Magistrate of Karachi and Hyderabad, Sind, by parties in any criminal cases, under section 494, Criminal Procedure Code, in the districts of Karachi and Hyderabad, during the last five years;

(*b*) under what law and section thereof each such case was filed;

(*c*) how long each such case was pending before the court prior to the application for withdrawal;

(*d*) the number of cases in which permission for withdrawal was granted and in which it was not granted;

(*e*) what were the reasons for refusing to grant such permission in some cases;

(*f*) in how many cases in which the permission was refused was any party agriculturist as defined by the Deccan Agriculturists' Relief Act;

(*g*) the cost incurred by them in the conduct of cases in which permission for withdrawal was refused and the period for which each such case lasted ?

The Honourable Mr. G. A. THOMAS: The information required by the Honourable Member is not readily available and to collect it would involve an amount of time and labour disproportionate to the value of the results.

MAGISTRATES' COURTS—HYDERABAD—BAIL APPLICATIONS.

*Mr. SHAIKH ABDUL MAJID for SYED MIRAN MAHOMED SHAH (Hyderabad District): Will Government be pleased to state—

(*a*) the number of bail applications made on behalf of the accused in the case of non-bailable offences in the Courts of the Magistrates in the District of Hyderabad during the last 2 years ending on 31st March 1932;

(*b*) the particular provisions of law under which the accused were being tried;

(*c*) the number of bail applications both granted and refused;

(*d*) the number of cases in which the orders of the Magistrates rejecting the bail were reversed by the Sessions Court, Hyderabad;

(*e*) the number of the accused, either convicted or acquitted, in cases where the Magistrates' orders rejecting bail were reversed;

(*f*) the total cost incurred by them for the detention of the accused during the pendency of the trials ?

The Honourable Mr. G. A. THOMAS: The information required by the Honourable Member is not readily available and to collect it would involve an amount of time and labour disproportionate to the value of the results.

CIVIL COURTS IN SIND: EX PARTE DECREE AGAINST AGRICULTURISTS.

*Mr. SHAIKH ABDUL MAJID for SYED MIRAN MAHOMED SHAH (Hyderabad District): Will Government be pleased to state—

(*a*) the number of ex parte decrees in Civil Suits passed by the Civil Courts of Sind, on the original or appellate side, during the last 5 years, against agriculturists;

(*b*) in how many of the suits were the summonses served upon the defendants personally and in how many were they served otherwise;

(*c*) what was the total amount of claims approximately involved in the suits;

(*d*) how many of the ex parte decrees were set aside on the defendants' applications;

(*e*) whether it is a fact that the money-lender plaintiffs procure false endorsement on the summonses;

(*f*) if so, how many such cases of false endorsements have come to the notice of the various judges in Sind during the last 5 years and what steps have they taken against the culprits;

(*g*) whether they intend to issue orders that ex parte decrees passed against agriculturists should be set aside generally on their affidavits only ?

The Honourable Mr. G. A. THOMAS: The information required by the Honourable Member is not readily available and to collect it would involve an amount of time and labour disproportionate to the value of the results.

Mr. W. N. RICHARDSON, CITY MAGISTRATE, KARACHI.

*Mr. S. S. TOLANI (Western Sind): Will Government be pleased to state—

(*a*) whether, as a measure of retrenchment, they intend to enforce compulsory retirement of those Government servants who are on extension after having completed thirty years' service and also of those who have completed twenty-five years' service;

(*b*) how many years' service has Mr. W. N. Richardson, the present City Magistrate of Karachi, put in;

(*c*) whether it is a fact that after his retirement he was re-employed as City Magistrate on two occasions;

(*d*) if so, for what periods and what are the reasons therefor;

(*e*) what is the amount of salary and allowances that he draws per month as City Magistrate;

(*f*) what would be the monthly cost if they employed a senior man from the Deputy Collector's grade as the City Magistrate in place of Mr. Richardson;

(*g*) whether they intend to terminate Mr. Richardson's services as a measure of economy and to employ a person of lesser pay in his place from amongst the Deputy Collectors;

(*h*) if not, what are the reasons therefor?

The Honourable Mr. G. A. THOMAS: (*a*) No. It would not be a measure of retrenchment.

(*b*) Nearly 37 years including service after retirement.

(*c*) Yes.

(*d*) Government consider that his long experience and good work as City Magistrate, Karachi, make him the most suitable person for the post, and that his re-employment is in the interests of the public service. The periods of his re-employment are as follows:—

(1) from 1st April 1928 to 7th May 1931, and

(2) from 11th November 1931 onwards.

(*e*) Pay at Rs. 1,500 per mensem in the scale of Rs. 1,000—50—1,500 *plus* a conveyance allowance of Rs. 75 per mensem. His pension has been held in abeyance.

(*f*) The cost would be the existing scale of pay less 12½ per cent., *plus* the cost of Mr. Richardson's pension.

(*g*) No.

(*h*) *Vide* reply to clause (*d*).

CLASSIFICATION OF LADY POLITICAL PRISONERS.

*Mr. S. S. TOLANI (Western Sind): Will Government be pleased to state—

(*a*) whether they are aware that in the present Civil Disobedience Movement, even persons of high social status and education have been awarded "C" class on their conviction;

(*b*) whether it is a fact that even ex-M.L.Cs. have been given "C" class;

(*c*) whether they have received any representation from the President, Karachi Indian Merchants' Association, and Chairman, Buyers and Shippers' Chamber, Karachi, regarding the classification of the political prisoners, and their diet, clothing, etc.;

(*d*) whether they intend to modify their present policy in the matter of classification, food and clothes, and to give effect to the suggestions of the Karachi Indian Merchants' Association and the Buyers and Shippers' Chamber? If not, what are their reasons for it?

The Honourable Mr. G. A. THOMAS: (*a*) No.

(*b*) Yes.

(*c*) Yes.

(*d*) Government see no reason to modify their present policy.

Mr. S. S. TOLANI: With regard to part (*a*) the answer is that Government are not aware that persons of high social status have been given "C" class, and with regard to (*b*) the answer is that they are aware that ex-M.L.Cs. have been given "C" class. Does not Government consider that ex-M.L.Cs. are men of social position and therefore they are entitled to more than "C" class?

The Honourable Mr. G. A. THOMAS: A member of this Council is not necessarily a person of high social status or high educational qualification. No one is entitled to a better class because he has been a member of the Legislative Council. If he has certain qualifications such as high social status or a high manner of living or high educational qualification, then he may be entitled to a better class.

Mr. S. S. TOLANI: Mr. Naraindas Anandji, an ex-M.L.C., was given "A" class in last movement and now he is given "C" class. Does it not entitle him to the same class this time also? And how does his social position become less?

The Honourable Mr. G. A. THOMAS: What does not entitle him?

Mr. S. S. TOLANI: Because he is an ex-M.L.C. In the year 1930 an ex-M.L.C. was placed in the "A" class and the same ex-M.L.C. is now placed in the "C" class. What is the reason for that?

The Honourable Mr. G. A. THOMAS: A mistake can be made.

Mr. S. S. TOLANI: With regard to part (*d*) the answer is "Government see no reason to modify their present policy." What are the reasons?

The Honourable Mr. G. A. THOMAS: Government see no reason.

Mr. S. S. TOLANI: Has the attention of Government been drawn to a question in the Legislative Assembly regarding the classifications of the political prisoners?

The Honourable Mr. G. A. THOMAS: I do not follow the honourable member.

The Honourable the PRESIDENT: Nor, do I.

Mr. S. S. TOLANI: Has the attention of the Government been drawn to a reply given in the Legislative Assembly to a question put by Mr. Lalchand Navalrai that there has been no change in the classification of prisoners since the last political movement?

The Honourable Mr. G. A. THOMAS: Government's attention has not been drawn.

The Honourable the PRESIDENT: How does it arise?

Mr. S. S. TOLANI: It arises because these people who were once placed in the "A" class in last political movement are now placed in the "C" class.

The Honourable Mr. G. A. THOMAS: I think he means that a statement was made regarding a change in the method of classification. I am not aware of that fact.

UNSTARRED QUESTIONS AND ANSWERS.

REPORT OF THE AGRICULTURAL IMPLEMENTS COMMITTEE, 1922.

Khan Bahadur D. B. COOPER (Satara District): Will Government be pleased to place a copy of the Report of the Agricultural Implements Committee, 1922, and the Government Resolution relating thereto on the Council table?

The Honourable Dewan Bahadur S. T. KAMBLI: The report has not been printed. A copy* of Government Resolution, No. 3143, dated 6th October 1922, containing a summary of the main recommendations of the Committee is placed on the Council table.

PHOTO OF BHAGAT SING.

Dr. M. K. DIXIT (Surat District): Will Government be pleased to state—

(*a*) whether they have issued any orders directing the removal of the photos of Bhagat Sing from shops or dwelling houses;

(*b*) whether they are aware that such photos are ordered to be removed by the police in the Surat City?

The Honourable Mr. G. A. THOMAS: (*a*) and (*b*) No.

ORDINANCES: ATTACHMENT OF PROPERTY.

Dr. M. K. DIXIT (Surat District): Will Government be pleased to state—

(*a*) the number of cases in which property has been attached by them in each of the districts of Gujarat under the ordinances from the date of their promulgation up to the 10th February 1932;

(*b*) the amount of cash attached by them in each of the districts during that period;

(*c*) the amount of cash returned to the owners, and the amount still held by them;

(*d*) the approximate value of the property attached, whether moveable or immoveable?

* Kept in the Secretary's office.

The Honourable Mr. G. A. THOMAS: (*a*) The following is the number of places seized up to the 10th February 1932 under Ordinance No. IV of 1932 in each of the districts of Gujarat mentioned below:—

4 in Ahmedabad,
17 in Kaira,
5 in Panch Mahals, and
9 in Surat.

(*b*), (*c*) and (*d*) Government regret that they cannot ask District Magistrates to compile these statistics at the present moment.

MEDICAL RELIEF AND CIVIL SURGEONS.

Mr. M. H. MEHTA (Panch Mahals District): Will Government be pleased to state—

(*a*) whether they have issued any Government Resolution prohibiting the Civil Surgeons from treating well-to-do persons in the civil hospitals;

(*b*) whether they have issued instructions to Civil Surgeons defining the term "well-to-do persons";

(*c*) whether it is left to the discretion of Civil Surgeons whom they should so consider;

(*d*) whether income tax payers are included in the category of "well-to-do persons";

(*e*) whether there are any rules regarding charges to be recovered from income tax payers for treatment at the civil hospitals;

(*f*) whether civil hospitals are established in every district;

(*g*) whether it is a fact that the Civil Surgeon at Godhra refused to examine certain persons although they offered the usual charges;

(*h*) whether any Civil Surgeon at Godhra ever refused such examination before;

(*i*) whether Government propose to make any modifications in the rules referred to in (*e*) above;

(*j*) whether it is a fact that the Civil Surgeon at Godhra attends the hospital invariably at about 11 a.m. and leaves the premises at 1 p.m.;

(*k*) whether it is a fact that by the time the Civil Surgeon at Godhra arrives at the hospital hardly half a dozen patients are present;

(*l*) whether it is a fact that he takes about an hour to do the routine office work;

(*m*) whether it is a fact that he refused to examine the President of the Taluka Local Board, Godhra?

The Honourable Sardar Sir RUSTOM JEHANGIR VAKIL: (*a*) Attention is invited to the Hospital Fees Rules published in Government Notification, General Department, No. 5731(*b*) dated the 6th November 1925. Rule 2 of these rules lays down that "well-to-do persons" and members of their families will not be treated as out-patients in Government and State-aided hospitals except in cases of emergency.

(*b*) to (*d*) Rule 1(*b*) defines "well-to-do persons" for the purposes of the rules.

Rule 15 leave the application of the rules to the judgment of the Medical Officers.

(*e*) Rules 4 and 8 to 13 lay down the charges payable by well-to-do persons.

(*f*) Yes, except in Dadu and Nawabshah districts.

(*g*) and (*h*) The Civil Surgeon and his predecessors have complied with rule 2 quoted in answer to question (*a*).

(*i*) The question is under consideration.

(*j*) No.

(*k*) No. The number of both in and out-patients and operations for the last 3 years is the highest ever recorded at the hospital.

(*l*) The time taken varies enormously from day to day.

(*m*) Yes.

POLICE FORCE IN PANCH MAHALS DISTRICT.

Mr. M. H. MEHTA (Panch Mahals District): Will Government be pleased to state—

(*a*) the number of police constables in the Panch Mahals district;

(*b*) how many of them are Hindus, Mahomedans and Christians;

(*c*) the number of new constables enrolled and taken up in the police service in the Panch Mahals District from the Hindu and Mahomedan communities during the last three years;

(*d*) the number of Hindu and Mahomedan constables in the city and taluka of Godhra respectively?

The Honourable Mr. G. A. THOMAS: (*a*) 677.

(*b*) Hindus—417.
Muhammadans—256.
Others—4 (including 2 Christians).

(*c*) Hindus—64.
Muhammadans—54.

	Godhra Town.	Godhra Taluka.
(*d*) Hindus	25	11
Muhammadans	25	13

CO-OPERATIVE AUDITORS: DEPARTMENTAL EXAMINATION.

Mr. N. E. NAVLE (Ahmednagar District): (*a*) Will Government be pleased to state whether any Departmental Circulars have been issued by the Registrar, Co-operative Societies, Bombay Presidency, Poona, regarding passing of the departmental qualifying examination, viz. Government Diploma in Co-operative Accountancy, by the recruits to the Auditors' grades within three years from the date of entrance or promotion to the said grade and also whether any modifications have been issued to those circulars later on?

(*b*) If the answer to (*a*) is in the affirmative, will Government place copies of the same on the Council table?

(*c*) Do Government enforce those circulars rigidly?

(*d*) Are there persons in the lower grade with the requisite qualifications;

(*e*) If so, what action do Government propose to take in the matter?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) Copies of the Registrar's circulars* dated 17th February 1921, 17th January 1922, 16th September 1923, 15th April 1925 and 9th March 1926, are placed on the Council table.

(*c*) Yes; they are being rigidly enforced in the case of appointments made since 1926. The auditors who were taken up before that date are being pressed to pass the examination. Their increments have already been stopped.

(*d*) Yes.

(*e*) They will be considered for promotion to the auditors' grade, when vacancies occur.

ADMINISTRATION REPORT OF ADEN.

Mr. A. N. SURVE (Bombay City, North): Will Government be pleased to place on the Council table a copy of the last Administration Report of Aden?

The Honourable Sir GHULAM HUSSAIN: A copy of the Report* for the year ending 31st March 1931, is placed on the table.

DEPUTATION TO HIS EXCELLENCY THE VICEROY REGARDING THE TRANSFER OF THE CIVIL ADMINISTRATION OF ADEN.

Mr. A. N. SURVE (Bombay City, North): Will Government be pleased to state—

(*a*) whether it is a fact that His Excellency the Viceroy received a deputation on behalf of several organisations on the 30th November 1931 regarding the proposed transfer of the civil administration of Aden from the Government of Bombay to the Government of India;

(*b*) if so, what organisations were represented and by whom; and what was their representation;

(*c*) whether a Press Note was issued by them in the matter; if so, what is its substance? Will they also place a copy of the Press Note on the Council table;

(*d*) whether it is a fact that the Honourable Sir E. Howell, the Foreign Secretary, stated on behalf of His Excellency the Viceroy at the interview given to the deputation on 30th November 1931, that the Government of India were ready to hear the other side of the question before reaching a final decision, and that they repudiated the suggestion that they had made the financial consideration the main one.

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes.

(*b*) and (*c*) The names of organisations represented and of the gentlemen by whom they were represented are given in the opening portion of paragraph 1 of the Press Communique issued by the Government of India, a copy of which is placed on the Council table.

(*d*) The Honourable Member is referred to paragraphs 2 to 6 of the Communique in which the gist of Sir Evelyn Howell's remarks is given.

* Kept in the Secretary's office.

ADEN DEPUTATION.

His Excellency the Viceroy received on the 30th November a deputation consisting of the following gentlemen who desired, on behalf of the several organisations which they represented, to have an opportunity of personally placing before His Excellency the views of those bodies on the proposed transfer of the civil administration of Aden from the Government of Bombay to the Government of India :—

1. Sir Chunilal V. Mehta, K.C.S.I. (Indian Merchants' Chamber),
2. Mr. Fakirji Cowasji (Buyers and Shippers Chamber, Karachi),
3. Mr. Kaikobad C. Dinshaw (Messrs. Cowasji Dinshaw Bros., Bombay),
4. Mr. Gulamali Abdul Hoosein (Aden Chamber of Commerce),
5. Mr. M. Vasi (Aden Chamber of Commerce),
6. Mr. K. Natarajan (Imperial Indian Citizenship Association, Bombay),
7. Mr. Jamnadas Dwarkadas (Imperial Indian Citizenship Association, Bombay),
8. Sir Hormusjee Cowasji Dinshaw, Kt., M.V.O., O.B.E. (British Indian Colonial Merchants' Association, Bombay),
9. Mr. Hooseinbhoy A. Lalljee (British Indian Colonial Merchants' Association, Bombay),
10. Mr. Ratilal M. Gandhi (Grain Merchants' Association, Bombay),

Mr. J. K. Mehta (Secretary).

The Deputation was led by Sir Chunilal V. Mehta (Indian Merchants' Chamber). After Sir Chunilal Mehta had read out a written address on behalf of the Deputation, His Excellency invited members of the Deputation to put forward any other points, which they might wish to urge, an invitation to which Sir Chunilal Mehta, Mr. Hooseinbhoy A. Lalljee, Mr. Natarajan, Mr. Jamnadas, Mr. Fakirji and Mr. Gandhi responded. The main arguments against the projected change submitted by the Deputation were as follows :—

(1) Bombay merchants had taken a prominent share in the development of Aden during its century old connection with their Presidency, and highly valued the assurance which it provided that their interests would be protected and promoted by the Government of their own Province to which they had the readiest access, and which was intimately acquainted with their wants and wishes. They were entitled to be consulted in bringing about a revolutionary change in existing arrangement which had worked satisfactorily for so long. They had seen nothing in the published papers to show that their point of view had been taken into account, or which convinced them of any real need for change.

(2) Aden hitherto had not participated in the advance towards self-government. The public were looking forward to the municipality and the Port Trust being constituted on a broader popular basis on the introduction of provincial autonomy. There was also an expectation that a popularly constituted Government in Bombay would mean a great deal for progress and development of trade and industries of Aden.

(3) The financial argument that the continuance of control by the Bombay Government would mean a loss of Rs. 2 to 3 lakhs to Provincial Revenues was disputed. The Deputation was not aware of attempts made by the Bombay Government for making up the deficits that may legitimately arise ultimately.

(4) The Deputation suggested that the whole question of the annual contribution by the Government of India to His Majesty's Government towards political and military expenditure at Aden amounting to £250,000 per annum for three years from the 1st April 1927 and thereafter £150,000, or one-third of the actual expenditure whichever might be less should be subjected to independent examination by a Commission on which Indians were adequately represented. The incidence of expenditure between the Bombay Government and the Government of India might also be similarly examined. They felt that items like revenue from the salt lands which was in the nature of land revenue and the additional expenditure on police which, if they were rightly credited and debited, would not show loss to provincial revenues. In any case the deputation urged that the fact of a deficit was no ground for transfer of control and instanced the question of Sind, and also the North West Frontier Province where Government of India proposed to make very substantial subventions.

(5) The Deputation asked whether the present proposal was not really a first step towards the separation of Aden from India and its relation to the sole charge of the Colonial Office. The Deputation referred to the struggle which Indians had in South Africa, East Africa and elsewhere to maintain their rights acquired by developing and promoting the prosperity of these countries; they hoped that no occasion for any such struggle would arise in Aden, and earnestly requested His Excellency to give a specific assurance on behalf of His Majesty's Government that under no circumstances would the administration of Aden be taken away either from the Provincial or the Central Government of India without the willing consent of the people of India. In

reply to a remark of His Excellency that though he sympathised with the sentiment underlying the protest against the transfer of Aden to the Government of India he wanted to know the practical difficulties of the people of Aden if it was so transferred, it was pointed out that, apart from the very practical difficulties of delay and expense in dealing with the distant Government of India, there was real danger of Aden questions being crowded out in the Assembly especially at the time of the budget and it was doubtful if other provinces would take the same interest in them.

2. At His Excellency's desire, Mr. Howell, Foreign Secretary to the Government of India, replied to the Deputation and stated the case from the Government point of view. He strongly refuted the belief that the Government of India had made up their minds on the question of transfer without consulting public opinion. The main object of the statements made recently on the floor of the Bombay Legislative Council and the Legislative Assembly was to elicit public opinion, and the Government of India had at present under consideration a number of memorials on the subject. His Excellency's willingness to receive the Deputation showed the Government of India's readiness to hear the other side before reaching a final decision. The Government of India repudiated the suggestion that they had made the financial consideration the main one. They had other and more important considerations. As a nodal point in the Empire, Aden required a high standard of administration and although the Bombay Government had always done its best to Aden, it had not always been in a position to give all the help that was required. The Government of India consequently had to incur expenditure on several administrative activities in consequence of this position. The division between Provincial and Central spheres of activity rendered the position extremely difficult. He instanced the existing difficulties of procuring sanction from three different authorities for certain classes of expenditure for example, Police, and assured the Deputation that the present proposals were made solely with a view to removing administrative inconveniences.

3. On the question of the contribution by the Government of India to His Majesty's Government towards the cost of political and military control, Mr. Howell after explaining the arrangements in force during and after the war, stated that the present arrangement was reached in 1927 after long negotiations, and had saved India annually an expenditure of Rs. 18 to 19 lakhs per annum from the 1st of April 1927 and of at least Rs. 32 lakhs from the 1st of April 1930. Expert opinion was that the arrangements were profitable from the point of view of the Government of India and it would be useless to reopen the question.

4. Mr. Howell assured the Deputation that there was no reason why Indian interest in Aden should suffer because of the transfer to the Government of India. He denied that there was any foundation for the apprehension that the policy in regard to salt works might be changed for the worse or that Aden which is now a free port might become subject to tariffs. There was also no reason why the Bombay High Court's jurisdiction should not be continued even after Aden had been taken over under the control of the Government of India.

5. As regards apprehensions that the proposed transfer was only a step towards transfer of control to the Colonial Government, Mr. Howell made it clear that the present proposals were made solely with a view to improving the conditions and making an end of administrative inconveniences at Aden. The proposals were complete in themselves and were made on their own merits without afterthought or ulterior motives of any kind. They were not a step towards any other change. If the question of transfer to His Majesty's Government should arise again in future, it would have to be considered on its merits and would be rendered in no way either easier or more difficult by the change now proposed. No one could say that the question would never be raised again, but the Deputation was assured that the present transfer had not that end in view. If the proposal to transfer to His Majesty's Government were raised again, Mr. Howell made it clear that the Government of India were bound by past assurances that full opportunities for discussion would be given.

6. After the statement by Mr. Howell, His Excellency assured the Deputation that his interest in Bombay and Aden was as great now as Viceroy of India as it was when he was Governor of that Presidency. He fully appreciated the sentimental side of the question and the concern of the Deputation on that score to remain associated with the Bombay Government but looking at the problem from a purely practical point he said that the Government of India were in a better position to improve Aden if they had direct charge of it than if they had to work through the agency of another Government. His Excellency emphatically endorsed the Foreign Secretary's statement regarding the transfer to the Colonial Office that no such suggestion had been considered and undertook that should it arise in future all interests concerned would be consulted. The transfer now proposed would make no difference to the commercial relations of Aden with Bombay, and in his opinion as at present advised it seemed the wiser course all round.

7. After hearing the Foreign Secretary and His Excellency, the leader of the Deputation expressed his gratitude for the assurance given by His Excellency that the present transfer was not intended as a step to the Colonial Office and that should the question ever arise opportunities for consultation would be given. In this connection he referred to the speech of the Honourable Mr. Pratt in the Council of State in September 1921. He complained of a recent disallowance at the instance of the Bombay Government of an adjournment motion regarding Aden. He also read the speech of Sir Ernest Hotson in 1927 before the Bombay Council showing how a most important decision in regard to Aden was taken by the Government of India without even informing the Bombay Government. He was anxious that this sort of thing should not happen again and that a real opportunity for discussion should be allowed if the problem of transfer to the Colonial Office arose. Sir Chunilal feared, that the Deputation was not convinced of the administrative difficulties pointed out, and in reply to the point that the Government were undertaking certain expenditure, as they regarded Aden as a nodal point in the Empire, Sir Chunilal suggested that if the Government of India took the view that certain aspects of the administration of Aden fell within their sphere as controlling foreign relations, it was proper that they should bear the cost and that even with regard to these aspects a solution might be found by the Government of India earmarking or asking the Bombay Government to earmark such expenditure as they thought necessary on items which may be regarded as falling within their sphere. Further, he feared that the change would involve a greatly increased expenditure to the Government of India and to the country though he was not in a position to say how much it might be. The difficulties of the Bombay merchants regarding the transfer to the Government of India were not merely sentimental but distinctly practical and he hoped that the strong feeling which the Deputation still held that Aden should not be transferred would be given due regard by His Excellency the Viceroy before coming to a final decision.

8. The Deputation then after thanking His Excellency withdrew.

Address presented to His Excellency the Viceroy by the Deputation which waited on him on the 30th November 1931 in connection with the proposed transfer of the control of the Civil Administration of Aden from the Government of Bombay to the Government of India.

Your Excellency,

I have the honour, on behalf of the several organisations which are represented on the deputation, to convey our respectful thanks to Your Excellency for consenting to receive this deputation and thus allowing as an opportunity of personally placing before Your Excellency our views on the proposed transfer of Aden from the Government of Bombay to the Government of India. We are the more assured of a sympathetic hearing from Your Excellency since, as former Governor of Bombay, you possess direct knowledge of the administration of Aden by the Bombay Government. We have no doubt that Your Excellency will not approve without the most overwhelming reasons of depriving the Bombay Presidency of a Port and portion of her territory which she has so long and satisfactorily administered.

It is not the first time in the history of Aden that such a proposal is being made. Not only was the present proposal sudden inasmuch as the Indian commercial community which is chiefly interested, was not consulted before the issue of the memorandum on the Civil administration of Aden attached to the reply in Council, but we regret that we fail to find in the memorandum sufficient reasons for at all mooting the proposal. The principal reason given is that the continuance of the control of the Government of Bombay will mean a loss of Rs. 2 to 3 lakhs to the Provincial Revenues. I will revert later to the financial aspect, but even if this estimate is correct, we beg to submit, it does not afford any justification for surrendering an important portion of its charge especially when such a course will adversely affect its own mercantile community settled there and also the future of Aden.

Aden, as it is to-day, has been the creation largely of Bombay merchants and industrialists, and Bombay trade and industries are even now the principal factor in the Revenues of Aden. The representatives of this trade and industries feel very strongly that the administration should continue to be in the hands of the Government of Bombay with which Aden has been connected for nearly a century, even since it came under the control of the British, and they fear that their interests will suffer severely by the proposed change. Aden is already separated by about 1800 miles from Bombay, and adding to that distance another 1000 miles from the seat of administration is certainly not going to be for the benefit of Aden.

It is not our purpose here to refer to or examine the merits of the action taken in 1927, which confirmed the purely temporary arrangements adopted only as a war-measure under the stress of the Great War. These arrangements were originally made in 1917, and 10 years later, the transfer of Military, administrative, as well as strategic and political control from India to London became a permanently accomplished fact. At the same time the Colonial Office wished to take over the Civil administration of Aden, and this proposal created a good deal of consternation and resentment both in India and in Aden, where the Indian merchants constitute an important element of the population. This proposal was ultimately, thanks to the good offices of the Government of India and the then Viceroy, Lord Reading, abandoned, but the Military administration was transferred to the War Office.

In regard to the financial aspect of the question, we venture to suggest that an examination should be made not only of the allocation as between the Government of India and the Government of Bombay, but also of the contribution properly debitable to the United Kingdom and to India. Your Excellency is aware that the Government of India urged, as early as 1886, the propriety of the expenses of Aden being divided between Great Britain and India. For as long as 14 years after that, this country continued to bear the entire Civil and Military expenditure. In 1895 the Welby Commission was appointed to examine the question, and as a result of the Commission's recommendations His Majesty's Government made from 1901 a net annual contribution of £72,000 to Indian Revenues towards the Military charges of Aden. As a result of the transfer, originally made as a war-measure, in 1917 of the Military control of Aden to Great Britain, the contribution of the Government of India has been fixed at £250,000 per annum for the first three years, to be reduced thereafter to £150,000 or a third of the total cost whichever may be less. We, of course, are not aware of the grounds on which this allocation was arrived at, and we venture to suggest that in order to satisfy Indian opinion as to the equity of this contribution a Commission on which Indians are adequately represented might be appointed to examine the question. In view of the fact that the examination was made so long ago as in 1895, it would not be unreasonable to suggest that since conditions of control have completely altered, the question should be examined afresh. We are not in a position to give at the present moment our detailed view on the figures of revenue and expenditure as presented in the memorandum, as we have not yet received the information regarding the accounts we have asked for. We would only like to say in this connection that the expenditure on Aden of the Central Government is bound to show a considerable increase, if control is transferred from the Bombay Government and if, as is suggested, Aden is turned into a Chief Commissionership.

As regards the allocation between the Provincial and Central Governments, the memorandum suggests that although at present there is a small Provincial surplus the propriety of debiting to the Central Government items of expenditure, which are really provincial in nature, is under consideration. In the absence of fuller information, we regret that we are not in a position to deal with the correctness of certain adjustments that may be suggested. For example, it would have to be examined how far the expenditure on items contained in the memorandum such as education, medical, public health and general administration, are incurred for the benefit of officers belonging to the Central Government or to the Provincial Government or for the benefit of the Military. It will also be necessary to determine to what extent the expenditure on Police is justly debitable to Provincial Revenues in so far as it is required solely for the purposes of Civil administration. We have given the most careful attention to all the points made in the memorandum issued by the Government of Bombay, and we are constrained to say that no case has been made out for giving up the control of Aden. All that they indicate is, in our opinion, the necessity for an independent examination of the financial liabilities which ought justly to attach to all the interests concerned in Aden. We do not know how far this has been made by the Government of Bombay, but we feel certain that it ought to be made by an independent Commission of the nature indicated before. We feel sure that the Government of Bombay has not given enough consideration to the very strong feeling that exists in the Indian mercantile community in Bombay against any disruption of the long historical association, which is bound to affect adversely its commercial and other interests, nor are we aware of any attempts made by the Government of Bombay to put forward proposals for making up the deficits, if any, that may ultimately legitimately arise.

Aden up to now has got practically next to nothing of Local Self-Government and its Port Trust and its Municipality have got little of the popular element on them. Looking to the fact that Provincial autonomy will be a *sine qua non* of Constitutional Reforms in the near future, both its Municipal and its Port Trust administrations are naturally expected to be constituted on a broader popular basis. It is also expected that

the administration by a popularly constituted Government in Bombay will mean a great deal for the progress and development of trade and industries of Aden.

The question involves a principle of great importance to Indians as citizens of the British Commonwealth. In South Africa, in East Africa and elsewhere, the Indian people have to struggle hard to maintain their rights, acquired by services rendered in developing and otherwise promoting the prosperity of the countries concerned. It is to be hoped that no occasion for such a struggle will arise in Aden. Bombay merchants have taken a prominent share in the development of Aden mainly because of its century old connection with their Presidency, and the assurance which it provided that their interests will be protected and promoted by the Government of their own Province to which they had the readiest access and which was intimately acquainted with their wants and wishes. They are entitled, to put at the lowest, to be consulted, when it is proposed to bring about a revolutionary change in this arrangement which, on the whole, has worked satisfactorily. They have seen nothing so far in the published papers to show that in proposing a change in the administration of Aden their point of view has been taken into account.

I confess that I cannot disguise our underlying fear, that the present proposal is really a first step in the direction of depriving India of the administration of a territory, which is of great strategic and political importance to Great Britain. Already the Military portion of the administration has been taken over. While we do not see that any case has been made out for the transfer of Aden to the Government of India, we earnestly request Your Excellency to give a specific assurance on behalf of His Majesty's Government that under no circumstances will the administration of Aden be taken away either from the Provincial or the Central Government in India, without the willing consent of the people of India. It would be very desirable to make clear the ultimate intentions of the British Government at a time when discussions are in progress for formulating a scheme for enabling this country to manage her own affairs.

Under all these circumstances, Your Excellency's deputationists urge Your Excellency, respectfully, to be pleased to veto the proposed change formulated for the transfer of Aden, and to order that the administration of Aden will continue to be with the Government of Bombay.

THE CHIEF AGRICULTURAL OFFICER IN SIND: ABSENCE ON LEAVE.

Mr. S. S. TOLANI (Western Sind): Will Government be pleased to state—

(*a*) whether the Chief Agricultural Officer in Sind is shortly to proceed on leave? If so, when and how long;

(*b*) whether it is a fact that during his absence on leave the Agricultural Department in Sind will be under two officers already in the department;

(*c*) the reasons why the next senior Indian Officer in the Department is not appointed to act in his place during his absence;

(*d*) whether it is a fact that the post of the Chief Agricultural Officer in Sind is reserved for Europeans only? If so, what are the reasons therefor? If not, what are the reasons for not appointing an Indian to the post;

(*e*) whether it is a fact that there was no senior man of the Indian Agricultural Service in Sind, who could be appointed to act as the Chief Agricultural Officer;

(*f*) whether it is a fact that Mr. V. A. Tamhane of the Indian Agricultural Service is the next senior-most man after Mr. Jenkins, in Sind? If so, what are the reasons for his not being appointed in the acting vacancy;

(*g*) whether Mr. Jenkins had any experience of Sind before he was appointed as the Chief Agricultural Officer in Sind;

(*h*) whether they are aware of the bulletin of the Agricultural Department written by Mr. V. A. Tamhane on his Sind work in 1920;

(*i*) whether they intend to abolish the post permanently?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes. Six months and twenty-eight days from 8th March 1932.

(*b*) Yes.

(*c*) It was considered that it would be in the best interest of the Agricultural Department in Sind not to make a full-time appointment for a comparatively short period but to carry on with a division of the work between the two senior officers available on the spot, under the general supervision of the Commissioner in Sind. This is a temporary reversion to the arrangement in existence under the general supervision of the Director of Agriculture before the appointment of the Chief Agricultural Officer.

(*d*) No. The post has not been exclusively reserved for any particular class of officers. The point raised in the latter part of this clause does not arise in view of the reply to clause (*c*).

(*e*) No.

(*f*) Yes. He was not appointed on grounds of administrative and public convenience.

(*g*) No.

(*h*) Yes.

(*i*) No. The post is only to be kept vacant during the period of Mr. Jenkins' absence on leave.

DISCUSSION ON DEMANDS FOR GRANTS—*resumed.*

Rao Saheb P. D. KULKARNI (Poona District): Sir, I beg to move:

"Reduce by Rs. 100—I-Special Emergency Expenditure—(Presidency Proper)—(Voted)—Rs. 5,63,000 (C. E. page 170)."

The Honourable Mr. G. A. THOMAS: Sir, I do not hear a single word of what the honourable member says.

The Honourable the PRESIDENT: Will the honourable member please come nearer?

Rao Saheb P. D. KULKARNI: There is a provision made of Rs. 5,63,000 for the emergency police for the presidency proper. If we include Sind——

The Honourable Mr. G. A. THOMAS: This cut applies only to the Presidency proper and there is no cut on the provision for Sind.

The Honourable the PRESIDENT: Does the honourable member move the motion as it is?

Rao Saheb P. D. KULKARNI: Yes, Sir. Year after year the expenditure on police has been on the increase. Last year the expenditure on police per head of the population was Rs. 511-9-1 and this year it has gone up to Rs. 540-3-7. It clearly shows——

The Honourable Mr. G. A. THOMAS: May I know where these figures are?

Rao Saheb P. D. KULKARNI: They appear on page 31 of the Annual Police Report of the Bombay Presidency, excluding Sind for the year 1930.

The Honourable Mr. G. A. THOMAS: I thought they were in the budget. I am sorry.

Rao Saheb P. D. KULKARNI: If we look into the figures of expenditure, we see a gradual progress in them. The expenditure under the head "Police" in the year 1928-29 is 1,69,70,000; in the year 1929-30 Rs. 1,76,00,000; in the year 1930-31 Rs. 1,92,20,000. From these figures we can understand that the figures of expenditure are going up by leaps and bounds. Of course Government have their own reasons and it is stated by them that they are very moderate in their expenditure on this head. They have compared the figures of expenditure in this presidency with those in the United Kingdom. On page 31 of the Police Annual Report it is stated:—

"The figure of average cost per head of the Police in the Counties and Boroughs of England and Wales for the year ending September 1930 was Rs. 4,407-4-1. The cost of a Policeman in England and Wales was, roughly nine times that of a Policeman in Bombay Presidency."

That is, they say, the expenditure incurred by Government in England. When we compare the figure per head of population in England with that of ours, our expenditure is nothing. But we have to consider the difference in the calibre of the police force here and the police force in the United Kingdom. Those men are well-trained, have good educational qualifications and so the expenditure that is incurred in the United Kingdom is reasonable. But here the expenditure is unreasonable. Particularly to express my protest on the expenditure on the item I am moving this motion. I am not saying this without any authority: it is not drawn from my own imagination. Of what stuff the policemen engaged there are made of is given in the Police Report. When we purchase an article from the bazar, we pay for it according to its quality. We have a saying in Marathi "जसा माल तसेंच त्यांचें मोल" (i. e., pay according to the stuff you get). A responsible officer of Government has given at page 36 of the Police Report a graphic description of the qualifications of the men who are engaged in this department.

The Honourable Mr. G. A. THOMAS: May I rise to a point of order, Sir? Is the honourable gentleman speaking on his cut motion or on the general question of the Police?

The Honourable the PRESIDENT: It is a general debate raised on that particular branch of the police.

Rao Saheb P. D. KULKARNI: Sir, the quotation I wish to give applies to the men who are appointed as the emergency police. Therefore, it is relevant.

The Honourable the PRESIDENT: It is difficult for me to follow the honourable member in his approach to the problem. I have not ruled whether he is relevant or not, but I think the remarks regarding the standard of policemen are not relevant to this particular motion, although they may be made more appropriately in connection with a general discussion of police administration.

Rao Saheb P. D. KULKARNI: I put forward those remarks in anticipation of a reply, as a preliminary. Now, what are the qualifications of the persons on whom Rs. 500 per head are spent every year? These qualifications are given by a responsible officer of the department, and I am reading those qualifications——

The Honourable the PRESIDENT: What is the page?

Rao Saheb P. D. KULKARNI: Page 36, last paragraph. In this connection——

The Honourable the PRESIDENT: The question here is the appointment of emergency police and the expenditure on that may be discussed.

Rao Saheb P. D. KULKARNI: I am reading about the men who are employed in the emergency police:

"As at present constituted, they are a rag-tag and bob-tail collection, ill-fed, ill-clothed, ill-paid, ill-disciplined, totally unreliable and disloyal. They have set an exceedingly bad and dangerous example. The issue of precepts to them will effect no improvement. A Pryde's purge is needed."

The Honourable the PRESIDENT: That is the police in general.

Rao Saheb P. D. KULKARNI: If you will kindly see the Blue Book, you will find that the expenditure on the special emergency police is mixed up with the expenditure on the police in general.

The Honourable Mr. G. A. THOMAS: Let him go on.

Rao Saheb P. D. KULKARNI: The honourable House will remember that the other day the honourable member Rao Bahadur Bole called a certain department a जांवई department. This is, if taken in that light, another 'जांवई' department. The men in this department are paid more than what they deserve. These emergency powers are given to Government to exercise them in the interests of the welfare of the country. It is not right to give a torch in the hands of the devil. As a result of the raw material that I have described being given powers under the ordinances, we shall have a very dangerous result. At page 10 of the said Police Report we are given the number of cases where convictions are obtained and where convictions are not obtained. That will show that the powers given to these persons are generally misused.

The Honourable the PRESIDENT: Powers given to the police? There again the honourable member is not relevant.

Rao Saheb P. D. KULKARNI: Special emergency powers.

The Honourable the PRESIDENT: I am not yet satisfied about the relevancy of the point. The honourable member should confine himself to the particular head to which he has moved a cut. Otherwise, I shall have to stop him.

Rao Saheb P. D. KULKARNI: Sir, they are armed with special powers under the ordinances. When they exercise those powers they make mistakes. I wish to prove that. Unless I give the figures, how can I prove it?

The Honourable the PRESIDENT: The item here is this special extra police alone. Whether they should be employed or not, whether

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the expenditure on them is adequate or extravagant—those are the points to which the honourable member will have to confine himself.

Rao Saheb P. D. KULKARNI: Unless I give the number of cases in which they have failed to get a conviction, how am I to prove?

The Honourable the PRESIDENT: Who has failed?

Rao Saheb P. D. KULKARNI: The special police.

The Honourable the PRESIDENT: Which is the page?

Rao Saheb P. D. KULKARNI: Page 10.

"Of 9,085 cases dealt, 7,655 were brought to trial, of which 7,464 ended in conviction."

The Honourable Mr. G. A. THOMAS: Where is he quoting from?

Rao Saheb P. D. KULKARNI: From page 10 of the Report.

The Honourable Mr. G. A. THOMAS: Sir, I rise to a point of order. This report is for 1930, before the emergency police were engaged. The special policemen were engaged for the first time in 1931. The village servants are not the regular police either.

Rao Saheb P. D. KULKARNI: I will make things clear. I will not read it, but come to the point. We have thousands of complaints daily pouring in about the working of this emergency police——

The Honourable Mr. G. A. THOMAS: In Poona, have you complaints?

Rao Saheb P. D. KULKARNI: Sir, I do not wish to be interrupted. When I began my speech, I was asked to come here; I came here in order to meet your wishes, although I do not think that my voice is inaudible; then, I am interrupted so many times by the Honourable the Home Member. I wish to be supported by you.

The Honourable the PRESIDENT: I should support the honourable member to this extent, that his views should be respected on the other side. But he must begin to give his views.

Rao Saheb P. D. KULKARNI: I have been given no chance to express my views. Let me speak for five minutes without any interruption. The Honourable the Home Member has a chance of replying. Many innocent persons are made to suffer along with persons who are out to make some mischief. We have got many instances of hardships being inflicted on the public by the special police. I will give two concrete instances which will convince the House that hardship is being inflicted on the innocent public. Many people were assembled at the Reay Market in Poona: they were not there for attending any meeting, but for the purchase of vegetables as a daily routine. The emergency police force which was making an attack on a crowd near by all of a sudden came into the market and without any warning made an attack on the people assembled——

The Honourable the PRESIDENT: When was this?

Rao Saheb P. D. KULKARNI: On the 6th of February. Fourteen innocent persons were roughly handled. A list of their names has been

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published in "Kesari" newspaper. I do not, however, rely simply on the newspaper reports, as on a previous occasion we were told by the predecessor of the present Home Member not to rely merely on newspaper reports in such matters. I made personal enquiries and saw some of the persons. They told me that they had gone there for purchasing vegetables or for their business, and in spite of that they were roughly handled and some of them were injured very badly. Some of them were sent into the hospital. The District Superintendent of Police said that he saw to it that those persons were treated under his own supervision, which goes to prove that many persons were injured. That is the testimony of the District Superintendent of Police. The fact that innocent persons were roughly handled goes to prove that the rights of the public are endangered. Another instance is also quoted in another newspaper by name प्रभात. The man himself came and told me. He was a reporter of the *Prabhat* newspaper. He had gone there to witness the scene and to see whether the police were at fault or not. He went there to ascertain facts and to give correct news. In spite of the fact that he was a representative of the *Prabhat* and had gone there to witness the scene and said so to the police, the police told him "Go back; you have no reason to stop here." This is a strange way for a civilized Government to adopt towards the representative of a newspaper who had to give correct news to the public in order to assist in the formation of a public opinion. But when representatives of the papers are handled in such a way, there is great obstruction in providing authentic reports to the public and to Government also. The working of this branch has caused great discontent among the people, and in order to give vent to that so many resolutions were tabled. One of them was kindly admitted by the Honourable the President of this Council, but was ultimately rejected by the higher authorities on the ground that that is not the business of this Council. Resolutions when discussed in this Honourable House do a great deal in creating public feeling and if the Government had allowed representatives of the public to give authentic reports without obstruction, it would have done a great deal in pacifying the public feeling. Now, however, we are left to our own devices in getting right aspect of the thing. We are placed in such a pitiable condition as a result of the working of the administration. I think the stability and the firm foundation of this Empire lies in the good-will and good-feeling of the subjects and the administrative Department at least should care to win over the public to their side and give every possible opportunity and help us in forming our own judgment by their sympathetic action. But this is never done. On the other hand, resolutions are overruled and innocent people are being roughly handled in so many places. So many incidents are before us. These wrongs are never redressed. That is why I have moved the motion and I hope it will be supported by my colleagues. With these words, I move the cut.

Question proposed.

Mr. L. R. GOKHALE (Poona City): Sir, I rise to support the cut proposed by my honourable friend Rao Saheb Kulkarni. In the beginning, I must say that as far as the Poona District is concerned, both the District Magistrate and the Superintendent of Police are very discreet and reasonable officers, who look at the convenience of the people and the emergent conditions in a proper perspective. I know that even under the present circumstances the District Magistrate has handled the situation in a very discreet and careful manner. This much for the officers.

Now, dealing with the police force, we cannot say the same thing about them. I would refer to the incident just now mentioned by my friend Rao Saheb Kulkarni, I mean the Reay Market incident. I know some details of what happened there and I would like to put them before the honourable House. On the last Pandit Motilal Day, it was reported that a public meeting was being held in the compound of the Reay Market. That meeting certainly was not in accordance with law and the police force had gathered there in large numbers to control, or at any rate, to disperse those who had come there to attend the meeting. The number of those who were present was very large. I am told it was somewhere between 6,000 and 8,000. After the people gathered and just before the commencement of the meeting, a party of 40 emergency police came there under a certain officer; and armed police were stationed at all the corners of the Reay Market and on all the big roads leading to the open ground near the market. A whistle was blown by the officer under whom the party was acting and at this signal the lathi police rushed at the people who had gathered there and began hammering them, I am told, ruthlessly. Some of these people entered the market which was then open and in which business was going on. There were shopkeepers and their customers in the market. The police officers were there to disperse the men who were on the place and attending the meeting. Instead of doing that, the police force, with lathis in their hands, entered the precincts of the Reay Market and 105 persons, who were shopkeepers in the market and their customers, were belaboured and they received injuries as a result of the lathi charge made by the police officers. The names of these 105 persons are in the possession of those who made enquiry about the incident. I put it to you, Sir, was it fair, was it necessary for the police to enter the market premises and hammer persons who were selling their articles, and their customers? There were old women and men, young boys sitting on the stalls. The police indiscriminately, without pausing to consider whether they were the people who had come to attend the meeting or whether they were carrying on business in the market place, without stopping for a minute hammered these persons and some of them received serious injuries. I could appreciate the fact that as the meeting was held in defiance of a certain ordinance the police was in duty bound to disperse that meeting. There is no quarrel with that argument of the police. But what do we find? All these emergency police are very peculiarly-minded people. The description of the general police given to us by my friend Rao Saheb Kulkarni is now applicable to some members of the

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permanent force in the department. What, then, must be the calibre, the morale, the character of the people temporarily employed by the Government? If you get permanent hands of the description just given by the honourable mover, I am sure those hands which are temporarily engaged must be many times worse. That is what I presume to be the natural consequence. I know, as a matter of fact, one old woman in the market received a serious injury and she is lying in the bed. She said to the police who were rushing towards her with lathis, "I am an old woman selling potatoes. Kindly save me." But kindness was not to be shown. She was belaboured, and had to be removed for treatment. This is not a solitary instance. If the Government is pleased to make enquiry into the cases of those innocent persons who were roughly handled, I am sure it will find that the number is more than 105. The Poona City Municipality has taken up the question, but I do not know whether Government will help the Municipality. The Municipality has appointed a committee to enquire into this question, whether the police were justified in entering into the market precincts and belabouring some of those who were carrying on business. The Municipality has collected evidence in regard to the conduct of these police. If Government is compelled to utilise the services of emergency police, they must try to secure the services of good men. It was at one time thought, and Government may now think, of appointing citizen policemen. I do not think Government has thought of adopting that suggestion. It is not possible to get good material if you get hold of a man in the street, ask him to work as a policeman, give lathis in his hand and allow him to run amok in the streets. This is an unfortunate position. I do not mean to say that it is intended by the officials whose mention I have made. I know the Superintendent very well. But I think Government ought to be very particular in employing the force. They must select the best men. I am sure Government can get hold of pensioned military officers or soldiers. They are well-disciplined. They will never run amok. If Government selects such men they would be better fitted to serve in the emergency police force. That is a point which requires careful scrutiny at the hands of Government.

Another point is that made by the honourable member Rao Saheb Kulkarni about press representatives and the "*Prabhat*" incident. If the police were aware that a body of 10 or 15 press representatives who were staying outside without taking any part in the meeting and without breaking the law, and who were there to help Government by giving an accurate report as to the doings of persons gathered there, why should they have been hammered with lathis? There is of course one redeeming feature in the incident. The gentleman who belaboured the representatives of the press afterwards had the goodness to apologise to them. He said, "I am very sorry I dealt with you in the way I did. I did not know that you were press representatives." That must be said to the credit of the police officer. But how many police officers can we get of the type of this particular gentleman? I therefore think that Government should issue strict orders in dealing with such

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emergency cases and especially about lathi charges. In the market the people were driven out like cattle for a distance of 400 feet. They were driven from one corner of the market to the other—a distance of 400 feet and more—the police after them, the people running for their lives. It is a disgraceful thing. If the officers had given sufficient time to the people to disperse, they would have done so; so far as my information goes, no notice was given to them to disperse. At the sound of the whistle—I do not know who that police officer was—the lathi charge began and men were chased like cattle and sheep. What does it mean? Is this the way of dispersing and stopping meetings? Is it not the way of showing the people that Government is very mighty and saying that before they hold a meeting they should take care of themselves? There are innumerable instances of such lathi charges. I refer to this Poona incident because I know what happened. I say the police had committed a wrongful act by entering into the municipal market precincts without the permission of the municipality, without consulting the officers who were in charge of the market. I am told that when this was brought to the notice of the police officers, they said that people in the market threw potatoes and onions at the policemen. I do not think potatoes and onions were very heavy missiles. I am not certain whether the charge of the police is correct. But that is the story that has been given in defence of the action of the police. Potatoes are not, after all, lathis or bombs. What can people do when you hammer them with lathis? They must defend themselves with something and the most handy articles were potatoes and onions and they were used. I do not mean to say that the people were justified in using those missiles. Let the police use lathis, but the people should fold up their hands and remain quiet. But we are now concerned how the people were dealt with by the police. I am telling the House exactly what happened. It appears that the police officers in charge of the parties were calculating and prepared to act in case of emergency in the right way. In this case it was found that on four sides of the roads there were stationed armed police. If the armed police were there, it means that they were not allowing anybody to enter the market area. There was no influx of additional men coming into the meeting place. All that the police had then to do was to drive away the people assembled in the market place. If that was the only function of the police, what was the necessity for a severe lathi charge, and of hitting a number of people? I do not see the propriety of it. Was all that force necessary to stop a meeting and to drive people away from that place? Why were people who ran away followed by the police? When the people came to the other end of the market, the police had to stop there quietly to see whether any other party of persons was coming in. But as if to show their exploits of hammering people, the police commenced hitting people indiscriminately. That is one of the worst features of these lathi charges which I have noticed.

Secondly, as regards lathi charges, I suggest there should be definite orders to inflict the minimum of harm on the people. The present idea

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of the police appears to be to inflict the maximum harm that they possibly can inflict. The rank and file of the police appears to have this idea, and not the higher officers who of course know that that is not a correct way of controlling a widespread movement and that it would do no credit to any Government, much less to the present Government. So, this rank and file ought to be put under a check and their passion for cruelty curbed so that they will not subject His Majesty's subjects to unnecessary and uncalled for and cruel treatment, under colour of carrying out their duties. Because they happen to be in a particular locality where the ordinances are in operation, the police are not justified in causing injuries of any serious character to the people.

Now, Sir, I do not know whether the Parola police which is punitive police comes under the category of emergency police or under the ordinary police. If they come under the ordinary police, I have nothing to say, but if they come under the emergency police——

The Honourable the PRESIDENT: The honourable member who is speaking just now makes it rather difficult for me to give any guidance in this matter. I may put it roughly thus: the cut under this head should really be confined to the question that emergency police should or should not be employed, that there is or there is no emergency in the country, or that emergency is not likely to arise, or that if the emergency police is to be employed, the conduct of the emergency police seems objectionable; that the House is not in a mood to allow this grant and the like. If discussion was carried on on those lines, it would be within this head; otherwise, those general remarks as to the lathi charges appear to me to go really beyond the scope of this motion. The plain simple question is whether there is or there is no necessity of an emergency police, whether there is an emergency, or whether an emergency is likely to arise and if the conduct of the police is so objectionable that the honourable members of this House are not in a mood to allow this grant. I think these are the lines on which remarks can be made; otherwise, it would be difficult for me to draw the line if honourable members entered upon any larger discussion than that.

Mr. L. R. GOKHALE: I quite see your point, Sir, and I am thankful to you. I am clearly of opinion that emergency police is to some extent necessary. Therefore, I did not comment upon the employment of such police at all. My point, however, is that the conduct of the emergency police is so objectionable and cruel that it should be brought under proper control. There may be need for the employment of emergency police, I do not dispute that and for that reason I do not say that the police grant should be dropped altogether in so far as it concerns the emergency police. All that I want to point out is about the second part, namely, whether the conduct of the police is such as to require the stopping of the emergency police or an improvement in their conduct. From this point of view only I have criticised their conduct. I quite believe and I quite appreciate that this cut is not a general cut. There is a general cut at the end given by my honourable friend Mr. Jog, but I do not find him present here and

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probably that occasion may not be available to us for a discussion of the general cut. I have therefore confined myself to the conduct of the emergency police and I do suggest that the subordinates at any rate of the emergency police have behaved in a manner which I will not call disgraceful because that is a strong word, but in an illegal——

The Honourable Mr. G. A. THOMAS: Regrettable.

Mr. L. R. GOKHALE: There is nothing in the word, Sir, so long as the benches opposite understand what I am driving at. I am criticising the cruel conduct of the emergency police, and that is why I have been allowed, I think, to make the remarks which I have made about their conduct.

As regards the question of the Parola punitive police, I do not know whether it too comes under the category of emergency police. That Parola police has been employed as a punitive police and to me it appears to be an emergency police. If I am wrong, I hope I shall be pulled back and corrected.

One particular thing which I notice about this emergency police is that there appear to me to be no rules laid down for their guidance in writing. If I am wrong in my statement, I hope I may be corrected immediately——

The Honourable Mr. G. A. THOMAS: The honourable member is wrong in that statement. They come exactly under the rules which govern the ordinary police force.

Mr. L. R. GOKHALE: I quite appreciate that, but my point is that you have emergency police and in the wake of the appointment of that emergency police there should be emergency regulations. Emergency police should not be under no control and left to do what they like. Of course, the general rules of the ordinary police force will not always hold good or even be sufficiently efficacious for an emergency force. I am right, I believe, in saying that——

The Honourable the PRESIDENT: I would like to know whether this emergency police, after being employed, merges in the general police force.

The Honourable Mr. G. A. THOMAS: The emergency police are temporary police, but are exactly of the same class and perform the same duties and are exactly under the same rules as the ordinary regular police force. They are additional police. We might call them temporary police because they are employed to meet an emergency.

The Honourable the PRESIDENT: They merge in the general police?

The Honourable Mr. G. A. THOMAS: Exactly.

Mr. L. R. GOKHALE: If that is so, the whole discussion may be opened for general police conduct, but my idea is that——

The Honourable the PRESIDENT: I was also going to point out, to save the time of the House, that all these remarks should have come under the last cut No. 114 "Reduce by Rs. 100—Total—Rs. 1,81,93,000 (C. E. page 146)."

Mr. L. R. GOKHALE: I just mentioned, Sir, that I do not see the honourable member Mr. Jog in his seat to-day. My submission is that if the emergency police merges in the general police and is only a temporary and additional police, then my complaint is that this is not sufficient. Should they not have in that case definite orders as to how they should conduct themselves when a certain emergency arises? My enquiries tell me that no such orders have been given. It has been said that they are part of the ordinary police and wield the same powers as the ordinary police. They possess ordinary powers except that they can act extraordinarily by hammering people as they like! That is the only exception that appears to me to have been made in their case. I think that is certainly not at all right. If you have for certain purposes a certain officer, is it not necessary to have his duties laid down in a certain way, and should he not know what he is about? Must he not know exactly what his duties are? I am sure that 90 per cent. of the ordinary police have no emergency duties to carry out, and there could not be any rules made by the department for their guidance during an emergency, and there are none so far as I know. That is the reason why we find so many complaints in all the various places wherever there has been indiscriminate hammering given to the people by the emergency police. As a matter of fact some of the police in mofussil towns are more cruel, more hard-hearted than those in the zilla towns and cities. Why is that so? Does it depends upon the officer who is in charge of a certain party of police. If he is a good officer who does not care for any *bukshish* from superior officers, he is reasonable. If he is otherwise and wants to have some Rao Bahadurship or Khan Bahadurship or some other recommendation, he is cruel, he is unreasonable, and callous or careless or reckless as to what injuries his men inflict upon the populace when they try to disperse a crowd or a meeting, however peaceful they may be. My whole point is that there should be some specific rules drawn up and circulated to all police officers so that they will know how to act when a particular emergency arises. Because there are no such rules in existence now, we find so many unnecessary clashes in all those places where we have had these severe lathi charges. So, my suggestion is that some definite rules should be drawn up for the guidance of police officers.

As regards the Parola police——

The Honourable Mr. G. A. THOMAS: Is this discussion on the cut under Special Emergency Expenditure or is it a discussion on the general police budget? The police employed at Parola are not emergency police.

Mr. L. R. GOKHALE: I quite see that, Sir. All my remarks have been confined to the conduct of the police officers and I have made my criticisms with a view to secure an improvement in the conduct of police officers, not out of any hostility towards them, but to stop the cruelty which has been in evidence during lathi charges and to protect honest people who are carrying on their business in an honest way, perhaps some of them co-operating with Government.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, I did not wish to interfere in this debate, but I have to make one point and I hope I shall get a straight reply from the Honourable the Home Member.

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I agree with him that in certain circumstances emergency police, that is, a specially recruited branch of the police, may be necessary. I remember also that that recruitment was made on a certain basis and they raised a force of some thousand strong, especially out of Ex-Service Military people. Perhaps the emergency police was to have martial instincts so that in case of such an emergency those martial instincts might stand them in good stead in hammering the poor people that may have the misfortune of coming across the emergency police. Just as ordinary police have to resort to firing under certain rules specially laid down for the purpose, similarly there should be certain special rules laid down for the guidance of emergency police giving them directions how to carry on lathi charges should they become necessary. As in days to come the necessity for lathi charges may be felt more often than now——

The Honourable Mr. G. A. THOMAS: Why?

Rao Bahadur G. K. CHITALE: The Honourable the Home Member knows best, why. I should think that Government would be well advised to have some definite rules which should be published for the information of the public in general. It is no use having departmental rules or stating that they are taking the usual disciplinary action, because nobody knows and the public does not know what that disciplinary action is. Therefore, Sir, I am of the opinion that there is a very strong case for laying down when exactly lathi charges should be made, how they should be made, whether or not the public are entitled to due notice of such charges, whether the police should not give enough time for the people to disperse and whether after giving that time, a lathi charge should or should not be resorted to unless and until there was a superior police officer or a magistrate present on the spot. Then again it follows up the usual method, namely, that if that lathi charge is to be indulged in, after all these directions are given and precautions taken, there should be a definite and strict order that a lathi charge should be resorted to only as an extreme measure and that the lathi should be administered not on the head nor on the chest but on other limbs of the body. Sir, often we find that when good superior officers are present on the occasion, they usually resort to that kind of lathi charge, but we also find enough instances in which heads are unnecessarily broken, and I should think that this House will be well advised in having some kind of regulations, which the Government in its own wisdom might think fit to have. But those regulations should be published for the benefit of the public. That is the only suggestion that I have to make.

Mr. G. S. GANGOLI (Kanara District): Sir, we are given no information as to the necessity of the emergency police, and also in which places they are to be engaged. Certainly, every year the police budget is sanctioned, but we are not told afterwards what amount is actually spent and what amount is saved. Last year also there was the same sanction given, and we do not know what was spent on the emergency police. We now hear it stated by the Secretary of State that there is no emergency outside the city of Bombay, and the amount which was sanctioned last year was up to the 31st of this month. So, after that date, there would

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be no emergency for which this House should sanction any grant in anticipation of something which may happen. I think, Sir, no such occasion should arise when the emergency police will be required in these days, because the emergency police are required to deal with exceptional circumstances. This year the whole of India is under the Ordinances and everything is at a standstill, and therefore no emergency police should be required.

The Honourable Mr. G. A. THOMAS: Has the civil disobedience movement ceased in Kanara ?

Mr. G. S. GANGOLI: Yes, Sir, that is exactly what I want to say. Now that the official bench has afforded me this opportunity, I will deal with the question and give a reply to the question put to me. In the Kanara District, in the villages, when owing to poverty the people cannot pay taxes, or land revenue, or even the grazing fees of 2 annas per head of cattle, which is the minimum for Kanara, what do the subordinate officers do ? These shanbhogs, or talatis, or kulkarnis, when they cannot collect revenue from the villagers, because the villagers have nothing to pay, report that they have joined the civil disobedience movement. In this manner they save their skins. The highest official of the district, that is, the Collector, cannot tour all over the district, because there are no roads fit for motor cars and the various places are not connected either by railway or any other means; he cannot visit all these places, and whatever is reported to him by the lowest paid subordinate has to be relied upon by him, because they are the men on the spot. I would like to state here with all the responsibility that I can command that there is no civil disobedience movement as such in Kanara, but because they cannot collect money from the people they say there is the civil disobedience movement. This is the explanation that I have to give in reply to the question just asked, and with that I shall come to the subject in hand.

We do not know actually how much of the amount that was sanctioned last year has been spent, and whether after the 31st of this month there would be any emergency. It is also not known for what districts these emergency police are intended, whether for the city of Bombay, or any other town, or village.

The Honourable Mr. G. A. THOMAS: There is no provision in this for the City of Bombay police.

The Honourable the PRESIDENT: That is separate. The details are given on page 146 of the White Book.

Mr. G. S. GANGOLI: I have read that. With all that, I do not know for which places this is meant. I do not know whether the peaceful population, already governed by the Ordinances, cannot be handled by the police now at hand. Sir, what was the expenditure on the police force before the Reforms ? It was 70 lakhs to 80 lakhs, and it has now increased by over a crore; there is an increase of over 100 per cent. I think the ordinary police are quite enough, and with all the authority vested in them by the Ordinances, I do not think any emergency police

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should be required. Also, I do not think that after the Ordinances expire in six months the emergency police, for whom provision is made for the entire year, will be necessary. The provision is made for 12 months, but the Ordinances will not last for such a long time, and even the Secretary of State says that there is no emergency now. If at least there had been an emergency, something could have been said for this provision. But in the absence of sufficient information regarding the emergency police, as to where they are required, what is the strength required, etc., I do not think this side of the House can properly exercise its vote for granting this expenditure on emergency police.

The Honourable Mr. G. A. THOMAS: Sir, I find it a little bit difficult to reply to this motion, because several honourable members have ranged over the whole of the Police budget and introduced all sorts of matters like lathi charges and village policemen. Perhaps I had better explain first of all the position. When I saw this cut tabled, I thought we might have a discussion showing that there was no emergency, as the honourable member who spoke last (Mr. Gangoli) says, and therefore no need for the emergency police, or that the emergency has grown less and therefore we can do with a lesser number of emergency police. Sir, as I thought I might have to go into the history of the emergency police, I was prepared to tell the House what had been done about the emergency police, and I am still prepared to tell the House that, if they wish.

The emergency police was first appointed in 1930, two years ago, when the civil disobedience movement took shape. In giving the figures of the emergency police, I will include Bombay City and Sind, although they do not come under this sub-head, because honourable members have ranged over a wide field of the Police budget, and perhaps they will forget them. In the Presidency proper, 2,118 special constabulary—there were a few extra officers—was employed in 1930, in Sind 100, and in Bombay City 200. Those were employed to meet a definite emergency, to check the disorders that arose after the civil disobedience movement began; they were employed throughout the year. When I became Home Member nearly a year ago, there was a meeting under the chairmanship of His Excellency, at which, besides myself and my Secretary, were present the Divisional Commissioners, the Inspector General of Police, the Commissioner of Police, Bombay, and, I think, the Finance Member, if not the Finance Secretary. We had four of these meetings during the last 8 months, to consider whether we could reduce these special police. They were called emergency police, as I said just now in reply to the Chair, because they were called into temporary existence to meet an emergency. They were, however, simply a temporary addition to the ordinary force, and every man of the so-called emergency police, whether it was called Kitchener's Army as it was called or otherwise, became for the time being a regular member of the police force, amenable to all the rules of discipline of the ordinary police force and subject to exactly the same orders and regulations. As I said, we had those conferences soon after I became Home Member, and we had three further conferences, one every two months during the period, at which we discussed the

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position. On each occasion we were able to reduce the number of the emergency police. Some were reduced by ordinary casualties, such as deaths and leave vacancies for various periods; others were reduced by being absorbed into vacancies in the regular force, and some were disbanded. I am glad to say that not a single man was dismissed. In October last the position was that in Bombay City the number was 100 instead of 200; in Sind, before I handed over charge as Commissioner in Sind, I had in anticipation of Government's sanction reduced the whole of the emergency police force there from last March; and in the Presidency proper the number had been reduced from 2,118 two years ago to 1,175, which is a little more than half the original number, by the end of last year. Well, I should have liked, and my honourable colleague the Finance Member would have liked, to reduce the whole lot, but we could not afford to do it in view of the position at that time. Ever since the agreement was made between Lord Irwin and Mr. Gandhi, Congress emissaries have stumped the whole of the Presidency up and down proclaiming "this agreement is nothing but a truce, war is coming, war with the Government is coming, and that war is going to be more bitter than the last war." Well, I think that any one in the face of that challenge would take steps to prepare for the coming war, and we took steps,—thank God we took steps,—and one of the steps was notto deplete our police force beyond the lowest possible margin of safety. In October the emergency police force in the Presidency proper had been reduced, as I have said, from 2,118 to 1,175. We decided to maintain the force at that figure, in view of the expectation that the Congress might be successful in their efforts to renew hostilities. History tells us that they were successful in renewing hostilities. We would have been perfectly justified in bringing up the strength of the emergency police force to what it was in 1930 or even beyond that strength, because the Congress had made it clear that it was only a truce, that another war with the Government was coming, and that war would be more bitter than the previous one. But we did not increase the special police force by a single man; the additional police force stood at 1,175 for the Presidency proper, and it continues at that figure to-day two months after the renewal of hostilities; not a single man has been added to the force since the Ordinances were brought out. Whether the Ordinances had been promulgated or not, that police force would have been necessary.

Now, Sir, it is said that the Bombay police force is larger than is necessary. But I would remind the House that 10 years ago, in 1922, Government went mad; perhaps some people think that Government have never regained their sanity. They reduced their police force by over 1,000 in Sind and by over 2,000 in the Presidency proper; and they have regretted it ever since. I have here instances in which honourable members of this House and also various districts have called the attention of Government to the reduction of the police force, and have urged that it should be restored. Some of the districts, at any rate, for which they asked Government to restore the police which were reduced in 1922 were Larkana, Nasik, Karachi, Thar Parkar, Panch Mahals, Thar Parkar again

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and Kanara ; Kanara wanted more police—I think that was before my honourable friend Mr. Gangoli became a member of this House. Various honourable members have asked questions at different times, protesting against the inadequacy of police in their districts. I will mention some names. Mr. Govindrao Pradhan, Thana ; Mr. Shankarrao Jayaramrao Zunzarrao, also Thana ; Mr. Durgdas Advani, Larkana ; Mr. Tekchand Udhavdas, the whole of Sind ; Rao Bahadur Asavale, various districts ; Mr. Jairamdas Doulatram, the whole of Sind.

Mr. L. R. GOKHALE : Are those *bona fide* applications ?

The Honourable Mr. G. A. THOMAS : These were questions asked in the Council, asking that the police force should be increased in those particular districts from which the honourable members came.

An Honourable MEMBER : Were not Government going to re-organise the police ?

The Honourable Mr. G. A. THOMAS : Government have schemes on hand for the re-organisation of the Police. They cost 12 lakhs of rupees but are not to be put into force now on account of financial stringency. Only in two or three parts of the Presidency and in Sind, the police force is to be strengthened at present. In the whole of Sind 1,082 men were reduced. It will be remembered that, in last March, this honourable House voted provision for the re-organisation of the Police in Upper Sind, Larkana, Sukkur and Jacobabad. 582 additional police have been permanently appointed there. So, I do not think that it will be considered too much if out of the 3,300 policemen reduced in the year 1922, only 580 men have been restored, giving a debit balance of 2,800 which is more than double the emergency police. The whole of this emergency police will have to form part of the regular organisation, because we have to re-organise the police force in certain parts of the Presidency and particularly in Gujarat. When honourable members from the Southern and Central Divisions spoke on this motion, the honourable members from Gujarat were absolutely silent. It is more necessary to strengthen the police force in that part of the Presidency than anywhere else. I have got certain figures which I shall give for the information of the House. During the last three years, dacoities have increased from 73 in the year 1930 to 86 in the year 1931 ; murders and similar offences from 117 to 166 ; and robbery from 60 to 75. There is a spirit of lawlessness and disorder in Gujarat.

Rao Bahadur B. R. NAIK : Which districts of Gujarat does the Honourable Member refer to ?

The Honourable Mr. G. A. THOMAS : Ahmedabad, Kaira, Panch Mahals and Surat.

Rao Bahadur B. R. NAIK : Surat ? What are the figures ?

The Honourable Mr. G. A. THOMAS : Dacoities have risen from 5 to 6 ; robberies have decreased from 10 to 8, and murders from 14 to 12. I am afraid the other parts of Gujarat are not so fortunate.

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That is the general position. Therefore, I think we shall have to keep the additional police for some time, even after the emergency is over.

One remark of the honourable mover of the cut I could not understand, in spite of the explanation he gave. He referred to page 31 of the Annual Police Report from which he quoted an extract. But that extract relates to the village police and not the regular police. It is entirely irrelevant to import it into this discussion. He referred to some instance in Poona and the honourable member who followed him also referred to another instance in Poona. The honourable member Mr. Gokhale quoted these instances to show that the emergency police force are not of the same class as the ordinary police and are "peculiar-minded" persons and intemperate by nature. He also said that they are prone to excesses. Therefore, it will interest the House to know that not a single member of the emergency police has ever set his foot in Poona, since the beginning of this movement, because it has been found possible to manage with the ordinary police. Poona never required emergency police. So, the honourable member, while referring to the emergency police, actually referred to the trained policemen of the regular force.

The honourable member Mr. Gangoli said that there was no emergency, but the honourable member Mr. Gokhale granted that there was an emergency. We shall have to continue the emergency police even after the present emergency is over. The actual number of the police force in the Presidency proper is 22,862 in the regular force and 1,175 in the additional police force. When you take into consideration the present deficiency in the regular force, you will admit that the additional police force should be made to form part of the regular force for bringing the police force to its full strength.

Rao Bahadur B. R. NAIK: Are there rules for lathi charge?

The Honourable Mr. G. A. THOMAS: It is quite impossible to lay down rules for lathi charge. The men are trained in the use of lathis. They are instructed to avoid tender parts and use the lathis with the least possible injury. They are generally instructed to use lathis with as little harm as possible. During the last two months, certain lathi charges became inevitable, but there have been few cases of serious injury. It is impossible to draft rules. Will the honourable member Rao Bahadur Chitale draft rules as to how to deal lathi blows and how to avoid them? The public can avoid lathi blows by avoiding to attend meetings declared unlawful.

Question put, and negatived.

Mr. V. N. JOG (Dharwar District): Sir, I beg to move——

"Reduce by Rs. 100—Total—Rs. 1,81,93,000 (C. E. page 146)."

I have moved this motion with a view to have a discussion on the general policy of the Police Department. It is with great responsibility that I have moved this cut, because the situation of the country at present is very difficult. We as citizens are all interested in the maintenance

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of law and order. When there are in the country certain forces and elements which are likely to disturb peace and order, every good citizen is expected to assist and co-operate in the maintenance of law and order. At the same time it is the duty of every citizen to see that there is no unnecessary interference with the freedom and liberty of the people in their ordinary avocations. Therefore, in discussing this policy, as I said, I feel the responsibility very great. Without going into the minor details of Police excesses here and there, I would request Government to see that the powers which have been given under the Emergency Ordinance are used with moderation and caution. In the affairs of a country, there may arise occasions when emergency powers are necessary and the legislature has provided——

The Honourable Mr. G. A. THOMAS: We are not discussing the ordinance promulgated by the Governor-General which has been exercised by the District Officers.

Mr. V. N. JOG: I am not discussing the issue of the Ordinance. I was saying that such emergency powers are necessary and the legislature has vested that power in the Governor General. But my submission is that such powers are to be used with moderation and caution. As these powers are entrusted to the police I am touching that subject in that connection. When these powers are to be exercised by various officers, Government should lay down certain rules so that they may not interfere unnecessarily with the freedom and liberty of the citizens.

There are instances in which these powers are not properly used. It is difficult for Government to discriminate, but unfortunately there are glaring instances in which these powers have not been properly used. Even the Secretary of State, His Excellency the Viceroy and His Excellency the Governor stated that in working these ordinances there will be no fear for law-abiding citizens and that innocent people will not be touched. But we find that sometimes on suspicion——

The Honourable Mr. G. A. THOMAS: I rise to a point of order. This is the Police budget. The powers under the ordinance are entrusted to the District Magistrates and not to the police. I think that it would be better if the honourable member reserves these remarks until the honourable member Rao Bahadur Kale moves his motion on Saturday. Otherwise it will go beyond the scope of the motion.

The Honourable the PRESIDENT: I am glad that the Honourable the Home Member has brought the question openly before the House. Even this morning I thought of bringing it to the notice of the House. The remarks that are made in connection with the present situation can better be reserved for the day when a full dress debate will take place on the present situation. These references do not come properly within the limits of this motion. Otherwise, the line of demarcation would become so fine that honourable members might overstep it. Any criticism pertaining to the administration of the police department will be relevant, but not criticism of the special powers which are conferred on the police by the ordinances.

Mr. V. N. JOG: May I take it that I will not be allowed to discuss the acts of the emergency police or the ordinary police under the ordinances?

The Honourable the PRESIDENT: Certainly the honourable member would be within his rights if he discussed them. As I said, this is the total demand and therefore all sub-heads come under that. The honourable member can refer to the emergency police, their deeds and misdeeds. But any reference to the ordinances as applied by the magistrates or by other heads of departments would be irrelevant. The honourable member will know where to draw the line.

Mr. V. N. JOG: Then, I will not refer to that particular action. I am not going to speak on the general acts of the police, but of the acts done by them under certain powers given to them under the ordinances without reference to the district magistrates. I was saying that these special powers ought to be used with moderation and caution. There should be freedom for people to give expression to their opinions with regard to the acts of Government. Certain actions of the police officers have actually interfered with the expression of such opinions.

The Honourable the PRESIDENT: Acts done without the orders of a District Magistrate under the ordinances?

Mr. V. N. JOG: That is what I think. I will quote an instance. There is the order of the Commissioner of Police served on the Indian Merchants' Association——

The Honourable the PRESIDENT: Was it done by the Commissioner of Police as the police chief?

Mr. V. N. JOG: If it was done in his capacity as a magistrate, then I would not refer to it.

The Honourable Mr. G. A. THOMAS: It was in his capacity as a magistrate.

Mr. V. N. JOG: Then, I will not continue.

The Honourable the PRESIDENT: Does the honourable member wish me to put the motion proposed?

Mr. V. N. JOG: Yes. I do not want to say anything more at this stage, but any other honourable member may wish to speak on the motion.

Question proposed.

Mr. L. R. GOKHALE (Poona City): Sir, I want to say something about the police stationed at Poona.

The Honourable Mr. G. A. THOMAS: Which item in the White Book is the honourable member referring to?

Mr. L. R. GOKHALE: The Police Department and the police expenditure are under discussion, and the expenditure on the police

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stationed at Poona is covered, I believe, by the total demand shown under the head "Police".

Of course, I cordially thank the Honourable the Home Member for the information he has given about the department. I am greatly obliged to him for telling us that the police which acted in the particular manner mentioned at the Reay Market was not the emergency police, but the regular police. There is a saying "Where ignorance is bliss, it is folly to be wise." I really feel that I had not been made aware that the Poona regular police was capable of such conduct; I am really sorry; I wish I had not been made aware of this fact. We were all under the hope, illusion, that this illegal doing was the action of the ignorant, unsophisticated, useless men employed for the time being as an emergency police. That was our reason for sympathising with Government in their need of proper men. Now, we are enlightened; light is thrown on it, and we are told that we were all mistaken, that it was the regular police force recruited from time to time by the Department that was responsible for it. I wish that we had regulations to be utilised in this way. The regular police is taking the law into its own hands and treating the people in this way! I would only say: "Save us from the police." There is no alternative, Sir. Probably it is the zeal for the time being that must have carried away the permanent police stationed at Poona to act in this cruel way, to say the least about it. I hope that, in view of what I have said, necessary orders will be issued by Government to make enquiries into the conduct of the police.

Then, I wish to speak about the punitive police stationed at Parola, a village in East Khandesh. It has been there for more than a year. If my information is correct, the relations between the two communities are not now so bad. The levy of Rs. 16,000 annually from a small township is certainly a great hardship on the people affected. That levy is made from a part of the population and not from the population as a whole, and the amount that is levied is something like Rs. 15,000 or Rs. 16,000 annually. Now, let us think of it. Is not that a heavy charge upon the already famished population of that town? As time has rolled by, I am sure that the feelings of the communities must have undergone material change, and the police kept there in ordinary times will be able to maintain peace in that town. If necessary, a few extra hands from the department may be used. Instead of that I find that the whole punitive force is to be continued there. Not only are the people unable to pay the tax, but it is a sort of blot on the character of the people living in that town. They will certainly feel that Government have not come to recognise that they have changed their feelings against each other and are pulling on in a brotherly way. I hope Government will make enquiries in the matter and try to help the poor people at this juncture when they are in a very bad pecuniary position. The people who are there are mostly weavers and their industry is not in a good condition at present; they are suffering very materially, and therefore, I wish to draw the attention of Government to this.

[Mr. L. R. Gokhale].

We have got sufficient information from the Honourable the Home Member on the general policy, although some of us were thinking that we could not go into the general policy as the cut had only reference to the emergency police. Fortunately for us, we have got all the information.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, now that we are restricting ourselves to the figures of expenditure, I have only one remark to make, and that is, that when the ten per cent. cut has been made applicable to persons in all the departments, drawing more than Rs. 40 per month, I fail to understand why the police department has escaped that cut right up to persons drawing Rs. 160. We have been told that in the local boards and municipalities we should reduce salaries by ten per cent. in the case of every member of the staff, even the teaching staff, in respect of salaries from Rs. 40 and over. But in the Police Department, particularly the sub-inspectors who draw from Rs. 80 to Rs. 160 and other additional allowances like house rent allowance or are given free quarters, that cut has not been made applicable. It may be said that their pay is already too low. If that is so, then I would request the Honourable the Home Member to furnish us with the figures of other provinces, just as the Educational Department did, to show that our pay is comparatively less than that paid in other provinces. If that is so, then I can understand why a cut at ten per cent. has not been made in the pay of Sub-Inspectors of Police. But if that is not so, then we must expect that the cut will be applied to the police whether or not they are of special value to-day. When every one is suffering, the service class as well as the non-service class, the service class right from His Excellency down to the servant paid Rs. 40, I fail to understand why the police sub-inspectors and other persons in the police executive department should not be made to pay the same.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Hindi): Sir, I support the cut moved by my honourable friend Mr. Jog.

The Honourable Mr. G. A. THOMAS: Sir, if the honourable member speaks in Hindi, I cannot understand him. Will he speak in English, so that I can understand him?

Mr. HAJI MIR MAHOMED BALOCH: I am not able to speak in English, although I am able to understand with difficulty English spoken by Indians. If the Honourable the Home Member speaks in English I cannot understand him.

The Honourable the PRESIDENT: I hope the honourable member has understood the request of the Honourable the Home Member. He could speak in Sindhi: the Honourable the Home Member can follow Sindhi.

The Honourable Mr. G. A. THOMAS: I do not understand Sindhi either.

The Honourable the PRESIDENT: The Honourable the Home Member has to meet the arguments that the honourable member makes. Therefore, he should speak in a language which the Honourable the Home Member can understand.

The Honourable Mr. G. A. THOMAS: Sir, I understand that the honourable member speaks English. Can he not speak in English? I cannot answer him fully unless I understand what he says.

Honourable MEMBERS: We shall not be able to follow Sindhi.

Dr. M. K. DIXIT: The Honourable the Home Member understands both Hindi and Sindhi.

The Honourable the PRESIDENT: Order, Order. I leave the choice to the honourable member.

Mr. HAJI MIR MAHOMED BALOCH: I am advised by my honourable friends that I should speak in Sindhi, so that the Honourable the Home Member may understand me. So, I shall speak in Sindhi. (*Addressing the House in Sindhi*)——

Sir, in Sind, police *zuloom* is too much. 90 per cent. of the police take bribe and Rasai. From poorest *hari*, big Zamindars and even M.L.Cs. and M.L.As. are not free from the *zuloom* of the Police. False cases were brought up against several big persons in Sind, of which I gave several examples in this House in my last year's speech. The Government spends about 37 lakhs of rupees from revenue for Police in Sind, with the view that protection is given to the public safety of their life, property and of their families. But Police do quite the contrary. Therefore nothing is safe there. Besides the sum of Rs. 37 lacs spent by the Government at least Rs. 80 lacs to Rs. One crore go out of the pocket of the inhabitants of Sind towards payment to the Police as bribe and Rasai. If any Honourable member from this House asks me how far it is true, I will tell them that Police officials who were too poor and had no houses of their own, have now built big bungalows of red bricks at Hyderabad Sind, each house costing from Rs. 20,000 to Rs. 50,000. Houses are well furnished with up to date furniture and so on.

Before I speak about the Police doings in Sind, I want to say first about Karachi Police. From early morning till night every Policeman to the Official is on look out to find out ways to earn money by bribes from public. One party of Policemen are after carriages, bullock carts, camel carts and donkey carts. Poor drivers are threatened that they will be prosecuted for their animals having wounds or lame or being overloaded. In this way Policemen take bribe of 0-8-0 to a rupee from drivers. Another party of Policemen are out to take bribe from those who sell charas, bhang, opium from unauthorized places. If any complaint is made of sale of these things to the Higher Police Officials, the policemen inform the offenders before their shops are searched, there is nothing is found and they escape. If any one is caught, the offender has to pay a small fine. There are gambling dens in each quarter. Specially there are many dens for gambling in Ranchore quarter. Police do not catch them. Because police get share from each den. If any

[Mr. Haji Mir Mahomed Baloch]

complaint is made the keeper of the gambling house is informed before hand and thus no one is caught. Besides these, there is public gambling in carnivals. Few enjoyments are provided. Otherwise there is nothing but gambling in one way or other. Public made several applications to Police and Collector of Karachi and also by Press. Yet nothing has been done so far to stop this public "Juva", as police have their hand in it. In circus, prizes are given. By this inducement, the owner get very big houses every night of Rs. 1,500 to Rs. 2,000. He gives away two to three hundred rupees in prizes. Thus poor people go in large number in hope of winning a prize of few rupees.

The Honourable the PRESIDENT: How is that connected with the police?

Mr. HAJI MIR MAHOMED BALOCH (in Urdu): It is in the hands of the police as prizes are by lottery.

The Honourable the PRESIDENT: No "*juva*" in that. I thought that the honourable member was speaking about the circus. There are some prize tickets and the holders of these tickets are given prizes. The police have nothing to do with it.

Mr. HAJI MIR MAHOMED BALOCH (in Sindhi): When there is quarrel between two persons and one who is beaten goes to Police Thana, he is not heard unless he gives 5 or 10 rupees to the Police. When this is done the other person is sent for. Police press him and knock out money from him. In this way money is taken from both. Afterwards both are released and sent away. If any case goes before the Court nothing happens there. Due to this if any one is robbed or beaten by any one, no complaint is brought before the police. Recently in last 2 or 3 months in Ranchore and Ramswami Quarter 3 or 4 shops were broken open during night and goods were removed in motor cars. Such daring robberies have taken place in other quarters of Karachi and no thieves have been caught, because the Police are in league with the robbers and thieves. I have led the above few facts before this House. I now request the Honourable the Home Member that he will take the necessary action and save the poor public from such police acts.

Now I want to say as what is happening in Sind Districts. In all Districts there are patharies. Thefts of cattle and of properties are committed through these patharies. This has been proved to Government before. Police are with these patharidars. When these are reported to police they go out to make enquiries and settle down in a village. Police demand rasai from the jamindar of the village who has to provide fowls, eggs, fodder etc., for them. In three or four days the poor jamindar spends away Rs. 100 or 150 after the rasai which he had saved to pay the Government taxes. How the Police earn the extra Rs. 80 lacs to one crore. I now give few examples. First example I give from Thar Parkar and Nawabshah. A certain gentleman started life as a police munshi on Rs. 15 or Rs. 20 a month. By slow degrees he rose to be Deputy Superintendent of Police——

Mr. S. S. TOLANI: Hindu or Mussalman ?

Mr. HAJI MIR MAHOMED BALOCH: His name is Mr. Tejumal. He is well known to you and you know what kind of a man he is. To-day in Hyderabad town and district, he owns landed property worth Rs. 20,000 to Rs. 50,000. He owns about one thousand acres of land. Even if an acre of land cost, let us say, Rs. 100, in fact an acre costs Rs. 150 to Rs. 200, his landed property must have cost him Rs. 1,00,000 at least. This land does not stand in his own name but is on the names of his son, wife and other near relations. That officer had his family and children to bring up and educate, he had to pay for all the daily requirements of clothes, food and so on, and yet we see him acquire all these vast properties during his regime in the Police Department. Could the Honourable the Home Member give us any idea of how this officer came by his wealth ? This officer's whole service is in the districts round about Hyderabad city. Many complaints were made to remove him from there. Yet he is still kept there.

Now about Khipro Taluka : Zilla Tharparkar. One Deputy Superintendent of Police by name Mr. Tehilram about 1½ to 2 years ago led false charges on minor Mahomed Amin alias Kabalpali of murder and frightened him that he can only be let off if he will part with his land. Due to this fright he gave away his 700 to 800 acres of land to one bhaiband. This land is now cultivated by the brother of Mr. Tehilram. This case is now before the Commissioner in Sind—I believe the Honourable the Home Member had an application made to him when he was Commissioner in Sind—in which a Mussalman minor has been deprived of about 700 to 800 acres.

The Honourable the PRESIDENT: I hope the honourable member realises his responsibility in making these statements.

Mr. HAJI MIR MAHOMED BALOCH: Yes, Sir. These are all matters which have reached the Manager of Court of Wards and the Commissioner in Sind in writing, and I am not mentioning anything that is secret or not known to the Honourable the Home Member himself. These 700 to 800 acres have been transferred to some other person at a nominal cost of Rs. 15 to Rs. 20 per acre, when as a matter of fact an acre cost at least Rs. 100 to Rs. 150. By this rate the land is worth at least Rs. 70,000 to 80,000. I trust the Honourable the Home Member will take steps to see that all this land is returned to the minor boy without delay. This is all on record in the Commissioner in Sind's office.

I give another instance of the Nawabshah district. The above mentioned two police officers went there to canvass to get the appointment to one of their relation as Chief Officer or Engineer of that District Local Board. What right they had to leave their own Districts and to go to Nawabshah district to bring their pressure on the members of the Board. I have no personal enmity with any one. These are true facts. If any Muslim officer did so, surely Government would suspend him or transfer him elsewhere in Maharashtra. Muslim officers have been transferred but no Hindu has been transferred because the Government is afraid to do so.

Mr. S. S. TOLANI: Who backs them up?

Mr. HAJI MIR MAHOMED BALOCH: They have money, newspapers, propaganda, and supporters everywhere. I appeal to the Honourable the Home Member that the system of bribery which now obtains on an extensive scale especially in this district will be brought under control and that officers—Hindu or Muslim—who are found guilty of bribery are duly and adequately punished.

In Karachi city itself, an Executive Engineer of the Public Works Department made an attempt to check bribe in his own office. (I believe his name was Mr. Herbert.) When a contractor came for payment, he used to call him in his office room and asked the Contractor whether he paid any bribe to the accountant. When the Engineer was satisfied he handed over the cheque to the contractor and instructed him to go out by the other door.

In Upper Sind Frontier, at Jacobabad Police *zuloom* is great. People there are frighten by hearing the name of police. There were 5 or 6 murders in last 5 or 6 months. How did these murders take place? I want to explain two or three out of those 5 or 6 murders. In taluka Thul one Munari's bullocks were robbed. He went after the thieves. He was attacked by them with hatchets and lohars. Poor Munari died before he was brought to the hospital. One man has been caught but the case has not yet been filed by the Police. Second case. One cow of Mahomed Din was robbed at Kandhkot, who followed the robbers to get back his cow. He was attacked by the thieves with hatchets and lohars, poor man died on the spot. Jirga has not yet decided the case. One man by caste Jing lost his horse. His fate was the same. One thief got imprisonment. Probably the Honourable the Home Member knows something about these murders and how they occurred. The Jirgas which mete out justice there should have on it respectable and responsible men who can mete out justice or else there should be a Judge appointed to give justice within his jurisdiction. The local M.L.C. may also with advantage be appointed on that jirga if that is at all possible.

In conclusion, I request the Honourable the Home Member, who was once a Collector in Sind and also Commissioner in Sind, to give great attention to all these complaints brought before this House and remove the *zuloom* of the police on the poor people of Sind.

Mr. SHAIKH ABDUL AZIZ (Central Division): Sir, I have to make a few remarks regarding the statement made by my honourable friend from Poona concerning the Parola affair to which he has referred.

It appears to me that the facts which he mentioned are not correct. Parola is 20 miles away from Dhulia. I have been there and I have obtained information from its inhabitants and I have also received applications from people of that town. Had the description of the existing state of things in Parola, given by my honourable friend Mr. Gokhale, been correct, then certainly I would not have objected to the request which he has made to the Government for withdrawing the police force, but at present the tension between the Hindus and Mahomedans there continues to the same extent as it was two years back. The Mahomedan population which was there two or three years ago has not yet returned.

[Mr. Shaikh Abdul Aziz]

Nearly half of the Mahomedans who left the place on account of the fear of boycott and the acute tension between the two communities, have not returned yet. The boycott is being continued still and not in a less degree than it existed two or three years back. Mahomedans are being persecuted as before, and if Government remove the police, the peace which is at present existing will not be maintained. I would request Government that at least the police force kept at present there should be maintained for some time more till the relations between the two communities grow friendly.

Mr. H. B. CLAYTON: Sir, I understand that my honourable friend Mr. Gokhale also raised this question of the police at Parola, and the last speaker has again referred to it. I am sorry I was not in the House when my honourable friend Mr. Gokhale was speaking; otherwise, I should no doubt have been able to answer his point with greater clearness. But I understand that he raised the perfectly legitimate point that an extra force of police is still maintained in Parola at the cost of the inhabitants, although for more than a year or two years nearly there has been no open outbreak of violence between these two communities who, unfortunately, in this case, as in other cases, are at variance. Well, I consider that position perfectly legitimate, and with that object I myself took the opportunity, quite recently during my tour in Khandesh, to pay a visit to Parola, after warning the parties concerned as well as I could that I was coming to Parola with the express object of discussing this problem and endeavouring to see whether some settlement could not be arrived at. I am perfectly sure that my honourable friend Mr. Gokhale will absolve Government and the local officers of any desire to retain that police force there, or anywhere else, for one moment after they are satisfied that it is reasonably possible to remove the force without exposing the town to a danger which it cannot legitimately be exposed to. Well, Sir, in this case I do not propose to go into the details of the unfortunate quarrel at all. But I must say that I was satisfied from my local enquiries that there is still a very considerable danger of a very serious outbreak in Parola town. Unfortunately, Parola town is not the only town, either in the Bombay Presidency or in India, where such a position exists, and, if I may say so, I think that it must be recognised that it is impossible to go on maintaining indefinitely a force of police, purely because there is the danger of a communal outbreak. It is not fair to one party or the other. The time must come, in my opinion—I speak without any authority from Government, I am expressing my personal opinion—the time must eventually come when that force must be withdrawn, and the only question is, when? Of course, the happiest solution would be that the force should be withdrawn by reason of an agreement between the parties concerned. That would be a happy solution, and I would ask the last speaker and any other gentleman of either community who has influence in Parola to do his very best to smooth the relations that exist there, and endeavour to let us arrive at some settlement by agreement, because, as I have said—and I say it again even at the danger of repeating myself—all that the district officers and the district administration can

[Mr. H. B. Clayton]

wish is to withdraw that police force as soon as they possibly can with a reasonable margin of safety. The former arrangements in Parola have been, I think I am right in saying from as far back as there are records, that during the Balaji festival it has been the custom to send a small force of police from the headquarters, Dhulia, when Dhulia was the headquarters, and since the separation, from Jalgaon, to Parola to keep order during that important festival. That can be done for the 10 or 15 days of the festival without asking either the Bombay Government or the people of Parola to pay an extra charge therefor. What cannot be done, and I think this will be admitted by my honourable friend Mr. Gokhale, is to detach a force of 25 to 30 police permanently from the district police force and attach it to the ordinary police force that is in Parola, just because that danger exists. As I said, I am not authorised to make any statement, but I do feel, from the discussion I had both with the people of Parola and with the local officers, that some step forward must be made, and I have set certain wheels agoing, which I hope will have the result of enabling the Honourable the Home Member to tell the House in June that he has found it possible to withdraw the force. [*Honourable Members:* Hear, hear.] I hope I am not unduly optimistic—I may be of course—but I may say that I sincerely hope that that will be the case, and I think that it would be better for me not to say here or in any other place exactly the methods I have adopted for that purpose.

Rao Bahadur D. R. PATIL: On a point of information. When the Commissioner went to Parola, did he find that the same tension which existed before exists now?

Mr. H. B. CLAYTON: If I may say so, I regret to say I have. I found that the tension was very great indeed, and therefore the retention at present of the additional police force appeared to me to be absolutely justified.

Dr. V. G. VAISHAMPAYAN: Sir, I take this opportunity of making one observation regarding the Police administration. The undertrials who are in police custody come, I think, under this head. These undertrials are very severely handled by the police when they are in their custody. So, I hope the Honourable the Home Member will take a note of this, and will be kind enough to take steps in this matter, as he has done regarding the lathi charges. With these remarks, I resume my seat.

Rao Bahadur D. R. PATIL (East Khandesh District): Sir, I am very glad to hear the speech of the honourable member the Commissioner of the Central Division. As he has gone to Parola personally to enquire into the matter, I must accept his word, and I entirely agree with him when he says that both the communities should come to an amicable agreement, so that Government would be pleased to take the necessary action to remove the additional police force at present stationed there. I think now it is the bounden duty of my honourable friend Shaikh Abdul Aziz and of myself to go to Parola and induce both the parties to come to an amicable settlement. As the honourable member the Commissioner,

[Rao Bahadur D. R. Patil]

Central Division, has said very rightly, the Honourable the Home Member will then see his way to remove the additional police force in June, if both the parties come to an amicable settlement. With this assurance I am quite pleased.

(*After recess.*)

Mr. G. S. GANGOLI (Kanara District): Sir, I am not here to question the propriety or otherwise of the promulgation of Ordinances or to quarrel with the views of the Bombay Cabinet in their administrative capacity. I have not said that there is no emergency this year. The Secretary of State is reported to have stated that there is no emergency outside Bombay and that at the end of this month law and order will be restored. So, I think that there will be no necessity to entertain any additional police. I think that the ordinary police will be quite enough to maintain law and order in this Presidency. My point is that there is no money to protect ourselves. Diseased persons cannot be given medicine without charging them for it. Government have no money to give for the expansion of primary and secondary education. We all know that the country is poor. Even the hidden gold has already left the shores of India. So, there is very little to be protected by the police. There is very little for the police to do at such extraordinary cost. We can ill-afford to pay that large amount.

We were told yesterday that the school teachers can forgo one or two rupees in their salary of Rs. 15 or Rs. 20 a month. I think there is force in what the honourable member from Nasik (Rao Bahadur Pradhan) said that there was scope for a cut in the Police Department. I think not only the high officers but also the ordinary constables can well-afford to forgo something in their salary.

I come to my district. Last year the police were mercilessly utilised to exact the arrears of revenue in Kanara. This year, we have a sympathetic Collector and Assistant Collectors who are recently transferred to our district. I trust they will generously handle the poor ignorant agriculturists. I should think that the police in Kanara can best be utilised for the protection of agriculturists from wild beasts. The wild beasts take away the crops, lives and cattle of the agriculturists and there are no hunters employed by the Forest Department. My request to Government is that a rule may be framed by which a policeman should kill one or two wild beasts a year in Kanara. But for the civil disobedience movement there is absolutely no work for the police. Thefts are rarely detected. Murders are scarcely detected and, if at all any murder is detected, the accused is let off in the sessions for want of evidence. Then, there is the regulation of the motor traffic. As a rule, there are more passengers in buses for hire than the licence allows. If the police officer is *sanjaved*, there is the end of all trouble. There are many accidents due to motor bus traffic. These accidents are hardly prevented. The drivers who are responsible for the accidents are let off on the ground that they are not to blame. These are the duties done by the police in Kanara. So, I think, so far as Kanara is concerned,

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the police officers, if they can use their guns, must be made to kill wild animals and protect the agriculturists from their ravages. So far as the political movement is concerned, there is very little for the police officers to maintain law and order in the Presidency proper in view of the present days under the ordinances.

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Sir, with great misgivings for fear of being misunderstood I am trying to offer a few criticisms on this cut. Sir, I recognise that of all the departments for the good of the country, perhaps the most necessary and essential department is the Police Department. If I can compare this department with any part of the body, they are the eyes. That is to say, they form the eyes of the administration of the Government. As such, the police force should be brought under the common law, that is to say, their actions and behaviour ought to be brought under the common law, that is, the Indian Penal Code and the Code of Criminal Procedure. But at the same time, in order to meet an emergency or a serious situation, that may crop up, Government have got certain powers to promulgate ordinances and so on. Naturally, these police officers who would otherwise come under the operation of the common law are exempted from the operation of the common law, in view of the fact that they have been given certain special powers. I do not know how far this honourable House will be in a position to sanction this grant, which is asked for under Police. What I mean to say is that immediately these emergency powers are given to them, the police force changes its character into a semi-military force. Under these circumstances, I think that the Governor in Council has ample powers under the Act to certify provision for the maintenance of this force and that it is beyond the pale of this House to accord sanction to this grant. That is the view I take. I hope the Honourable the Home Member will explain to what extent we will be justified in giving our sanction to this grant, when the force is charged with special powers.

The Honourable Mr. G. A. THOMAS: What powers?

Mr. M. M. KARBHARI: I am asked what that power is. I know that in ordinary course, any policeman who beats a culprit will be liable under the common law. I think that the power now given to them, if judicially examined, is beyond common law. That is what I want to suggest. My second point is that this police force, which forms part of the administration, should be and must be guarded against corruption. Sir, we know that in a country like India, where there are layers and layers of societies and when there is ample exploitation of one class by another, when it is an admitted fact that there is disunion and disaffection among the people themselves, it is natural for one to suspect that the force which is recruited from such classes may also be reasonably expected to fall a prey to these, our deficiencies and disabilities. If, in the ordinary times, it has been found necessary by Government to keep a vigilant watch over this force, so that the administration may not suffer, is it not all the more necessary to increase the same two-fold now when this

[Mr. M. M. Karbhari]

force is entrusted with special powers which should be judiciously exercised for the benefit of the public as well as of Government? Is it not likely that they may, in the hope that their actions may be praised and may be approved, commit excesses either through over-zealousness or through reasons which I just now described? So, my point is, if it is necessary for Government to give this power, it is in their interest as well as of the public that they should side by side have a department of their own to keep strict vigilance on the action of this force, instead of allowing the public to complain about them.

After having said this, I will come to another point. It is the question of taxation, which is very important. The police force which is maintained is for the presidency. It is maintained from the common revenues of the presidency. The provision that is made for the Bombay city is from the common revenue of the presidency. If proper adjustment has not been made between the Central and the Provincial Government with regard to the taxes recovered by the Central Government from the city, may I know why the presidency as a whole should be made to pay for the maintenance of the police in the city, which is more to the advantage of the Central Government? Bombay is a purely commercial and industrial city. I believe that the attention of Government ought to be drawn to this point. In case of Bombay city expanding further and if there is an increase in the offences in Bombay city and if there is a labour trouble, the need for additional police becomes necessary, which means additional expenditure by this Government from the common revenue of the presidency. I should think that the Government should make either the Corporation or the city itself share a portion of this expenditure, if they cannot come to a settlement with the Central Government with regard to the adjustment of the taxes. I find also that the police is supplied to the railways also; and this expense also is thrown on the public. I know also some portion of the cost is recovered from the railways. It is true that the travelling public do receive protection; but at the same time, through that protection, the public are encouraged to travel more and consequently the railways make greater profits. Should not this question then of recovering the expenses incurred from them also be tackled with a view to relieve the burden on the agriculturists?

Sir SHAH NAWAZ BHUTTO (Larkana District): Sir, I must admit that I am not very much enamoured of police ways in general, nor can I say that the system is perfect. At the same time, I am very much amused at the criticism that we have the opportunity of hearing from our honourable friends. Sir, it is not possible for any of the honourable members of this House to deny that there is an emergency so long as the civil disobedience movement is there and we have got turmoil in the country. There is enough evidence that there is an emergency. I do not believe that some of my honourable colleagues are quite serious in their criticism. For, I remember two years ago, when His Excellency the Governor called a conference at Poona, one of the high personages of

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Bombay whispered into my ears, "Why don't you suggest martial law for Bombay? Things are very bad; it is very difficult and doubtful for us to feel security under the existing conditions." I asked him, "Why don't you suggest it?" "Well," he said, "I will be stoned to death. I dare not do it." When the chance was given to that very gentleman, a very responsible public man, to express his views, he denounced Government for the lathi charge although he himself had suggested that I should advise Government to use bullets. Sir, under emergency conditions, if any special action is found necessary, I do not think it lies in the mouth of law-breakers to break the law and when punished start crying. What do they expect? Police is not a machinery to provide comforts and give them a pleasant time. I understand that the honourable members that I find in this House do not approve of the principles and practice of law-breakers as those who approve their methods find their way as Government guests to Yeravda, and not here. Here, all of us believe in the necessity for the maintenance of law and order, and as legislators it is our duty under circumstances like these to realise our responsibility.

It is quite true that there is corruption and *zulum* to a very great extent in the Police Department. But that is the case also with other departments. [*Interruption.*] I think the fault lies equally with us. The vices will exist so long as there is jealousy and rivalry among ourselves and we concern ourselves almost entirely in the affairs of others. It may be due to lack of education, although I have found that even educated persons run at the throat of one another. They will spend their whole fortune in order to injure their neighbours. There is thus a great temptation for the police, and they take advantage of this power. We must also remember that most of these officers are Indians; almost all the posts, even of some of the District Superintendents of Police, are held by Indians. Some of them do resist the temptation, but the officers have to trust their subordinates who are tempted by the circumstances. The fault lies with both parties. We should get over all these difficulties; we should educate our own people. Then, I do not think we will find complaints to the extent that we do find.

Of course, I do admit that things are worse in Sind, especially in the interior, because people there are comparatively less educated than the people in the presidency proper, and therefore there is more jealousy and rivalry among the people there than in the presidency proper.

Of course, it is the duty of Government to control as best as they can. But it is very difficult for the Government at the top to set things right unless we ourselves co-operate with them and help them in improving matters.

Dr. M. K. DIXIT (Surat District): While offering a few remarks, Sir, on this particular head, I have to perform a very unpleasant duty. During the budget discussion I had to trouble the House with my own affairs and certain incidents which occurred in the Surat city and Rander. I thought that I would not be obliged to say out things once again. But only two days ago a letter was addressed to myself and my honourable

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colleague Rao Bahadur Bhimbhai Naik by Mr. Shivdasani, ex-M.L.C., whose seat I am occupying to-day, forwarding to us some papers received by him to bring to the notice of this honourable House or Government a few instances of the lawless methods of the police in the Surat District. I am not going to give the details of that letter here, because I propose, in consultation with my honourable friend Rao Bahadur Bhimbhai, to hand over the papers of representation to the proper authority—I mean the Honourable the Home Member—who could look through those instances and decide the matter. We have got several statements made by people who have fallen victims to these lawless methods of the police in the Surat District. However, I would not keep the information from the House that the undesirable methods, which are followed by the police in the Surat District, are mostly in Jalalpur Taluka, and they comprise three things: firstly, ruthless beating of Congress people or suspected Congress volunteers; secondly, withholding of food from them for more than 24 hours; and, thirdly, humiliating them by ordering them to stand on all fours—that is, bending down and catching hold of their toes—and if they refuse to obey these orders, severely beating them. These are the three main complaints received in this representation. I personally am not acquainted with this matter. I speak on the authority of the letter that has been sent to us. This is a letter from Lady Vidyagouri Ramanbhai Nilkanth, and she has urged that this matter be brought to the notice of the proper authorities for setting matters right.

With these words, I resume my seat. I will in due course hand over the papers and the statements to the Honourable the Home Member.

Mr. SHAIKH ABDUL MAJID (Karachi District): Sir, I had no intention to speak on the cut under discussion, but for the fact that my honourable friend Sir Shah Nawaz Bhutto has justified in some manner the corruption that is rampant in the Police Department. His chief argument in justification of the existing corruption is that to a very great extent the people themselves are responsible and since most of the officials in the department who are charged with corruption are Indians, we should put the blame more on ourselves than on Government. I confess, Sir, that there is some weight in the arguments that have been given by my honourable friend, but he has ignored one fact, as I see it, and it is this: that law and order is not a transferred subject, and there is no responsibility to this legislature so far as that subject is concerned. If the Honourable the Home Member had been responsible to this legislature for the portfolio he holds, then I think his remarks would have been correct to a very great extent. But so long as Government are not responsible to this legislature, I think it is Government who are responsible for the existence of corruption in the Police Department.

The Honourable Mr. G. A. THOMAS: Sir, do I understand the honourable gentleman to say that I am responsible for the corruption in the Police Department?

Mr. SHAIKH ABDUL MAJID: I did not hear the honourable member.

The Honourable Mr. G. A. THOMAS: Does the honourable member mean that I am responsible for the corruption in the Police Department? He said that so long as law and order is not transferred to an Indian Minister, Government were responsible for the existence of corruption in the police. Is he accusing me of being responsible for the corruption?

Mr. SHAIKH ABDUL MAJID: I do not mean the Honourable the Home Member personally.

The Honourable Mr. G. A. THOMAS: Thank you.

Mr. SHAIKH ABDUL MAJID: I mean to say that the administrative machinery being what it is and the appointment of the Home Member and those who are under his charge being beyond the control of this legislature, certainly the people cannot be blamed for the existence of corruption in the Police Department.

Sir SHAH NAWAZ BHUTTO: What about Excise and Forests?

Mr. SHAIKH ABDUL MAJID: So far as Excise and Forests are concerned, I do admit that corruption exists there also. But real responsible government, a system under which the Cabinet will be responsible to the legislature, has not yet been introduced. It is not within our power to appoint or dismiss the Minister. So long as that power does not vest in this legislature, all the evils existing in the different departments cannot be attributed to us; at any rate, we cannot in any way be held responsible for the existence of those evils. I had rather expected from a man of the position of my honourable friend that he would demand on behalf of the province that the time has come when Government should take drastic measures for putting down corruption. That is one point to which I wanted to draw the attention of this honourable House.

Another question which was referred to is the question of exercise of powers under the ordinances. I hold no brief on behalf of those who have taken to law-breaking. I am not in agreement with them and I have always opposed their programme of civil disobedience. But the question of moderation does arise—whether the powers used under the ordinances are within limits or beyond what is necessary. The ordinances do not, I submit, authorise the police to use their powers with a vengeance or with immoderation; and if any complaints are laid against the conduct of the police, I do not see how that conduct can be justified simply because the police have been given certain powers under the ordinances——

The Honourable Mr. G. A. THOMAS: What powers have been given to the police?

Mr. SHAIKH ABDUL MAJID: The power of using lathis.

The Honourable Mr. G. A. THOMAS: Which ordinances have conferred on the police the power of using lathis?

Mr. SHAIKH ABDUL MAJID: I do not know under what ordinance, but I am pointing out facts——

The Honourable Mr. G. A. THOMAS: I ask what powers he is referring to?

Mr. SHAIKH ABDUL MAJID: The power of dispersing crowds with lathis.

The Honourable Mr. G. A. THOMAS: Thank you.

Mr. SHAIKH ABDUL MAJID: In this connection I may also bring to the notice of the Honourable the Home Member that some of the political prisoners, when transferred from one jail to another, are handcuffed. I submit that in the case of the men who voluntarily offer themselves for arrest and about whom no such suspicion can be entertained that they would run away from the hands of the police, it is advisable that no such treatment should be meted out. It simply embitters the feelings even of those who are not in the movement. That is one thing to which I think the Honourable the Home Member will give his best attention, because it does not help Government in any way in the restoration of a peaceful atmosphere and it unnecessarily creates bitter feelings in the minds of those who certainly think that the prisoners who are being handcuffed would never run away, because they voluntarily offer themselves for arrest and imprisonment. With these words, I resume my seat.

Mr. V. N. JOG (Dharwar District): I have nothing to say in reply, Sir.

The Honourable Mr. G. A. THOMAS: Sir, I have to thank the honourable the mover of the cut for adopting the suggestion which came from the Chair that he should defer his remarks upon the ordinances until a subsequent occasion during the session.

Several of the honourable members who spoke, referred to Parola—the honourable members Mr. Gokhale, Mr. Shaikh Abdul Aziz and Rao Bahadur Patil. A reply to them has been given by the honourable member the Commissioner of the Central Division. He has told them, speaking on his own authority, that the punitive police force will be removed if possible by July or any time when Government think it safe to remove it. I should be very glad on behalf of Government to recommend it the moment we feel justified in removing the punitive police from Parola which is costing Rs. 15,000 or so. But responsibility for the preservation of law and order rests upon us, and until we are satisfied that a situation has arisen in that place which would justify the removal of the punitive police force, we shall have to keep it on. As the honourable member the Commissioner suggested, it is rather through local effort and through the co-operation of the two communities that we can arrive at a satisfactory conclusion than by any direct action on the part of Government.

The honourable member Rao Bahadur Pradhan asked why there had been no cut in the pay of police sub-inspectors. This question was very carefully considered not only by the Bombay Government but by all other local Governments, and it was suggested that there should be some uniform procedure in this respect. All local Governments

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were in favour, in view of the magnificent services rendered by them, of exempting the police force of the rank of sub-inspectors and lower ranks from any cut in their pay.

The honourable member Rao Saheb Kulkarni seemed to think that we paid more to our police in Bombay than any other Presidency. I am not quite sure what the scale of pay for each grade in the other Presidencies is, but I have the figures showing the average cost per annum of policemen including officers in the three Presidencies. In the Bombay Presidency it is Rs. 540 per man. In the Madras Presidency it is Rs. 577 and in Bengal it is Rs. 642. In Burma the cost per man in the police department comes to no less than Rs. 869. We are paying very much less per head than the other three Presidencies. I hope this will satisfy the honourable member that we are not more extravagant than other provinces in the matter of expenditure on the police.

The next speaker was the honourable member Mr. Baloch, who spoke in a language unintelligible to me for the most part. I gathered he was referring to some gambling experience of his youth when he used to visit opium dens and other low resorts. He complained also a great deal of the *zulum* and corruption in the police and, I think, some other departments. I am not going to contend that *zulum* and corruption do not exist in the police department. They do. *Zulum* and corruption exist in every sphere of Government. I do not think Government can possibly be blamed for that.

My honourable friend Mr. Shaikh Abdul Majid suggested the transfer of the Home Department from my control to that of one of my honourable colleagues to my right and said that such transfer would remove all forms of corruption. I have my doubts about it. If I return to India when we have provincial autonomy, I should be very much interested to see whether any complaints about corruption still remain.

The honourable member Dr. Vaishampayan made some remarks about under-trial prisoners. I am not quite sure about his remarks, but if he will state his grievances in writing to me, I can assure him that I will have the matter enquired into.

My honourable friend Mr. Gangoli again said that the emergency police were not required. I have replied to that on the motion for a cut under the emergency police department, and I am not going to repeat what I said then. He also made an extremely interesting suggestion—whether it was quite seriously meant or not I am not sure—that every policeman in Kanara should be deputed to kill one wild beast a year. That is a most excellent suggestion, which I shall be glad to adopt on behalf of Government if the honourable member will organise shikar parties and arrange to pay the expenses of the policemen, and I am quite sure the policemen will enjoy the experience just as much as any one else.

The honourable member Mr. Karbhari stated that the police have been given certain emergency powers which they are abusing. I asked the honourable gentleman to say what powers, and he replied, powers to disperse crowds by lathis. That has been repeated by my friend

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Mr. Shaikh Abdul Majid. He also said that extraordinary powers were given to the police and I asked what those extraordinary powers were. He said that he was referring to the powers to disperse crowds by lathis. I rather fancy that he was merely repeating what the honourable member Mr. Karbhari said. I would like the honourable member Mr. Karbhari to say under what ordinances, or under what section of what ordinance, the police are given powers to disperse crowds by lathis. His answer is, "I do not know." The police have always had the power to disperse crowds ever since the honourable gentleman was born and long before. It is one of the duties of the policemen to maintain order and, occasionally in the maintenance of order they have to disperse crowds. Policemen ought to have some weapon. The two weapons except their hands are lathis and firearms. The usual practice is that when the crowd gets out of control the police use lathis to disperse it and, if lathis are ineffectual, they have to fall back upon firearms. But the ordinances confer no special powers on the police for the dispersal of crowds, which are dispersed under the ordinary procedure laid down under the Police Act and the regulations under it. The honourable member Mr. Karbhari knows that quite well.

He makes another very interesting suggestion that Government should create a new department to watch the police. This is certainly a novel suggestion for retrenchment, "*Quis custodiet ipsos custodes*", with a vengeance. A new department to control the police! I should like to know how he is going to organise that department. Does he want it to consist of Indians or Europeans or both? Who is going to pay for it? If he puts up concrete proposals, I should be very glad to lay them before the House if I am here for the next budget session.

He also asked: why should the Bombay mofussil pay for the Bombay City police? I think he suggested that the Municipality should do so. There is one member—or rather two members—of the Municipality in this House. They do not seem to welcome the suggestion very much because they kept silent. Of course, you must remember that this instrument cuts both ways. We are now trying to get from the Government of India what we consider to be our just dues—our proper share of the income-tax. Income-tax paid by the Bombay Presidency is mostly contributed, I think, by Bombay residents. If Bombay City has to bear the cost of its police, it would be entitled to the lion's share of the income-tax, which would exceed the cost of its police. But this is a question which obviously cannot be discussed under a token cut in the Police Administration.

My honourable friend Dr. Dixit, I am sorry to say, made mention of a letter which proceeded from some person and another letter from some other person referring to certain lawless acts on the part of the police and said that he would hand it over to the Home Member to be enquired into. The Home Member will no doubt enquire into these matters. The honourable member, however, did not disclose what the exact contents were and it is unfair to bring such allegations without chapter and verse on the floor of this House.

[Mr. G. A. Thomas]

The only other point that I think was mentioned was about the handcuffing of persons removed to jails. Well, we do not recognise political prisoners as such. A man who commits an offence breaks the law and is a prisoner; and prisoners transferred from one jail to another, I think, are handcuffed if they are likely to show signs of violence or attempt to escape. Otherwise, I think, they are not handcuffed. But if he can quote any specific cases in which so-called political prisoners removed from one jail to another or from a police court to the jail were handcuffed when they ought not to have been handcuffed, I should be very glad to enquire into them.

Mr. V. N. JOG: I beg leave of the House to withdraw my motion.

Motion, by leave, withdrawn.

Original demand put, and agreed to.

The Honourable Mr. G. A. THOMAS: Sir, I make a demand for Rs. 22,84,000 under 25-Jails and Convict Settlements.

Question put, and agreed to.

The Honourable Mr. G. A. THOMAS: Sir, I make a demand for Rs. 59,31,000 under 24-Administration of Justice—Reserved.

Question put, and agreed to.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I make a demand for Rs. 90,58,000 under 22-General Administration, except Heads of Provinces—Ministers—Reserved.

Question proposed.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Sir, I beg to move:

"Reduce by Rs. 100—22-B—Legislative Bodies—Provincial Legislative Councils—Total Demand—Rs. 1,52,000 (C. E. page 92)."

Sir, if you refer to page 92, you find that the revised estimate for the current year under this head is Rs. 1,93,000, whereas the budget provision for the next year is Rs. 1,52,000. When I received this budget, I found that mostly the reduction was in travelling allowance, the figure for which was Rs. 50,000. For the current year it was Rs. 91,000 and now it has been reduced by Rs. 41,000 for the next year. The House knows that the rate of travelling allowance paid to honourable members has been reduced, but that would not have accounted for this Rs. 41,000. The matter was elucidated when His Excellency the Governor in his address to the House on the first day of the session stated that it was proposed to delete one of the two Poona sessions of the Legislative Council. I therefore thought it was desirable to raise a discussion on this point in the House in order to find out whether it would be advisable and desirable not to have two Poona sessions of the Legislative Council.

There are certain considerations which must be taken into account on this question. In 1924 when I came into this House, during the

[Mr. Hoosenally M. Rahimtoola]

budget session six days were given for non-official business ; in the July session six days were given for non-official business, and in the October session I believe five days were given for non-official business, making a total of about 17 days during the whole year. In the following year some change was made and in the budget session the days for non-official business were curtailed to two, but that was made up by giving 9 days for non-official business in the July session. During those three years, honourable members had for non-official business about 16 to 17 days during the whole year. If one whole session is cut out, practically we shall be having only about 8 or 9 days during the whole year for the discussion of non-official business, a reduction of about 50 per cent. of the time allotted up to now for non-official business.

There used to be an interval of about four months between two Council sessions. Now, if there are going to be only two sessions during a year, the period of six months will elapse before honourable members could get a chance of bringing to the notice of Government any grievances of their constituencies. That I submit is a very long period and it is not a desirable thing. First of all, the number of days allotted to honourable members for non-official business has been reduced ; secondly, the period between two sessions is lengthened. Then there is another difficulty. As you are aware, Sir, when any honourable member wishes to introduce a Bill in this House, he is merely allowed to introduce it during one session and the first reading of the Bill is not allowed during that very session, with the result that the first reading has to be postponed to the following session, which may take place after six months or if the budget session has not got a sufficient number of days, the period may be prolonged to one year. That also, I submit, Sir, is not a very desirable thing.

The only ground on which I believe Government propose to reduce the number of sessions of this Council is retrenchment, but whether that is a sufficiently strong and cogent ground I do not know, in the light of the three considerations which I have placed before this House. In any case, if it is decided to reduce the number of sessions, I suggest that a larger number of days must be allowed for non-official business during each of the sessions that are actually held and the honourable members must be given the right, when they introduce a Bill, to move the first reading of it at that time. Otherwise, Sir, it may take even two years to pass even a small Bill which an honourable member may want to introduce in this House. Under those circumstances, in order to raise this discussion on this question, I move this cut.

Question proposed.

Mr. A. N. SURVE (Bombay City, North) : Sir, I wish to offer a few remarks as regards the discontinuance of the supply of some of the administration reports of Government Departments to the honourable members of this House——

The Honourable the PRESIDENT : I was wondering whether that subject could come in under this head. If the honourable member

[The President]

refers to page 92, he will find that the head G-Provincial Legislative Councils is limited to certain sub-heads, and the supply of certain reports and papers is not a sub-head under that head G-Provincial Legislative Councils.

Mr. A. N. SURVE: Am I permitted to lay my grievance before the Council or am I not ?

The Honourable the PRESIDENT: No. The head "Printing and Stationery" has, I think, already been voted upon. At any rate, this is out of place on the present motion.

Mr. A. N. SURVE: My submission is this. At present the cut relates to "Legislative Bodies."

The Honourable the PRESIDENT: With the limitations mentioned on page 92 of the White Book.

Mr. V. N. JOG (Dharwar District): Sir, I have referred to this subject at the time of the general discussion of the budget. I for one do not think that the second session at Poona should be done away with. I think it is only with a view to retrench expenditure that the second Poona session is to be discontinued. A few days ago, in reply to a question, the cost of the Poona session has been given; the travelling allowance comes to Rs. 15,000 and the other cost about Rs. 4,000 and odd. But if the second session is not held in Poona, the whole of this cost is not likely to be saved, because if only one session is to be held, we shall have to increase the number of days for it, and if that is done, the halting allowance of the honourable members for their longer stay in Poona will be increased, and the temporary office establishment also will have to be maintained to that extent. Therefore, some reduction will have to be made in the total amount of saving. After all, the cost of even one session may come to about Rs. 10,000 or so. So, I ask, Sir, considering the smallness of the extra cost involved if two sessions are held, whether it is worth while forgoing the advantages which the public will get by the holding of a second session in Poona. Considering the facilities that would be provided by the holding of two sessions in Poona, it is rather necessary that there should be a second session there this year as usual. It will be remembered that when this side of the House complained that in the budget session only two days are allowed for non-official business, an assurance was given by His Excellency at that time that in the Poona sessions the days for non-official business would be increased. Now if the second session is not held, it will mean that there will be less days for non-official as well as official business. It may be said that the one session should be a longer one than usual, but I submit, Sir, that we find that, as the days pass on, the interest in the Council begins to flag, if the session is an unduly long one, and some of the honourable members get tired of attending too many days during one session; on account of their various other engagements they absent themselves. Even in the budget session, which is a long one, as it is compulsory on us to go on

[Mr. V. N. Jog]

with the budget for a certain fixed number of days, we have necessarily to stay here. But when particular subjects which are rather the special matters of some members are over, the interest begins to flag, and we find that the House is thin. Under these circumstances, it would be better to have two shorter sessions than one long and continuous one. Therefore, I submit that it is a matter of only a few thousand rupees extra expenditure, and taking into consideration the overwhelming advantages which this side of the House will get, I think that the idea of doing away with the second session in Poona should not be pursued.

My honourable friend has already referred to the subject of non-official business. The real difficulty is with regard to legislation. It was suggested that if permission was given for the introduction and the first reading of Bills at the same time, it would meet the case. But I think that concession also cannot solve the difficulty, because, under the procedure followed at present, when there is on the agenda a motion for the introduction of a Bill, no copies of the Bill are supplied to honourable members. We cannot know what it is all about, unless we go to the honourable member concerned and ask him what the Bill is. It is only when a motion for the first reading is to be made that copies of Bills are sent to us. So, if permission is allowed to introduce a Bill and move its first reading at the same session, we shall not have any time to get ourselves acquainted with the subject-matter of the Bills, and the public also will not be quite conversant with the subject. Therefore, I submit that there must be an interval between the two sessions usually held at Poona. Otherwise, what happens is that if a motion for the introduction of a Bill is made, the first reading cannot be taken up in the budget session, because the number of days for non-official business is very limited, which will mean that the first reading could only be considered at the next session. With these remarks, I support the motion.

Rao Bahadur S. K. BOLE: Sir, I rise to support the cut moved by my honourable friend Mr. Hoosenally Rahimtoola. Sir, the honourable members who want to move some Bills would be very much handicapped by this arrangement. This is retrenchment, I think, in the wrong direction—retrenchment with a vengeance. Sir, it is only in the Poona sessions that honourable members get more days for private business. In all they get, I think, some 10 or 12 days, and the Poona sessions is the only time for moving Bills and resolutions. So members who want to move Bills would be very much handicapped if only one session is held in Poona. As has been pointed out by my honourable friend Mr. Hoosenally Rahimtoola, and I am going to repeat it, in the first session we have to introduce a Bill, and in the session after that we have to move the first reading of the Bill. If the second session in Poona is not held, then the first reading will have to be moved in the budget session, when there are only two days allowed for non-official business, and if that item is not reached, then it would be put off to the next July session. That means a delay of a year or more.

[Rao Bahadur S. K. Bole]

The other thing, as my honourable friend has said, is that if they want to reduce the number of sessions, then they should give more days for non-official business, and give the right to honourable members to introduce a Bill and move its first reading in the same session. But I do not know whether that would be possible, because before moving the first reading of a Bill, the Bill is required to be printed and circulated to honourable members. That would not be possible in the same session. I therefore submit that, under these circumstances, the second session in Poona is quite necessary. I do not know whether the Honourable the Finance Member has decided to do away with the second session, but if he has, I hope he will reconsider the matter and give more time for non-official members to move their Bills and resolutions, which they want to do in order to ventilate their grievances. With these words, I support the cut.

The Honourable Sir GHULAM HUSSAIN: Mr. President, we fully appreciate the difficulties that have been pointed out by the honourable mover of the cut as well as by his supporters. Sir, all these days honourable members on the opposite benches have shown themselves very keen on retrenchment and economy, and now when we make a suggestion for retrenchment or economy they oppose it, and they have opposed it because they say there are certain difficulties. Now, I will try to meet those difficulties, when I trust the honourable mover of the cut will withdraw his motion.

Sir, the honourable mover's first complaint was that if one of the two Poona sessions is cut out, there will be very little time for non-official business. Well, we undertake to give honourable members longer time for non-official business than they are getting at present. Now, the honourable member opposite to me (Mr. Jog) should have been consistent. He wanted longer time, but he said at the same time that if longer time is given for one session, members will get tired and run away. Is that fair to us? We try to meet their point of view. They want longer time, and we say we will give them longer time for non-official business; but the honourable member says that if that is done, they will get tired and run away. That means they do not want longer time for non-official business.

The second point was that when a non-official member makes a motion for the introduction of a Bill, Government should not object to its first reading being taken up at the same session. Well, if honourable members were to refer to the agenda for the current session (I have not got a copy of it with me just at the moment), they would find that there are not less than 12 or 13 Bills, to introduce which leave will be asked in this session, and they will all come up in the Poona session for the first reading. I think if honourable members deal with all the readings of these Bills, it will be sufficient work for the legislature to do. All these Bills will come up for the first reading at the Poona session. Naturally some of them will be referred to select committees. Honourable members know that the select committees take some time——

Mr. HAJI MIR MAHOMED BALOCH: The Karachi Municipal Bill?

The Honourable Sir GHULAM HUSSAIN: The Karachi Municipal Bill will take some time yet.

The Honourable the PRESIDENT: The honourable member wants to say that if a Bill is introduced in the Poona session, it cannot come up for three readings till nearly a year after.

The Honourable Sir GHULAM HUSSAIN: There is so much legislation on the agenda which will be more than sufficient for honourable members to deal with in the Poona session. Let us finish the agenda we have. What is the good of introducing Bills without their being completely finished?

Mr. V. N. JOG: What about the second reading?

The Honourable Sir GHULAM HUSSAIN: After the first reading, they will be referred to select committees, the select committees will take considerable time on important Bills before they are taken up for the second reading. Besides, if there is urgent legislation, Government may call a short session of the Council. I think we will be able to save about Rs. 20,000 by having only one session in Poona. Honourable members will not be inconvenienced in any way in regard to their unofficial work. They will get a larger number of days for unofficial work in the Poona session.

An Honourable MEMBER: July?

The Honourable Sir GHULAM HUSSAIN: Whenever it is.

Rao Bahadur S. K. BOLE: What will be the fate of the Bills introduced in Poona?

The Honourable Sir GHULAM HUSSAIN: There are already 12 or 13 Bills for the first reading. That will be more than enough work for the session. I think this should satisfy the mover of the cut, and I trust he will withdraw his motion.

Rao Bahadur D. R. PATIL (East Khandesh District): Sir, I am sorry I have to differ from the view expressed by the Honourable the Leader of the House. You know that in the February session we have three days for non-official business, it being a budget session. There are only two other sessions one in July and the other in October in Poona. There we get sufficient time to move resolutions and discuss Bills. There is also Government business even in these two sessions. Let us see how many days we get for non-official business—three days in this session, 6 or 7 days in the July session and 7 or 8 days in the October session. That is to say, in all we get from 15 to 18 days in a year for non-official business. We have got so many grievances to ventilate. Is it not necessary that the non-official members should have the liberty to ventilate the grievances of the people at least for one month in a whole year? Even if you calculate the total number of days allotted to non-official business, we do not get more than 15 to 18 days in a year. That number of days is quite inadequate. The Honourable the Leader of

[Rao Bahadur D. R. Patil]

the House stated that Government would be saving Rs. 25,000 by abolishing October session. That is false economy. You may economise. I do not say "No". The Legislative Council is the only place where we can freely ventilate our grievances. When days are cut down——

The Honourable Sir GHULAM HUSSAIN: We are not curtailing the days for non-official business.

Rao Bahadur D. R. PATIL: How many days shall we get for the July session?

The Honourable Sir GHULAM HUSSAIN: You will get sufficient number of days.

Rao Bahadur D. R. PATIL: It is a vague term. I am not satisfied with that., If the Government were to hold a session in July, it will not be more than a fortnight. If some days are taken out of it for Government business, we will get 5 or 6 days. If the October session also is stopped, the result will be that we will get three days in the February session and a week or so in the July session. That is to say, we will get 10 days in a year.

The Honourable Mr. W. F. HUDSON: In the July session honourable members got 9 days.

Rao Bahadur D. R. PATIL: We will get in all 10 to 12 days. I submit, Sir, that to curtail October session is, as I said before, false economy. I appeal to Government to reconsider the question and grant the request of the representatives of the people on this side of the House that they should not abolish the October session. I hope Government will kindly accept that request. We are prepared to meet the Government in various ways. The saving of Rs. 25,000 will not be much. In the interest of the people I hope Government will reconsider the question and not abolish the October session. I appeal to Government that there should be two sessions in July and October. Suppose some Bills are introduced now, they will be ripe for the first reading in the July session, when they will be referred to the select committee. If the October session is abolished, they will have to come for the second reading in the February session when there will be very little time, that being a budget session. These are the difficulties which we experience. I hope Government will be pleased to reconsider the question and see that none of the sessions is curtailed.

Mr. G. S. GANGOLI (Kanara District): Sir, after all, the difficulty is not so great. The Legislative Council is the only forum to ventilate our grievances from all parts of the presidency. Please let us not be deprived of that forum. Let the Government also be helped in this matter. I would simply submit that we must forgo the travelling allowance and the daily allowance for the third session. By this means the Government side would be satisfied and we will have the third session also.

Rao Bahadur B. R. NAIK: There will be many ready to forgo.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Sir, the Honourable the Leader of the House has dealt with all the points that have been raised, except one, and that was the length of interval between two sessions. I have made the point that by having two sessions, the interval between the two sessions is very long and it takes a longer time for non-official members to bring to the notice of Government the grievances of their constituencies. If there are three sessions, the interval between two sessions will be three or four months; whereas, if there are two sessions, the interval will be 6 months. So, it is a longer time before which honourable members can bring to the notice of Government the grievances of their constituencies.

The Honourable the Leader of the House charged the House with not co-operating with Government in the matter of retrenchment. He said something about it to the effect that when Government wanted to retrench, the members of the House did not like. Look at the way retrenchment is carried out. They held an extra session in November for nothing. If they had joined that special session to the budget session, they could have made a great saving. I submit that non-official members, when they come to this House, come for the definite purpose of bringing to the notice of Government the grievances of their constituencies. They must be given ample opportunity. The Honourable the Leader of the House said that there were 13 Bills for first reading, which will come up for first reading in the Poona session and that these 13 Bills would fully occupy the non-official days. What will happen to the resolutions, if these 13 Bills were to occupy the whole time allotted for non-official business? I therefore request Government to reconsider this question and, as far as possible, give a third session.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I would just bring to the notice of this honourable House the exact words used by His Excellency in his speech:

> "I have no doubt, Gentlemen, you will also be glad to have an opportunity to make a contribution of your own towards retrenchment, and this we propose to give you by asking you to forgo the October session of the Legislative Council this year."

Mark the words:

> "As far as can be foreseen at present, this can be done without sacrifice of any urgent business, but if any sufficiently urgent business subsequently arises, we shall of course arrange to cancel this decision and hold the October session as usual."

So, His Excellency used those words guardedly. Honourable members are aware that during the third year, when the Council is to be dissolved for elections, there is no third session, and no complaints are raised on that account. The honourable member from Bombay (Mr. Hoosenally Rahimtoola) raises an objection on the ground that there is a wide gap between one session and another and honourable members will not be able to ventilate people's grievances during that interval. May I point out that even now the intervals between the three sessions are not even? We meet in July, and within two months again we meet in October, and after that if there are any grievances they have to wait for four months until we meet in February. If, instead of holding the session

[Sir Govindrao Pradhan]

in July, we hold it in the beginning of August, the period between the two sessions will be curtailed. The Honourable the Leader of the House has already given an assurance to the honourable member that it is not the desire of Government to take away the time allotted for private work. Rs. 20,000 or Rs. 25,000 is not a small sum in these days when every pie counts. If His Excellency put forward before this House a proposal that this House should forgo the October session, but that if any emergency arose we should certainly hold it, I do not think His Excellency told this House anything so extraordinary that this House can take exception to.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Sir, I respond to the appeal of the Honourable the Leader of the House and ask permission to withdraw the motion. I hope Government also will respond to our wishes and reconsider the question from the point of view put forward by the non-official members.

Motion, by leave, withdrawn.

Rao Saheb P. D. KULKARNI (Poona District): Sir, I beg to move:

"Reduce by Rs. 100—District Administration—P-1—Pay and Allowances to District and Village Officers—Voted, Rs. 29,54,000 (C. E. page 114)."

Sir, I am very glad to see that the responsible side of this House has taken this opportunity to effect retrenchment even in the provision made for the meetings of this Council. I also wish to take this opportunity to put forward my grievances before the honourable House, the redress of which will bring a saving to Government amounting to lakhs and lakhs of rupees. I am for the reinstatement of the system of kulkarnis in place of the system of talatis. From the financial point of view, lakhs of rupees will be saved by this measure, and, at the same time, justice will be done to the aggrieved. I hope an unbiassed hearing will be given to the statement I am making before the House.

Undoubtedly, the grievance is of old standing. Resolutions were moved in the House to redress the grievance but were not passed. But they were pressed at that time for a different reason. But now that we are experiencing acute financial stringency, we should try to save as much as we can without taking away from the efficiency of the administration. If we look to the budget, we see that Rs. 17,08,339 is provided as pay of talatis, and for their allowances, etc. an extra amount of Rs. 3,02,425 is provided. Altogether Government has provided to spend on this costly system Rs. 20,17,764. Now, if we see the records of 1913, we will find that it was stated at that time that when the kulkarni system was in force the payment was Rs. 7,96,376. So, we can easily save Rs. 12,21,388. I have taken these figures from the reply given to the Honourable Mr. Brelvi in 1913. In 1914-15, the year in which the kulkarni system was abolished, Rs. 11,03,422 was given as the actual cost. If we take that figure, Rs. 9,14,342 can be saved by the reinstatement of the kulkarni system in place of the talati

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system. So that, whether we take the figures of 1913 or 1914-15, a saving of ten lakhs of rupees is sure to accrue to Government if they agree to effect this administrative reform. Now, this point was tackled by the Retrenchment Committee. They have given careful consideration to this problem. They have said in their report that there are certain defects in the talati system and that they can be removed. I am not going to quote the actual wording of their report; I am only giving the sum and substance of it. They say that the size of the *sajas* should be enlarged and curtail the number of talatis and thereby effect economy. There are some defects in this proposal also. But before I point out the defects, I must say that there is no unanimity of opinion amongst the members of the Retrenchment Committee on this point. A dissenting minute has been submitted by the honourable member Mr. Chikodi in which he has said that the kulkarni system on point of economy is worth reinstatement. I am quoting the very words from the minute of Mr. Chikodi.

"The old system of the kulkarni doing the work of Village Accountant is very cheap and efficient, and should be restored wherever talatis have been appointed."

That was what one of the members of the Retrenchment Committee said in his minute of dissent. But the majority view was altogether different. They have not given their reasons for differing from Mr. Chikodi. They have only made some suggestions and have kept silent on the point of reinstating the system.

Now, I come to the remedies suggested by the Retrenchment Committee to meet the deficit. The first remedy which they suggest is the enlargement of the size of *sajas*. Now, those who are well conversant with the working of the Revenue Department know that the *saja* system is altogether inconvenient to the revenue officers themselves and the public is also greatly inconvenienced thereby. Suppose a talati has got two or three or four villages in his *saja*. He is sure not to be found in any village. If a [illegible] inspector comes he will say he was in another village. Suppose a man wants an extract from the record of rights in order to file a suit which is likely to be time-barred in a day or two. If he wants it, he must submit an application to the talati in writing; otherwise his suit will not be admitted. Where is he to find the talati within a short time at his disposal? The size of the *saja* will be enlarged and a greater number of villages will be brought into it but the proposed change is sure to be most inconvenient both to the public and the Government alike. Thereby another difficulty is likely to come in, that is about observing regularity in paying assessment. The assessment will be recovered earlier from some villages and some other villages will have the advantage of paying the assessment later because the talati cannot visit all villages at the same time. Some people will be unnecessarily put to inconvenience thereby in these days of acute financial stringency when there is no money with the agriculturists.

Now, the Retrenchment Committee suggests that the number of talatis should be reduced. I do not agree with the view that it will not adversely affect the efficient working of the revenue department. The

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public are sure to be inconvenienced thereby. The talati is a rolling stone going from one village to another. We see at the present moment that the Government arrears of land revenue are accumulated from year to year. The result of handing over more villages to the charge of talatis will be that they will not hold themselves responsible for the prompt collection of revenue dues. When the kulkarni system was in existence, the revenue dues were not being accumulated in such large amounts. The talati system is mainly responsible for the accumulation of the arrears, because the talati is a rolling stone. The size of the *saja* is already large, and if Government is going to reduce the number of talatis, what will be the result? The public will be inconvenienced and the smooth working of the Revenue Department will also be hampered. If the opinions of the various Mamlatdars and prant officers are taken by Government in this connection, they will find that those officers will not agree with the suggestion of the Retrenchment Committee and they will tell Government that revenue collections will suffer if effect is given to the suggestion made by members in majority.

According to the recommendations of the Retrenchment Committee, we find that Government have reduced the posts of talatis. Last year there were 4,023 talatis and in the present budget Government have made provision for 4,003. There is a reduction of 20 talatis. I have calculated the cost of each talati and it comes to Rs. 30 per month. Thus, at the rate Government propose to proceed, the saving will be Rs. 7,200 per year and to make up the deficit to which I have referred, namely, about 10 lakhs, I think more than 125 years will be required. This will not help the prompt solution of the problem with which we are faced. Apart from prejudicial views, I think the kulkarnis have got a very strong case for reinstatement.

Another point which I wish to bring to the notice of [illegible] House is this: the firm foundation of British rule depends upon t[illegible] people. The kulkarni families number, according to [illegible] replies to questions in the Council, 11,752 in one [illegible]. Resolution [illegible] is not a communal question. A statement was made by a responsible member in the Council that they are not inefficient. Many of them undoubtedly belong to the advanced classes, but there are others also who hold the office of kulkarnis.

I shall read an extract from that statement:

"These are not illiterate people. Many of them are Brahmins. There are some people among them who are not Brahmins, but Lingayats or Marathas, and in a few cases, even Mussalmans. But they are all literate people." (Page 882, Council Debates, 1914.)

Rao Bahadur D. R. PATIL: What is the proportion?

Rao Saheb P. D. KULKARNI: Therefore, Sir, by reinstating kulkarnis in place of talatis not only one class will be favoured but so many other castes also will be benefited, and when we see the economy and advantage of administration, these minor things and minor differences ought not to be taken into consideration in the interest of

[Rao Saheb P. D. Kulkarni]

administration and the good government and of the ultimate good of the subjects.

Something was said about efficiency, but if we look to the previous history and look to the judgment pronounced by an experienced revenue officer, Mr. Hatch, the efficiency of the Kulkarnis will not be questioned. They are efficient and if an opportunity is given to them, they will come forward to pass the prescribed test, and if they pass the prescribed test, they will be eligible for not only their own posts but perhaps even for somewhat higher posts. I do not mean to say, however, that they should be reinstated at the cost of efficiency and therefore I do not say that illiterate Kulkarnis should be reinstated in the place of literate talatis. Looking to the number of the talatis, as far as my experience goes, I find that out of 100 talatis only 25 have passed the vernacular final examination in my district and I should be quite ready to agree to Government prescribing the vernacular final test for the Kulkarnis as was proposed in a Government Resolution some years back. That service is both very cheap and very efficient, and only when they prove themselves qualified, then and then only will they be entitled to get those posts.

One argument may be pressed against them namely, that the present time is not a suitable time for putting forward the claims of hereditary posts or of retaining hereditary posts in the hereditary families only. I find, however, that Government have been gracious in maintaining the principle of hereditary posts in other cases and I do not therefore think that this problem will come in their way in any shape or form. In fact, in order to organise the village system, it is essential to have permanent residents of the village for the efficient working of the village administration, for the simple reason that these people have a natural and special attachment for their own villages so that they will be bound to care much for the management of the villages and also for the sanitation, If a [illegible] of their own villages than any outsiders who will not, Suppose a man [illegible] of things, care so much for the good of the villages in which [illegible] which [illegible] mere temporary sojourners for a few months or a few years. The kulkarnis are anxious to keep loyal to the present Government just as they were loyal to the predecessors of this Government, and I may even go so far as to say that just as they hold hereditary posts, similarly the quality of loyalty seems to have come to them as a hereditary quality along with their hereditary posts. I have in my possession hundreds of applications in which Kulkarnis have expressed full faith in the proclamation which was declared in 1858 by Her Majesty the Good and Gracious Queen Victoria. That proclamation has been quoted by so many men in their applications and in order to refresh the memory of the honourable members I shall quote a small portion of that proclamation :

"And it is our further will that, so far as may be, our subjects, of whatever Race or Creed, be freely and impartially admitted to office in our service, the Duties of which they may be qualified, by their education, ability, and integrity, duly to discharge...."

"And we will, in framing and administering the Law, that due regard be paid to the ancient Rights, usages and customs of India....."

[Rao Saheb P. D. Kulkarni]

These are words worthy of being taken to heart and of being acted upon by those who are now in charge of the Government. Though they were uttered in the year 1858 and though we are now in the year 1932, they have not lost their meaning——

An Honourable MEMBER: Does the honourable member confine his remarks only to the Kulkarnis of the higher castes?

Rao Saheb P. D. KULKARNI: Certainly not. I include in my remarks all those who hold hereditary offices such as village Mahars, ramoshis, patils and so on. The Kulkarnis and these other watandar servants are sailing in the same boat and they will sink or swim together. There are of course some stipendiary servants, and therefore, in order to ensure a smooth working of the village administration and to put it on a sound basis, and in order that that administration may continue to be as successful as it has been in the past when it was carried on by hereditary kulkarnis and other watandar families, I am putting forward my humble views for such reception as Government may in their goodness be pleased to vouchsafe to them. The financial stringency, the all-devouring financial stringency, is still there in all its acute and severe forms, but that financial stringency should not, in my opinion which is shared by many, be allowed to come in the way of justice being done to these loyal and efficient class of hereditary kulkarnis who have rendered excellent service to Government for generations together. At least for this reason, if not for any others, this point alone is worthy of being taken into very sympathetic consideration by Government. With this view, I have made the remarks which I have and it is for this reason that I have moved my motion.

Question proposed.

Rao Bahadur D. R. PATIL: Sir, may I say a few words?

The Honourable the PRESIDENT: The honourable member is evidently trying to book himself for to-morrow?

Rao Bahadur D. R. PATIL: When the Chair is kind enough to respect my desire, I do not want to book myself in advance.

The Honourable the PRESIDENT: The House is now adjourned to 2 p.m., to-morrow, Thursday, the 10th March 1932.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Thursday, the 10th March 1932.

The Council re-assembled at the Council Hall, Bombay, on Thursday, the 10th March 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JAM JAN MAHOMED KHAN, Khan Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.

KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACKIE, Mr. A. W. W.
MACLACHLAN, Mr. D.
MATCHESWALLA, Mr. G. E.
McELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.

WADKE, Mr. B. P.
WILES, Mr. G.
WINTERBOTHAM, Mr. G. L.

NEW MEMBER SWORN.

Mr. H. C. B. MITCHELL made the prescribed oath of allegiance to His Majesty the King-Emperor and took his seat in the Council.

DISCUSSION ON DEMANDS FOR GRANTS—*resumed.*

Question again proposed :

Reduce by Rs. 100—District Administration—P-1—Pay and allowances to District and Village Officers Voted—Rs. 29,54,000.

Rao Bahadur D. R. PATIL (East Khandesh District) : Mr. President, I quite appreciate the point of view expressed by the honourable the mover of the cut. He belongs to a kulkarni family, and he is perfectly justified in taking up the cause of the kulkarnis. I must submit, Sir, that when Government decided to do away with the services of the kulkarnis, for reasons which were not quite unknown to the kulkarnis themselves, the kulkarnis applied to the Collector under section 15 of the Act, which runs thus :

"The Collector may, with the consent of the holder of a watan given in writing, relieve him and his heirs and successors in perpetuity of their liability to perform service upon such conditions, whether consistent with the provisions of this Act or not, as may be agreed upon by the Collector and such holder."

Clause 3 of the section says :

"Every settlement made or confirmed under this section shall be binding upon both Government and the holder of the watan and his heirs and successors."

My submission is this, that the Government wanted to dispense with the services of the watandar kulkarnis. It was quite open to every kulkarni to accept the offer of the Government or not. Some kulkarnis wanted to be relieved of their liability to serve as kulkarnis upon certain conditions, for instance, that they would get, say, one-third of their remuneration by way of cash allowances. It is a fact, Sir, that some of the kulkarnis were willing to get themselves relieved of the liability to work as kulkarnis in consideration of these cash allowances. Now, the question arises, when such an agreement has been entered into by the kulkarnis with the Government, what are we to do ? There were certain kulkarnis who did not accept the offer of Government, and they are still working as kulkarnis. So, the position comes to this, that the kulkarnis came forward to get themselves relieved of their liability to work, in lieu of cash allowances. When that has been done, is there any room for complaint ? I do not think for a moment that there is any justification for a complaint.

Now, I know, Sir, that the remuneration that was given to the kulkarni was not quite adequate, and some of the kulkarnis appointed deputies with the desire that they should not be required to work in person, and they got something out of the remuneration that was paid to the deputies. I should like to illustrate. Suppose the remuneration of the kulkarni was

[Rao Bahadur D. R. Patil]

Rs. 100 a year. The kulkarni himself did not want to work personally, but appointed a deputy. The deputy certainly got Rs. 100, but out of the amount the representative watandar kulkarni got, say, Rs. 25, and for this amount he was induced to appoint a deputy. In short, there were certain kulkarnis who did not want to work in person, and therefore they wanted to get money in this way. So, these people were quite pleased to be relieved of the services and got cash allowances. I can understand that there were certain kulkarnis who were very good and efficient men, but unfortunately they have accepted this position by entering into an agreement with the Government under section 15 of the Watan Act. So, they must thank themselves.

Sir, when Government embarked upon the policy of appointing talatis, I submit they did appoint old kulkarnis as talatis wherever they could. Government have done that. In the year 1925, if my memory is correct, Government passed a Resolution that in Government service 50 per cent. of the posts should be allowed to communities backward in education, that is to say, the backward communities. Naturally it was but proper for Government to get persons, for the posts of talatis, from the backward communities, and Government have done it.

Now, the question is, are we to revert to the old system? The thing has been done. There are so many difficulties. Certain persons have been engaged as talatis. What is to be done as regards them, if we revert to the old system? Are we to drive them out of employment now? If we do that, we shall have to give some compensation to them according to the rules. So, in this way, we shall be losers. The system which was in vogue before, is done away with by the substitution of he talati system. Now, when the Government have done so many things which could be done for the kulkarnis, I think it is but proper for the honourable mover of the cut to withdraw it. I can understand the feelings which actuated him to move this cut. I really feel for him, and I make this request to him: let him come before this Council with some other proposal in the interest of the kulkarnis, which will be more acceptable. We shall naturally examine it on its own merits, and decide the question accordingly. With these words, I would repeat my request to the honourable member Rao Saheb Kulkarni to withdraw his motion. Of course he belongs to a Kulkarni family and I belong to a Patil family, and we are sailing in the same boat. I hope my request will appeal to him, and he will be pleased to withdraw his motion.

Rao Bahadur S. K. BOLE: Sir, I rise to oppose the cut moved by the honourable member Rao Saheb Kulkarni. It is but meet that Rao Saheb Kulkarni should come forward to take up the cudgels on behalf of kulkarnis. Sir, I may tell him that the institution of kulkarnis had outgrown its value and had become rotten and corrupt. Complaints were made to Government by the agriculturists, and how the agriculturists were harassed was brought to the notice of Government; and Government, after mature consideration, abolished the institution of kulkarnis and earned the blessings of the poor and ignorant agriculturists.

[Rao Bahadur S. K. Bole]

Sir, the kulkarnis took advantage of the ignorance of the agriculturists and harassed them in various ways. They exploited the agriculturists, and if Rao Saheb Kulkarni wants to know in what way they harassed them, I would recommend him to read the treatise called "*Kulkarni Leelamrit*", composed by the editor of the "*Deen Mitra*", Rao Saheb Mukundrao Patil. Sir, in that "*Leelamrit*", the composer has depicted the true picture of the kulkarni, and pointed out in very touching language in what way the kulkarnis used to harass the agriculturists. I am sure if Rao Saheb Kulkarni reads the "*Leelamrit*", he will be convinced that the kulkarnis used to harass the poor agriculturists, and he would not plead for the restoration of the institution of kulkarnis. Sir, these are democratic days and nobody should talk of hereditary appointments. Hereditary appointments create vested interests and they become the means of harassing the public. I therefore submit that under no circumstances the institution of kulkarnis should be restored. With these words I oppose the cut.

Mr. B. S. KAMAT: Sir, the point which I want to make out has already been made out by the honourable member Rao Bahadur Bole. It is undesirable to revive the hereditary system. The old system of having hereditary kulkarnis was done away with in the pre-reform days, after a great deal of consideration, as some of my old friends like Sir Rafiuddin Ahmad who is now on the other side of the turnstile may remember. This is an old controversy. Recently we also discussed the matter in the Retrenchment Committee. In the general public interest I do not think that the present system should be changed, and that we should revert to the old system of 20 years ago. Such a reverse is not in the public interest at all. The vicious element of having a cadre on the principle of hereditary service is itself wrong. It might have been correct in the olden days, when the village economy was based entirely on different principles. Now, the village economy has changed, in fact the whole system of village administration has changed. Now, the kulkarnis are to carry out functions much larger than were allotted to them in the olden days. Take for instance the record of rights. Take again the various other Acts of legislature for which the village is the unit; so that the kulkarni has to be far more efficient than the kulkarni of the olden times. That is one thing.

Secondly, whatever we might say about communal matters, it is perfectly true that, if we revert to the old system, the kulkarni cadre would predominently remain in the hands of one particular community. From the public point of view I do not think it is desirable. We, on this side of the House, this group I mean, take our stand on the fact that the administration must be based on non-communal lines and although from that point of view we are not able to achieve a great deal of our ideal, we must stick to the principle we advocate. Unfortunately even Government are not following this principle. I for one feel that, if India has suffered and if India is lost to Indians, it is because of the castes, creeds, classes and communities being too many. Now I know Government want to perpetuate the castes and communal basis under

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the new constitution. I for one am not prepared to support them in their ideas. I really want that there ought to be a mixture of various castes and creeds in any cadre of public service and that principle applies to the cadre of kulkarnis throughout the Deccan. I do not know how many kulkarnis there are in the Deccan—5,000 or 6,000—but if we revert to the old system, why should there not be the non-Brahmin, the depressed classes, and so on as kulkarnis? I do not think that this could be achieved if we revert to the pre-reforms system. I have never indulged as a rule in Brahmin and non-Brahmin controversy. But from the public point of view, the cadre must contain a suitable and reasonable admixture of all communities. And this cannot be achieved if we revert to the old system.

So far as economy is concerned, no doubt there will be a few lakhs of saving. But the general public policy is far more valuable than a few lakhs of rupees, which might be saved by reverting to the old system of Watandar Kulkarnis. Even then, it is doubtful whether it would be a real economy or fallacious economy. It is admitted, Sir, that the old type of kulkarnis were living on perquisites, which means they taxed the villagers. I do not think that the present talati lives on corruption to the same degree and exacts the same amount of perquisites. I do not wish to draw any comparison between the two types but I maintain that this is a great advantage in the present system in this that, if a talati is found to be corrupt and living on perquisites, he is transferable but not so the old kulkarni who as a Watandar is rooted to the village under the terms of the watan and who could not be transferred from one district to another or from one division to another. I therefore think that the possibility of transferring the man who is found to be corrupt is a great weapon and check in the hands of the Government to put down corruption. I do not consider that it would be a desirable policy to make the kulkarni a permanent fixture, allowing the dud of the family to work as kulkarni, the other brighter and more efficient members of the family going out and entering the professions and other occupations. These are the points which are against the system of having hereditary kulkarnis. With all my sympathies for those who are in the position of the displaced kulkarnis, and with every sympathy for the vested interests, I think it is not desirable to give up a system which has been adopted after careful consideration and is found fairly satisfactory nearly for twenty years.

Mr. A. W. W. MACKIE: Sir, I cannot but feel that this motion is already dead. Indeed I am at a loss to understand why honourable members opposite should consent at all to the time of this honourable House being occupied with this proposal, knowing that the time is limited. But as I understand that from their point of view there is apparently no objection to the time of the House being occupied with this proposal, I am quite content to discourse on the subject for the time that is allowed.

The Honourable the PRESIDENT: The honourable member can speak as long as he likes.

Mr. A. W. W. MACKIE: It is now almost 31 years since I came to India and made my first acquaintance with the kulkarni system in the district of Dharwar. I shall relate to the House the impression which I got about it then and the impression which I have about it now. Several honourable members spoke of the system in relation to the people in the villages and to the public generally, but I shall confine my remarks for the most part to the point of view of administration and how it affects the administrative officer. When I first became acquainted with the system, I had to make the appointments of kulkarnis and patils in the villages from amongst the various claimants for the appointments. I knew nothing about the subject but I was perfectly willing to learn. Therefore, in my court I would pitch into these cases with two pleaders, one on either side, to give me the points for and against. The pleaders I chiefly remember were Mr. Subrao Byahatti and Mr. Ram Rao Bellary. The main points of conflict that arose in my court had no connection with efficiency or with public interest. The words that most frequently occurred were "watandar of the same watan" and "a member of the watan family" and anything except efficiency, and when the sound of legal combat died down in my court, anyone looking in to investigate the cause of the unwonted silence would have found all concerned poring over a genealogical tree going far back into the mists of antiquity. Or sometimes it would be an ancient document produced because therein mention had been made of one man being some sort of relation of some other man, which words were now brought forward in order to establish some sort of relationship between two apparently separate families, which were claimed to be the same family. Adoption deeds were another subject which occupied us; also alleged adoptions without deeds. The rights of females caused extraordinary complications. Apart from a few minor amendments in the law the difficulties are as great to-day as then. I had a case that came to me two months ago as Commissioner and I referred it back to my office with certain queries, not all exactly required for my own information, but partly because I thought the investigation of the points concerned would be good for my staff whose knowledge was clearly defective. I have made inquiries about it at intervals since then only to find that it is still on the anvil.

Now what has all this obscure and complicated inquiry to do with efficient administration? Consider what a simple thing it is to appoint a talati, selecting the best man from amongst the candidates, giving him a living wage and setting him to work with prospects of promotion which will make him work his best. But how far, far different was the actual procedure of appointment? The centre round which swayed the legal battle I have described is section 53 of the Act which prescribes the procedure under which men are actually selected for these petty posts. Section 53 reads as follows:

"Except as is otherwise provided in the last preceding section and in section 56, and except as the Governor in Council shall by a general or special order from time to time otherwise direct, every deputy appointed under this Act shall be a member of the same family to which the representative watandar whose duty it is to officiate belongs, if there be a member of such family fit and willing to officiate or, in default of such member, a watandar of the same watan who is fit and willing to officiate and who is descended from the same original watandar as the representative watandar whose duty it is to officiate."

[Mr. A. W. W. Mackie]

This indicates the sort of questions we were trying to solve by these extraordinary enquiries. Extraordinarily complicated as this section sounds when it is read out, it is a hundred times more complicated even than it seems. In the Act "watandar of the same watan" is nowhere defined. You have to make out the meaning by a combination of other definitions, one of which is:

"'Watandar' means a person having an hereditary interest in a watan. It includes a person holding watan property acquired by him before the introduction of the British Government into the locality of the watan, or legally acquired subsequent to such introduction, and a person holding such property from him by inheritance. It includes a person adopted by an owner of a watan, or part of a watan, subject to the conditions specified in sections 33 to 35."

Now, if I may be allowed to give the House an idea of what "watandar of the same watan" means, I shall read a few sentences from the *Watan Act*, a famous book, which is edited by Mr. Gejji, where the author has made an attempt by giving various instances. When I read these instances, just remember that all that we are wanted to do is to appoint a village accountant to a single village of 450 inhabitants for the space of five years; not even for life, for five years. Here is one of his instances—I take it as a short one:

"If *A* is a Hindu and a member of a divided family and the watan in question is his ancestral property, the expression (watandar of the same watan) would include strangers or members of the family owning a share in the watan or having a vested interest therein, and the lineal male descendants to the third degree."

And another case very similar but not quite the same:

"If *A* is a Hindu and a member of a divided family and the watan has come to him by collateral succession or as self-acquired property, the expression would include only those who own a share in the watan or have a vested interest therein, be they strangers or members of the family. It does not include his lineal male descendants."

I shall inflict only just a sentence about the word "family". If the meaning of "a watandar of the same watan" is difficult to get at, "a family" is worse. The discourse on the word "family" begins thus:

"The definition of 'family' is inclusive and therefore inconclusive."

Well, Sir, after I had left that work some years, I was succeeded in the post of Assistant Collector, Dharwar, in the Southern Division there, by my honourable friend to my right (Mr. J. Monteath), and when I came back to Dharwar touring as Superintendent of Land Records, I heard a story there which he had left behind him. It was to the effect that there were two villages which had entirely the same watan families with the same sharers and with shares in the same proportions in the watans; they were entirely the same. Both came up before me, but unfortunately they came with an interval of time between them. The story as I heard it went that in one case I had written a long and learned argument proving conclusively that *A* was a watandar of the same watan, and in the other, when it had come up I had written an equally long and equally learned argument proving equally conclusively that *A* was *not* a watandar of the same watan. Well, Sir, I am quite prepared to believe that the story is correct, because of the great amount of uncertainty and

[Mr. A. W. W. Mackie]

indefiniteness in regard to these claims; incredible to those who have not experienced it.

Now, Sir, one point made by the honourable mover of this cut was that of expense. When you consider, Sir, the enormous proportion of the time of revenue officers occupied by this futile work; when you count in that, and when you count the cost to those concerned, the pleader's fees, the copying fees, the time they spend in going to the various courts, the cost to the community must be tremendous. It is overwhelming compared with that of the simple talati system. That is a point of indirect expenditure which I think it is worth while to mention. Again, consider just for a moment the unbusinesslike way of making these appointments. I daresay there are some businessmen present in this House; can they imagine for a moment a business firm adopting such a system and attempting to make their appointments in that way? Just imagine what it is! Hundreds of people dotted over the district who have actually got the right of appointing village accountants under the pay of the State. The honourable member Rao Bahadur Bole and other members have given some indication of the results which actually accrue, and which must accrue of course, from such a plan. I shall no longer dwell on that; it is not pleasant and it is so extremely obvious.

It is rather interesting to cogitate how the kulkarni system came about. I surmise myself it had the same origin as probably had the *mirasi* tenure; that is to say, that it originated in a time of insecurity when a central Government which might be able to function to-day would not be functioning to-morrow, so to speak. There was no certainty, and, therefore, the device was resorted to of employing methods which contained within themselves their own continuity; the post was made hereditary so that whatever was going on, unless the whole family was wiped out, there was always some one who would consider it his right and his duty to carry on; just as with the *mirasi* tenure under which, no matter how long a man had disappeared from the village, when he came back, provided the central Government was strong enough, he got back his land. I surmise that the two things must have arisen from the same cause. They belong to an age to which the abandoned forts which dot the countryside belong. And the honourable member who has proposed this cut apparently belongs in this connection to those same dark ages. He wants the House to step back into them along with him. I have no doubt that this House has no intention whatsoever of doing anything of the kind. If the cheapest system is wanted, the obvious thing would be to call for tenders for the right of appointing the kulkarnis in the districts. Why, it is conceivable that people might come and offer some money for the privilege of making the appointments.

I just heard a word or two from the honourable member (Rao Saheb Kulkarni) about certain inconveniences caused by the talati system owing to their numbers not being very great and a man having to look after a fair number of villages in what is called a saza. I need not rebut that in detail. It is enough if I merely mention the Konkan and Kanara

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where we have had the talati system working for a long time and where no such inconveniences have exhibited themselves.

The honourable member Mr. Kamat spoke much more effectively than I could do on what I had intended to deal with in the concluding portion of my remarks, that is to say, the effect of the change from kulkarnis to talatis on our administration, how absolutely necessary and unavoidable it was, and what a salutary change it has been, a change to go back on which is totally inconceivable.

Rao Saheb P. D. KULKARNI (Poona District): Sir, there are a few points raised which I wish to meet. The honourable member Rao Bahadur Dongarsing Patil referred to the agreement or contract which has been executed already and said we could not go back on it. I am not a man of legal acumen, but I am sure that when a contract is entered into between two parties, that contract can be rescinded with the consent of the same parties. Therefore, if Government decide to go back there is no difficulty in the way.

As regards the question of giving 50 per cent. of the appointments to backward class people, etc., there was a promise distinctly made that preference will be given to watandar kulkarnis, and I do not wish to say anything on that point. I hope the promise will be kept.

I am looking at this question from the point of view of economy. As regards the remarks made by the honourable member Rao Bahadur Bole, I do not know how far they are applicable to this case. I must admit that there is corruption in every community and in every department. Yesterday, we were told that there was corruption in the Police Department. The same is the case with the kulkarnis. As regards the book "Kulkarni Leelamrit" the honourable member Rao Bahadur Bole referred to, I wish only to say that it is a book of fiction having no relation to facts. I do not wish to repeat the thoughts expressed in that book; they are coarse and are not fit to be uttered in this House. It is a rotten work and I wish not to pollute the atmosphere of this honourable House by repeating the nasty thoughts expressed in that book though I wish to convince the House of its ugly nature.

I will now point out what my honourable friend Mr. Kamat said in 1914. Mr. Kamat is an experienced member of this Council. He was an elected member when this question came up before the Council on the motion of the honourable member Mr. Belvi. At that time Mr. Kamat advocated the cause of the kulkarnis and said that it would be better to reinstate the kulkarnis in the place of talatis. [*Interruption.*] But the honourable member did then support Mr. Belvi's motion and said that he was in favour of the reinstatement of the kulkarni system in place of the talati system. I refer to page 898 of the Council proceedings of the year 1914. The honourable member actually condemned the talati system and gave his deliberate and mature view that a great injustice was being done to the kulkarnis. If the honourable member can show that I have quoted him wrongly, I am prepared to take back my words, but if, just as

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a man has a right to change his opinions, he wishes to change his opinion now, then he is quite welcome to do it.

Mr. B. S. KAMAT: In 1916, I was not an elected member of this House on behalf of any constituency.

Rao Saheb P. D. KULKARNI: I refer to 1914, not to 1916.

Mr. B. S. KAMAT: The point is that the honourable member said I was an elected member. I was not.

Rao Saheb P. D. KULKARNI: It is no use pursuing that controversy. The fact remains that the honourable member Mr. Kamat, whether he was an elected or a nominated member, did uphold the cause of the kulkarnis and gave it as his considered judgment that the kulkarni system should be restored and the talati system abolished.

Now as regards what the honourable member Mr. Mackie said, I might say at once that his arguments are not new as they were placed before the Council in the year 1914 by the then Honourable Member representing Government—I believe Sir George Curtis—and all those arguments were given a reply to by the then honourable member Mr. Belvi who had no difficulty in demolishing them beyond recognition.

Now only one thing remains for me to put forward and that is about a personal remark to the effect that I belong to a Kulkarni family and therefore I am not quite free from a suspicion that my motive in giving this cut is not quite as unselfish as my remarks would appear to be. Let me say at once, though I am proud of being one of the Kulkarnis, Sir, that neither my grandfather, my father nor myself ever held this hereditary post, and I am sure, no member of our family intends or is ever likely to aspire to it. I must make it quite clear that the one object with which I have made myself responsible for a motion of this kind is the present financial stringency of the Government and the good not only of the country but also of the Government themselves.

Now I shall revert to only one remark made by the honourable member Mr. Mackie and I shall have done. The honourable member asked whether tenders should be invited for the posts. Well, to be frank, Sir, that question staggers me and I refused to believe my ears when I heard such an absurd suggestion coming from a responsible member of what are called responsible benches on the Government side. Why not then should the posts of Collectors or Commissioners be advertised and tenders invited?

You will not be surprised, Sir, if I quote now in favour of my motion and in support of my views the opinions given expression to by two honourable members of the present Cabinet of the Bombay Government—I mean the Honourable the Leader of the House (Sir Ghulam Hussain) and the Honourable Minister for Education (Sir Rafiuddin Ahmad). Both of these honourable members strongly supported Mr. Belvi's motion that the kulkarni system should be restored and the talati system abolished. In fact, the Honourable Sir Rafiuddin Ahmad said on that occasion that he had very great sympathy with the cause of

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kulkarnis which his then honourable friend Mr. Belvi espoused and that he would certainly do everything in his power to support him——

An Honourable MEMBER: At that time the Honourable the Education Minister was an ordinary elected member and not in power.

Rao Saheb P. D. KULKARNI: Quite right, but now that he is in power, I hope he will carry out the promise which he then gave and lend me his weighty support on the present occasion. I make the same appeal to the Honourable the Leader of the House, because both of them voted for Mr. Belvi's motion, and especially because it is on the ground of retrenchment that I have brought this cut, and also to secure a good income to the Government treasury. It is this thought that has made me courageous enough to place my views before this honourable House and I never thought that my proposal would be received as light-heartedly as it has been by my honourable friend Mr. Mackie. I have greater faith in the mature and experienced judgment of the honourable members of this House and I entreat them to look at the economic aspect of the proposals which I have made. Even if my views are not accepted by Government, I shall not be sorry because I feel I have done my duty to my constituents no less than to Government themselves in view of the existing financial crisis.

With these words, I appeal to Government to afford redress to the thousands of kulkarni families who have been practically ruined by this Act and they are asking for this favour not as alms but in consideration of the loyal and efficient services rendered by the kulkarnis to Government in the past.

Rao Bahadur D. R. PATIL: On a point of correction, Sir. The honourable member said that I had mentioned in my speech that there was some difficulty in rescinding the contract. I never said so.

The Honourable Mr. W. F. HUDSON: Sir, I presume the House will wish me to exercise my privilege of winding up this debate though it seems to me there is remarkably little left to wind, since most of the arguments that I should have endeavoured to put forward have already been put forward, some of them most effectively, from the opposite side of the House. Whatever the House may think of the utility of this discussion at a time when we are almost within the shadow of the guillotine, I think we shall all be grateful to the honourable member for proposing this cut, if for no other reason, than because he succeeded in eliciting from my honourable friend behind me (Mr. Mackie) the most informing and, incidentally, the most amusing speech that we have had this session. I confess when this debate began I knew remarkably little about the kulkarni system, but I now feel that I know quite a lot about it. It so happened, although I came to India a year or two before my honourable friend the Commissioner, Southern Division (Mr. Mackie), the first twenty years of my service were spent in Sind and Gujarat where the kulkarni breed does not exist, and I therefore never had to spend my time in examining elaborate genealogical trees or conducting any of those semi-legal inquiries which appear to have occupied so much

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of the time of the Assistant Collector of Dharwar. It is therefore with considerable diffidence that I venture to speak about the kulkarni system as it was.

I understand from one of my honourable friends over there that the kulkarnis had the habit of oppressing people. I find it very difficult to believe this when I look at my honourable friend (Rao Saheb Kulkarni), and I am quite sure that he never oppressed any one; his mild exterior forbids any such suggestion. Still, I gather that kulkarnis at any rate did not give complete satisfaction in all the villages or at any rate in many of the villages in which they carried out their official duties, and it was only after a long experience of them and their ways that Government decided on the system which is now in force. I cannot believe that Government would have made that change if it had not been forced upon them by circumstances. No one will undertake a more expensive system if a cheaper one would do, and I feel sure that those of my honourable friends in this House whose memory goes back to those days will support me in saying that this was a measure which was actually forced upon Government by circumstances, and on the whole it has been a success. I am not going to suggest for a moment that the talati is a perfect person any more than the rest of us. I have no doubt that there are many faults to be found with talatis, but I am sure that the House will agree with me that the system is a sound one. Hereditary offices are out of date, there is no question about that, and the work of the talati now-a-days is infinitely more complex, infinitely more difficult than the work of the kulkarni of 50 or 60 years ago, and any one of my honourable friends who has ever studied the Record of Rights will realise that it does require a man of some intelligence and education to fill it up with anything approaching to correctness and that we cannot expect the watandar kulkarnis always to be men who have that education.

As regards the question of expense, I understand that as the result of the remarks contained in the Retrenchment Committee's Report, the Revenue Department looked rather carefully into the question of how much we could save straightway if we did accept the suggestion made and go back to the kulkarni system where possible, and we found that with the talatis who would have to be pensioned off or compensated there would be no immediate saving whatever. The House knows that what we want is an immediate saving. I forget what figures were mentioned by my honourable friend last night. I think he said that seven or eight lakhs could be saved, but I am sure that his figures are not quite right and that we shall not be able to effect any such saving at any rate as he suggests——

Rao Saheb P. D. KULKARNI: The figures I gave were taken from a reply given by Government to a question put by Mr. Belvi at that time.

The Honourable Mr. W. F. HUDSON: I am afraid I did not correctly follow the honourable member's remarks or perhaps I misunderstood him. Anyway, the point I am trying to make is that there is no immediate

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saving to be made even if we went back to this discarded, old and vicious system. I am not going to make a fetish of efficiency for the moment, because I know we cannot do so in these days, but I do not think myself that this change would be welcomed in the villages which would be most affected. There can be no doubt about it. It is most desirable that if a village accountant commits acts of (what shall I say) indiscretion or if there are serious defects found with his work, we should be able to shift him and that is a very valuable check which the supervising officers have over the village establishment. They had no such check in the old days, and if we revert to the old system, we shall have no check in future. I think those of my honourable friends who understand the agricultural population of this Presidency and who know village life, will realise that it is most desirable that the supervising authority should have power to transfer the village establishment at any time if it seems necessary.

I have listened with great interest to the historical surmises of my honourable friend Mr. Mackie as to how the kulkarni system arose. He may be right or he may be wrong. The origins are lost in the mist of history, whatever they may be. But I have no doubt whatever that the British Government deserves credit for having put a stop to the system, because in the long run it is not for the good of the people.

I hope my honourable friend will withdraw his motion. I sympathise with him very much, because I feel sure he realises now that he has not got the support of the House; and also, I am afraid, there is no prospect of my appointing him as the first member of his clan as a village accountant. But I am grateful to him for giving us this discussion which has been of great interest to the House.

Rao Saheb P. D. KULKARNI: I beg leave of the House to withdraw my motion.

Motion, by leave, withdrawn.

The Honourable the PRESIDENT: Motions Nos. 131 to 135 are out of order. They are specific cuts of non-voted items.

Mr. J. HUMPHREY (Karachi Chamber of Commerce): Sir, I beg to move:

"Reduce by Rs. 1,000—Total Demand—Rs. 2,08,23,000 (B. page 48)."

In moving this motion, I would like to preface my remarks by saying that one of the most satisfactory features in the present session is the complete absence of vicious criticisms in discussing the Budget and demands for grants of the way in which Government have been dealing with the finances of this Presidency. On the other hand, there has been general approval expressed of the Government's retrenchment policy and also of the fact that they have appointed a committee or intend appointing a committee of experts to go into the whole question of reorganisation of the administration. In fact, I find for the first time during the term of my short experience of this honourable House that there seems to be a genuine feeling amongst all of us that Government have really tried hard to overcome our present financial difficulties;

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and in doing so, there seems to be complete co-operation in all departments, and amongst all members of the services in all branches. I feel sure that this House, or rather this side of the House feels that Government should be congratulated on what they have done and further on what they intend doing, for they are not staying their hands because retrenchments have been effected, but intend carrying their work further by encouraging a complete overhaul of the whole Government administration. I trust what I am going to say now and what I have just stated will not be regarded as criticism, but rather as helpful suggestions.

The reason for my moving this cut is that in spite of the retrenchments that have taken place, and in spite of the determination of Government to effect reorganisation, there are still two more small items that have not been finally dealt with by them, both of which appear in both the reports of the Retrenchment Committee. One is the reduction of the Cabinet and the other is the question of having one headquarters for the Government of this province. His Excellency, when he addressed this House at the beginning of the session, informed us that his Government had completed the examination of the subject of the reduction of the Cabinet and they had evolved a scheme by which the Cabinet could be reduced to four portfolios; and what is more, that the members of the Cabinet themselves had promised him their co-operation in carrying out the scheme to the fullest extent. This statement was deservedly and rightly received with applause by this honourable House. As I suggested the other day, and I repeat now, every member of this House must have felt the greatest admiration for the spirit shown by the members of the Cabinet in this helping, of offering to help, Government towards further retrenchment and towards the goal at which we are aiming. Then, unfortunately, His Excellency raised the doubt whether it was wise to bring such a change into effect at the present time, whether it would not be better if we waited until the new constitution was introduced. Apart from the fact that in my opinion it would be much wiser at the present moment to reduce the Cabinet rather than wait until the new constitution is introduced, it would mean that if the reduction is made now, the experimental stage would take place at a time when there is an efficient government. I am not saying that the new constitution will not be efficient; I am sure it will be, but at the same time it will be new and therefore inexperienced. But now we have a Government which has the experience of years and years and if they reduce the portfolios now, they will be reducing that field in which they are working and they can find the best way of doing so.

Sir, this demand on the part of the public is not a new one. It was urged by those who had the honour to belong to this House during the budget session in 1931. In fact, it was urged before that. When it came to the Retrenchment Committee which sat to deal with the question of retrenchment of expenditure, they did not wait till the final report; they decided to deal with this subject in the *ad interim* report and it was recommended then by the majority that a reduction in the Cabinet should be made as soon as possible. As I have said, Government deserve to be

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congratulated on doing their best to set the finances of the Presidency in order, and I consider they are to be congratulated on having taken this matter in hand promptly. Our thanks are due to His Excellency also for having taken such interest in the question. But at the present moment we are all left in doubt as to what is going to happen, and it does seem important, when one considers that the saving, according to the Retrenchment Committee, would be about Rs. 1,75,000. Actually, I feel certain that it would be more, because if one takes into consideration the reduction in staff and small items of that nature, the saving would probably be not Rs. 1,75,000 but about 2 or 2½ lakhs. There is no question, therefore, that this subject of reducing and reorganising the Cabinet should be taken up at the present moment. Government have not so far expressed their definite intentions in this matter, and I am sure it would be of considerable interest to this honourable House if Government could give us some idea about what their intentions are in this connection.

The other point I want to raise is one about headquarters of Government. This is a point upon which I am not going to speak at great length, but it is a point which has been raised by the party to which I have the honour to belong for many years. It was first raised, I think, in 1921, and the subject has been constantly broached ever since. This point was also considered by the Retrenchment Committee; but I must admit that the report of the Committee is slightly vague. But during all this time when the subject was discussed, we have been trying to ascertain from Government what the cost of the move is. But up to now we have never had any definite figures on that point. Now I think I should rather change my question and ask Government, not what the cost of the move is, but what the savings would be if that move did not take place. I say that purposely because I think there is a very great distinction between the cost and the savings; if there is only one headquarters, it means there is only one set of Government offices, one set of houses for Government officers and the staff, apart from all the incidental charges which must result out of the move. I fancy if we had got those figures, we would find out the exact situation. In the Retrenchment Committee's report the opinion is expressed that the cost of the move would be very small, smaller than the cost of the move to Mahableshwar. I think that the saving in the cost would be very considerable and that it would be well worth consideration at the present time when we are in such difficulties.

These are the only two points I wish to raise, but to my mind they are points of vital importance and should not be overlooked and should be dealt with at once. Government have shown themselves so willing and so anxious last year to meet the wishes of this House and make every effort to improve the financial condition of this Presidency, but it would be a great pity in two matters capable of such easy adjustment they should not complete the task. Sir, I move the motion.

Question proposed.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, I have very great pleasure in supporting the motion for a cut that my honourable friend, the member for the Karachi Chamber of Commerce (Mr. Humphrey), has just moved, in order to raise a discussion on the two important questions which are embodied in the proposal which he has dealt with, with such lucidity. I do not believe, Sir, that there is any difference of opinion in this House on these questions, particularly the former one, about which His Excellency the Governor, in his speech the other day, gave us such a definite and clear indication. All that this House would like to know is, when the proposed reduction is going to be given effect to, and how long it will take the matter to go through the various stages which must finally lead up to that consummation. I need hardly add, Sir, that, in our present financial difficulties, among the various steps that have been and are being taken to relieve the situation, this is perhaps the most important and the most urgently needed; for, by bringing about this reform or reduction, whichever way you may like to put it, the administration is not only not likely to suffer in efficiency, but on the other hand, to gain by an increase of it, by the complete elimination of the duplication of the entire machinery of the upper stratum of the Government, which exists at present in a marked degree to the detriment of the administration. As we all know, Sir, the Cabinet handles at the present moment, precisely the same number of subjects as before, and, I am sure, precisely in the same manner in which they were handled and managed by the Cabinets of the old days, consisting of only four members. It is therefore not unreasonable to say and conclude that the administration will gain materially in efficiency and certainly in speed, if the present size of the Cabinet is reduced and the portfolios redistributed in such a manner as may ensure efficiency with despatch of work. Of course, we readily recognise that it is rather a delicate and unpleasant duty for His Excellency to perform, as several points of a somewhat personal character have got to be considered and settled before arriving at a definite decision on the question. But like every one else, Members of the Cabinet have got to sacrifice and to come to a speedy conclusion in this matter, with one and only one end in view, viz., the good of the administration and the advancement of the cause of the people, committed to their charge. I think therefore that the House may reasonably look forward to an early and authoritative statement on this matter, as to when this long-looked for reduction, which we have been promised, is going to be given effect to. We fail to understand what the difficulty is, and why there should be this long delay. The public cannot wait for this overdue retrenchment till the introduction of the Reforms. That is going to take a good long time yet; and meanwhile, every extra day lost, means the loss of a good opportunity for bringing about a reform which is very urgently needed and already long overdue. I think our honourable friend has not been a day too soon in drawing the attention of the Government to this matter in this pointed manner.

Coming to the other point referred to by him, I think even there, there is practically a consensus of opinion both in this House and outside

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it, that the heavy expenditure which is being incurred every year and which has been incurred all these years, should not only be now avoided but put a stop to for once and for all. We in this province have now arrived at a stage in our constitutional development, when a definite solution of this matter should be found at the earliest possible moment. When all the civilised Governments of the world have their offices and secretariats located in their capital cities, there is no reason why our Governments in this country should follow a different procedure. In this respect, I think, both the Government of India and all the provincial Governments are all alike equally to blame. At any rate, this system does not conduce to efficiency and it has materially added to our expenditure in the past. After all, it is the capital city of a Government which is the centre of authority and the source of all activities—be they political, social or economic—from which radiate all thoughts, ideas and movements, which gradually permeate the rest of the country or province concerned. It is but natural that the capital City should therefore be the permanent seat of the Government of every country or province. In the modern countries of Europe and America, it would be unthinkable to have the seat of the Government in any city but the Capital of the province or state concerned. As we are out to retrench in every possible direction, there is no reason why one of the main heads, which is capable of substantial reduction, should be allowed to go untouched. I for one have never understood why it is at all necessary now and why it was ever found necessary all these years for the Government as a whole to move from Bombay to Mahableshwar, from Mahableshwar to Poona, and from Poona back again to Bombay, with all the huge paraphernalia of the Secretariat, and the inevitable expenditure of and incidental to the move. Now that the visit to Mahableshwar has been knocked on the head this year, we only hope that it will be permanently given up. We also want that similar steps should be taken with regard to the move to Poona. I think, Sir, that Bombay, the capital city of the Presidency, is entitled to have the Government located in its midst throughout the year; and it should be decided accordingly. To my mind, it would be as absurd to have the seat of our Government located in any city other than Bombay, as it would be to have the Government of Great Britain outside London or the Government of the United States of America in any city other than Washington. It is in accordance with this unwritten rule prevalent in every civilized country, that we in our presidency, should insist upon our capital city being the seat of our Government, where the Secretariat and the centre of all authority should be permanently installed. To act differently is tantamount to sacrifice efficiency to comfort and convenience. To make even periodical annual moves—as in India—would be to sacrifice the continuity of control, the rigour of discipline and the despatch of work. Personally, Sir, I would have no objection to the head of the Government going out periodically or even regularly every year, for the benefit of his health. But that the Government as a whole, should move out with their extensive secretariat and their enormous paraphernalia, is to my mind absolutely unwarranted. Owing to

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the early transfer of power to the Councils, it will not even be necessary for the future Governors of the Provinces to stay in the capital cities any longer, unless they wish to do so; nor will it be necessary for the secretariats to leave the capital towns, as they will have to be within easy reach of the Ministers, who will henceforth be managing all the affairs of the Government in the fully autonomous provinces of the future, and will be required to stay permanently in the seat of the Government. I think therefore that the time has come when the Government should make up their mind definitely in this matter and make an authoritative declaration of their policy for once and for all. I am emphatically of opinion, Sir, that there is one and only one decision to which they can and ought to arrive, and that is, that Bombay as the capital of the province, should be the permanent and only centre of the Government and that the entire work of the administration should be carried on from Bombay alone. That is the only proper conclusion to which the Government can come; and it is the only solution of the present difficulty. But if this is not agreeable to them, this honourable House would like to know what their intention in the matter is.

I think my honourable friend has made out a very good case in favour of both these points; and an authoritative and unequivocal declaration of policy on them from the Government will be very much appreciated by this House, and by all sections of the public outside it. I have accordingly very great pleasure in supporting the motion for the cut which has been moved by the honourable member for the Karachi Chamber of Commerce.

Sir REGINALD SPENCE (Bombay City): Sir, I should like to support the motion moved by my honourable friend to my left (Mr. John Humphrey) and speak particularly as regards the second part of it, namely, that the Government of Bombay should abandon their move to Poona and have only one central government. My honourable friend representing the Bombay Mill Industry referred to Bombay as being the capital city and said, "Bombay has been the seat from which all capital thoughts originate." He added, "We want to know what Government intend to do in the matter". I would urge this honourable House to consider whether Bombay is the seat of capital and the seat from which all capital thoughts emanate, or is Ahmedabad? Some capitalists in Bombay follow the thoughts that emanate from Ahmedabad blindly without any consideration as to whether what Ahmedabad suggests is for the good of the country. I should like to echo what my honourable friend Mr. Petit asked Government, "What do Government intend to do? Is Bombay or Ahmedabad to be the seat from which the capital thoughts of this Presidency emanate?"

Mr. V. N. JOG (Dharwar District): Sir, the honourable mover of the cut concentrated his attention on two points, namely, the size of the Cabinet should be reduced from 7 to 4 and that the headquarters of the presidency should be only one and not two as at present. With regard to the size of the Cabinet, I fully support the honourable mover of the

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cut. Before the Reforms the work of administration was performed by four members. It is only after the introduction of the Reforms, the size of the Cabinet has been enlarged. I do not know whether better results have been achieved by increasing the size. Whenever we raise the question of the high pay of officers, we are told that we have to pay more because we are getting efficient service. The same argument may be brought forward with regard to the size of the Cabinet also, that there are various activities of the departments which will have to be managed and controlled and that we have to employ a number of officers and pay them decently. When we consider the history of the past 10 or 12 years, we cannot say that the presidency is the better for it. If you take the instance of the finances of our presidency, you know how they have been managed. Even the large balances we had before the Reforms had been frittered away and we have now come to a stage when we have to borrow for running the administration. We cannot balance our budget. If you just cast a glance to find out the cause why we are in this plight, we will be told that there is trade depression and so on. That is not the sole cause of our bad plight. The Bombay Development scheme is the special—

The Honourable Sir GHULAM HUSSAIN: I may interrupt the honourable member and correct him. That was in the pre-Reform days.

Mr. V. N. JOG: It was started then. But the Bombay reclamation and all other activities were carried on after the Reforms. So, I submit that the return we have got does not justify the enlargement of the Cabinet and the high salaries. Therefore, I submit that the portfolios which have now been managed by seven members can be distributed among four.

Then, an argument was advanced that because the new Reforms will soon be introduced, a re-shuffling of the portfolios at present would be inopportune and difficult for work at present. But I think that, because the new Cabinet will solely consist of the Ministers who will be elected men, the re-shuffling of portfolios now will give facility to them and they should not be burdened with the task of re-shuffling the portfolios. Some of the Ministers in the new Cabinet will be new men who may not know the intricate details of the departmental activities and so it is the duty of the present Government to go into this question even now. Even His Excellency observed that a detailed scheme had been taken up. If that is so, it is rather desirable that the new Cabinet should not be burdened with the re-shuffling of the portfolios. We have got, in the present Cabinet, Members who have been there from the beginning and who know the various details of the administration. They will be the best men to consider how the portfolios should be re-shuffled. For the present Cabinet, it will be a very simple question. We cannot say now whether any of the present Ministers or Members of that high service will be in the new Cabinet. So, it is up to them to re-shuffle the portfolios now, so that even the present Ministers may become accustomed to the new arrangement, in case they happen to be in the

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new Cabinet. So, I suggest that it is better that this reform is taken in hand now.

As regards the size of the Cabinet, though it may not directly come under the grant, the question of Ministers may indirectly be included——

The Honourable the PRESIDENT: There is another cut.

Mr. V. N. JOG: I am not directly moving a cut with regard to the salaries of Ministers.

The Honourable the PRESIDENT: I do not think that subject can be referred to at present. The honourable member should wait till the other cut is reached.

Mr. V. N. JOG: With regard to pay.

The Honourable the PRESIDENT: Pay cannot be referred to at present.

Mr. V. N. JOG: When the size of the Executive Council is reduced as suggested, naturally the size of the Cabinet of Ministers should also be reduced. In this connection I refer to the suggestion which has already been made by the Retrenchment Committee, with the only dissentient voice of my honourable friend Rao Bahadur Patil——

Rao Bahadur D. R. PATIL: What about the opinion of the Mahomedan member?

Mr. V. N. JOG: He has not referred to the size, but only to the pay. I submit, therefore, Sir, that the size of the Cabinet should be reduced as soon as possible. As regards this recommendation Government simply say "This matter is being considered."

I now come to the question of the reorganisation of the services. It was stated at the commencement of this session that Government was thinking of appointing an expert committee to go into this question. But we find reports in the papers that technical difficulties have arisen with regard to the appointment of Sir Frederic Gauntlett. If the Secretary of State does not give his sanction, then we should like to know whether Government are going to appoint the expert committee at all. We do not know when it is going to be appointed. If that committee is not going to be appointed soon, Government themselves will have to take into consideration the reorganisation of the services. Among the various suggestions made by the Retrenchment Committee is one to reduce the Secretariat. I do not want to tire the House by going into the various details, but I will simply say that a committee appointed by this very House has gone into the question and their recommendations should be accepted.

I would also suggest in this connection the reduction of the salaries. The complaint of this side of the House has been that the salaries are higher than they ought to be. Unless we tackle this question of salaries, I do not think we can find any money for a long time to come for the development of the various activities which it is the duty of the Government to undertake. No doubt by a temporary cut in salaries

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they may have been able to relieve the situation, but it is intended that these salaries should be restored by the end of this year. It was on that understanding that it has been done. I just put it to the other side of the House whether in the circumstances in which we are placed, if the cut in salaries is to be restored, we will be able to balance the budget. Even if we are able to balance the budget on paper, will we have enough for the development of the nation-building departments? Unless we have sufficient surplus we cannot undertake the various developments which we have now stopped as an emergency measure. Therefore, this question of the reorganisation of the services should be taken in hand immediately.

When on this question, I wish to place before the House the system by which the whole thing should be done. We have not at present any system in the gradation of these posts. It is up to us and Government now once for all to state what should be the maximum and minimum. There should be fixed a proportion between the maximum and the minimum, and the maximum and minimum should be arrived at taking into consideration the economic condition of the country. What our country is able to pay should be the criterion, not what we have been accustomed to pay. We have to take into consideration the capacity of the people to bear the burden. We shall also have to consider the scales of salaries obtaining in various other countries. It is only in this country there is a large disproportion between the lowest and the highest salary. I will quote some figures from a small brochure prepared by Mr. Gadgil. He has given the proportion that the maximum bears to the minimum in other countries. In South Africa the maximum is 11 times the multiple of the minimum; in the United Kingdom it is 32 times; in Canada, 17 times; in the United States of America, 9 times; in Germany, 13 times; in Japan, 14 times; and in India 133 times. In calculating the figures for India he has only taken Rs. 4,000 as the maximum; he has not considered the higher salaries. In no other country is the maximum more than 32 times the minimum. I submit that having regard to the circumstances of our country the highest salary here should not exceed Rs. 3,000. If that be settled, the salaries of other posts shall have to be automatically reduced to suit the highest of Rs. 3,000. People have gone even as far as to say that it should not be more than Rs. 500. They say that anything more than that our country is unable to pay. But even if we reduce the highest salary to Rs. 3,000 we shall be able to save a considerable amount. I find, Sir, that the salaries of the all-India services have not been touched by the Retrenchment Committee because it was not permissible to do so. But they have proposed some scales for the Provincial and Subordinate services, but those scales do not do full justice to the criterion I have suggested. Some of those scales will have to be reconsidered, because I believe those scales are higher than they ought to be. I consider, Sir, that this question will have to be considered very seriously; if the expert committee is not coming soon, then Government should take the matter immediately in hand.

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It has been stated that there is a difficulty with regard to the reduction of the salaries of certain services with whom contracts have been made. With regard to this I have to make a suggestion. Difficulties there may be, but with regard to the increases we have given after 1919 and the new scales we have laid down there should be no difficulty in withdrawing them. It is only the entrants who have come after the new schedule of pays who might present some difficulty because they might say that on that offer they accepted this contract of service and that cannot be reduced, but persons who entered service before there was this schedule and before there was that offer and when there was no expectation that they would get the increments sanctioned after 1919, cannot present the same difficulty. I am pointing this out because of the likelihood of that legal objection being put forward. The increases were given only on account of the rise in prices. I have suggested once before and I repeat that suggestion today that if the salaries are reduced to the same scale which was there when they entered the service—I mean those servants who entered service before the increments were sanctioned after 1919—there would be no injustice. As an illustration I might say that a person, who entered service in 1919, would rise by this time to Rs 600 and if on account of the new rise after 1919 he goes up to Rs. 700, it is not necessary to bring him down, but if he is again to rise to Rs. 800 under the new scale, he is not legally entitled to it. Then it may be said that there are certain expectations raised and that those expectations are not realised. In this connection I wish to submit and ask, "Are not the expectations of other persons such as landlords, tenants, farmers and others unfulfilled and are they not disappointed in their expectations?" Suppose, formerly a landlord had let his land at a rental of Rs. 200 or Rs. 400 when the cotton prices and prices of grain rose and he had certain expectation that he would get that amount of rent or money; but now that expectation is gone and he is not even getting half that rent which he used to get. There may be a disappointment here and there, but every one has to meet with disappointment in life in trade and other avocations. So, I submit, Sir, that just as the other parts of the Presidency and other persons are suffering, so also the servants of Government should be prepared to suffer. With these remarks I close this particular subject.

As regards the moving of headquarters of Government, if it is going to make a lot of saving, I do not see why there should not be one place only. Perhaps it may be said that the climate of Bombay is very hot and that it is not possible to live in Bombay all the year round——

Rao Bahadur D. R. PATIL: Dharwar.

Mr. V. N. JOG: My honourable friend Rao Bahadur Patil says "Dharwar". If the question of climate is raised, then I submit that there are many places in other countries also where the headquarters are in one place. Is the climate of London very fair throughout the season? There may be various healthy places round about London, but the Government there does not think of moving to those healthy places,

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and therefore I submit, Sir, that if there is great economy to be achieved, we should achieve it. Only yesterday, even for a matter of Rs. 20,000, Government was saying that a second session of the Council should if possible be dispensed with this year at Poona; and for similar reasons if there is any saving possible to be made, I think we should go ahead and make that saving. For all these reasons, I say, Sir, that this question should be considered very, very carefully.

Yesterday, I wanted to refer to the policy with regard to certain officers—I mean magistrates—under the ordinances, but I do not wish to take up any more time of the House now. With these words, I support the motion as regards the removal of headquarters, and resume my seat.

Rao Bahadur B. R. NAIK (Surat District): Sir, I shall be very brief in my remarks and I will not try to cover the same ground which has been covered by the honourable member who spoke before me. The other day I said that this Presidency is spending 537 lakhs on establishments. The honourable member the Finance Secretary then said that Government have to spend money mostly on salaries if they want to get their work done. I do understand that Government have to employ servants and officers to govern and to pay them. Again we requested from this side of the House times without number to make retrenchments and to bring down the standard of salaries and emoluments, according to the capacity of the taxpayers of the Presidency, and according to the revenue; we were told that there was no scope for further retrenchment and that whatever was within the power of Government has been already done. Now, Sir, I take the figures of expenditure on establishments of this very Government in the year 1915-16. In that year this Presidency was spending on establishments about 3 crores in support of which I shall give official figures. For the Imperial Services for the year 1915-16, the expenditure was 67·69 lakhs, which was raised after the introduction of the reforms and in the year 1921-22 it was 97·52 and adding 10 lakhs of the Lee Commission to it, the percentage comes to 52 per cent. increase over the figures of 1915-16.

Now let me take the provincial services. In the year 1915-16, the expenditure on the provincial services was 48·87 lakhs, which was raised and in the year 1921-22 it was 79·50 lakhs, that is an increase of 63 per cent.

Then let us take the ministerial and clerical services. The expenditure on it in 1915-16 was Rs. 2,02,57,000 and it was raised to Rs. 4,15,02,000 in the year 1921-22, that is an increase of 105 per cent.

I shall now come to the menials. In 1915-16 the expenditure on this head was Rs. 17,07,000. It was raised and in the year 1921-22 it was Rs. 31,49,000, that is, 14 lakhs more which comes to an increase of about 182 per cent.

What I contend, Sir, is this, that the difference between the establishment expenditure of the year 1915-16 and the year 1921-22 comes to 287 lakhs, and if you were to add another 12 lakhs since the year 1921-22, it will come to about 3 crores. So I say, that in the establishment

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expenditure of this Presidency of 537 lakhs, about 300 lakhs has been increased during the last 15 years. Of course when this increase was made, there was some reason and some justification. On account of the abnormal rise in the prices of commodities, it was then contended that all officers should get a living wage and therefore it was found necessary to increase their rates of pay. But, Sir, we all know that most, if not all, prices have come down to the pre-war level at present in Bombay and also in other big cities of the Presidency except perhaps rents which have not come down to pre-war level. But prices of cereals and other commodities have come down to the same level as the year 1915-16, and therefore if Government had a mind to retrench their expenditure, they could easily have done so from this establishment bill alone without looking for retrenchment in other directions. Just now the honourable member Mr. Jog gave us figures of some other countries like Canada, Australia, South Africa. I will quote those figures when we come to the general cut under salaries of Ministers. He says that the maximum pay of a Minister should not exceed Rs. 3,000. I submit that even that is much in my opinion looking to the capacity of the taxpayers of this Presidency and also looking to the revenue of the Presidency as a whole. It was I who gave here some figures a couple of years ago about Canada, which is the principal Dominion of Great Britain, and its revenue is 150 crores and the Chief Minister of Canada gets about Rs. 2,700 to 3,000 per month. The revenue of Canada is 11 times that of Bombay and yet the Chief Minister of Canada gets about Rs. 2,700 to 3,000 a month as against the salary of Rs. 5,333 which is drawn by the Honourable the Leader of the House in Bombay which has a revenue of 14 crores. Even the Collectors and the Commissioners and other Civil Servants in the Colonies are not getting as much as what they get in India. If you were to compare the taxable capacity of the people and also the revenue of the province of Bombay with that of the Colonies, you will be bound to admit that the salaries we pay here are out of all proportion to those paid in the Colonies. The standard of living in Canada or South Africa, Australia or New Zealand is in no way inferior to that obtaining in Bombay Presidency but is in fact much higher than that in Bombay, and yet there the standard of salaries is lower than that obtaining in Bombay.

Now a few words about contracts of service. We have been told that there are some contracts with Government servants and that they cannot be broken, but only yesterday, or the day before yesterday, it was I believe the honourable member the Director of Public Instruction or some other member of Government who advised us to break contracts with Primary teachers. He, I believe, told us that though the salaries of teachers have been fixed by Government recently and though the teachers have been given an assurance that those salaries would be given to them in future, yet he advised members of this House to exercise their influence with district local boards and to induce them to reduce the salaries of teachers under their control.

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That was the suggestion thrown out by a responsible officer of Government that though the Government have entered into contracts by fixing their salaries and allowances Government would be prepared to give sanction to the district local boards to cut down their salaries. The teachers are low-paid servants. We might put them on a level with clerks. If their salaries can be cut down, I do not know why the salaries of higher servants should not also be cut down. The same principle applies both to highly-paid and low-paid officers. I maintain, Sir, as I have maintained in the past, that the salaries of public servants of this Presidency are on a scale that the general tax-payers are not in a position to maintain; and it is the duty of Government—whatever Government it may be—always to fix the standard of salaries according to the income of the population over whom they rule. I gave out the figures of the income of the population and I need not repeat them again to-day. Therefore Government should take such steps as to reduce the standard of salaries to the level which the tax-payers will be able to bear. I do not think hardship will be caused to any one if the salaries are reduced on account of the reduction in the commodity prices and in the cost of living.

There is one other point which I wanted to bring to the notice of the Honourable the Finance Member. I refer to the items on page 88 of the White Book. I notice two items against "I.—Commissioner in Sind", one of Rs. 71,000 and the other of Rs. 1,90,000. The total of these two items gives Rs. 2,61,000. That is for Sind—the Commissioner in Sind and his establishment. Now, taking the other three Commissioners and their establishments, the cost comes to about Rs. 2,80,000. It is obvious, therefore, that while three Commissioners with their establishments cost Rs. 2,80,000 in the Presidency proper, one Commissioner with his establishment costs Rs. 2,61,000 in Sind. I want to know the reason for this great disparity. Of course I raise this point for the information of the honourable House. At first I thought that as the Commissioner in Sind has very wide powers, he must be getting a high pay, perhaps next to the Governor; but he is only getting Rs. 3,500. So there must be some other extra establishment charges. I hope that the Honourable the Finance Member will be good enough to explain this great disparity between the Presidency and Sind. There are other points also, but as I said, I shall speak on this cut moved by the honourable member Mr. Jog.

Mr. J. S. KADRI (Northern Division): Sir, the motion involves very radical and highly important issues. I would, therefore, like to make a few observations regarding them. It has been an admitted fact that the Government machinery is very costly, and it is for this reason that His Excellency the Governor has decided to reduce the size of the Cabinet to four members. I think that is a very wise decision and it is very much appreciated by this honourable House. It is necessary that this decision should be given effect to as early as possible, with a view to facilitate the smooth working of the future administration, which will devolve on the reformed government, so that the Government machinery

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may be in proper working order, by the time the new reforms are set in motion. Of course in pre-reform years, the Cabinet was carrying on its business with fewer men and there was no complaint on that score and there is no reason to fear that in future also the reduced Cabinet will not be able to discharge its functions quite satisfactorily. The aim of the reduction is not only economy but also efficiency, and I think the smaller the number, the greater the efficiency. Of course very great care will have to be taken by His Excellency the Governor, in selecting the Ministers as well as the Members of the Executive Council. We do hope that the best men will be selected, not with any regard to caste or creed, but on pure merits, men who would inspire confidence not only in the Government but also in the public and who would have a strong backing behind them. I fully endorse the suggestion that the reduction of the Cabinet should take place without any further delay.

As regards the salaries, the matter is one of paramount importance. I think the day is not distant when even the President of this honourable House will be an honorary one and the popular Ministers will be well prepared to serve on much less salaries than they are drawing at present. I hope the spirit of patriotism and self-sacrifice will inspire them to undertake their duty to their country on only such salaries as will keep their body and soul together. We have very good examples of this spirit of self-sacrifice in the Cabinets of other countries. The British Cabinet has no doubt set a very good example which must be copied here, and which will have to be copied sooner or later throughout India.

As regards the seat of the Government, that is also a question which has been mooted from various points of view, and on this point, the honourable member Sir Reginald Spence has struck a note which, I think, must touch the hearts of us all. I believe the seat of Government must be decided from the point of view of its convenience to the Presidency as a whole. I do not think that Bombay City is quite a suitable place for it. It is not only losing its reputation, as a commercial centre, but it is also losing its prestige as the chief seat of Government, so far as political considerations go. I think Ahmedabad has got a very strong ground [*Hear, hear*] not only on account of its central position but also on account of its commercial, political, and historical importance. It is situated close to the various parts of the Presidency, particularly Sind and Kathiawar, which are very important tracts——

The Honourable Sir RAFIUDDIN AHMAD: Sind is to be separated.

Mr. J. S. KADRI: I think Sind will not press for separation, when Ahmedabad becomes the seat of Government, because they will be quite close by and be the next door neighbours of Government. I think also that Government will be making a good deal of saving by shifting to Ahmedabad, because Ahmedabad is a cheap and a central place and also a commercial centre. I think the day is approaching when Ahmedabad will surpass Bombay in the matter of industries, commerce and trade as well as in other respects. Kathiawar is now growing in importance. Its ports are displacing Bombay to a great extent, and so far as

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Bhavnagar at least is concerned, it has been absorbing much of the overseas trade, and as the present circumstances go, Bombay is fast losing its ground as a commercial port and Kathiawar ports will usurp, if they have not already usurped, most of the trade of Bombay. So, on economic and political grounds and also on grounds of convenience, I think Ahmedabad will be a very suitable place, as the seat of Bombay Government. I would urge upon this honourable House to consider the suitability of Ahmedabad for Government from various points of view, some of which I have already stated. From the point of view of climate also, I think when the choice lies between Poona and Bombay, I should say Ahmedabad is not in any way inferior to Bombay at any rate, and with all the facilities of communication and transport now available and with the trunk road connecting Ahmedabad with Bombay, there should be no difficulty for Government to run down from Ahmedabad to Bombay at any time. It is only a question of 12 hours' journey and with air service and aerial communications which are imminent in the near future, I think Government will always be in touch with Bombay and other places.

An Honourable MEMBER: Why not Karachi?

Mr. J. S. KADRI: Ahmedabad is very close to Karachi also. Ahmedabad has got its own historical importance. It was the seat of Government for several centuries. Ahmedabad, I think, was rightly selected by the Sultans of Gujarat as the seat of their government. From there, they ruled over vast areas, extending up to Rutlam and Central Provinces. The political relations of the Bombay Government with the Central Government will be very much strengthened by the transfer of the seat of Government from Bombay to Ahmedabad. Delhi is not very far off from Ahmedabad. Ahmedabad is the railway junction connecting Gujarat with other parts of India. That is again a great advantage.

I would, therefore, strongly urge the claims of Ahmedabad to be the seat of the Bombay Government and I trust my Sindhi friends will support my view. They will perhaps be glad to relinquish their claim for separation from the Presidency, in case Government make up their mind to choose Ahmedabad as their headquarters.

(After recess.)

Rao Bahadur R. R. KALE (Bombay University): Sir, I wish to make a few remarks while we are on this motion for a cut in the General Administration, and I understand that the policy of this Department has been under discussion. Retrenchment is being carried on, and the one criticism that we are justified in making in this behalf is that, though Government have retrenched sufficiently, perhaps more than sufficiently, from the bottom, that is to say, in the subordinate establishments and so on, there has not been sufficient retrenchment and economy at the top. By retrenchment I mean a curtailment in the number, and to

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begin from the top we have the Cabinet. Of course, it was very gratifying to find that His Excellency in the address which he gave to the Council stated :

"One possible avenue of retrenchment I indicated in my last speech to you—a reduction in the size of the Cabinet. We have pressed on with the examination of this possibility and now have a complete scheme worked out in detail for a reduction of the Cabinet to four portfolios—two Members and two Ministers."

Now, if there is a complete scheme of reorganisation of the Cabinet ready, as I understand from the speech of His Excellency, and that it has been framed with the complete co-operation of the members of that body, I see no reason why that scheme should not be brought into operation at the earliest opportunity, I mean from the beginning of the next financial year.

Then, Sir, with regard to the other retrenchment in the Secretariat, I have to make one remark, and it is this, that having regard to the pace of Indianisation, we find, as compared with other provinces, the Indianisation in the Bombay Secretariat has not been to the same extent as it has been in other presidencies. This question requires to be investigated, and if Indianisation is to result in certain economy, I do feel that there should be more Indianisation in the Secretariat, at least in so far as it will bear a favourable comparison with other provinces.

I might just mention once more—I had mentioned it in my general remarks on the budget—that the cut in the salaries has been an all-round one of 10 per cent. As I said, that operates inequitably so far as the lower salaries are concerned, but I would not dwell on the matter at any further length.

With regard to the size of the Cabinet, I shall say only one word. We need not be misunderstood when we are asking for this reduction. All the Members of the Cabinet, the Ministers and the Executive Councillors, have been doing their work in a manner which is known to all of us. It does not mean any criticism of any particular individual or any person. All that we on this side, as the Opposition in the Council, have done from time to time is to criticise the policies of the several departments that may be in charge of the several Members and Ministers. Our criticisms were directed to point out how the policy has been carried on and how it has not been responsive to the opinions expressed from this side of the House from time to time. The criticism that is made from this side is in a way constructive, and if we have reason to feel that an attempt is made to respond to the constructive proposals that are made from time to time from this side of the House, certainly we shall be satisfied. Therefore, when we make a criticism about the size of the Cabinet, or suggest a reduction in the numbers of the Ministers or Members of the Executive Council, let it not be understood that we have anything personal against any of the responsible persons. Their work is known to us. If, however, it is possible to combine any two or three departments in one individual who is capable of managing them, certainly it would be in the interest of public administration that a step forward in this direction, in the light in which the criticism is made, should be taken, and it should not be understood in any way that there is any

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desire on this side of the House to censure the Government. I need not dilate on this aspect of the question, but I do feel that the purpose of this motion will be served if, as a matter of fact, some consideration is given to the views expressed by non-official members on this side.

With regard to the Secretariat, of course it is rather too late to say anything, but I might add that the provision in the Government of India Act for the appointment of Council Secretaries has not been given effect to during the last 12 years. Perhaps, if that reform had been introduced, certainly there would have been not only a reduction in the cost, but also experience of Secretariat work would have been gained by the elected members of this Council. So, it would have resulted in economy and in preparing the people to conduct the administration when complete provincial autonomy came into being.

I do think, therefore, that taking into account all these circumstances and the fact that really we are financially not well off, it would be proper if the Government were pleased to give effect to this recommendation from the next year.

Rao Bahadur D. R. PATIL (East Khandesh District): Sir, everybody on this side of the House wants provincial autonomy. That means the administration of this Presidency should be managed by the Ministers, namely, the elected members of the Council. Sir, 4 Executive Councillors and 3 Ministers have been managing the affairs of this Presidency since the inauguration of the Reforms. Government must have considered very carefully as to the number of Executive Councillors and Ministers necessary for carrying on the administration efficiently. On this side of the House, there is an intention in the minds of some of the members that the size of the Cabinet should be reduced. My honourable friend Rao Bahadur Kale has stated that there is no personal feeling against any of the Members or Ministers, but it is purely for economy and retrenchment that the proposal is made. It is very good of him to say so. But when we are crying for democracy and for provincial autonomy, it is our bounden duty to say in plain terms that we are not in favour of reducing even a single one of the Ministers, who are the elected members and who can protect the interests of the people. So, I am strongly opposed to the idea that even a single one out of the Ministers should be reduced. If we at all want to effect economy, then there are so many ways of doing it. Government are going to appoint the Gauntlett Committee, and that committee will go carefully into the question of economy. As I said last time, the new Reforms are to come into operation soon and the Government of India Act is to be revised. We do not know what the British Parliament will decide as to the number of Ministers necessary to administer the affairs of the country under the revised Government of India Act. We do not know that. When so many honourable members get up and say that the number of Ministers should be reduced, do they know what work the Ministers are performing now? So far as I know, I see the Ministers busy with their work. All the time they are in their offices they are busy with their portfolios. So we are not justified in saying that their number should be reduced.

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Again, Sir, though His Excellency said that a scheme for the re-organisation of the Cabinet is ready, he has made a very cautious statement that it is very doubtful whether it will be practicable. His Excellency has made that statement very carefully. I think that though the scheme is ready, perhaps His Excellency wanted to know the views of the honourable members of this House, and I for one am prepared to say that there should be no reduction whatsoever in the number of Ministers. If economy is wanted, I might suggest one way of effecting it. There are at present 4 Executive Councillors. They are getting salaries to the extent of Rs. 5,000 and odd each, and if we reduce their salaries by Rs. 1,000 per month, we can safely get a saving to the extent of about Rs. 48,000 a year. That comes to the annual salary of one Minister. Sir, the Ministers are our men; they are elected by the people, and naturally the people think that the Ministers should be there to protect their interests. When we want provincial autonomy, what is the meaning of that? It means that the administration should be conducted by our own representatives. If that is the idea, then of course it is in the fitness of things to say that the Ministers should not be reduced at all. Now, Sir, suppose His Excellency is not pleased to cut down the salaries of the Executive Councillors, there is another suggestion which can be very easily accepted by Government. The present number of 4 Executive Councillors can be reduced to two, with the sanction of the Secretary of State, and their portfolios can be transferred to the Ministers, who can very well manage these portfolios. If at all we want to reduce the size of the Cabinet, that is my suggestion.

Now, so far as the Ministers are concerned, I might submit that the people will never like the idea that the number of Ministers—their representatives—should be reduced. I might say that in plain terms. Of course some of the members have stated that out of pure love for economy they are suggesting a reduction in the size of the Cabinet, especially in the number of Ministers. But, Sir, though we know that there is that love for economy on the part of some members, yet I think in the interests of the administration they should not suggest this idea. That is my view. As I said, we do not know what exact number will be finally settled about the Ministers who will naturally govern the administration of this presidency. Under these circumstances, it is not desirable at all to take up the question of the reduction of the Cabinet. These are the suggestions which I have to make. I strongly oppose the idea of the cut.

Mr. G. S. GANGOLI (Kanara District): Sir, the last speaker, a lawyer of great experience and long standing, makes a subtle distinction between "our men" and "your men." I do not know how he makes that distinction between the Ministers and Executive Councillors. There should be no such thing as "our men" and "your men." They are all our men. [An *Honourable Member*: Elected men.] They entered this Council as elected members and by their merit and qualification they have risen to a position of distinction. I entirely agree with the proposer of the cut in saying that under the present circumstances and looking to

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the economic crisis there should be some cut in the Secretariat and that the Cabinet should be retrenched, as His Excellency has given out in his speech. Are we really able to pay the high salaries? I would certainly invite some of the high salaried officers to visit some of the villages and see for themselves the people who hardly get one full meal once in two days so that they can see whether they are justified in receiving such a high salary. In the interest of the people whom they profess to govern and in view of the fact that this is a record year for economic crisis, they should give up some portion of their salaries. We are not able to pay such high salaries. They may be worth not only this much but even more, but we are unable to pay.

So far as the Retrenchment Committee is concerned, we have heard from the Honourable Minister that he has received every assistance and co-operation from all the departments. We have heard also from Rao Bahadur Kale that he received a questionnaire from the Retrenchment Committee, but before he could send in the answers, he was informed that the committee had been dissolved, with the result that his suggestions were not considered by the committee. Clearly the Secretariat was not even touched. I am strengthened in my argument by the figures in the White Book. I take the figures for the non-voted item in the Secretariat. We do not know actually what was spent. But if we look into the accounts, we find that the item is the same for which provision is made for the ensuing year. That is an index to show what is required for the administration. In the account the figure given is Rs. 1,12,00,000; and the budget estimate is Rs. 1,18,00,000 for the coming year. The account for 1930-31 is Rs. 1,12,00,000 and the budget estimate for the coming year is Rs. 1,18,00,000. Instead of there being a reduction on account of the 10 per cent. cut, we see an increase of 6 lakhs. Even the 10 per cent. cut has not affected the provision for the Secretariat. From the time I have been attending this Council, I have been observing that there is not a single Indian as Secretary in this Council. Not a single Indian as Revenue Commissioner, I do not know whether Indian civilians are not available. There is not even a Commissioner of Police. I am told that in Bombay the Police Commissioner has always been a man who is not an Indian. For Indian civilians convenient jobs are given. They are posted as Registrars of Co-operative Societies or Registrars of High Court or as Postmaster General. Even the Director of Public Instruction is not an Indian. Even the Chief Engineer or Conservator of Forests is not an Indian. Coming down, we find more Indian civilians as District Judges and Assistant Judges but not as Collectors. It is not intentional, perhaps it may be a coincidence. I only say that no position worth the name is occupied by Indians at any rate at present. I would urge this point and bring to the notice of Government that at least in future they should do something to post Indians to some responsible posts which are being held at present by non-Indians.

Now, we are told that a retrenchment committee is to be appointed. I have tabled a question as to the nature, scope and the time when it is

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to be appointed. I do not know why Sir Frederic Gauntlett is to be brought all the way for this small committee of retrenchment. There are capable men here like Professor Wadia, Sir Govindrao Madgaonkar, a retired Judge of the High Court, or Dr. Paranjpye. All these men can be very well employed to serve on the committee. I do not know why Sir Frederic Gaurtlett should be brought for this purpose at a heavy cost, thus burdening the already burdened people. In this budget at any rate we find discrimination made under almost all the heads. When we come to charity, we find that the provision for Indians is very small; when we come to schools, we find a comparatively very large provision is made for European schools; when we come to hospitals we know the debate that took place on it; and when we come to education, there is a cut of 20 per cent. on primary schools, but only of 5 per cent. to secondary schools as there is English there. Take the College Professors, the Vernacular Professors get less. I hope the Government will remedy the defects and explain why there has been no cut in the non-voted item, although His Excellency the Governor has given an idea of his giving up the move to Mahableshwar and his band also. The expenditure under this head should be less. I should like to know why the swollen figures are there.

Mr. G. L. WINTERBOTHAM (Bombay Chamber of Commerce): Sir, I would like very briefly to say that I support the honourable mover of the cut in both the points which he made. It is believed by my constituency that the sooner the front bench, if I may so allude to its Honourable occupants without discourtesy, is reduced in number the better, for the reason that it will be a gesture which will be interpreted by the general public as Government's earnest desire to carry out retrenchment from the top and not from the middle or bottom. In making this remark I am conscious of the difficulty that it may not be an entirely proper way of expressing one's opinion by doing so under a cut of this nature, because I do not believe that this question can properly be criticized as one of policy on the part of the Government. It seems to me, however, that this is the only method by which this House as a whole can express its opinion on the question, and this is my reason for supporting this motion. So, I do agree that the sooner the reduction in the Cabinet comes the better, but I do not for a moment agree with the remarks of the honourable member representing the Bombay Millowners' Association that, because four members were able to carry on Government before the Reforms, they should be able to do so now. The work of course has enormously increased. One of the reasons for that increase is the existence of this honourable House itself. I am also doubtful as to whether, under the new constitution, the new provincial Government will be able to carry on with four Ministers. I strongly suspect that the number will have to be greater, but this is no argument against the reduction in size of the present cabinet because I anticipate that, while it will be necessary to have more than four Ministers in the new provincial legislature, the salaries given will be considerably lower.

[Mr. G. L. Winterbotham]

On the question of having one headquarters, I entirely agree with what has been said by the honourable mover.

Mr. PESTANSHAH N. VAKIL (Ahmedabad City): Sir, I had no desire to participate in this debate, but the observations made by my honourable friend Rao Bahadur Patil induce me to offer a few remarks. I am afraid the honourable mover of the cut has been flogging a dead horse. If we read between the lines of the address delivered by His Excellency some days ago, it is apparent that the Government are in a determined mood. They seem to have already made up their minds to reduce the Cabinet. There is no use shedding crocodile's tears over the impending change. I admit that as the affairs of Government are getting more and more complex there is everywhere a tendency to increase the size of the Cabinet. It has happened in England and it has happened here too. In the time of Lord Salisbury the Cabinet was not half the size of what it was under Mr. Lloyd George and now Mr. MacDonald has been compelled by stress of circumstances to reduce the size of his Cabinet also. New departments have got to be created, for instance, the Department of Transport. There is always this tendency to make the administration topheavy. We cannot always resist this temptation of adding department after department to the machinery of the State.

What, however, I do not understand in this connection is this. Section 47 of the Government of India Act invests the Secretary of State in Council with power to appoint not more than four Executive Councillors. How the maximum should have become the minimum passes my comprehension, because for the past so many years the number of Executive Councillors has been not less than four. Section 52 which deals with the appointment of Ministers does not lay down any limit to their number. So, it is open to His Excellency even now to appoint as many Ministers as he likes. The number of Executive Councillors is prescribed and cannot be increased. One thing, however, is certain. The number of Executive Councillors has been maintained at its maximum figure and it is high time that this number should be reduced. Moreover for one Minister that will be retrenched, two Executive Councillors will have to go. These words have come out of His Excellency's mouth and I make mention of the fact for the information of the honourable member Rao Bahadur Patil.

The re-shuffling of portfolios is not in my opinion going to present insuperable obstacles. For instance, I cannot understand why irrigation should be divorced from agriculture. Irrigation is only a handmaid of agriculture. These portfolios can very well be placed in charge of one Minister. Similarly the provinces of education and local self-Government are so overlapping that they create at present no end of trouble due to the fact that these two charges are held by two Ministers separately. These two portfolios can very well be combined. I know the combined duties will be very heavy for the two Ministers and two Executive Councillors. But as I remarked a little while ago, it is open to His Excellency to add to the number of Ministers, if later on he found

it necessary to do so. One thing is certain. The financial stringency is so acute that there is no device that should be left untried. Under these circumstances, Sir, I suppose that we should resign ourselves to the reduction in the size of the Cabinet.

As I am on this subject, I may as well be permitted to make a few remarks on retrenchment. "Retrenchment" has now become a slogan. Nobody has spoken at greater length than I on the value and abuse of slogans: you will remember, Sir, at Poona I was pulled up by your ruling when I was speaking on it. But retrenchment should be of the right kind. Retrenchment should not be empirical; it must be worked out on certain scientific principles. I do not understand why the Retrenchment Committee should have hesitated to recommend even a cut of 10 per cent. in salaries. From the *Ad Interim* Report of the Retrenchment Committee it is evident that the members were puzzled and hesitated what to do. The official part of the committee had definitely come to the conclusion that anything in excess of 6¼ per cent. would be a very great calamity for Government officials. The majority of the non-officials on the other hand recommended a maximum cut of 10 per cent. While they were quarrelling about fractions the Government of India came to their assistance by cutting the Gordian knot by announcing a flat reduction of 10 per cent., and the way our Government have accepted this cut of 10 per cent. goes to show that there is still room for considerable retrenchment in this direction. I must congratulate my honourable friend Mr. Kamat on having brought this point prominently to the notice of the Council on a previous occasion. The salaries absorb more than 5,37 lakhs of rupees. If you add to that a couple of crores for compensatory allowances, for contingencies and all that sort of thing, fully half the revenue of the province is swallowed up by salaries. Therefore, as I remarked on previous occasion, this is the domain in which to wield the axe without scruple and without compunction. Then, Sir, on what was the salary cut based? Did it take into consideration the index number of prices? It was merely empirical. When I say that, I do not mean to suggest that no important considerations were taken into reckoning in determining the cut: some must have been. But I shall explain my meaning in a different way. I mean to say that there must be some relation between the salary and the standard of comfort, or, shall we say, the necessity of the holder of the post. If commodity prices as indicated by the index number have risen, it becomes increasingly difficult for the Government servant to maintain that standard of comfort to which he has been accustomed; therefore, there is a demand for a rise in salaries. But parity of reasoning requires that when commodity prices are lowered, the causes that operated to increase the salaries must be allowed free play in the opposite direction, and the salaries must be cut down. Now, is there any relation between the proportion of the cut in salaries and the proportion of the reduction in commodity-prices? I do not think, Sir, that sufficient consideration has been given to this factor. I will give you only one instance. The starting salary of subordinate judges at present is Rs. 300,—perhaps,

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Rs. 350 in some special cases. Ten years ago their minimum or initial salary was Rs. 150. Now, are we to understand that the cost of living or the prices of the necessaries of life have risen fully 100 per cent.? Making allowance for house-rent, which has not appreciably come down and allowing also for certain other items of expenditure, such as the higher cost of education of children, still I do not suppose that the total cost of living is now 100 per cent. higher than it was about a decade ago—a consideration which alone can justify the existing scale of salaries. I therefore think that the ten per cent. cut is not adequate. I am sure that the Gauntlett Committee, if the terms of reference permit, will have to go into the whole question over again. I am afraid the Government of India may also have to do the same sooner or later, because this is the field in which retrenchment will yield the best results.

Then, Sir, I do not desire to reopen a question which was discussed yesterday. But under the latitude allowed by the nature of the cut I shall with your permission only refer very briefly to it. Alluding to the opposition to the abolition of the third session of the Council the Honourable the Leader of the House charged this part of the House with inconsistency inasmuch as they clamoured for economy on the one hand and on the other were not prepared to accept it when it was offered in the shape of that curtailment. I think, Sir, he has done us less than justice. Well, economy must be real, proper economy and not economy merely in name. We are not here to register the decrees of the members of Government. A saving of Rs. 15,000 or Rs. 20,000 at the most can hardly be called economy. We view the curtailment in the number of Council sessions as an encroachment on the privileges to which we have been accustomed for a number of years and to which we have come to look forward with great keenness and eagerness. Some very cogent arguments were advanced by my honourable friend the mover of the cut and also by Rao Bahadur Patil. I take this opportunity of adding one more argument, namely, that we, elected—and for the matter of that nominated members, too—form an important connecting-link between the rulers and the ruled; we come fresh from our constituencies and form, as it were, a political barometer reflecting the trend of events in our districts, the condition of the rural areas, and so forth. We give Government first-hand information. By the abolition of the third session of the Council the loss will not be on one side only; Government will be greater losers. What, Sir, is the objection to the annual summer migration to the hills? It is that the Government is isolated from the people. Already there is the charge that this is an alien Government and it is not in touch with the people. The reason for it is that there is a great deal of aloofness between the rulers and the ruled. The occasions for contact between the two must be made more and more numerous. This to my mind is one of the most cogent reasons for our requesting Government to reconsider the matter. The Honourable the Leader of the House has not fully realised the depth of feeling which has been animating this part of the House. Then a statement was made by somebody that some members were even willing to forgo their allowances. We are already making a very great

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sacrifice. The allowances cover only a small part of our sacrifice. The allowance is only Rs. 8 a day; many of us spend more than double that amount. Count also the sacrifice of time that the lawyers make. Some of them earn as much as Rs. 100 a day, perhaps Rs. 200 or Rs. 300. Then we are taken away from our business for a considerable length of time. It is not fair to expect us to make a monetary sacrifice on top of the sacrifices in time and convenience that we are already making. That was, however, only a suggestion from a private member. Then the Honourable the Leader of the House charged my honourable friend Mr. Jog with inconsistency, in that his demand for addition to the number of days allotted for non-official business was not consistent with his complaint about the ennui or the lack of interest shown by non-official members at the fag end of a long-drawn-out session. There is hardly any inconsistency here. We want the third session, but failing that we want a larger number of days to be devoted to the transaction of private business. It is not possible to add to the length of this session, i.e. the budget session, which is already too long, five weeks. And hot in the footsteps of the budget session will follow another long monsoon session. That will be rather too much. Therefore, the third session is absolutely necessary. I felt compelled to give expression to these views because I could see that the Honourable the Leader of the House and the Honourable the Finance Member did not fully realise the depth of our feelings on this point.

The Honourable Mr. G. A. THOMAS: Sir, my honourable friend from Kanara suggested that there was racial discrimination in the higher appointments of the services. That is entirely an incorrect statement. He referred to the Public Works Department. During the last two or three years, there have been three Indian Chief Engineers, viz. Mr. Framji, Mr. Satarawala and Mr. Moraes. I can recall three Secretaries to Government who were Indians, Mr. Dalal, Mr. Wadia and Mr. Nanavati; in the Revenue Department, two Commissioners in recent years, Mr. Ghosal and Mr. Bharucha; and at the present moment, the Surgeon General is an Indian. There is no racial discrimination. The House must remember that Indianization is a flower of recent growth. Indianization cannot begin at the top; it must begin at the bottom. Appointments go, provided there is a suitable degree of efficiency, by seniority. There are more Europeans in the upper branches of the services than in the lower, and as time goes on their places will be taken by Indians, and I have no doubt that ten or fifteen years hence there will be a majority of Indians in the higher posts. The fact that there are not many Indians at present in the higher posts is simply because there are no Indians at the present moment of sufficient seniority.

Mr. JOHN HUMPHREY (Karachi Chamber of Commerce): Sir, the support to the motion that I moved this afternoon has been so overwhelming that there is left very little for me to say on the debate. The position can be best described by using the sentence that was used by the honourable member Mr. Pestanshah Vakil. He rather accused me

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of flogging a dead horse. The position, Sir, is, the horse is not dead yet; the horse is still alive, and we want to see that it is dead. When it is dead we shall flog it no longer. What we want is a definite statement this afternoon, if it is possible to give it to us, that the Cabinet will be reduced. It may not be possible at the present moment to state when it will be reduced. If it is not possible to state when it will be reduced at the present moment, we should like to know why. What we do want is that Government should realise very fully from what has been said this afternoon that there is a definite opinion that the Cabinet should be reduced as early as possible to the figures mentioned by His Excellency. Government have agreed to it in principle and the thing is now to carry it into effect.

With regard to the other portion of my motion, namely, one headquarters, my honourable friends Sir Reginald Spence and Mr. Kadri have both suggested Ahmedabad as a possible headquarters. The idea underlying the suggestion of one headquarters is to retrench, and building a new capital at Ahmedabad would not be retrenching.

I have nothing further to say, Sir, and so, I resume my seat.

The Honourable Sir GHULAM HUSSAIN: Sir, I am thankful to the honourable mover of the cut for all that he said about Government. I am at the same time very glad that this move has come from the honourable members belonging to the European group, though I may characterise it as a rather late move. However, I welcome it because it shows their interest in the welfare of this Presidency. The honourable mover of the cut gave us to understand that his object in moving this cut was two-fold (1) reduction of the Cabinet and (2) that Government should continue to remain in Bombay all the year round. The Non-European group however added one more, namely, reduction of salaries, about which the European group was silent.

First I will deal with the reduction of salaries. We have, as honourable members know, three kinds of services in this Presidency, namely, the All-India Services, the Provincial Services and the Subordinate Services. Honourable members are aware that the All-India sevices are under the control of the Secretary of State, and this Government has no power to interfere with their salaries. As regards the Provincial Services where we have authority, we have already provided a new scale for new entrants as well as for the subordinate services.

It was said that the work that was done during the pre-reform days by four Members is being done today by seven, though the amount of work is the same. Honourable members should bear in mind that Finance which was originally in the hands of the Government of India has been now transferred to the provinces, and is being dealt with as a provincial subject. I specially draw the attention of my honourable friend opposite to me, my former colleague in the pre-reform Councils, to what used to be the discussion under the budget in the pre-reform Council when it was not in the hands of the provincial Government. We used to criticise the whole budget after it was sanctioned by the Government of

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India. Now the situation is completely changed. At that time we could not interfere with many of its items—it was merely advice or suggestions we could offer—but now we have power to interfere with the budget——

Mr. B. S. KAMAT: May I ask if any one on this side said that the work was just the same?

The Honourable Sir GHULAM HUSSAIN: Almost every one.

Mr. B. S. KAMAT: No.

The Honourable Sir GHULAM HUSSAIN: So, there is the additional work of the Finance Department, and it is the most important work, because it is the Finance Department which initiates finance bills and brings before the House all demands for expenditure. Therefore, honourable members will see that the work has considerably increased. As one of the honourable members said—I think it was Mr. Winterbotham who explained it—we have to face the Councils nearly 3 to 3½ months of the year; and the number of questions has also increased; then the preparation for the Council has also considerably added to the work of the Cabinet; and, last, but not least, honourable members will see that even the number of visitors we get now has gone up, because now Government is more in contact with the people.

Again, it was said that if we do not reduce the number of the Cabinet to four, when the new constitution is introduced, the four new Ministers will have to start the work of re-shuffling, and that will be very difficult for them. But honourable members forget that not only this Government, but as far as I remember, speaking from memory, every provincial Government has recommended five Ministers, and so——

Rao Bahadur D. R. PATIL: Who knows, the number may be increased?

The Honourable Sir GHULAM HUSSAIN: Yes, it may even go from five to six. I am simply replying to the arguments put forward by honourable members in order to show that there is likely to be difficulty of re-shuffling even if we reduce our number to four at the present moment. Again, honourable members will see what will be the repercussion on other Presidencies, if we reduce the Cabinet to four and carry on with four. What is the number in the major presidencies and other provinces? Much greater. However, we have already willingly consented to be reduced, and we have left it to His Excellency to keep as many as he likes and remove as many as he likes.

Coming now to the move to Poona, my honourable friend Mr. Pestanshah Vakil wanted us to come into contact with the people. There was a suggestion that we should go to Ahmedabad. There was a little bit of controversy over that; whether political thought emanates from Bombay or Ahmedabad. I am not concerned with that, but honourable members who belong to the city of Bombay and Ahmedabad may decide it between themselves. But I would stress one fact, and that is, that our Presidency is both industrial and agricultural. Are we going to be in touch only with Bombay City, which is purely

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industrial, and should we not go out of it? We must come into contact with the people in the mofussil. I think we ought to be fair both to the agriculturists as well as to the people living in big cities. I think it is enough that we remain here for 6 or 7 months. I may as well tell honourable members that every time I am in Poona, irrigators have been visiting me in large numbers, but when I am in Bombay I do not find any one of them here.

Now, Sir, I come to what His Excellency has already assured this honourable House about, namely, that he is doing his best in regard to the reduction of the Cabinet. Honourable members ought to realise his difficulty also. If honourable members refer to section 47 of the Government of India Act, they will read as follows:

"47(1) The members of a governor's executive council shall be appointed by His Majesty by warrant under the Royal Sign Manual, and shall be of such number, not exceeding four, as the Secretary of State in Council directs.

(2) One at least of them must be a person who at the time of his appointment has been for at least twelve years in the service of the Crown in India."

So, honourable members will see that the appointments are made by His Majesty the King, and unless we get the sanction of the Secretary of State, we cannot reduce the Executive Members, and I assure you that His Excellency is in communication with the Secretary of State in this matter. Once again I assure you, honourable members, that none of us wants to stick to these seats [Hear, hear]. We have already given our resignations into the hands of His Excellency the Governor, and as soon as His Excellency gets the sanction of the Secretary of State, we will move in the matter. With this explanation, Sir, I hope the honourable mover of the cut will withdraw his motion.

Mr. JOHN HUMPHREY (Karachi Chamber of Commerce): Sir, I beg leave to withdraw my motion.

Motion, by leave, withdrawn.

Demand put, and agreed to.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I make a demand for Rs. 1,44,000 under 22-General Administration—Heads of Provinces—Ministers—Transferred.

Question proposed.

Mr. V. N. JOG (Dharwar District): Sir, I beg to move:

"Reduce by Rs. 60,000—Total Grant—Pay of Ministers—Rs. 1,44,000 (C.E. page 118)."

At the time I tabled this motion, I had in mind that there should be a reduction of one post of a Minister and if that one post of a Minister is reduced, I thought the salaries of the remaining Ministers would be reduced only by Rs. 500.

The Honourable Mr. W. F. HUDSON: More work and less pay!

Mr. V. N. JOG: The Retrenchment Committee at that time definitely stated in their interim report that the Cabinet was to be reduced to four

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—two in the Executive Council and one reduction in the Ministers. I thought that if the Presidency was saved the expense on account of the pay of one Minister, then this side of the House would be inclined to agree to each of the remaining two Ministers being paid Rs. 3,500 per month on account of the heavier burden that they would have to bear.

I know, Sir, what will be the result of this cut. With regard to the last cut, perhaps the honourable mover was induced to withdraw in consideration of the fact that even if the cut was carried, it was not obligatory upon the Government or upon His Excellency to accept the motion, namely, to reduce the size of the Cabinet to four, because it is not solely within the jurisdiction either of His Excellency or his Government and has to be referred to the Secretary of State. But this matter, namely, the reduction of the salary of the Ministers is solely within the jurisdiction of this House. Therefore, if the House is serious, it should express itself on this motion. If this motion is carried, there would be a specific mandate instead of a recommendation. Even if they want to retain the three Ministers, the result of carrying this motion will be that they will be paid less, that is, Rs. 2,800 each.

With regard to the recommendation of the Retrenchment Committee on this subject, you will be pleased to see, Sir, that on page 13 of the Statement No. 1 showing the action taken by Government on the recommendations, it is stated :

"In view of the fact that the Legislative Council has recently given a definite vote in favour of retaining the present salary and in view of section 52(1) of the Government of India Act, Government do not intend to take the initiative in this matter."

So, the whole burden is thrown upon this side of the House. When last time I moved a similar cut, I urged that this was a matter solely within the province of this House and the Retrenchment Committee or the Government could not do anything, and I think most of the members first seemed to have agreed with me, but the atmosphere changed after the Finance Member gave them to understand that the matter was within the province of the Retrenchment Committee and Government. You will find this in the debates of the last year. On page 760 of the debates of the February-March 1931 session you will find that I made mention of that fact in my reply :

"The cuts have to be obeyed unless certified. That is not the case with the recommendations of the Retrenchment Committee. I would like further to emphasize to this House that the Retrenchment Committee cannot be useful in this particular matter. As regards this, I will bring to the notice of this House section 52 of the Government of India Act, because the impression is current here that the Retrenchment Committee can take cognisance of this matter, but I submit, Sir, it cannot do so. It has no control over this."

That is what I said at the time of my reply. There was a feeling at the time that the Retrenchment Committee which Government had announced would go into the matter and that they would be able to reduce the salary. At that time this point was touched upon by the Honourable the Finance Member. At that time the Honourable the

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Finance Member took a different view. You will find it on page 763 of the debates of the last budget session:

"Mr. President, I did not want to make any reply to any point, but because the honourable member who moved this cut has referred to section 52 of the Government of India Act and has tried to raise a cloud as regards the interpretation of that section, I am constrained to explain the section as it is framed."

Then he went on to say that as the word "may" had been used, it was possible for the Government to reduce the salary if the Retrenchment Committee so recommended. That impression became common, and as the members were carried away by the assurance of the Finance Member, my motion was not carried. The House was under the impression that the Retrenchment Committee would consider the whole question and if the Retrenchment Committee recommended it, Government would accept the reduction of salaries of Ministers. That was practically the assurance given by the Honourable the Finance Member. When this matter came up before the Retrenchment Committee, objection was raised that the matter was not within the province of the Retrenchment Committee and that therefore the Committee could not consider it. I quote the relevant passage from the Retrenchment Committee's report:

"We make the following special recommendations by a majority:

The Cabinet.—The pay of Ministers should be fixed at Rs. 3,000. The majority of the non-official members would couple this with a recommendation that the pay of Executive Councillors should also be reduced.

Note.—Khan Bahadur Allahbaksh holds the view that as the Legislative Council recently discussed and negatived a reduction in the pay of Ministers, the Committee as being a committee of the Legislative Council has a mandate not to make this proposal and should not have raised the question."

That passage occurs on page 4, paragraph 10 of the report. In the statement showing the action taken by Government on the recommendations, Government say that it is solely a matter within the purview of the Council. If the interpretation had not been given that under the Government of India Act Government had the power to reduce the salaries of Ministers, the vote of the Council would have been in favour of my motion of last year. I have now again moved the cut at the fag-end of this debate and in a depleted House. I do not know what will be the fate of this motion, because again a bait has been held out that an expert committee is to be appointed. The Retrenchment Committee was a committee of this House; but this is an expert committee which is to be appointed to reorganise the whole administration. That committee may perhaps go into this question; or the argument may be advanced that as the reforms will be introduced shortly, this will not be the proper time to effect any change. The question of sentiment and prestige also comes in. If the salaries of the Executive Councillors are not reduced, why should the salaries of the Ministers be reduced? It may be said that though the Act lays down that the salaries of Ministers and Executive Councillors may be equal, the Ministers' salaries have already been reduced to Rs. 4,000. But, Sir, so far as the reserved side is concerned, it is not in our hands. When

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the country demands a sacrifice, the question is who is to set the example? We are not, after all, reducing the salaries disproportionately. Taking even the status, the standard of comfort and everything into consideration, I think that the pay which has been now proposed in this cut, even if the alternative is taken, is quite sufficient. There will be no question of prestige, or status, or matters of that sort, because it is not stated by the other side that they are determined not to reduce the salaries even of the Executive Councillors. The whole matter, they say, is under consideration. So, when this matter is within our hands, I submit that the House would be well advised in accepting the motion.

Then with regard to the various other points, it is no use going over the same ground again. All that can be said, has been said last year. The only thing is that last year it was the impression of the House that the Retrenchment Committee could go into the question, and Government would accept the committee's recommendation.

Sir, I am not at all moving this as a censure motion; it is not at all a censure motion. It is only in the interest of the country and in order that there should be retrenchment that I am moving it. I have nothing personal about the individuals who are acting as Ministers. It is only as an example for others to follow that this reduction should come from the top, and as far as that part of the Cabinet which is responsible to this side is concerned, we are making an appeal and a request that they will agree to the cut in salary, and I hope that the House will pass this motion.

The Honourable the PRESIDENT: I understand the implication of this motion to be that the number of Ministers be reduced to 2, and that the pay of the 2 Ministers so retained be reduced to Rs. 3,500 a month.

Mr. V. N. JOG: Yes, Sir. There is also another alternative which I have to suggest, how the cut is to be accepted. If this cut to the extent of Rs. 60,000 is passed, they can accept it by reducing one post and reducing the salaries to Rs. 3,500 per month, or else there is an alternative, if they want to retain all the three Ministers, each Minister shall have to be paid only Rs. 2,800 per month. This motion does not mean that any or any particular person is to be reduced. It is only a reduction of Rs. 60,000, and if the Government think that all the three Ministers should be kept, then I say that the pay may be reduced to Rs. 2,800.

Question proposed.

Rao Bahadur D. R. PATIL (East Khandesh District): Mr. President, I can understand the point of view of my honourable friend Mr. Jog who is very keen about economy. He wants to set a good example to the Ministers and not to the Executive Councillors, because they are beyond the scope of his attack and their salaries are controlled by the Secretary of State. So, if he wanted to set a good example, it would have been

[Rao Bahadur D. R. Patil]

proper for him to do so by suggesting that no travelling allowance or daily allowance should be allowed to the members of this House. He has not moved any cut in connection with that, though he has taken so much care to move so many other cuts.

Mr. J. S. KADRI: You may move it.

Rao Bahadur D. R. PATIL: I do not want to move that; that is silly. I do not want to move that cut.

Mr. J. S. KADRI: I will support you.

Rao Bahadur D. R. PATIL: I do not want your support. This is the way by which my honourable friend wants to set a good example. I do not think it would be proper to cut the salaries of the Ministers and reduce their number. The Honourable the Leader of the House has told us that the Government of Bombay are in communication with the Secretary of State as regards the reduction of the Cabinet. I think, when that is the state of things, it would be cruel——

The Honourable the PRESIDENT: It is as regards a reduction in the number of the Executive Councillors of the Cabinet.

Rao Bahadur D. R. PATIL: But looking to the speech of His Excellency, if the number of Executive Councillors is reduced, His Excellency may be pleased perhaps to reduce the number of Ministers. Therefore, I say it is not proper at this stage to move any cut in the salary of the Ministers. The question about the reduction of Ministers will be decided within a short time. It appeared so from the speech of the Honourable the Leader of the House. Under these circumstances, I do not think that we should support the cut moved by my honourable friend Mr. Jog, and under these circumstances I hope that my honourable friend Mr. Jog will be pleased to withdraw his cut.

Mr. J. B. PETIT (Bombay Millowners' Association): I hope, Sir, that this honourable House will not accept the proposed cut, *first*, because there is going to be a substantial reduction in the size of the Cabinet at a very early date; and, *secondly*, because our Ministers are already drawing their salaries on a lower scale compared with the Executive Councillors, even though originally it was intended that their salaries should be on a par. It was during the first session of the reformed Council, as you, Sir, doubtless know, that the members of this honourable House felt very strongly that if a substantial reduction was made in the salaries of the Ministers, which are under the control of this House, the step would produce a very desirable effect upon the mind of the Government and would soon be followed by a similar cut in the salaries of the Executive Councillors, which are reserved. I am sorry to say that I was one of those who were impressed by that argument at the time and voted for the reduction. But the result has been that the salaries of the Executive Councillors are still at the original figure, whereas our Ministers are drawing salaries on the reduced scale, then sanctioned. I do not think that it is at all fair to the Ministers that they

[Mr. J. B. Petit]

should be thus put in an invidious position in consequence of this marked disparity between the two sections of the Government. If we want to bring about a reduction, I submit that it should be a general one, applicable to all the members of the Cabinet and not confined merely to the transferred section thereof. As, however, owing to the statutory limitations imposed upon this House by the Government of India Act, this object cannot be achieved so far as the covenanted services are concerned, I do not see any point in further reducing the salaries of the Ministers which are already lower than the salaries of the Executive Councillors. If the proposal of the honourable member for Dharwar (Mr. Jog) is accepted, it will put the Ministers under a further disadvantage, and make the disparity, already existing, still more pointed and invidious.

At the same time, we cannot ignore the fact that the re-construction of the Cabinet is under consideration, and the further fact that we have also requested His Excellency the Governor to hasten the step, so that the hopes held out to us during the course of his speech the other day, may be given effect to without unnecessary delay. With that prospect before us, I do not think we ought to press this cut and push it to a division. Personally, Sir, I am satisfied, and I am sure that even the honourable mover is satisfied, with the present position. I am equally certain that by moving this cut it must have been his intention merely to raise a discussion on this point and to bring to the notice of the Government in a definite form the views of this House on the matter. Now that this object has been achieved, I am sure he will agree that he ought to withdraw his motion, for we are all certain that before long the Cabinet is bound to be re-constituted and a substantial reduction made in its size by the elimination of the extra members thereof. But, meanwhile, to make a reduction in the salaries, merely of the transferred section of the Cabinet, leaving the other section untouched, would, to my mind, not be fair, either to the Cabinet as a whole or to the Ministerial section thereof. I hope, therefore, that the honourable member will withdraw his proposal.

Mr. V. N. JOG: Sir, I ask for leave of the House to withdraw my motion.

Motion, by leave, withdrawn.

Total demand put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a grant of Rs. 19,000 under 19, Interest on Ordinary Debt (Reserved).

Question put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: I move a grant of Rs. 64,01,000 under XIII—Deduct—"Working Expenses", "15-Other revenue expenditure financed from ordinary revenues," and "Refunds of revenue", under the heads "XIII" and "XIV".

Question proposed.

Khan Bahadur M. A. KHUHRO: Sir, I move that the grant be reduced by 2 lakhs.

The Honourable Sir GHULAM HUSSAIN: I rise to a point of order. He cannot move his cut. The House has voted the establishment under 41, Civil Works, which includes Rs. 3,12,000.

The Honourable the PRESIDENT: The point of order raised is correct.

Khan Bahadur M. A. KHUHRO: What is the point of order, Sir?

The Honourable the PRESIDENT: The honourable member's motion is:

"Reduce by 2 lakhs—(Statement E-Item No. 5)—Total Grant—Rs. 3,12,000".

That has already been sanctioned.

Khan Bahadur KHUHRO: Shall I be permitted to speak on the whole demand?

The Honourable the PRESIDENT: If there is a cut for general discussion.

Question put, and agreed to.

The Honourable Mr. W. F. HUDSON: Sir, I make a demand for Rs. 38,000 under 9A, Scheduled Taxes (Reserved).

Question put, and agreed to.

The Honourable Sir RAFIUDDIN AHMAD: Sir, I make a demand for Rs. 6,53,000 under 9, Registration (Transferred).

Question put, and agreed to.

The Honourable Dewan Bahadur S. T. KAMBLI: I make a demand for Rs. 1,29,000 under 8A, Forest Capital Outlay charged to revenue (Transferred).

Question put, and agreed to.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I make a demand for Rs. 34,62,000 under 8, Forest (Transferred).

Question proposed.

Mr. G. S. GANGOLI *rose.*

The Honourable the PRESIDENT: Order, order. The honourable member is about to move, as I understand, a cut of one rupee on the total demand. He must understand the implication of it. I have already warned the House that, unless the whole House or a majority of it is in favour of the motion, it is not enough that the mover himself is determined to carry it to a division. A motion like that is a censure motion. It is not advisable to move it, unless it is seriously meant to be pressed.

Mr. G. S. GANGOLI: I submit I do not move it.

Demand put, and agreed to.

The Honourable Mr. W. F. HUDSON: Sir, I make a demand for Rs. 4,82,000 under 7, Stamps (Reserved).

Question put, and agreed to.

The Honourable Sir RAFIUDDIN AHMAD: Sir, I make a demand for Rs. 54,40,000 under 6, Excise (Transferred).

Question put, and agreed to.

The Honourable Mr. W. F. HUDSON: Sir, I make a demand for Rs. 57,38,000 under 5, Land Revenue (Reserved).

Question proposed.

Mr. V. A. SURVE (Ratnagiri District) (Addressed the House in Marathi): Sir, I beg to move—

Reduce by Rs. 100 total demand under Land Revenue, Rs. 66,86,000 (C. E. page 53).

Sir, the fate of the cultivators is determined by the policy pursued by Government in the Revenue Department. In the Ratnagiri district we depend for water mostly on the rains. There are a few nullahs and rivers which supply water during summer. Section 37 of the Land Revenue Code governs the use of water from these nullahs and rivers. In the villages there is not a single river or water channel which is under the control of a single individual or community, but the agriculturists in hard times try to eke out a livelihood by cultivating a few garden crops by making use of these rivers and nullahs. Out come the revenue subordinates, point to the rules of the Land Revenue Code and stop them from using the water of these rivers and nullahs. Is this not *zulum*? Where is justice to the agriculturists. The departmental subordinates appear to rely on section 55 or 57 of the Land Revenue Code, which says that the rivers and streams are the property of Government. On the strength of this section, the villagers are asked to dismantle their *mots*. This sort of thing goes on in the Harekeri village, but not in khoti villages. Why should there be this discrimination?

The Honourable Sir GOVINDRAO PRADHAN: The Honourable the Revenue Member wishes that the honourable member should give some examples.

Mr. V. A. SURVE: In the villages of Malgu and Vara the talatis have actually forced the agriculturists to remove their *mots*, which they were using for growing brinjals, chillies, etc. The people of a place called Varoda have actually complained to me about this. Why should Government tolerate this open defiance of their rules by their subordinates? I appeal to the Honourable the Revenue Member to remedy this state of affairs as early as he can and protect the agriculturists from the *zulum* of the subordinate officials. The Revenue Department is the chief department which comes into close contact with the every day life of the agriculturists. The departments of Excise and Forests do not affect them so much. My final appeal to the Revenue Member is that he should see that the subordinates of the Revenue Department do not abuse the provisions of the Land Revenue Code or transgress the rules laid down in it.

[Mr. V. A. Surve]

Besides, I hear that a suspension of three annas in the rupee has been given in the Kolaba District.

The Honourable Mr. W. F. HUDSON: Two annas suspension has been given in certain talukas of the Ratnagiri District and three annas in certain talukas of the Kolaba District.

Mr. V. A. SURVE: This is of course all to the good, but what I wish to urge upon the Honourable the Revenue Member is that there might be a mingling of sympathy with the duty of collection of land revenue. I however do not see why there should be two annas suspension in the Ratnagiri District as against three annas in the Kolaba District.

The Honourable the PRESIDENT: Is there any difference between the suspension granted in Ratnagiri and that granted in Kolaba?

The Honourable Mr. W. F. HUDSON: It is three annas in certain talukas of the Kolaba district and two annas in certain talukas of the Ratnagiri district. If the honourable member Mr. V. A. Surve would do me the honour to read the reply which was printed, he will know the facts.

Mr. V. A. SURVE: Whatever that may be, Sir, the instalments have been reduced from four to two, and there is such an absence of sympathy or even discretion in enforcing the letter of the law, that it might interest the House and the Honourable the Revenue Member to know what happened in my own case. On the 13th of a certain month I wrote to the taluka magistrate that within five days from that date I would pay Rs. 210. At 1 p.m. on the 18th I paid the amount. On the 16th, however, when I was not there, the revenue man comes and seizes my goods by way of distraint. Why should that revenue officer have shown such strictness in collecting the amount? What the agriculturists would appreciate most is that even if there is a delay of a few days in payment, they should not be harassed in the manner I have shown.

The Ratnagiri district is not a famine-stricken district. We have 240 inches of rain and it has been estimated by Government that it costs Rs. 8-12-0 worth of grain for a man's food per year! Concessions of two or three annas do not mean much if they are not accompanied by even a small trace of sympathy in the process of collection of the land revenue, and even if there happens to be a slight delay of four or eight days, the agriculturists should be treated leniently. I am laying particular stress on this question of sympathy and sympathetic handling of the poor agriculturists who are mostly illiterate and ignorant.

To place this special grievance of the agriculturists I have moved this cut so that the Honourable the Revenue Member will be pleased to take suitable steps to remove our grievances by bringing his subordinates under proper control. Although all the other departments have to do a good deal with the daily lives of the agriculturists, it is the Revenue Department which has to do most with them and this makes an additional reason why the Honourable the Revenue Member should devote special and personal attention to the complaints I have laid before the House

[Mr. V. A. Surve]

to-day with a view to seeing their causes removed. I trust my motion will be accepted by the House.

Question proposed.

The Honourable the PRESIDENT: I should like to know if there are many honourable members who wish to speak on the general policy under Land Revenue, because on that will depend the arrangements for to-morrow.

The Honourable Mr. W. F. HUDSON: I was only hoping that no other honourable member would speak on this motion and that we might be able to finish this item this evening. If other honourable members desire to speak, then it is no use my attempting to reply before I hear them.

The Honourable the PRESIDENT: I was myself waiting to congratulate the House on the record they have made this time in having gone through every item of the budget a day before the guillotine to-morrow. As, however, there are so many members desiring to speak, I think to-morrow will be occupied. On the last day of the demands, we usually meet at 12 o'clock, rise for tea at 3-30, meet again at 4 and go on till 5 when the guillotine is applied. If honourable members will continue to show the same spirit which they have shown so far in carrying on the debate, we need not meet early.

As regards the day after to-morrow, which is a private day, I wish to inform the House that I propose to give preference to the honourable member Rao Bahadur Kale's motion on Saturday. So, that will be taken first and disposed of on that day.

The Honourable Sir GHULAM HUSSAIN: We have no objection to the honourable member Rao Bahadur Kale's motion being taken up on Saturday. In fact, I have already informed him that we would take it up on the first day available.

There is one other matter. If we finished the discussion on demands for grants to-morrow, and if there is time, we may take up the statutory motion of the honourable member Mr. Jog regarding the Co-operative Societies Rules.

The Honourable the PRESIDENT: If there is time, we might dispose of that motion.

Mr. V. N. JOG: I may inform you, Sir, that I am not going to move it.

The Honourable Mr. W. F. HUDSON: Do I understand, Sir, that we meet at 2 o'clock to-morrow and that the discussion on demands will be finished by 5 o'clock?

The Honourable the PRESIDENT: The law is that the discussion may go on till 5 o'clock; and then all the remaining demands will be put to the House without discussion.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: On Saturday we meet in the morning as usual; do we not?

The Honourable the PRESIDENT: Yes. The House is now adjourned to 2 o'clock to-morrow, Friday, the 11th March 1932.

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BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Friday, the 11th March 1932.

The Council re-assembled at the Council Hall, Bombay, on Friday, the 11th March 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
HADDOW, Mr. R. R.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.

KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACKIE, Mr. A. W. W.
MACLACHLAN, Mr. D.
MATCHESWALLA, Mr. G. E.
MCELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
TALPUR, MIR BANDEH ALI KHAN
THOMAS, the Honourable Mr. G. A.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WADKE, Mr. B. P.
WILES, Mr. G.
WINTERBOTHAM, Mr. G. L.

DISCUSSION ON DEMANDS FOR GRANTS—*resumed.*

Mr. G. S. GANGOLI (Kanara District): Sir, it is said that God helps those who are helpless. I thought that this item, which is the last in the second list, would never be reached. I had also tabled a resolution recommending to Government the grant of remissions. That also came last, and I thought that even that would not be reached. Fortunately, we have reached this item. So, I am availing myself of this opportunity to represent the grievances of Kanara with a view to getting some redress from Government. But before doing so, I wish to offer thanks on behalf of my constituency to two Members on the Government benches. The first is Sir Govindrao Pradhan, who, when he was Minister, was kind enough to visit Kanara and after local inspection tried much to redress, and actually redressed, many of our grievances. The second is the Honourable Member in charge of the Revenue Department. He kindly went through the report of the settlement officer who was specially appointed for the purpose—I mean Mr. Collins—and gave us last year a remission of Rs. 17,000. Mr. Collins had recommended a reduction of Rs. 17,000 from the land revenue paid by gardeners.

After having thanked these Honourable Members, I come to state what the real facts in Kanara are. For the past three years, the owners of garden lands in Kanara and the agriculturists in general have not been getting a proper price for their produce: they have not been getting even 30 per cent. of the prices they used to get three or four years ago. I have already stated on the floor of this House that Kanara is regarded by the Agricultural Department as the pride of that department and as the pride of the Bombay presidency. The assessment per acre of garden land is up to Rs. 16 and the maximum assessment for paddy lands, called *tari* lands, is Rs. 8 per acre. I think that is the highest level of assessment in this presidency. Yet we are neglected by the Department of Agriculture. It is the general complaint that the agriculturists in this country have not occupation for all the 365 days in the year. But so far as the cultivators of garden lands in Kanara are concerned, not only are they occupied all through the year, but they have work every minute of every day of the 365 days. From a really good garden land in ordinary times the gross yield was not less than Rs. 400 per acre. So, it gives sufficient work for all the 365 days and also sufficient income. There is also one other feature of these garden lands, and that is for thousands of years one garden can yield the same amount of produce. That is a peculiarity of these garden lands. The Kanara district is more fortunate than other districts in that we have never known a year of famine or scarcity, there is no quarrel between Hindus and Mussalmans or between Brahmins and non-Brahmins. In all these respects we are blessed. But our grievances are, firstly, malaria; secondly, forests; and, thirdly, lack of sympathy. By forests I mean excess of forests as well as want of forest produce. By malaria, I mean not only that we die of malaria, but also that we are disabled from work in the fields and weakened. This time, I may say they have selected a representative of my type just to show also to the House what type

[Mr. G. S. Gangoli]

of people inhabit Kanara. I attribute to lack of sympathy the ignorance and illiteracy of our villagers. Most of the villagers have to live in valleys remote one from the other and not connected by roads, in order to carry on the cultivation of their special commodity, spice. They are so ignorant that when some of them come to the town and see a motor car they ask us "Where are the oxen to be yoked to this?" This is the kind of illiteracy and ignorance prevailing in the villages. [*Interruption.*] It is no exaggeration. With all this, some of these agriculturists are black-marked as civil disobedience and non-cooperation fellows. The fact is that they are unable to pay. Let some means be shown to them and they will pay. If we are shown some means to pay, I undertake myself to pay each and every pie of assessment in Kanara. The Co-operative Department no doubt gave us some help in the past by way of advances and loans, but it has left us in heavy indebtedness. For the last three years, instead of coming to our aid in these dire days they have stopped all further loans; there are circular orders now that no advances should be given to agriculturists because the agriculturists are already in debt. That is the case. The sowkars are angry with us for our having started co-operative societies in hundreds and they do not advance a single pie. Government have ceased to pay tagavi. No doubt last year they financed the cultivators by tagavi to the extent of nearly Rs. 20,000; but they took away with their left hand what they advanced with their right hand. They paid the tagavi only to help in the payment of revenue.

After stating this much, I shall come to state what the effect of this policy has been on Kanara. I shall first take two talukas, Sirsi and Siddapur. In 1891, the population of Sirsi was 54,000; in 1901, 53,000; in 1911, 47,000; in 1921, 40,000 and in 1931, 39,000. So, there is a decrease of 26 per cent. in the Sirsi taluka. In the Siddapur taluka, the population in 1891 was 42,000; in 1901, 41,000, in 1911, 37,000; in 1921, 32,000 and in 1931, 33,000. So, there is also a decrease of 21 per cent. in the Siddapur taluka.

I stated at the beginning that the Honourable the Revenue Member had actually granted us a remission of Rs. 17,000. It was only what was our due from the year 1925. The settlement officer, Mr. Collins, had strongly reported that the garden cultivators were heavily taxed and that they should be relieved to the extent of Rs. 17,000. That was only for some villages in these two talukas. Even that recommendation was not carried into effect, and in spite of the inability of the people they were forced to pay every year. In the long run, however, some officer found that people had not a single pie to pay, took pity on them, and reported that to the higher authorities, and the Honourable the Revenue Member having come to know of the fact granted remissions to the extent of Rs. 17,000. In the beginning of this session the Honourable the Revenue Member said that three annas remission was granted to some districts. I got up and asked him "What about Kanara?" I understood him to say that I must wait and see.

[Mr G. S. Gangoli]

The Honourable the Finance Member on the other hand, perhaps through an inadvertence,—or it may be a fact—said that four annas remission was given to Kanara.

The Honourable Mr. W. F. HUDSON: Which Member?

Mr. G. S. GANGOLI: The Honourable the Finance Member.

The Honourable Mr. W. F. HUDSON: What did he say?

Mr. G. S. GANGOLI: That four annas remission was to be granted to Kanara.

The Honourable Mr. W. F. HUDSON: Where has he stated it?

Mr. G. S. GANGOLI: It may be through inadvertence or it may be a fact.

The Honourable Mr. W. F. HUDSON: Let the honourable member quote the page.

Mr. G. S. GANGOLI: It is in his speech. The Honourable Member can verify.

The Honourable Mr. W. F. HUDSON: The honourable member has got a printed copy. He can give the reference.

Mr. G. S. GANGOLI: I have not been supplied with it yet.

I shall now come to some of the reports of Government. The Report of the Department of Agriculture for the year 1930-31, contains the following passage at page 164,—I have once quoted it:

"Even the money-lenders and sowkars consider it risky to advance any loan for the cultivation of staple crops and the effect of all this depression is likely to be seen in future cultivation. The general indebtedness has been increased and in some parts of the Kanara District great difficulty has been felt in collecting the revenue. The poor cultivators are not in a position to hold out their produce until better prices prevail; and as a result almost all the produce has passed into the hands of merchants and sowkars at the cheapest possible rate. If the present depression continues, the cost of cultivation and the value of the produce will be automatically settled, but this settlement will take a heavy toll at the cost of poor cultivators."

This was written a year ago; after that, the situation has gone from bad to worse. Now, we have another report, a communique from the Director of Information, regarding the remission of Rs. 17,000 granted, and it states:

"The Governor in Council considers that the relief recommended for occupants of garden-lands should not be withheld because the proposals as a whole are kept in abeyance. The need of concessions has been accentuated by the recent fall in the prices of garden produce and remissions amounting to nearly Rs. 20,000 were given last year to occupants of garden-lands in the talukas of Sirsi and Siddapur. In order to secure a more equitable distribution of the land revenue demand as a whole in the areas in question, the Governor in Council is now pleased to direct that remissions equal to the reductions proposed by Mr. Collins should be granted every year on garden-lands in the talukas of Sirsi, Siddapur, and Yellapur and in the Mundgod Mahal till the current settlements are finally revised. The orders should have effect from the current revenue year, 1931-32."

So that even His Excellency the Governor and his advisers have felt the necessity of remitting land revenue to the extent of Rs. 20,000 in the year 1930 and remitting to the extent of Rs. 17,000 in the year 1931. Now, when we have gone from bad to worse and from worse to the worst this year, I have come with a prayer that we may be saved from the calamity,

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because there is no other way out. We thought of starting a land mortgage bank on co-operative lines but I learn that the Co-operative Department cannot help us in that direction also at present.

Even to-day, as I am speaking here, I have received letters from many people in Kanara that in Bhatkal last week one tiger killed five or six cows. The District Superintendent of Police himself went there to kill the animal but could not succeed in tracing it. In another village in the Sirsi taluka wild elephants have come in and are depriving us of our standing crops and also of trees.

Now I come to some of the reports of the Settlement Officer himself. Mr. Baskerville, who was then the Collector, writes in the precis of the Settlement Report:

"There is sufficient evidence to shew that the outturn of garden-crop has deteriorated. The difference in the outturn of pepper and cardamom is apparent."

I shall now give a brief extract from what the Forest Grievances Enquiry Committee say on page 63 of their report:

"Kanara is the only forest district in the Presidency where population and cultivation are both declining. The Committee visited some places in Kumpta and Sirsi talukas where forest has been extended to the very doors of the cultivations and habitations"....

"Proximity of closed proper forest round about cultivation and habitation serves as a haunt for wild animals and reptiles dangerous to life and cultivation and a hot-bed for malaria brought about by the thick over-growth of useless vegetation choking the process of ventilation and by the decaying of organic matter. It interferes with the right of grazing and the exercise of privileges. It also gives rise to impounding of cattle, ravages of wild beasts, scarcity of water, harassment by forest officials, insanitary conditions of the locality affecting the lives of the residents, thereby making the very existence of agriculture and habitation difficult and impossible. On account of such forest pressure, both population and cultivation in some villages and hamlets have been extinct and in the case of some villages they are on the very verge of extinction....."

Now, Sir, having stated this much regarding the actual state of affairs in Kanara, I shall come to the way in which land revenue was exacted last year though there were no ordinances and give some concrete instances:

"Saraswati Annayyabhat (a widow) of Shirgodhail, Kabbali gram, Siddapur taluka:—

Paid first instalment by recourse to loan in the hope that second instalment would be suspended. There was attachment for second instalment. The attachment party broke open her house in her absence and attached Rs. 1-8-0 belonging to her and Rs. 5 belonging to others. After that, paid the balance of Rs. 15 by selling rice that she had kept for her sustenance."

"Krishnabhatta Ganapabhatta, Kerchond, Chappermane grama, Siddapur taluka:—

Had to pay Rs. 40 as assessment; was not able to pay on account of economic distress. Notice was served on 2nd April 1931 but even before that copper pots and milch buffaloes attached. On payment of first instalment articles attached, excepting buffalo, returned. Later informed that buffaloe was sold for grazing fees, went to Mamlatdar's house but was driven away by police. Deponent had to secure relief from Relief Fund....."

The Honourable the PRESIDENT: The honourable member is evidently reading from a printed pamphlet.

Mr. G. S. GANGOLI: Yes, Sir. They are statements taken from the people.

The Honourable Mr. W. F. HUDSON: Taken by whom and where?

Mr. G. S. GANGOLI: Taken in the villages named.

The Honourable Mr. W. F. HUDSON: Who took them?

Mr. G. S. GANGOLI: Not Government officers, but others and myself.

The Honourable Mr. W. F. HUDSON: I beg the honourable member's pardon. I did not know that.

Mr. G. S. GANGOLI: I shall quote one or two more instances:

"Parameshwar Shivram Hegde, of Harogar, Taluka Sirsi:—

At instance of Shanbhog applied for tagavi, to the extent of Rs. 100. Arrears were Rs. 75 and that amount only was sanctioned as tagavi and credited towards payment of arrears."

"Mahalayya Ramayya Hegde, of Balgod:—

Forfeiture notice for default in paying both instalments. Second instalment suspended. Asked to pay first instalment by recourse to Tagavi. Rs. 50 was sanctioned. Rs. 42-9-0 was credited to arrears of revenue and Rs. 7-7-0 were actually paid to him."

There are many instances of even worse type. What I mean to show from this is that even the tagavi which was paid to them was paid not for sustenance or purchase of seed and cattle as was made out but only to pay the land revenue which was in arrears. I submit, Sir, that when in 1930 Government saw the necessity of giving a remission of about Rs. 20,000 and in 1931 of about Rs. 17,000 this year when we have reached the worst possible stage and our plight is really deplorable, no remission is yet announced. I am, however, labouring under some disabilities because I do not find here two honourable members who were here last time—I mean Mr. Collins and Mr. Maxwell—as they, from their personal knowledge of Kanara, would surely have borne me out. I have been labouring under another difficulty also, namely, when I returned from the December session I fell seriously ill and could not therefore see the new Collector who has just taken over charge. I hear that he is a very sympathetic and just officer and that if only I had approached him and satisfied him of the genuineness of our grievances, he would surely have submitted his recommendations to the Honourable the Revenue Member and obtained justice for us. I am referring to Mr. C. B. B. Clee. Our worst enemy in Kanara is the lower official who has been for the last three years misrepresenting to Government that the poor agriculturists in the towns and villages of Kanara have been actuated by improper motives as they belong to a disloyal movement and that therefore payment of land revenue is being withheld. Well, let me assure the Honourable the Revenue Member that that is not so. The real fact is that the people are too poor to pay and have not the wherewithal to pay the land revenue assessment. Their economic condition is truly deplorable. They have been in want. At the same time I take upon myself the responsibility of stating on the floor of this House that if any responsible Government officer will show us the means by which to pay the land revenue assessment or will start some land mortgage bank or co-operative society which can advance money to us at a moderate rate of interest, we shall pay up all that is due from us.

Similarly, in the case of garden lands, if any amount is advanced to us at a low rate of interest, we shall pay the land revenue, or else, I approach Government with all the emphasis that I can command and of course in

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all humility and I pray for relief from this deplorable state of affairs in Kanara. I do not mean to say that each and every agriculturist should be relieved. There are two instalments in Kanara. Nearly 70 per cent. of the first instalment is already paid. Some of the traders and zamindars have paid and other professional men who own land have also paid the assessment this year even one month in advance and therefore I make my appeal to Government on behalf of the helpless and poor agriculturists who really cannot, due to deplorable economic conditions, afford to pay and I hope and trust that such poor agriculturists will be given due relief.

With this prayer, I resume my seat.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, I rise to support this cut and while supporting it, I wish to place before this honourable House the condition of Sind as connected with this demand. This demand covers a wide range, namely, the revenue establishment, land records, Manager, Incumbered Estates and so on and so forth and so I shall briefly touch upon every department so far as it concerns the administration in Sind.

First and foremost, I would like to place before this honourable House the deplorable condition of the zamindar so far as his liabilities to Government are concerned. Sir, they are many and manifold, in the shape of land revenue assessment which he has not been able to pay since the year 1927-28 right up to this date, the arrears of Co-operative Bank loans and takavi loans which he has to discharge and the interest thereon; his private liabilities and such other liabilities which are being multiplied and being put on to the shoulders not only of himself but also of the posterity in the shape of charges for rectangulation and new water-courses, etc. being carried on in the province of Sind at present.

Now, Sir, referring to the specific item of land revenue assessment only, I would like to draw the attention of the Honourable the Revenue Member, who I think has a very soft corner for the Sindhis having spent a considerable portion of his service in that province, to certain aspects of the land revenue assessment which obtain there at the present moment. I do not deny that the Honourable the Revenue Member has a very soft corner for us, Sindhis, and it is for this very reason that I am going to make an attempt, however feeble, to touch that soft corner in his heart. I do not think I shall at all be relating a new story, but I shall quote from the reports of Government themselves—reports which have been prepared under the supervision of the Honourable the Revenue Member himself—reports for years 1927-28 to 1930-31, all of which I have in my possession at this moment. On page 99 of the report for the year 1927-28, the very first sentence runs thus:

"The season during the year under report was far from satisfactory."

I do not wish to bother the honourable House with further details, but I have just quoted that line which gives an indication as to what was the condition of the zamindars in that year in Sind. I shall now quote

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one short sentence which will give you some idea of the exact position of the zamindars in that year. I am quoting from the third paragraph :

"The locust disease visited Sind again. (Previous to 1927-28 also locusts visited Sind and caused considerable damage to standing crops).....

The calamities of the year did not end there owing to excessive and unprecedented rainfall in Thar Parkar and Hyderabad districts in the end of July when serious floods occurred in those districts....."

So, locusts, floods and excessive rainfall overtook the province of Sind in the year 1927-28. Then the year 1928-29 also was not very satisfactory. For instance, the report says :

"The inundation during the year under report was satisfactory..... though the river did not at any time rise much above the normal level. There was no rainfall, or the rainfall was scanty throughout the year. The barani tracts suffered."

Then as regards the year 1929-30, the same pessimistic note is struck. The report says :

"The season under report was on the whole far from satisfactory."

So, from the reports it is quite clear that for the last five years the zamindar of Sind has been subjected to various calamities ranging from heavy rainfall and floods to locusts, cholera, malaria, and so on, and now therefore he has been reduced to penury and destitution. I do not dispute the fact that he may possess large tracts of land, but that does not matter. If you were to take into consideration the aggregate expenses that he has to incur to carry on his cultivation, to meet his necessities of life, and also to discharge his various liabilities, I think you will see simply a barren picture. I hope I will be excused if I am giving vent to expressions which might be considered as hyperbolic or exaggerated, but really speaking I am only painting the picture in its true colours. Sir, since we have come here to attend the session of this honourable House, we have been receiving pressing letters and telegrams from time to time, of which my pockets are full, but I do not mean to take the time of the House in reading them out. One of them which has just been put into my hands by my honourable friend Mr. Shaikh Abdul Majid—I am going to resist the temptation of reading it out—gives a genuine impression of what the people feel. So that, that is really the condition of the zamindars. The prices have gone very low and the crops have deteriorated in yield on account of various causes besides natural causes, over which the zamindar has no control. For instance, if one were to take into consideration the portion of Lower Sind only, I think, apart from heavenly calamities, the human hand also has something to do with the present condition there, for instance the introduction of the remodelling of the Fuleli, and the inefficacy of the Kalri project, and others, on account of which the water has been reduced in those tracts. So that lands which would yield something substantial and enable the zamindar to pay a fair share of it to Government and also to maintain himself have deteriorated in their fertility, and the outturn is so very poor that it is hardly enough to meet the Government demands. That factor should not be overlooked. It is not only the prices, but the outturn of every crop has gone poor, and it has considerably deteriorated. Prices of course have got much to do with the zamindar's present

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condition. But these are in short the governing factors on the basis of which we have been urging upon Government for remission. It might be said, Sir, that cotton has been rising in price. But I must assure the Honourable the Revenue Member that cotton has been for long sold and it has gone over to the hands of the Baniya, before the zamindars could take advantage of the rise in price, because being hard pressed by his various creditors, he had to sell his crop in advance. If figures were to be compiled, I think they would go to prove that about 75 per cent. of the cultivators have sold their crop while it was standing, while it did not yield anything, even to the extent of one pie out of a rupee,—all that is sold in advance. They could not help doing it. They could not carry on their business without doing it. So that, really, the agriculturist has not benefited by the rise in the prices of cotton at all. Of course, the rice cultivator has suffered decidedly and I hope Government will have nothing to say against that. If cost of cultivation is deducted from the price of rice produce, there will hardly be left any surplus over and above land assessment. Sir, taking all these factors into consideration, I would urge upon Government kindly to take early steps to revise the system of settlement, to make it flexible and elastic, so as to keep pace with the circumstances of the time. We are quite prepared to pay more when we have got more in our pockets, but we cannot pay when we have nothing in our pockets. I think we shall shortly witness ghastly and pitiable scenes of the goods and chattels of the zamindars being sold in the open market and in the street with no purchasers for it, if the provisions of the Land Revenue Code are put literally into execution. I do not think the Honourable the Revenue Member will go these lengths, and I do not think he will allow the lands of the zamindars to be sold, for they will not be worth the game. People have not got money. There are large tracts in the Barrage zone, which we are anxious to dispose of at as good prices as possible, but we are not able to do so according to our estimates. Therefore the selling of the land of zamindars by auction is out of the question, and the chattels will not bring anything. So that, the only course is to remit a considerable portion of the land revenue in order to give relief to the agriculturist, to enable him to be prepared and ready to carry on his business, in order to be able to finance the coffers of Government. Otherwise, if you fleece him, and he is shorn of all the weapons and instruments that he possesses for his agriculture, it will neither benefit him nor Government; it will be casting him to the winds, and there will be growing discontent, the volume of which it will be very hard for Government to resist. I am sure, in the course of his reply to this motion, the Honourable the Revenue Member will have something to say with regard to Sind, as he did with regard to the other parts of the Presidency. This is at least the expectation of this side of the House. Then, Sir, as I am afraid that my honourable friends might envy the position I am taking in encroaching upon their valuable time, as they might have to say something about their own divisions, I will pass on to another item within the grant. That, Sir, is with regard to land records.

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Sir, I am in possession of several issues of local newspaper *Hamdard* wherein clear indication is given that the records of rights are not properly maintained, so much so that the entries for the last 15 years have not been made. That means that the mutation of records has not been carried out in time and the records are not maintained in their proper form. This is due mostly to disputes also. The disputes must be settled, but the officers do not take it seriously enough to carry on the mutation of records in time and to keep the records up to date, because it does not concern them as it does not affect Government financially. As long as they get the land revenue assessment, they do not care whether there are disputes or anything else. If there is a dispute, they say, let the parties go to court, fight it out there, and establish their rights; and God forbid if the Probate Bill is passed, Government will be getting additional revenue from disputed property. The Collector of Hyderabad once challenged the editor of this paper as to the correctness of these statements which he published in token whereof the papers published the actual instances. When an official is asked to make a simple entry, if he is not satisfied, he does not do it, or when he is bribed by the other party he does not carry out the mutation of records in time, which gives rise to so many complications and puts the parties to so many troubles in course of time. So that, I would only draw the attention of my honourable friend the Revenue Member to it—and I have drawn his attention to it in the form of questions also—in order that he may take early steps to see that this thing is remedied as soon as possible.

Then, Sir, I will cursorily touch the Encumbered Estates Department. Now, Sir, so far as the purpose of this department is concerned, I think it was mainly established for the purpose of affording protection to the agriculturist who could not protect his own interests. Government did realise the necessity of guarding the interest of the agriculturist, who, on account of a certain position brought about either by his own fault or on account of circumstances beyond his control, could not maintain his property and maintain himself financially; and Government, being in the position of a parent, thought it their fundamental duty to protect his interests at his own cost, because the cost is borne by the estate coming under the management of the Encumbered Estates Department. And how were these estates administered in the good old days? I have been hearing from my father and grandfather words of praise with regard to those old officers who manned the Department at its early stages, and they repeat their names with feelings of reverence. I can trace this feeling up to Mr. Mountford, but not beyond him. Mr. Mountford is remembered even to-day on our side on account of the genuine interest that he took in the protection of the interests of these people whose estates came under his control as Manager of Encumbered Estates. Officers like him considered the zamindars coming under their protection as their own children. But that spirit does not prevail to-day. It is getting stereotyped and technical. That is my experience. I have come across a few instances which go to prove and to convince me that it is getting

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stereotyped, and that that amount of interest and feeling which is expected from the heads controlling that department is not being evinced. Now, Sir, I will give an illustration. Lest I might be misunderstood, let me say at the very outset that I am criticising the Department in order to draw the attention of the authorities to the matter, because it is only when we go to sleep that we are goaded and vice versa. There is no harm in dosing or going to sleep, because we could be goaded up, and then we can revert to the discharge of our responsibilities and duties. It is only with the spirit of correction that I am giving expression to what I have to say, and I am just giving one instance which has only recently come to my knowledge. There is a gentleman who had served Government very honestly and loyally all his life. He is nearly 70 years of age now, and has also gone blind. He is a very big zamindar, possessing certificates of good service and character from the Collector right up to His Excellency the Governor. Such a man needs any amount of interest and any amount of care at the hands of Government. The son of this blind man, having gone out of his control, being a spendthrift, went on unscrupulously leasing the lands for nothing, and selling them for a song when he could not pay the lease money which he took in advance. From the papers in my hand I find that about 6 or 7 suits were filed against the man before the Manager of the Encumbered Estates, as the estate is under his management, and half of them were decided in his favour by the Manager of the Estates, but the Commissioner in Sind, perhaps in his greater wisdom, saw the necessity of reversing these decisions and has decided against the old man, and in this way an injustice has been done to him. Here is a poor, old man, who has been so loyal to Government and useful to the public, who possesses certificates from high officials about his good character, and who has gone blind. If injustice is done to such people what will be the fate of others whose case we do not know ? From that instance, I can draw only this inference, that this department is getting stereotyped and too technical; technical, because being a person not conversant with law, he is time-barred and cannot reopen the matter, because certain sections of the Encumbered Estates Act stand against him. Now, what is the remedy ? At least the provisions of law should be made so elastic as to allow an appeal from Commissioner's orders if any injustice is done. If the Commissioner cannot take interest, the parental body, the Government, should take interest. We are centralising everything now-a-days, and before provincial autonomy is ushered in we can remedy the situation. Here also we can have appeal to Government. If there is any injustice done, the party should not be shut out from appealing to Government. There are several such instances which might not have come to my notice. There are instances in which injustice has been done out of heartlessness. Only for want of interest, this is going on. Had everybody's case been investigated, nobody would have reason to complain on that score. If the officers could be goaded to rise from their slumber and made to understand the huge responsibility of having taken over the property of the estate owners and stepped into the shoes of a

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guardian, they can be made to look upon wards as their own children and look upon their property as their own property.

I will finish my speech with a few more words. There is one matter concerning the department of my honourable friend the Revenue Member. I could not get an earlier opportunity to bring it to his notice. I think it will not be irrelevant, if I give expression to my feelings in regard to the question of *lappo* and *rasai*, which was raised some time ago in this House. I got an assurance from the Honourable the Revenue Member that he will do his best to put my scheme into operation for the sake of trial. I do not see that my scheme has been put to trial anywhere. My constituency wants a trial only. If my scheme had been put to trial seriously and if it had failed, I would have had no grievance. At least I would have had some reason to advance to my constituency that I did my best but the object could not be achieved. I would have told them that everything humanly possible had been done. I do not think that my scheme has evoked any interest in the local officers. Perhaps my scheme has been consigned to oblivion. I would like only to bring this to the notice of Government that the people are still looking forward whether my scheme or any other alternative scheme will be put into operation, in order to redress their grievances on that score. The Tapadar is still going strong. He goes strong as "Johnnie Walker" and nobody touches him. He will only think that the voice of the honourable members is not being carried into effect. He will think that honourable members come here and waste their words and their voice goes in the wilderness and that nobody will touch him. He therefore believes that he can go on with his *rasai* and *lappo* to the same extent as he did 100 years ago. With these few remarks I would support the cut.

Mr. A. N. SURVE (Bombay City, North): Sir, the land revenue policy pursued by our Government is unsympathetic, unwise, short-sighted and suicidal. Sir, it is unsympathetic in this sense that it is putting into practice the phrase found in the Bible, viz. that: "He that hath shall be given more but he that hath very little shall be deprived of what little he hath." The small agriculturist is squeezed out by three agencies—the Government, the landlord and the sowcar or money-lender. The law is on their side. In this connection, I remember at this moment the line in one of Goldsmith's poems "Law grinds the poor and richmen rule the law." The farmers produce the crop and they are deprived of it by the three agencies which I have mentioned. The poor farmer is left destitute. He has no food to eat and he has no money with which to cultivate his land. This condition turns him into a discontented person, who falls an easy prey to the political agitator. Sir, if with all this he tries to improve his land, Government swoops down upon him in the form of harsh rules, a good instance of which was given yesterday by the honourable member from Ratnagiri (Mr. V. A. Surve). It was about two years ago that Government introduced these *Budiki* rules, which penalise industriousness on the part of the agriculturists. After finding that he has been left destitute by the before-mentioned

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three agencies, if he wants to find out some means of living by becoming more industrious, his industry is cut short by rules such as these. May I just inquire if water running in natural water channels is not running to waste? For centuries such water has been running to waste but it was only two or three years ago that this water was brought under these rules. Government have been this year, and also last year, very sympathetic in granting remissions and suspensions. I acknowledge that small mercy which is shown to the suffering ryot. But, Sir, these concessions are merely palliatives. They do not go to the root cause of the trouble. They do not help to improve the condition of the soil nor do they bring in more revenue. Several honourable members of Government have repeated time and again that land revenue has become non-elastic and that it has ceased to grow. May I enquire why it has ceased to grow? Let the Government consider the measures they have adopted since the Reforms. From the year 1921 to about the year 1926, or thereabouts, we had an era of land revision settlements. Time and again this side of the House had warned Government that revision settlements were exorbitant, and that the agriculturists are being ruined. But Government never stopped their unwise course until circumstances compelled them to do so.

Then, Sir, I mention another measure that was adopted by Government about the year 1924-25. Almost every Government Gazette published week after week for nearly two years contained long lists of small tanks which were declared subject to Irrigation Act. What I mean is this. If water was taken out of these small village tanks for irrigation, then the irrigator was to pay for it. Such harsh acts on the part of Government paved the way for natural adjustment which has now set in. Government pursued their policy but in the end found out that it was one which cannot be pursued to its ultimate goal. They have learnt now I think that they must hold their hand and therefore for the present the Revision Settlements have been given up. If instead of pursuing this policy, they had acted upon the recommendation of the Joint Parliamentary Committee to introduce legislative measures for fixing land revenue, would it not have been a wise course? During the last 12 years nothing concrete has been done in this direction. Government may have moved half-heartedly in the matter but to the outside world nothing tangible appears to have been achieved. The other presidencies have actually introduced this kind of legislation and it has been in practice for some years now. Now, Sir, what is the remedy? The remedy which I propose is an extension of what the honourable member for Kolaba has suggested in his speech on the budget discussion. He is considering only the present difficulty. He has recommended that every agriculturist whose assessment is below Rs. 30 should be given full remission during the fall of prices. But I am not making any suggestion of a temporary nature. I am going a step further and recommending the introduction of a sort of graduated scale for land revenue on the lines of income tax. Fix the minimum produce of land which may be exempted; if it is below that minimum, the landholder will have to pay nothing as

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Land Revenue assessment. Above that minimum, have a graduated scale—the larger the amount of produce the more the revenue assessment. In that way, whatever may be lost by way of exemption, may be recovered from rich men who are best able to bear it. What would be the result of such exemption? The result will be that the agriculturists will get something to live upon. They will get the incentive to improve their lands. That means the Government revenue will also improve in course of time, and the Government will get the revenue without having to use coercive measures under the Land Revenue Code. When the higher taxation is imposed, the absentee landlord will try to see how he can evade it. He will try to distribute his land. Land to-day is in the hands of these absentee landlords, who show no incentive whatever to improve their land. If you want more revenue from land, the only remedy is to see that the land is equitably distributed. The absentee landlord is a danger to the well-being of the State. He produces nothing; his greed in enhancing rents leads to the deterioration of the soil, which only results in bringing less money to Government coffers. Let me humbly warn Government that land revenue is the cornerstone of the revenue system of the whole Presidency. On land revenue depends every other revenue,—excise and stamps and every other revenue. If the agriculturist has money in his pockets, he may indulge in drink. I do not say that he should. I am only referring to everyday occurrences. Similarly, if there is plenty of money in the land, the stamp revenue will also improve. Every year we find that with the imposition of higher stamp duties, we have not been able to realise our expectations of drawing in more money. If Government do not pay early attention to the land revenue policy of theirs, heaven forbid, but I must warn them that the whole revenue policy of Government will crash down. Let me again entreat the Honourable the Finance Member that instead of making appeals to the Government of India or to the Finance Committee of the Round Table Conference now in India to give him additional sources of revenue for this Presidency, he should see that the land revenue policy is changed for the better. I do not say that we should not make those appeals. Our case is a strong one. But my suggestion is that we must make our land revenue policy more humane. We ourselves will be benefited to a great extent if we adopt a more humane policy. I do not subscribe to the correctness of the dictum laid down by our Finance Department when it asserts that the land revenue has become inelastic or that it has ceased to grow. As a matter of fact, it is correct, but it is correct simply because it is the result of the unwise revenue policy that has been pursued for these years. This humble suggestion of mine is in the nature of self-help. Let us put our shoulders together and find out the means of improving our land revenue on some such lines as I have indicated. The only remedy so far as I can see is to adopt a more humane policy.

Khan Bahadur M. A. KHUHRO (Larkana District): Sir, I take this opportunity to say a few words with regard to the land revenue policy so far as the province of Sind is concerned. I do not wish to cover the

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whole ground and refer to the points that have already been touched upon by my honourable friend from Hyderabad (Syed Miran Mahomed Shah). I wish to refer only to the present condition of the agriculturists in the province of Sind and particularly the part of Sind that I represent.

Sir, the honourable member who preceded me attacked the present policy of Government on quite different lines and he suggested his own new policy which, I must confess, I did not quite follow. But so far as I could gather, he wanted to tax the bigger landholders further and wanted to exempt those who possessed small holdings. Perhaps if he were to put it the other way and suggest that income tax should take the place of the land revenue, I personally would have no objection. But if you examine the figures of income that will be realised by the Government if the present land revenue system is abandoned and it is allowed to give way to the income tax, I am quite sure that Government will lose revenues to a greater extent. The system existing in most of the countries of Europe cannot be applied to India, as the conditions in India are materially different from those in the countries of Europe. I must say that the Government are recovering from the zamindars the maximum assessment and I do not think that it would be possible for Government either now or hereafter as contemplated by the honourable member Mr. Surve to realise as much as they are realising to-day if the system recommended by the honourable member is adopted. There are many landholders who possess land less than 10 acres. In the province of Sind he may find many zamindars owning land more than 10 acres but we have to take the Presidency as a whole. There will be therefore many more people in the Presidency who will come under the exemption rule advocated by him than in Sind. But even in the case of zamindars owning land more than 10 acres, Government will have to consider whether it would be possible to realise more land revenue from them under the new system recommended by the honourable member Mr. Surve and particularly in these hard times. They have to calculate what the expense will be of growing the crop and what other necessary expenditure will be. That will have to be deducted. From the net income the zamindar will have to take a reasonable share for his personal efforts and time devoted to the work, etc. I am perfectly convinced that in this Presidency at least it is absurd to imagine at any time that the method suggested by the honourable member Mr. Surve will bring in more land revenue to the coffers of Government. On the contrary there is every reason to feel that the revenue will be far less than what we get even now, as a very large number will come under the category of those that have to be exempted from payment possessing less than 10 acres of land.

Coming to the real issue, that is, the present condition of the agriculturists in Sind, I certainly believe that at present it is not possible for the landholders of Sind—I am speaking for the moment only of Sind—to pay the present rates of assessment. These rates were fixed no less than 20 years ago; and I have addressed a lengthy letter on the subject

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to the Honourable the Revenue Member in which I have shown by facts and figures that the present land revenue rates are out of all proportion and it is merely impossible for zamindars to pay them. I hope the Honourable the Revenue Member is considering the question carefully and I do not want to repeat what I have said in the letter. I will only bring to the notice of the House a few important relevant points. When I came to Bombay a few weeks ago, I found a very strong impression having gained ground among official as well as non-official circles that the prices have risen considerably, as compared with last year. But, Sir, I take this opportunity to assure those who hold that view, that they are absolutely mistaken. I am talking of the two principal crops at present, paddy and wheat. If we were to examine closely the figures of prices that the zamindars realised last year this time or a month before and the prices that they are now realising, I have genuine reasons to believe that the rates which obtain at present in Larkana, Shikarpur, Jacobabad and other places are lower than the prices which were obtained last year. That is my personal experience. Paddy is at present sold at about Rs. 1-4-0 from the fields of zamindars. The prices depend on the distance of the holding of each zamindar. Some zamindars, for instance, do not get more than Re. 1. I think my honourable friend Sir Shah Nawaz will support me in this argument, namely, that lands which are far away, like his, do not fetch more than Re. 1 if any purchaser comes and buys the paddy from the fields. Similarly, in my own case, I have not been able to get more than Rs. 1-4-0 from my own fields. This shows that we realised less this year than we did last year. For, last year the rates I realized at the corresponding time of the year, were between Rs. 1-8-0 to Rs. 1-12-0 per maund of paddy.

Now, taking the average produce of a zamindar, it does not amount to more than 8 maunds per acre, and taking the maximum price of Rs. 1-4-0 per maund, the income should not be more than Rs. 10 per acre. The land revenue which is at present being charged for that land is Rs. 5-12-0. Add to that the local cess which comes to 9 annas. Add again the gratuities of tapedars, etc. which come to about 7 annas; so that the zamindar has to pay actually about Rs. 7. In addition to that, he has to incur the clearance expense of Re. 1 and has to pay Re. 1 for supervision and maintenance. That brings the net income of the zamindar to Re. 1. If you were to put these figures in the form of a ratio, then Government is realising something like 70 per cent. from the net income of the zamindar, and about 20 per cent. go to clearance and supervision, etc. Thus, the zamindar is left with only 10 per cent. of the net income of his fields. At the time the land assessment was last revised, it was stated in the settlement reports that Government did not propose to take more than 20 to 25 per cent. of the net income of the zamindar. Now, the assessment is three times that percentage on account of the very low rates prevailing. At the time the settlements were revised, nobody thought that the prices would go down so low. Mr. Green, a Government settlement officer, who undertook settlement

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work in 1924-25 in view of the Barrage coming into operation, took the price of wheat to be Rs. 5 per maund and the price of paddy Rs. 3-8-0 per maund as basic rates. The prices now prevailing are even less than 50 per cent. of the price then prevailing. That was but four years ago. Whether you take the rates which prevailed at the time of the original settlement or the prices which prevailed four years ago, the fact remains that the present level of prices is comparatively very low and therefore the zamindars are not in a position to pay land revenue at the present rates. Only two days ago I got a letter from a friend of mine, who is a big zamindar, saying that after meeting his actual expenses and after deducting the land revenue, his net saving was only Rs. 1-8-6 per acre from the paddy crop he has raised. I must state here that his lands are situated in the best locality in the Larkana Sub-Division, which is regarded to be the best tract in the whole of Sind. The figures being what they are and the position being what it is, you cannot expect them to pay land revenue without disposing of their lands or without resorting to the other methods to which my honourable friend Syed Miran Mahomed Shah made a reference. It is a cause of genuine anxiety in the minds of the public in Sind and of the representatives of the people here that Government have so far made no statement as to what decision they have come to with regard to the policy they are going to adopt towards the province of Sind and what rebate they propose to give in the matter of land revenue this year. We have got a strong case to show that the remissions that were granted last year were not adequate. I have not taken into consideration exceptions like the district of Thar and Parkar, and about the extent of their indebtedness which figures were disclosed in reply to my honourable friend Khan Bahadur Ghulam Nabi Shah's questions, figures which clearly indicated that the indebtedness of zamindars was indeed very heavy in the shape of revenue arrears, tagavis, loans from co-operative banks, and private debts from Banias. The other day one gentleman was travelling with me who has served a long time and also holds lands in Thar and Parkar District. He has a good deal of experience of the district. He told me that if we calculated the entire value of the landed property of the zamindars as well as the amount of their debts, the debts would be more than the entire value of their property. So practically the whole landed property of the zamindars was mortgaged. That is the true position in this district. Even in the case of other districts, which may be considered slightly better than the district of Thar and Parkar, the condition is not very much better. The zamindars there have to meet tagavi loans, land revenue arrears, loans from co-operative banks and also large loans taken from *banias*. In many places they are seeking the protection of the Manager of Encumbered Estates. The number of applications for protection reaching the Manager of Encumbered Estates will prove what the economic condition of the people is. They are not seeking his protection for the sake of fancy, they are doing it out of sheer necessity. When they find it impossible to meet all these demands and to get the bare necessities of life the only way left for them is to seek his protection.

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Owing to the strictness of the rules, many of them are not found fit for such protection and are not given it. Then, they have no other alternative but to dispose of their lands at cheap rates. At present the prices which the zamindars realise for their lands are something like 20, or at the most 25 per cent. of what they were able to realise only three years ago. They are genuinely sorry for having to part with the lands which they have inherited from their ancestors, but they are forced by circumstances to dispose of those lands. They do it in order to save their honour and reputation and to pay Government revenues. I know of many instances of respectable zamindars in Sind who disposed of their gold ornaments and other valuable things or mortgaged in order to pay Government revenue last year. The recoveries of revenue were very good for Government last year. But last year being the first or second year of calamity, it was not so hard as it will now be for zamindars to meet the exorbitant demands of Government. There is no denying the fact that this year it will be very difficult, nay, next to impossible, for the zamindars to satisfy the land revenue claims of Government. Therefore, it is a foregone conclusion that Government will have to resort to very unhappy and unpleasant methods if they insist on their recovering the land revenue in full. I therefore appeal to the Honourable the Revenue Member with all the force that I can command, to treat the pitiable case of the agriculturists in the province of Sind as sympathetically as may be possible. I do realise that Government also are faced with financial stringency and have got a deficit to meet. But, Sir, considering the necessity of giving remissions in the province of Sind and comparing it with the Government financial stringency it is certainly imperative to give preference to the former. It is the duty of a civilized Government to see that the people who are the backbone of Government at all times are fairly and properly treated, that the raiyats are not rack-rented, that only that much is demanded from them which they can easily pay. No zamindar in Sind will grudge to pay 25 per cent. or even 40 per cent., or whatever share that is regarded reasonable, out of his net income. But certainly it is very unfair to demand from the zamindar 80 per cent. of his income at present. The figures that I have quoted are drawn from my own personal experience or taken from friends in whom I have faith. That is why I make bold to say that I am prepared to be examined closely by any officer appointed by the Honourable the Revenue Member. I would earnestly urge upon him that under the circumstances it is very necessary that fair consideration should be shown to the people in that province. I hope our appeal in this connection will not go in vain.

MR. C. M. LANE: Sir, on a point of information. Might I ask the last honourable speaker to explain how, in view of the harrowing circumstances which he has described, there is keen competition for agricultural land in forest reserve limits? They are often ready to pay three to four times the ordinary assessment. There are many more applicants for the areas that fall vacant than there is land available for them.

Khan Bahadur M. A. KHUHRO: I will reply to that question, Sir. I am certain that the statement made by the honourable member that there is very keen competition for forest land in Sind at present is rather misleading. I will quote the instance of my own district, Larkana. My personal experience is that where the Forest Department secured twice the assessment two years ago, they can hardly get as much as the ordinary assessment now. I met the Conservator of Forests about two months ago, and, as I knew of cases where people had applied for remission of the assessment, because they were unable to pay twice the assessment, I asked him whether he had received applications for remission and what had been done to them. He told me that he was waiting to see what the Revenue Department was going to remit and that he was going to give a corresponding remission. In most cases people had taken up the land on the undertaking given by the Forest Department that they would follow the example of the Revenue Department in matters of remission. The honourable member has possibly in mind a few instances where petty zamindars take two or three acres of land close to their own fields and houses for the purpose of grazing and other facilities. They are exceptional cases. I can give concrete cases where people who applied for remissions were given promises that the Forest Department would follow the principles enunciated by the Revenue Department, in the matter of remissions.

Sardar Davar T. K. MODI (Surat City): Sir, last year I had one or two complaints to make about this department, and I am glad to find that the cause of one of them has been removed. I thank the Honourable the Revenue Member for having issued orders cancelling an erroneous practice of the Commissioner, Northern Division, under which he entered as river *kharaba* private lands of holders which had been eroded by the action of the river. Now, Sir, this practice continued from the year 1918 to the year 1931. In spite of great protest from landholders, in spite of petition to Government regarding it, the lands of private holders were removed from their names. This, Sir, shows that the law of alluvion and diluvian is not properly understood by the revenue officers. The law of alluvion and diluvian, Sir, is not defined in the Land Revenue Code. There are four sections dealing with it, but they do not define the law; they only lay down rules as to how Government is to levy assessment in such cases. About the year 1879 an All-India Bill providing for cases of alluvion and diluvian was drafted and presented but it was subsequently withdrawn. Sir, there are no sufficient guiding rules for revenue officers, and my humble suggestion to the Revenue Member is that he might bring up a Bill relating to the law of alluvion and diluvian, because the landholders in riverian villages have sometimes to suffer great hardship on account of the law on the point not being very clear.

Then, Sir, I have another point to urge before the Honourable the Revenue Member. I come to what are known as Rent Assistance Suits. Under the Land Revenue Code a superior holder gets assistance from

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Government to recover his rent from the inferior holder. After a decree is passed, the decree is not to remain unsatisfied beyond the period of six months from the date thereof, but what we usually find is that a decree remains unsatisfied for a period of two or three years. In spite of constant reminders, in spite of repeated efforts to get a decree executed and although the judgment-debtor may have sufficient property, no action is taken by the revenue authorities to enforce it. And, Sir, there is a general belief abroad that that is not done because the revenue officers do not wish to give any annoyance to the people. That perhaps is an erroneous idea, but, Sir, that is there amongst a good many people, and it would be very advisable if Government were to issue strict orders in this respect.

Rao Bahadur B. R. NAIK (Surat District): Sir, I never expected that the head "Land Revenue" would be reached so soon nor did the Honourable the Revenue Member probably expect that it would be reached at all when he made his speech on the general discussion——

The Honourable the PRESIDENT: I was going to congratulate the House on that performance.

Rao Bahadur B. R. NAIK: Therefore, I say, Sir, that the House must be congratulated on having for the first time taken up all the heads of the budget under discussion. I am however not going to take up much time of the House by going into the long history of the land revenue policy of this Presidency, because I feel that it has been discussed on various occasions in the past and by repeating the same story over again, no useful purpose will be served. I do not know whether the Honourable the Revenue Member will be prepared to admit that the land revenue system of this Presidency is faulty, but I may say that some great English authorities on land revenue—I am not going to quote them line by line because it will take two hours—from the year 1824 till the beginning of this century, had condemned in no uncertain terms this system—I mean Sir Charles Munro, Col. Briggs, Sir Charles Wood, no less a person than the grandfather of the late Viceroy of India, Lord Salisbury, Major Wingate, Elphinstone, Sir Louis Mallet, Sullivan and others who were great authorities on the land revenue policy of this country and who had all severely condemned it. Although Government may pretend that the policy is based on some scientific principle, I assert without any fear of contradiction that it is not at all based on any scientific principle, but it has been based only on one principle, namely, how much the landholder or the tenant should pay, not what his capacity is or how much he is able to pay or the land which he cultivates is able to pay. That has been the policy on which Government have based their land revenue assessment since the middle of the last century. Therefore, it is no use my going into all these details. In the year 1924, this very House appointed a committee called the Land Revenue Assessment Committee which submitted its report in 1925 to Government and in the year 1925 the Government of India appointed another committee called the Taxation Enquiry Committee. Both these committees made useful suggestions as regards land revenue system of

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India and also of this Presidency. On the recommendation of the report of the Assessment Committee, it was decided by this Government to bring in a Bill revising the present Land Revenue Code and when the present Honourable the Revenue Member took over charge of his high office, we at any rate of this side of the House were led to believe that a Bill would be brought very shortly. As a matter of fact, if I remember aright, once the Honourable the Revenue Member invited some of the honourable members including myself of this side of the House for a consultation and for obtaining our views as to the basis and the rate on which land revenue assessment should be made. Since then I do not know what has happened——

The Honourable Mr. W. F. HUDSON: I have told the honourable member on several occasions and I shall tell him again.

Rao Bahadur B. R. NAIK: Last year the Honourable the Revenue Member informed us that though it was not possible to bring in a Bill, he gave us some hope that it would be brought in the July session of last year. I expected that as the Honourable the Revenue Member has wide experience of land revenue matters of this Presidency for the last 30 years and as he is considered a sympathetic officer, he will at the time of laying down his high office do some justice to the agriculturists of the Presidency by bringing in a revised Code or Bill.

I ask the Honourable the Revenue Member or the Secretary, Revenue Department, who is sitting behind him, whether he will be prepared to justify the assessments that have taken place between the years 1915-16 and 1927-28. We all know that prices of all agricultural commodities have risen abnormally from the year 1917-18 to the year 1927-28, and during this period more than half of the revision settlements of the whole Presidency have taken place and all those have taken place on the basis of the rentals. When there are high prices of commodities, there is bound to be an inflation of rentals and consequently the assessments which were based on those high rentals are to-day much beyond proportion. Moreover, the Land Revenue Assessment Committee and the Taxation Enquiry Committee recommended that the land revenue should be so fixed that it will not exceed in any case 25 per cent. of the rental value. In other words, the land revenue assessment should not exceed more than 25 per cent. of the rental value that is the maximum limit. Now, Sir, the rental value has been defined by the Taxation Enquiry Committee in very definite and clear words as under:

"The profit on Agriculture after deducting all the cost of cultivation."

I ask, Sir, whether these revision settlements, which have taken place during the period of ten years as mentioned above by me, were based on this principle. I say that there is not a single land revenue assessment in the Presidency which has taken place during this period which was based on this principle. The minimum assessment fixed for any taluka or for any district was 35 per cent. of the rentals, 35 to 45 per cent. of the rents were taken as the assessment in the cases of all revision settlements which took place during the period 1917-18 to

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1927-28. I should like, Sir, to be enlightened on this matter. Take for instance Bardoli and Chorasi talukas. The revision settlements of these two talukas took place in the year 1925-26 when the price of cotton —they are cotton-producing talukas—was Rs. 250 per Bhar of 24 maunds of seed cotton or Rs. 10 or so per maund. In the same year the revision settlement of the Chorasi taluka took place also and jowari and bajari were sold at one anna per lb. or Rs. 2-8-0 a maund in 1925-26. On consideration of these prices of Rs. 10 a maund for cotton and Rs. 2-8-0 a maund for jowari, etc., the revision settlements took place in Chorasi and Bardoli and consequently increase of 18 and 20 per cent. was fixed which percentages were subsequently reduced to 5 and 6 per cent. respectively by the Broomfield-Maxwell Committee. I ask, in fairness and justice, whether, if these two gentlemen were appointed to-day to go into the revision settlement of these two talukas according to the present prices and the present rentals namely, Rs. 10 for cotton now reduced to Rs. 5 and Rs. 2-8-0 for jowari now reduced to Rs. 1-4-0, would they have allowed even this 6 and 5 per cent. to stand, or whether they would have recommended a reduction of at least 20 per cent. in original assessment. I am putting this question to the Honourable the Revenue Member simply for the sake of elucidating the point. I have given the illustration of these two talukas because we have got with us the authoritative report made by the Enquiry Committee for them and for the other talukas we have not got any such report. But the same result will be found in their cases also, where revision settlements have taken place during the period 1917-18 to 1927-28.

For all these reasons I say, Sir, that Government ought to have taken up the revision of the Land Revenue Code, whatever Government may think to the contrary. Of course, Government will never admit that agriculture now-a-days does not pay and they will on the other hand maintain that the land revenue is very light. Probably, if I were on the other side of the House, I too might have said the same thing. However, Sir, it is my honest and confirmed opinion that an impartial enquiry ought to be made into this matter to see whether the argument which has been advanced from this side of the House is correct or not. I shall give you another instance of the taluka from which you yourself come, Sir. For the last 30 years, the people of the Chorasi taluka have been crying that the soil classification is faulty, but Government say "No, our soil classification is correct and put on scientific basis". But, Sir, the Broomfield-Maxwell Committee gave it as their considered judgment that the soil classification of both the talukas, namely, Chorasi and Bardoli, was faulty, and recommended an enquiry and on a cursory enquiry in the taluka of Chorasi a reduction has been recommended by the Superintendent of Land Records of Rs. 23,800, or about 11 per cent. of the total land revenue of the entire taluka which has been confirmed by Government. As I say, Sir, the soil classification system was faulty, and has been faulty and all these 60 years the people of the taluka have been made to pay Rs. 24,000 annually more than they should have paid. In the same way, the other day the Honourable the Revenue Member

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said that the people of Bardoli did not co-operate with the Superintendent of Land Records and that therefore they did not get any benefit till now but the result will be the same then also. If the soil classification had been done more correctly, I believe, the people of the Chorasi taluka might have been benefited by more than 23,800 rupees. In spite of the protests and applications of these people the question of soil classification was not taken up, the Government did not take it into their consideration and did not pay any heed to the protests or rather the entreaties of the people, and it was after the enquiry by two competent officers of Government that they had to yield and order an enquiry and had to give this concession. Therefore, I say, Sir, that the soil classification is no doubt faulty. I have often said on the floor of this House that I am prepared to show the Honourable the Revenue Member, if he can come with me or if he can arrange to send his Secretary with me to go round my district, how the system of taxing sub-soil water works in actual practice. Can the Honourable the Revenue Member or the honourable member the Revenue Secretary point out any land revenue system of any civilised country in the world under which water down below the surface is taxed? This is the only country where sub-soil water has been taxed. I give an instance, Sir. I dig a well in my field and get the benefit of the water from that well. I can understand that being taxed by Government. But what I cannot understand is why Government should levy a tax on a mere presumption that there must be water about 30 to 40 feet deep under the surface of the land in my field and I do not make use of the water. Why should this sub-soil water of an uncertain quantity and quality which is not to be used be taxed at all by what is called the sub-soil water tax? These are points which have been so often debated in this honourable House and are still waiting to receive the full, frank and sympathetic consideration of Government. In my mind there is no doubt that if Government were to undertake to-day a revision of the land revenue system of this Presidency, several very important defects will be found to exist in that system, and perhaps they may have to reduce the land revenue assessment, but that is no reason why, because they may have to reduce the land revenue assessment, the people should be compelled to pay unjustly and unfairly.

I may bring to the notice of the Honourable the Revenue Member that perhaps some of us, when we stand up here and argue about land revenue, we might be charged with the allegations that of course we are large landholders, and therefore it is in our own interest to see that land revenue is reduced. But that is not so in my case. I would bring to his notice that by increasing the land revenue I am benefited. My inam villages are settled and surveyed, and whatever increase is made in land revenue I am benefited to that extent. I make a protest because the people are unjustly taxed, not according to the principles of Land Revenue Code, not according to the yielding capacity of this soil. They have been taxed according to what I might call the whims and fancies of the officers put in charge of the revision settlements. This is a question

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which at any rate this side of the House expects the present Revenue Member to tackle before he leaves his reins of office. I am afraid he will say that only a year and a half of this Council remains, and a new Council will come and perhaps he will have to leave. I know why he has not taken up this question. I know the present prices of commodities and consequently the low rents are not in favour of Government. If they were to take up the revision of the land revenue code now, I am afraid they will have to reduce instead of enhancing the land revenue; they will have to reduce it at least by 25 per cent.

The Honourable Mr. W. F. HUDSON: On the contrary, it will be very largely increased, and that is why I did not do it.

Rao Bahadur B. R. NAIK: I have always requested the Honourable the Revenue Member—I will not use the word challenged—to take up this matter in hand as early as possible. This is the third or fourth time when I have requested the Honourable the Revenue Member to take up this question earnestly, and we on this side of the House are prepared to help Government in the best way we can. If there is a case for enhancement, we are prepared to advise our constituents to bear the enhancement and to bear the burden, but I am sure there is no case to stand upon for an increase. If the Honourable the Revenue Member wants to say that there is a case, I say that in certain cases Government will have to reduce it by half instead of by 25 per cent. Messrs. Maxwell and Broomfield revised the assessment of Bardoli and Chorasi and fixed it at 32 to 35 per cent. of the rentals; the rents then being based on the prices viz. Rs. 10 and Rs. 2-8-0 for cotton and jowar, respectively. But these two commodities have to-day gone down in value by half, so also other commodities and the rentals have, I know, gone down by half. Where it was Rs. 20 per acre before, it is now Rs. 10. I say, if you make a revision settlement on the basis of the present prices and rentals, I am sure you will have to reduce your assessment.

The Honourable Mr. W. F. HUDSON: I agree. At the present prices, certainly.

Rao Bahadur B. R. NAIK: Does the Honourable the Revenue Member think that the prices will go on rising and be inflated to the level of war prices?

The Honourable Mr. W. F. HUDSON: Why not?

Rao Bahadur B. R. NAIK: Well, Sir, I do not know why not. Of course if the Honourable the Revenue Member means to say that we must wait for prices to rise again to the level of prices in the year 1921——

The Honourable Mr. W. F. HUDSON: I did not use the word inflated. The honourable member misrepresents me. I said, till they reach a normal level.

Rao Bahadur B. R. NAIK: Naturally, as a result of the aftermath of war, prices are always inflated. They were not normal prices. The present prices are the normal prices. The prices were normal before the war, from 1901 to 1913-14. The present prices are also normal.

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In the aftermath of war prices are always inflated. Therefore, I purposely and advisedly used the word inflated. I only make this request to the Honourable the Revenue Member, that he has still got some time before him, and if he will take up the question of the revision of land revenue——

The Honourable Mr. W. F. HUDSON: Perhaps I shall only have a fortnight to do it in. I think the honourable member understands the Cabinet is about to be reduced.

Rao Bahadur B. R. NAIK: We do not of course know the secrets of the Government. The Honourable the Revenue Member's post is to be reduced also?

The Honourable Mr. W. F. HUDSON: The honourable member was appealing to me personally, and I was pointing out that the Cabinet is about to be reduced.

Rao Bahadur B. R. NAIK: But there will be somebody there in charge of the Revenue Department.

The Honourable Mr. W. F. HUDSON: Certainly.

Rao Bahadur B. R. NAIK: I say, whoever may be in charge of the Department may take up this question earnestly, and we on our part are prepared to help Government in any way that lies in our power.

Rao Saheb B. G. DESAI (Kaira District): Sir, I support the cut moved by my honourable friend Mr. V. A. Surve, in so far as it enables me to offer a few remarks on the condition of the agriculturists and the collection of land revenue in Kaira district which I represent for, I believe I will be failing in doing my duty towards my constituency, if I did not bring the real situation to the notice of Government. As the Government are aware, there is an all-round fall in the prices of foodstuffs, and consequently the agriculturists have not realised even half of their ordinary incomes. In those circumstances, they are hardly capable of paying even the land assessment for the current year, and in many cases they have been able to pay the same only by raising loans and incurring debts. It is true that the collections of land revenue in the Kaira district have been satisfactory, but I can assure Government that it therefore can hardly be taken as any sign or proof that the people are actually capable of paying the assessment. They have done so only as a result of the pressing activities of the Revenue officers of the Kaira district. It is true that Government have recently passed orders that only the revenue assessment for one single year should be collected, but the spirit of these kind concessions and good intentions of Government underlying the same have been frustrated by the rather unsympathetic manner in which coercive measures have been put into force in the district. The crops of defaulting agriculturists have been attached, with the result that they have been rendered more incapable of paying the assessment and subjected to much greater loss in income than they would otherwise have been. The crops are in charge of Government; the defaulting agriculturists cannot touch it, nor can Government sell it at a good price. The result is that the agriculturist suffers, substantially, by the operation of such coercive measures.

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Another direction in which the coercive measures have been rather unsympathetically directed is the levying of fines and penalties without proper discrimination and the discretion given to the Revenue officers has been rather unsympathetically exercised by converting the suspended arrears into unauthorised arrears, in many cases where there is not even a shadow of political contumacy and which it is obviously enough not the object of Government to levy or collect in the current year. I therefore request the Honourable the Revenue Member to issue instructions that the good intentions underlying the recent orders issued by Government be fully carried out, and that coercive measures should be used but sparingly and in extreme cases only and should be exercised with maximum sympathy and leniency at least in deserving cases where the defaulter is a well-meaning and law-abiding agriculturist, and in cases where failure and delay in payment is due to difficulty to find funds for the payment of the land revenue and not to any the least political contumacy on the part of the defaulter. In short what I mean to say is that the revenue authorities should take care to discriminate and distinguish between cases of political contumacy and those of hardship which often goes to prevent or delay the prompt and regular payment of land revenue and exercise proper discretion in resorting to coercive measures in such cases of real hardship and difficulty and I trust that the Government will take necessary steps in the matter.

Mr. G. S. GANGOLI: Sir, I referred to the speech of the Honourable the Finance Member, and I was asked by the Honourable the Revenue Member to point it out. On page 264 of the proceedings of this session we find the following:

"..... and 4 annas in parts of Kanara and Belgaum districts."

I said it may be through inadvertence that he said that, or it may be truth, the decision of the Cabinet.

The Honourable Mr. W. F. HUDSON: I will look it up afterwards. I do not remember.

Mr. N. N. PATIL (Kolaba District): Sir, I would request you to allow me to speak for three or four minutes.

The Honourable the PRESIDENT: Yes.

Mr. N. N. PATIL: I must thank the Chair for giving me a little time. I shall be very brief, as I have expressed my views on the land revenue policy of Government during the general discussion of the budget.

Sir, the honourable mover of the cut (Mr. V. A. Surve) whenever he stands on his legs on the floor of this House, does nothing but defend the cause of the poor agriculturists. Yesterday evening, with great zeal and cogent arguments, he brought to the notice of this House how the poor agriculturists in his district are being harassed by the subordinate Land Revenue officers of this Government. He was then called upon by the Honourable the Finance Member to name some of the villages. I remember he named three villages where the agriculturists were not allowed to use the water that runs through the natural channel, and he

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further stated, Sir, that all these three villages are *dharakari* villages, that is, the land revenue of these villages is being directly collected by Government through talatis. Besides these, in the Ratnagiri district there are 1,339 villages, and out of these 1,000 villages are under the khots. In Kolaba district also Government collect land revenue through khots. I have to make, in this connection, one point only and it is this, that these khots also, at the time of exacting the rent for their land, harass and oppress the tenants like anything, and I would only request the Honourable the Revenue Member to see his way to do away with this khoti system as soon as he can. The sooner it is done away with, the better it is for the Government as well as for the public.

As I have not any more time at my disposal, I resume my seat.

The Honourable Mr. W. F. HUDSON: Sir, as I have been reminded by the honourable member Rao Bahadur Naik, when I ventured to occupy the time of the House for a few minutes on the general discussion of the budget, I was bold enough to prophesy that 5, Land Revenue would not be reached in the discussions on the demands for grants. I am very glad, Sir, that events have proved that prophecy to be wrong, not because I wish to make another speech—far from it,—but because the fact that we have now got through the whole budget, I think for the first time in history, at any rate the first time for many years, clearly indicates, if I may venture to say so without impertinence, a marked improvement in the methods of this House. It also seems to me to suggest that this House is really satisfied that Government has this year applied the pruning knife to the budget in good earnest, and that there was consequently less justification for cuts proposed by the House. At any rate, I think perhaps Government are entitled to this little crumb of comfort in the rather miserable position in which they find themselves financially. And now, Sir, it looks to me as if, unless I take up an unconscionable amount of time, since Government have applied their pruning knife so energetically, you will be saved the painful duty, also probably for the first time, of applying your axe, your historic knife I may call it perhaps, the guillotine. This, I think, establishes a record for this Council, and I think also that both Government and this House are entitled to congratulate themselves on such a satisfactory result. No one can say this year that he has been crowded out; no one can complain that he has not had at any rate an opportunity of discussing his favourite subject and of bringing his pet grievances to the notice of the House. My only regret is that much time and money has been wasted on printing the cuts which honourable members have not thought fit to move in this House, and more especially I would invite the attention of honourable members to several cuts which, if moved, would have been ruled out of order. Perhaps, next year a little more care will be exercised by honourable members in giving notice of cuts.

Now, coming to the speeches of honourable members I do not think the House would expect me to discuss in detail every point that has been raised in the course of the debate. I shall confine myself to the

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more important points which I have recorded in my notes. As all the speeches will be recorded in the official Hansard, the other points that I do not touch upon will be carefully considered by me. I am sorry I owe an apology to the honourable mover of the cut for the fact that, in spite of the kindly assistance of my honourable friend the Finance Member, I have not been able to follow his remarks in detail, but I understand that he has a considerable list of grievances. As soon as his speech appears on the official record, I shall see whether those grievances cannot be redressed. I hope in consideration of that, when the time comes, he will be prepared to withdraw his motion. I think it will be convenient for the House, if I leave the points raised by my honourable friends from Sind to be dealt with last, as they are in the main similar; whereas the points raised by other honourable members are more or less disconnected.

I am afraid I cannot follow my honourable friend Mr. Surve in his excursion into agricultural economics. I would only ask him to settle his differences with the honourable member Khan Bahadur Khuhro and pass a Bill in this House, when I shall have the good fortune, when it comes, to substitute it for the present land revenue system. With the proposal that the honourable member Mr. Surve advocates I am in entire sympathy; but I have no intention of attempting to introduce anything like it. He asked me why the land revenue has ceased to grow. There are a great many reasons why it has ceased to grow. One of them is that, in accordance with the wishes of the House, we have not for several years made any attempt to introduce revision settlements. If we had gone on introducing revision settlements, land revenue would certainly have grown. There is no question whatever, when we come to consider the policy adopted by Government with regard to land revenue, that this House is mainly responsible for it. I am not for a moment saying that that policy is wrong. I say that, because honourable members may realise it.

The honourable member from Surat (Sardar Davar T. K. Modi) complained about the extreme intricacy of the alluvion and diluvian rules. In such cases we do the best we can, and I was glad to hear that he approved of certain orders recently issued. I am afraid we shall never be able to get over the difficulties which are inherent in that subject and which are due to natural causes over which we have no control.

As regards the assistance suits, I shall want more specific information from him, before I take the action he suggests. The revenue officers are frequently accused of being unsympathetic in their attitude towards the agriculturists. I do not know whether in the cases he has mentioned he has accused the revenue officers with being over-sympathetic, at any rate, with the poorer classes. I am not prepared to agree with the honourable member's contention that there have been cases in which the Collectors have failed to exercise the power vested in them to recover money which is due, but the instructions of Government have always

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been and will continue to be that those powers should be exercised with great sympathy and moderation. If my honourable friend can give more specific information to me or to the Commissioner, Northern Division, suitable instructions will be issued.

The honourable member from Kaira (Rao Saheb B. G. Desai) suggests that undue hardship is being caused in the collection of unauthorised arrears. He also suggests that there has been—I do not know the right word—some under-hand methods in the collection of authorised arrears as unauthorised arrears. There is no ground whatever for that suggestion. I can assure him that I have no intention whatever of giving instructions that contumacious defaulters should be treated with leniency. This honourable House knows that the Kaira District has been the centre of a no-rent campaign, which I am determined to crush. No leniency of any kind will be shown in such cases. As regards authorised arrears of revenue, it is entirely different. Honourable members know the instructions that have been issued to our officers. If the honourable member can prove to me that in any case a person is being asked to pay more than the authorised arrears, who is not connected with the no-rent campaign, and is not a contumacious defaulter, I am prepared to go into the question and issue instructions. The honourable member felt it his duty to place this argument before the House. But I say again that we will not tolerate a no-rent campaign. It has caused the greatest inconvenience to the administration, quite apart from the fact that it has reduced our revenues very much, on account of which every member of this House is suffering. Therefore, if the honourable member expects me to be easy-going in this matter, he will be disappointed.

Now, I come to my old friend Rao Bahadur Naik. He said that the land revenue system in the Bombay Presidency is thoroughly faulty. He quoted the authority of gentlemen who never set foot in India. No one is going to pretend——

Rao Bahadur B. R. NAIK: I quoted the Governor Elphinstone also.

The Honourable Mr. W. F. HUDSON: No one is going to pretend—I am not going to pretend—that the land revenue system of Bombay, which was practically framed before I was born, is a perfect system. But I think it may interest this honourable House to hear what was said yesterday to me by a very distinguished Bengal civilian, who spent over 30 years of his life in India and who is thoroughly well acquainted with the several systems of India and more especially with those of Bengal and Assam. When we were discussing many other things, he quite spontaneously remarked that the Bombay land revenue system is acknowledged all over India as one of the best, if not the best. I will ask honourable members to pay some little attention to the impression of an officer of great experience. However, Sir, I am not pretending that it is a perfect system. It would have given me the greatest satisfaction if it had been possible for me during the term of my office to do something to improve it. When he said the land revenue system,

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I think my honourable friend Rao Bahadur Naik was referring chiefly to the settlement system. Well, Sir, I have already explained in this House twice, if not oftener, why we are not proceeding with the Land Revenue Bill. I thought on the last occasion that most of the honourable members were satisfied that this—what shall I call it?—dilatory policy has been forced upon us by circumstances. The House knows quite well that two years ago we formulated a Bill—a very complete Bill containing large changes in our present system. I was quite prepared to introduce it, although I knew perfectly well that this House would never pass it. I still think so. Then came the slump in prices—a phenomenal slump such as we have never seen before and which I hope we shall never see again. Government discussed this matter many times and it seemed to them that it was a pure waste of time and money to introduce a highly controversial Bill, which, if carried into effect, would involve a very considerable expenditure, necessitated by a more intricate and more scientific system. Our present system is a rough and ready one and it is not at all scientific. The system we evolved was of a more scientific nature, but you cannot put it into effect, without increasing the establishment, without elaborating your records and without adding to your expenditure. What is to be the result of that? Whatever my honourable friends on the opposite side may say, there is no question that to some extent, in fact to a large extent, any assessment rates must be based on the average of rentals and the average of prices. I will not argue how much it should be on the rental and how much it should be on the prices. My honourable friend will agree that these are the two main factors. But what is the good of introducing rates based on average, if you cannot take the average for at least 5 or 10 years? Ten years will be the proper period. If you take the average for ten years, there will be a considerable increase in the settlement rates. Can we introduce increased settlement rates based on those prices at the present moment, when the other conditions are not changed? I am not talking about Barrage lands. There the conditions are going to change. I am talking for the presidency proper. Under no possible circumstances could we think of raising the rates, at present, though the averages would show a higher figure, because the prices and rentals in 8 of the last 10 years have been very high. I should think that explanation ought to satisfy the House. The position is this. We now have a Bill prepared with infinite care in consultation with all our experts and with non-official opinion. I do not say it is a perfect Bill, but I will make a present of it to my honourable friend and look forward to the day when he will introduce it in this House.

Now, I come to my honourable friends from Sind. One of the honourable members very kindly referred to what is known as my soft heart in connection with that province. I plead guilty to a soft heart, but they apparently also wish me to have a soft head. In the interest of the general taxpayer and this House, I am afraid I cannot allow them to think that my head is as soft as my heart.

Mr. B. S. KAMAT: Softening of the brain has not yet set in.

The Honourable Mr. W. F. HUDSON: Just so.

I take due note of what they say, although I cannot accept some of their figures and what they call their facts. But I am having, as they know, a very careful enquiry made into this matter; and I cannot see that they have any reason to suppose that Government will not treat them fairly.

It is perhaps unnecessary for me to cover the whole ground, but I must remind my honourable friends from Sind that last year they were fortunate enough to receive concessions such as they have never before received in the history of this Presidency. A very large portion of the province has received a remission—not suspension—of 25 per cent. in kharif. Practically the rest of the province has received a remission of 12½ per cent. On the Jamrao area they received a remission of 40 per cent., and practically the whole of the province received a remission of 25 per cent. in rabi. Now, Sir, I do not wish to stir up inter-provincial jealousies, but think of what will be the feelings of my honourable friends over there. If they had received anything like that in the way of concessions, they would have considered themselves extremely fortunate. Now, I understand from some of my honourable friends that they are expecting to receive more this year than they received last year. I am not going to make any promises about that; I can only say to them, as I have often said before, that their position, which, in some cases, I admit, is poor—I am not by any means prepared to say it of the whole province—will receive the fullest consideration at the hands of Government. I am not in a position to make any announcement today, for this reason, that we have, naturally and quite correctly as I think, put off as long as possible calling for final reports from our district officers. We have been justified in this action by the rise in prices. I admit, of course, most of what has been said about prices, though that is not true of all the parts of the province, but I can assure my honourable friends that Government will go as far as it is possible for them to go. This is not a question of *meherbani* or anything of that sort. I hope my honourable friends will disabuse themselves of any of these old fashioned ideas about a sympathetic Government and *meherbani*. We are simply guardians of the public purse and we cannot possibly afford to give away one anna that we can collect. Having said that, I may also say that I myself was much impressed, when I was in Sind, by the unfortunate state of affairs; and I am not for a moment going to deny that in the past four or five years certain very unfortunate and widespread calamities have affected the resources of the Sind zamindars. But I should like just to warn my honourable friends that they must not regard this remission as a sort of established right now. They seem to suggest that because we made the concession last year, therefore it must, as a matter of course, be repeated this year. That is a wrong impression altogether, because every taluka and almost every village has got to be judged upon its merits. There is a very serious side to this question which I wish to bring to the notice of my honourable friends from Sind even if it bores the rest of the House. Last year, out of the total jamabandi of about 95 lakhs—the land revenue in Sind varies between 95 lakhs and 105 lakhs, but we will take

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it for the purposes of this argument as 95 lakhs—out of 95 lakhs there were 9 lakhs of ordinary remissions, 23 lakhs of special remissions and 15 lakhs were not collected. If you add those three figures together, you will find that they come to about Rs. 47 lakhs; that is to say, out of the total land revenue (whatever it was) 47 lakhs did not go into the coffers of Government. My honourable friends are looking forward to the separation of Sind, and they know that their only difficulty, or at least their main difficulty—they have got over the political difficulty—is the financial one. How they are going to surmount that obstacle I do not know. We shall see several honourable members present today before long tackling that problem. Do they wish the official representative of the Bombay Government to tell the Separation Committee that the land revenue of Sind is not 95 lakhs but about 55 or 60 lakhs? Isn't that going to add tremendously to their difficulty? Their difficulty was never as great as it is now. And I would, therefore, as a friend advise them to moderate their demand for remissions. It is easy enough to say, "Well, it was last year." After all, last year was a special year, but if it is going to happen this year again, how are honourable members going to get over that difficulty? I give them this advice from a purely friendly point of view, because my honourable friend Khan Bahadur Khuhro suggested that the zamindars cannot pay their land revenue, or, at any rate he suggested that the rates were excessively high. Now, everybody knows that the rates of assessment in Sind are excessively low. That is one of the things which struck the Financial Enquiry Committee. They said to me, "Your rates in Sind are extremely low compared to other parts of India." I am not going to discuss that now—I shall have another opportunity of arguing that question—but I would bring to the notice of my friends from Sind that the less stress they lay upon the inability of Sind zamindars to pay their revenue, the more easy will they find it to convince the Committee which is going to decide the question of the separation of Sind that it is a feasible proposition.

Now, Sir, I think that I have dealt more or less with the more important points which have been brought forward in this debate. I do not think my friend from Hyderabad (Syed Miran Mahomed Shah) really wants to begin a discussion on *rasai* again, but I have taken note of what he said.

It seems to me that the main points which have been raised have been dealt with and the only thing that remains for me now is once again to assure my honourable friend the mover that I will look into his grievances when I can quite follow what they are and to ask him to withdraw his motion.

Mr. V. A. SURVE: Sir, I beg leave of the House to withdraw my motion.

Motion, by leave, withdrawn.

Original demand put, and agreed to.

The Honourable the PRESIDENT : I have been approached by many honourable members asking me to hold the meeting at 10 o'clock to-morrow, but I think half-past nine has been agreed upon, as I am told that to-morrow's races are not meant so much for sport as for charity. Many of the honourable members of this House are likely to attend the races. Therefore, the House is adjourned to half-past nine to-morrow, Saturday, the 12th March 1932.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Saturday, the 12th March 1932.

The Council re-assembled at the Council Hall, Bombay, on Saturday, the 12th March 1932, at 9-30 a.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
HADDOW, Mr. R. R.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JOG, Mr. V. N.
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.

KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACKIE, Mr. A. W. W.
MACLACHLAN, Mr. D.
MATCHESWALLA, Mr. G. E.
MCELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THOMAS, the Honourable Mr. G. A.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WILES, Mr. G.
WINTERBOTHAM, Mr. G. L.

STARRED QUESTIONS AND ANSWERS.

SATTI BRIBERY CASE : RESULTS.

*Rao Bahadur S. N. ANGADI (Belgaum District): (*a*) Will Government be pleased to state the total expenditure incurred by them on account of the Satti Bribery case throughout, both on account of investigation and also the actual trial ?

(*b*) What was the result of the case ?

(*c*) Have Government taken steps against Shamji Narayan Kulkarni of Satti and his brothers, who, on their own admission, offered bribes to responsible officers in the Police Department ?

(*d*) If not, do they intend taking steps against them in the near future ?

The Honourable Mr. G. A. THOMAS: (*a*) The collection of this information would involve time and labour altogether incommensurate with the result that would be achieved.

(*b*) All the accused were acquitted.

(*c*) and (*d*) No.

Rao Bahadur S. N. ANGADI: May I know why this simple work of collecting information would involve much labour ?

The Honourable Mr. G. A. THOMAS: An attempt was made to collect the information and we found that we would have to examine so many account books in different offices that it was practically impossible to give even approximate figures.

SLAUGHTER OF COWS AND BULLOCKS : STATISTICS.

*Mr. G. M. KALBHOR (Poona District): (*a*) Will Government be pleased to state what are the numbers of cows and bullocks slaughtered in the cantonment areas of the presidency during the last four years ?

(*b*) Are they any other areas beyond municipal and cantonment limits where cows and bullocks are slaughtered ?

(*c*) If so, which, and what is the approximate number of cows and bullocks slaughtered therein ?

(*d*) Will Government be pleased to place on the Council table a statement of cause or causes that made the figures of cattle slaughtered vastly fluctuate during the years 1926-27, 1927-28 and 1928-29 with regard to the following municipalities :—

Nadiad, Dohad, Broach, Ankleshwar, Baramati, Sholapur, Bhusaval, Karachi, Larkana, Kamber, Ratodero ?

The Honourable Sardar Sir RUSTOM JEHANGIR VAKIL: (*a*) A statement furnishing the required information is placed on the Council table.

(*b*) Yes.

(*c*) and (*d*) Statements furnishing the required information are placed on the Council table.

Statement referred to in the reply to clause (a) of the question.

Name of Cantonment.	Cattle slaughtered during the years 1927-28 to 1930-31.		Total.
	Cows.	Bullocks.	
Ahmedabad	1,024	341	1,365
Ahmednagar	3,596	2,304	5,900
Deolali	2,964	5,891	8,855
Poona	17,040	28,362	45,402
Kirkee	....	....	5,895†
Belgaum	....	....	21,041†
Hyderabad	1,296	2,089	3,385
Karachi	....	....	....

†No separate figures for cows and bullocks slaughtered are available.

Statement referred to in the reply to clause (c) of the question.

Names of districts which contain areas beyond municipal and cantonment limits where cattle are slaughtered.	Approximate number of cattle slaughtered during the last four years.
1. Surat District ..	No regular record of the number of cattle slaughtered is maintained. The approximate number of cows slaughtered is 84. Information regarding the number of bullocks slaughtered is not available.
2. Broach District ..	212 cows and 120 bullocks.
3. Thana District ..	25 cows. No bullocks are reported to have been slaughtered.
4. Ahmednagar District ..	2,987 cows and 3,893 bullocks. Besides, about 800 cows and bullocks were slaughtered in the villages of Jamkhed and Kharda. Separate figures of cows and bullocks slaughtered in these two villages are not available.
5. East Khandesh ..	14,519 cows and 20,275 bullocks.
6. West Khandesh ..	282 cows and 645 bullocks.
7. Belgaum	603 cows and 564 bullocks.
8. Dharwar ..	414 cows and 669 bullocks.
9. Kanara ..	30 cows and 50 bullocks.
10. Sind ..	There are no fixed areas beyond the municipal and cantonment limits in Sind where cows and bullocks are slaughtered. They are, however, slaughtered throughout Sind on certain occasions, e.g., festivals and marriage and death ceremonies. No separate and exact record of the animals thus slaughtered is maintained, but the approximate number of cows and bullocks slaughtered in the four districts of Karachi, Hyderabad, Sukkur and Thar Parkar is reported to be 20,672. Information for other districts is not available.

Statement referred to in the reply to clause (d) of the question.

Names of Municipalities.	Reasons for fluctuations in the number of cattle slaughtered.
Nadiad	Not ascertainable.
Dohad	Do.
Broach	Do.
Ankleshwar	Do.
Baramati	Do.
Sholapur	Few cattle are offered for sale when fodder is abundant. The demand for beef also appears to be declining.
Bhusaval	Not ascertainable.
Karachi	Not ascertainable.
Larkana	Not ascertainable.
Kamber	Not ascertainable.
Ratodero	Not ascertainable.

SIR M. VISVESVARAYA'S REPORT ON THE LLOYD BARRAGE AND CANALS PROJECT IN SIND: RECOMMENDATIONS.

*Mr. SHAIKH ABDUL MAJID: (Karachi District): Will Government be pleased to state—

(*a*) whether they intend to take any action with regard to the suggestion made in the "Report on the Lloyd Barrage and Canals Project in Sind" by Sir M. Visvesvaraya, K.C.I.E., M.I.C.E., and Nawab Ali Nawaz Jung Bahadur, F.G.H., to the effect that "This work is without question an all-India responsibility and its burden should be borne by the broader shoulders of the Central Government";

(*b*) if so, whether they will place all the correspondence on the subject on the Council table? If not, what are the reasons therefor;

(*c*) whether they intend to act upon recommendations (*ix*) and (*x*) made in the Report by the Visvesvaraya Committee;

(*d*) if not, why not?

The Honourable Sir GHULAM HUSSAIN: (*a*) to (*d*) The Honourable Member is referred to the appendix to the White Book "Sind and the Lloyd Barrage" (copies of which have been furnished to honourable members) which gives a summary of the principal recommendations of the Report in question and of the action taken thereon by Government.

VETERINARY SERVICES: REORGANIZATION.

*Mr. J. S. KADRI for Mr. SYED MUNAWAR: Will Government be pleased to state—

(*a*) whether they intend putting into effect the recommendations contained in paragraph 26 on page 7 of "A Review of the Veterinary Service in the Bombay Presidency" published by Government in April 1931;

(*b*) whether they have decided that in view of the present financial stringency the proposed reorganization of the Veterinary Services be kept in abeyance?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) and (*b*) Some of the recommendations which do not involve increased expenditure will be put into effect from 1st April 1932. Consideration of the others has been postponed in present financial circumstances.

CONVICT B. G. DESHPANDE: FORFEITURE OF INAMS PROPERTY.

*Dr. V. G. VAISHAMPAYAN (Sholapur City): Will Government be pleased to state—

(*a*) whether it is a fact that Mr. Bhimrao Gopal Deshpande, a convict, is in the Bijapur District Prison;

(*b*) whether he has got any inam lands in the Sholapur District;

(*c*) whether it is a fact that Mr. Knight, the Collector of Sholapur, gave a letter on the 8th August 1931 to the Jail Superintendent at Bijapur, asking the latter to give an interview to the convict's brother Mr. V. G. Deshpande;

(*d*) whether the convict's brother got the letter of apology signed by the convict;

(*e*) whether they issued any order regarding the forfeiture of the convict's share on the 9th/10th December 1931?

The Honourable Mr. G. A. THOMAS: (*a*) Yes.

(*b*) and (*e*) He had, but they were forfeited on the 4th May 1931.

(*c*) Yes.

(*d*) Government have no information on this point.

Dr. V. G. VAISHAMPAYAN: This apology was tendered on the understanding arrived at between the convict's brother and the Collector that the lands were not to be forfeited. How is it that they have now been forfeited?

The Honourable Mr. G. A. THOMAS: There was no understanding with the Collector or Government at all.

Dr. V. G. VAISHAMPAYAN: It was only on that understanding that the apology was tendered.

The Honourable Mr. G. A. THOMAS: I have said that there was no understanding.

Dr. V. G. VAISHAMPAYAN: That is why the apology was tendered.

UNSTARRED QUESTIONS AND ANSWERS.

RAILWAY ACCIDENT: M. & S. M. RAILWAY.

Mr. A. J. BANGI (Southern Division): (*a*) Are Government aware that a serious railway accident took place between Bijapur and Hotgi on the M. & S. M. line some time last September?

(*b*) If so, what was the cause of the accident?

(*c*) How many persons were killed and how many injured?

(*d*) Have any steps been taken or are any proposed to be taken to prevent the recurrence of such accidents?

The Honourable Mr. W. F. HUDSON: (*a*) Yes.

(*b*) According to the report of the Senior Government Inspector of Railways, Madras, the accident was due to slacks in the railway line aggravated by the excessive speed of the train.

(*c*) One person was killed, four persons died of injuries and 32 were injured.

(*d*) Steps are being taken by the Madras and Southern Mahratta Railway Administration in the direction of arranging that the passenger trains on this section are worked with engines fitted with vacuum brake equipment. Engines so fitted are now under order and are expected shortly.

ASSISTANT MANAGER, GOVERNMENT CENTRAL PRESS: HOUSE RENT BILLS.

Rao Bahadur S. K. BOLE: Will Government be pleased to state—

With reference to page 95 of the Bombay Legislative Council Debate, Volume 31, Part 2, dated 21st July 1931, will Government be pleased to place on the Council table all the house-rent bills and their orders sanctioning the house-rent to the Assistant Manager, Government Central Press, Bombay?

The Honourable Sir GHULAM HUSSAIN: As the Honourable Member has already been informed in July 1931, Government do not think that any useful purpose would be served by placing the house-rent bills on the Council table: Copies of Government Resolution, General Department, No. 854, dated the 25th March 1922 and 20th April 1922 are placed on the Council table.

Pay and allowances:

Managers and Assistant Managers of Presses.

Increase in—

GOVERNMENT OF BOMBAY.

GENERAL DEPARTMENT.

Resolution No. 854.

Secretariat, Fort, Bombay.

Dated the 25th March 1922.

RESOLUTION OF GOVERNMENT.

Government are pleased to sanction the grant to Mr. H. G. Skeen, Manager, Yeravda Prison Press, of the maximum of his grade, viz. Rs. 750, with retrospective effect from the 18th October 1920. They are also pleased to sanction the grant of a house-rent allowance of Rs. 100 per mensem each to the two Assistant Managers at the Government Central Press, Bombay.

2. The extra charge that will be incurred should be met by reappropriation from the lump provision of Rs. 43,100 made in the current year's budget under the head "46-Stationery and Printing" on account of the revision of salaries of staff at Government Presses.

By order of the Governor in Council,

S. N. ZIMAN,

Deputy Secretary to Government.

To

The Superintendent, Government Printing and Stationery,
The Accountant General,
The Finance Department.

Pay and allowances.

Managers and Assistant Managers of Presses.

Increase in —

GOVERNMENT OF BOMBAY.

GENERAL DEPARTMENT.

Resolution No. 854.

Secretariat, Fort, Bombay.

Dated the 20th April 1922.

RESOLUTION OF GOVERNMENT.

In modification of the orders conveyed in their Resolution No. 854, dated the 25th March 1922, so far as they relate to the grant of a house rent allowance to the two Assistant Managers at the Government Central Press, Bombay, Government are pleased to direct that a house rent allowance of the amount actually paid as rent subject to a maximum of Rs. 100 should be paid to those officers provided—

(1) the amount is reasonable for the accommodation provided, and

(2) they actually reside within a mile of the Press.

2. The above conditions should not be made applicable to the grant of the house rent allowances to the Assistant Managers sanctioned by Government Resolution, Finance Department, No. 68, dated the 3rd January 1922.

By order of the Governor in Council,

S. N. ZIMAN,

Deputy Secretary to Government.

To

The Superintendent of Government Printing and Stationery.
The Accountant General,
The Finance Department.

PLOUGHS: TRIALS.

Khan Bahadur D. B. COOPER (Satara District): (*a*) Will Government be pleased to state what action the Agricultural Department of this Presidency has taken to put the following recommendation of the Royal Commission on Agriculture in India into effect:—

"Sound advice can only be given to the cultivator on the basis of exhaustive trials of the comparative merits of the country and of the

inversion ploughs, carried out under his conditions and extending over a period of at least 5 years. Such trials should be combined with the investigation into the draught capacity required for different implements suggested above." (*vide* page 112, paragraph 107 of their Report) ?

(*b*) Are Government aware of the fact that this work was carried out in Cawnpore in the United Provinces during the quinquennium 1923-28, and that as a result of these extensive trials it was found that the increased value in crops consequent upon the adoption of a medium and light type of soil inverting ploughs in place of the country non-inverting ploughs, averaged Rs. 39 and Rs. 28 per acre respectively—*vide* pages 52-54 of the Annual Report of the Department of Agriculture, United Provinces, for the year ending 30th June 1928 ?

(*c*) If the reply to (*b*) is in the affirmative, what action has been taken to make this information known throughout the Presidency in every vernacular language in the Province ?

(*d*) Is it a fact that improved seeds and other crops are reared on Government Farms by the use of the latest ploughing and tillage implements and that these improved seeds and other crops are indiscriminately sold to cultivators who are using the most primitive methods ?

(*e*) Is it a fact that some of these improved crops have proved a failure in the hands of cultivators on account of inefficient tillage, and that the cultivator is forced to revert to the old indigenous seeds and crops which he has found by experience to be the most suitable for the implements which he is using ?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Researches of the degree of intensity recommended by the Royal Commission on Agriculture have not yet been organised by the Department of Agriculture in this Presidency. The point at issue is not so much the relative merits of the two types of ploughs as the relative merits of two types of tillage, viz. breaking up and stirring as contrasted with cutting slices and inverting them. The country plough performs the former operation in a very imperfect manner. What is required is careful research upon what is called "rotary tillage" as contrasted with good class ploughing with iron ploughs. Researches of this type are usually carried out by the Agricultural Engineer to Government but as his post has been held in abeyance as a measure of retrenchment, owing to the prevailing financial stringency, no progress can be made at present in the matter.

(*b*) Yes; but the Agricultural Department has no information as to whether good results were obtained from inverting the soil.

(*c*) The Agricultural Department has not stressed this point in its propaganda as it is not prepared to endorse the findings of the United Provinces Agricultural Department as regards the explanation of the results obtained by that Department.

(*d*) No. Ploughing with inverting plough is not in general use on clean land on Government farms.

(*e*) No. The failure may be due to poor germination of seed on grass-bound land.

PRIMARY SCHOOLS: COST.

Mr. L. R. GOKHALE (Poona City): Will Government be pleased to state whether they are aware that the average cost per pupil in a Primary School in this Presidency is far in excess of that in the Major Provinces of India? If so, what steps they intend to take to reduce the cost as far as possible?

The Honourable Sir RAFIUDDIN AHMAD: Yes. The control of primary education now vests in Local Authorities and it is for those bodies to take suitable steps to reduce the cost.

SCHOLARSHIPS FOR UNIVERSITY EDUCATION TO HINDUS OF SIND.

Mr. GOVER RORA (Karachi City): (*a*) Will Government be pleased to state whether there are any Government scholarships available for Hindus of Sind residing in the mofussil for higher education?

(*b*) How many Hindus from the mofussil in Sind applied to Government for scholarships for University or Collegiate education in 1931-32?

(*c*) Was any scholarship granted to any of the applicants? If not, what were the reasons therefor?

(*d*) Is it a fact that the Hindus of rural areas in Sind are generally backward in higher education?

(*e*) Is it a fact that Government grants scholarships to Mahomedan students coming from rural Sind for higher education, on the ground of their backwardness in such education?

(*f*) Have Government sanctioned any scholarships for mofussil Hindus of Sind on the same principle?

(*g*) If not, what are the reasons therefor?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) Yes.

(*b*) 9, of whom only 6 were eligible for the grant of scholarships.

(*c*) Yes: one.

(*d*) Yes.

(*e*) and (*f*) Special scholarships are provided for all classes backward in education in Sind, whether they are Hindus or Mahomedans and come from urban or rural areas.

(*g*) The question does not arise.

CANALS IN SIND: BREACHES.

Khan Bahadur M. A. KHUHRO (Larkana District): Will Government be pleased to state—

(*a*) what districts have suffered owing to River Bund breaches and canal breaches in the last inundation season in Sind;

(*b*) the number of breaches that were caused in each district;

(*c*) the nature of each breach and the causes for it;

(*d*) whether Government appointed any independent inquiry committee to ascertain the causes for the breaches;

(*e*) what is the report of each inquiry committee, if appointed and whether it was purely official or official and non-official;

(*f*) whether Government will place on the Council table a copy of the report of the Inquiry Committee;

(*g*) what action have Government taken on the report of each Inquiry Committee;

(*h*) to what extent the officers of the department are responsible for the damage caused and what steps Government have taken to deal with them;

(*i*) the extent of loss sustained in each district in revenue by Government and the loss sustained by people owing to the destruction of their crops;

(*j*) what steps Government propose to take in regard to those zamindars and cultivators who have suffered owing to breaches that were caused mainly by the negligence on the part of the administration;

(*k*) what steps Government have taken to remedy the defects that caused havoc in the last Abkalani?

The Honourable Sir GHULAM HUSSAIN:

N.B.—The replies relate to the breaches in the inundation season of 1930.

(*a*) Sukkur, Larkana and Nawabshah.

(*b*) and (*c*)

Upper Sind Frontier.

There was a breach at mile 6/4 of the Tori Bund which is constructed of treacherous 'kalar'. Between the 4th and 9th July 1930 a rise of over 8 feet of water occurred against the Tori Bund. The cause of the breach was an underground leak.

Sukkur District.

There were 19 breaches in the Adurtakio Bund consequent on the erosion of the front Sukkur Begari Bund at mile 26/6.

Larkana District.

There was a breach at mile 2/4 of the Naurang wah which at this place flows through low land. A leak occurred through the masonry of a sluice, which could only be detected when the leak had caused excessive flow in the karia. This was detected at 2 a.m. on the 23rd July 1930 and shortly after one side of the sluice collapsed resulting in a breach.

There were 23 breaches in the Magsi Bund in miles 43 to 43/4 and 44/4 which occurred at a very critical time when there was a gale blowing with heavy rain at the same time.

There was a breach at mile 54/4 of the Magsi Bund near Sita. Due to Kalarish soil in the length from mile 53/5 to 54/5, a few leaks occurred in this length, but they were all successfully closed. On the 19th July 1930, however, a leak occurred at mile 54/4, which was not detected for some time and later on the same day it developed into a breach. This breach was a small one and of no great importance.

There was a breach at mile 0/6 of the diversion of the Western Nara Right Bank. The set of the river in the year 1930 at the head of the Western Nara was directly concentrated on the right bank. On 19th July 1930, a leak occurred in the diversion at mile 0/6. This was twice closed but it broke out again and on the third occasion developed into a serious breach in spite of the efforts of 125 men to close it.

Nawabshah District.

There was a breach in the left bank of the Nasrat Canal Feeder at night time when there was heavy rain which interfered with patrolling.

(*d*) Government directed the Indus River Commission to hold a special inquiry.

(*e*) The Committee appointed was official in its personnel. The report dealt with the origin and causes of the floods in 1930 and made certain recommendations which were printed as an accompaniment to the Government Resolution issued thereon. A copy of the Government Resolution is placed on the Council table.

(*f*) No.

(*g*) The Government Resolution referred to in reply to clause (*e*) shows what action has been taken.

(*h*) The breaches were accidental and Government, while taking all possible measures to safeguard the country from floods, cannot guarantee that any river bund or canal will be immune from breaches.

(*i*) The extent of loss to Government in revenue and the loss sustained by the people is reported to have been approximately as under :—

Name of the District.	Loss to Government in revenue.	Loss sustained by the people
	Rs.	Rs.
Sukkur	2,23,537	4,90,000
Larkana	3,20,000	6,84,850
Nawabshah	83,803	2,15,350

(*j*) Does not arise—*vide* reply to clause (*h*).

(*k*) The defects have been remedied as far as possible by taking measures as under :—

(*i*) All the breached portions of bunds and canal banks have been reconstructed, the weak portions strengthened and raised where necessary.

(*ii*) The Western Nara Bank from mile 4/3 to the head of the diversion and the right bank of the Wahurwah in front of the Magsi Bund have been converted into river bunds.

(*iii*) A sand trench has been provided in the Magsi Bund.

(*iv*) Protective bunds have been constructed where gaps previously occurred, so as to prevent the river spill flooding the interior at times of very high river levels.

Floods in Sind, 1930 :

Report on the inquiry into the cause of —.

GOVERNMENT OF BOMBAY.

PUBLIC WORKS DEPARTMENT.

Resolution No. 830/27.

Bombay Castle, 6th February 1931.

Letter from the Commissioner in Sind and President, Indus River Commission, No. 18502-B, dated 14th November 1930, as under :—

"I have the honour to send herewith two copies of the report and findings of the inquiry held by the Indus River Commission into the floods which occurred in Sind in 1930.

"2. Certain recommendations* were also made at the inquiry as the outcome of the findings. The attention of Government is drawn to these recommendations."

RESOLUTION.—The thanks of Government should be conveyed to the members of the Indus River Commission for their thorough and exhaustive inquiry into the causes of the several breaches in the river bunds and canals in Sind, the measures taken to deal with the breaches on their occurrence and the subsequent disposal of the flood water.

2. Government also associate themselves with the Commission in their appreciation of the very efficient manner in which Mr. J. L. Grant, I.S.E., discharged his duties as Secretary to the Commission for this special inquiry.

3. The following orders are issued on the Commission's recommendations which have been printed as an accompaniment to this Government Resolution :—

Recommendation No. I.

The proposals of the Commission are approved. The necessary action in the matter should be taken by the Indus River Commission.

Recommendation No. II.

The President of the Indus River Commission should be requested to submit a further report on the subject.

Recommendation No. III.

The proposals of the Commission are approved. The President of the Indus River Commission should be requested to take the necessary action in the matter.

Recommendation No. IV.

The Commissioner in Sind will please address Collectors of Districts in this sense. If necessary, the matter should be referred further to Government in the General Department.

By order of the Governor in Council,

T. A. ANDREW,
Deputy Secretary to Government.

To

The Revenue Department.
The General Department.
The Commissioner in Sind and President, Indus River Commission.
The Chief Engineer, Lloyd Barrage and Canals Construction.
The Chief Engineer in Sind.
The Superintending Engineers of Circles in Sind.
The Executive Engineers of Divisions in Sind.
G. A. Thomas, Esquire, C.I.E., I.C.S.
C. S. C. Harrison, Esquire, C.I.E., I.S.E.
D. R. Satarawala, Esquire, I.S.E.
R. Haines, Esquire, I.S.E.
C. O. Lowsley, Esquire, I.S.E.
J. L. Grant, Esquire, I.S.E.

Accompaniment to Government Resolution, Public Works Department, No. 830/27, dated 6th February 1931.

RECOMMENDATIONS.

The recommendations, which the Commission considered it desirable to make, are given below :—

I.—Points to be carefully observed in the construction of bunds.

(*a*) All bunds must have a free-board of 4 feet above the Maximum High Flood Level. The Maximum High Flood Level is liable to change over a period of years, as the set of the main channel of the River changes ; hence, as the Maximum High Flood Level rises, so the top of the Bund in that locality must be raised.

*Printed as an accompaniment to this Resolution.

(*b*) It is particularly necessary that Cross Bunds and Loop Bunds forming compartments (i.e. where pocketting can occur) be raised to as so give 4 feet free-board above the Maximum High Flood Level at the *upstream* end of the compartment.

(*c*) Where bunds have to pass through "dhoros" or where soil is bad (i.e. cracked or *kalar*) a brick core wall, 1 foot thick with weep holes at intervals, or other form of diaphragm should be constructed in the Bund. Core walls have been tried in America and found successful. The matter should be referred to the Indus River Commission to consider in detail.

(*d*) Where a Canal Bank has to be used as a bund it must be made to bund section and any sluices in the bank must be made according to the Indus River Commission type design for sluices in Bunds.

The maintenance of such canal banks should be from Bund Funds and not from Canal Funds.

II.—Villages and cultivation in compartments.

Owing to the existence of villages and cultivation in compartments between Bunds and Loops there is sometimes a tendency for Executive Engineers not to flood such compartments. Flooding in such circumstances is much resented by the inhabitants of the villages and the owners of the cultivation and this may influence officers and lead them to abstain from flooding such a compartment. It is recommended that the whole question should be gone into carefully by the Indus River Commission.

III.—Rules for the maintenance of Bunds and a Manual for the guidance of those concerned with Bunds.

It must frequently happen that an officer, with considerable experience in the Public Works Department, may be placed in charge of Bunds though he has had no previous experience of them. It is recommended that "Rules for the maintenance of Bunds" and a "Manual" describing the method of organising the maintenance of a bund should be drawn up. In the manual such information as how to close a breach, how to distinguish between a leak and percolation water flowing out of a bund and similar information of this type should also be given. In short it should be a *vade mecum* for a Sub-divisional Officer in charge of bunds and it will be invaluable for young officers joining the I.S.E. and B.S.E.

IV.—Bunds round towns.

It was considered that all towns and villages of any importance whatever which are likely to be flooded, should be legally bound to construct bunds for their own protection. The towns and villages which should be so protected should be named by the Indus River Commission.

BOMBAY ACT XVIII OF 1925: RULES AND BY-LAWS.

Mr. SHANKARRAO JAYARAMRAO ZUNZARRAO (Thana and Bombay Suburban Districts): Will Government be pleased to state—

(*a*) how many municipal boroughs in the Presidency have framed the Rules and By-laws under the Bombay Act XVIII of 1925;

(*b*) whether it is a fact that Government have entrusted the work of preparing model rules and by-laws under Bombay Act XVIII of 1925 to an experienced retired Deputy Collector;

(*c*) if the reply to (*b*) is in the affirmative, when the work was so entrusted;

(*d*) whether the work has been completed, and if so, when;

(*e*) whether the rules and by-laws so framed have been examined further by the Legal Department, Accounts and Audit Department or by an administrator having municipal experience;

(*f*) if so, when and with what result;

(*g*) if not, whether they intend to get the draft so examined;

(*h*) when the model rules and by-laws will be printed and sent out to the borough municipalities;

(*i*) whether it is a fact that these local bodies are working without a proper set of up-to-date rules and by-laws for the last 6 years;

(*j*) whether it is a fact that Government have issued instructions to a municipal borough not to submit fresh rules and by-laws for sanction until the model rules and by-laws have been framed, printed and sent out by Government to municipalities ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL : (*a*) Five have framed complete sets of rules and by-laws, of which one complete set has been sanctioned. In the case of the other 4 and of 21 other municipalities rules and by-laws under certain clauses only of sections 58 and 61 of the Bombay Municipal Boroughs Act have been sanctioned.

(*b*) Yes.

(*c*) In August 1930.

(*d*) Yes, in March 1931.

(*e*) No.

(*f*) Does not arise.

(*g*) Yes—if necessary, after the views of the municipalities and Commissioners are received.

(*h*) They have been printed and are being sent to the municipalities concerned for their views through the Commissioners.

(*i*) Yes.

(*j*) Yes, but this would not apply to cases where the revision of rules and by-laws is really necessary.

LIEUTENANT-COLONEL D. S. JOHNSTON.

Mr. A. N. SURVE (Bombay City, North) : Will Government be pleased to state—

(*a*) how long Lieutenant-Colonel D. S. Johnston has been at Aden as the Chairman of the Aden Port Trust and of the Aden Settlement Committee ;

(*b*) what has been his pay ;

(*c*) how long they intend to keep him there ?

The Honourable Sir GHULAM HUSSAIN : (*a*) Since 9th October 1924.

(*b*) His grade pay in British service, including overseas pay, plus 20 per cent. deputation allowance, subject to the maximum of Rs. 1,750 *plus* equivalent in rupees of £13-6-8 per mensem.

(*c*) Till the public interest necessitates his transfer.

LIEUTENANT-COLONEL E. S. PHIPSON.

Mr. A. N. SURVE (Bombay City, North) : Will Government be pleased to state—

(*a*) how long has Lieutenant-Colonel E. S. Phipson, I.M.S., been acting as Health Officer at Aden ;

(*b*) what is his pay ;

(*c*) how long do they intend to keep him there ;

(*d*) whether an officer of the rank of Major has not usually been the Port Health Officer before at Aden ?

The Honourable Sir GHULAM HUSSAIN : (*a*) Since 29th July 1923 during which time he was thrice on leave and twice on deputation.

(*b*) Pay Rs. 1,600 per mensem.
Additional pay Rs. 250 per mensem.
Overseas pay £30 per mensem.
Special pay Rs. 150 per mensem (for inspection of vessels at night).

(*c*) He is going on leave this year.

(*d*) Three out of seven officers who have held the post since 1889 have been Majors.

EDUCATION IN ADEN.

Mr. A. N. SURVE (Bombay City, North): Will Government be pleased to state—

(*a*) the number of schools in Aden;

(*b*) the cost incurred thereon;

(*c*) whether the standard of education there is the same as in this Presidency; if not, what are the reasons therefor?

The Honourable Mr. G. A. THOMAS: (*a*) 76.

(*b*) Rs. 1,16,487.

(*c*) The syllabus has been generally based on that prescribed in this Presidency with some modifications to suit local conditions.

REVENUE DEPARTMENT IN SIND: SUPERSESSION OF HINDUS.

Mr. S. S. TOLANI (Western Sind): Will Government be pleased to state—

(*a*) the number of persons in the Revenue Department in Sind who have passed the qualifying revenue examination about 20, 15 and 10 years back respectively?

(*b*) How many of them have not been promoted to the grade of Mukhtyarkars?

(*c*) How many of them are Hindus, Muslims and Christians respectively?

(*d*) Whether it is a fact that many Mahomedans have superseded the Hindus in the Revenue Department? If so, what is the number of Hindus so superseded and what are the reasons therefor in each case?

The Honourable Mr. W. F. HUDSON: The work involved in collecting the information required to answer this question is so considerable that Government regret that they are not prepared to undertake it.

SCHOLARSHIPS FOR HIGHER EDUCATION TO HINDUS OF MOFUSSIL IN SIND.

Mr. S. S. TOLANI (Western Sind): Will Government be pleased to state—

(*a*) whether it is a fact that the Hindus of Mofussil in Sind are backward in higher education;

(*b*) whether it is a fact that they grant scholarships to Mahomedans of mofussil in Sind for higher education on the ground that they are backward in that education;

(*c*) whether they intend to extend the same concession to the rural Hindus of Sind,

(*d*) if not, the reasons therefor,

(*e*) how many Hindus from mofussil in Sind applied for scholarships for higher education during 1931-32,

(*f*) what action they have taken upon these applications?

The Honourable Sir RAFIUDDIN AHMAD The Honourable Member is referred to the replies given during this session to a similar question* put by the Honourable Member for Karachi City.

MOTION TO PRESENT AN ADDRESS TO H. E. THE GOVERNOR re THE POLITICAL SITUATION

Rao Bahadur R R KALE (Bombay University) Sir, the motion which I wish to move is,

"That the following humble address be presented to His Excellency the Governor of Bombay

May it please Your Excellency,

We, the Members of the Bombay Legislative Council, respectfully pray that in view of the present political situation, Your Excellency will be pleased to convene a Conference of leaders of various parties in the Province in order to find the means of establishing a peaceful and calm atmosphere and secure the co operation of all parties in facilitating the work of the several Committees set up to help the framing of the New Constitution"

Mr President, the motion involves four questions for consideration. The first is the present political situation, the second is the need for establishing a peaceful and calm atmosphere, the third is securing the co-operation of all political parties in facilitating the work of framing the constitution, and the fourth is the calling of a conference to devise ways and means for the purpose of bringing about this result

Last year at this time, you are aware, Sir, that I had tabled a motion, in the first instance, welcoming the declaration of the Prime Minister made by him on the 19th January and had expressed an earnest hope that the necessary atmosphere of peace and goodwill would be created for the purpose of implementing the conclusions of the first Round Table Conference Before the motion could be reached, however, circumstances came about which I was glad to see rendered it necessary to amend the clause containing the expression of hope because the hope was in fact fulfilled and the necessary atmosphere was created by the well-known Irwin-Gandhi Pact, which was brought about on the 6th March 1931. We then took the opportunity of congratulating the Government and others who had laboured to bring about that settlement, and we expressed our grateful appreciation for the success which they had attained in bringing about that settlement Well, Sir, we then thought that the trouble was over as the largest political party in the country had expressed its desire to co-operate in the great work that lay before the country It seemed that our hopes would be fulfilled when we found that the Congress deputed Mr Gandhi as its sole and accredited delegate to participate in the deliberations of the Round Table Conference

I am only going into the genesis of the political situation and shall but briefly refer to these events which are well-known I need not dilate

* Printed in today's Debates.

[Rao Bahadur R R Kale]

upon what took place up to the point when again there arose circumstances which have resulted in the present deadlock Whilst the second Round Table Conference was doing its work—in fact before it was finished—there had arisen circumstances in this country and there came remedies which the Government had to resort to—I mean the terrorist activities in Bengal and the no-rent campaign in the United Provinces and the ordinances that were promulgated to meet the situation in those provinces It was very unfortunate that the situation should have taken such a turn at the very time when it was necessary to continue to preserve the atmosphere of peace and goodwill and when the prospect of a final solution of the constitutional problem was hopeful, but as fate would have it, there came this dramatic, tragic end to all the good work that was done at the beginning of this year The seed of bitterness and discord had already been sown, and when Mahatma Gandhi landed in India, he said—these are the words he uttered

"I landed in the hope that I shall find out ways and means of tendering co operation, but when I find that at every step there is a huge boulder, what am I to do ? I am dying to find those ways and means On the top of the Bengal Ordinances, the United Provinces and the Frontier Ordinances have been passed and several important persons arrested"

In these circumstances, Mr Gandhi proceeded to seek an interview with the Viceroy Whether the granting of an interview would have saved the situation or not is more than I can say But in this connection Mr Brailsford's dispassionate analysis of the Indian situation in which he refers to Mahatma Gandhi's letter seeking the interview with the Viceroy as tactless may be quoted This is what Mr Brailsford says on the situation

"His (Mahatma Gandhi's) rule is to conceal nothing, and he plainly said that his Committee was considering, in certain eventualities, a return to 'civil disobedience.' Everyone knew it, but this plain dealing offended Lord Willingdon, a smaller man than his predecessor Apart altogether from this question of tact, the Viceroy bluntly refused, under any circumstances, to discuss the Ordinances That was on his part a pose as petty as it was unreasoning If a Government asks the leaders of Indian opinion to co operate with it in combating terrorism (as Lord Willingdon did) it cannot reasonably refuse to discuss with them the methods by which it should be fought. The case for consultation was all the stronger, since in fact these ordinances are being used as much to repress an economic movement of a normally patient peasantry as to deal with a revolutionary conspiracy. One can govern India with Indian opinion or against it If one desires to enlist its support, one must consult its leaders. It is fantastic to summon Mr Gandhi to London to discuss the rights which Indians shall enjoy to morrow, and at the same time to refuse to listen when he would defend such rights as they ought to enjoy to-day"

Now, Sir, I do not wish, as I said, to go into the question of what would have happened if an interview had been granted The Government of India, however, published a long statement on the 4th January justifying the action they took in arresting Mr Gandhi and promulgating the various general ordinances Be it noted that the ordinances promulgated on the 4th January were general ordinances, and on the same date that the ordinances were promulgated, it was stated that they might be applied and extended from time to time Pandit Madan Mohan Malaviya in issuing an earnest appeal to the Viceroy to reconsider the position and undo the wrong has given a long rejoinder to the Government

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Statement justifying their action and both will speak for themselves The power taken under the general ordinances was twofold, the first related to the territories to which they should be applied That power was reserved by the Governor General The second power, namely, that of applying the ordinances to various areas in the presidency at particular times and on such dates as may be appointed by a notification, was entrusted to the Local Governments These were the terms of the general ordinance No 2 of 1932 One would have thought that it was not the intention to apply those ordinances to all the areas at once nor was it perhaps intended to declare it to be in operation simultaneously in every nook and corner of the Presidency Otherwise, I cannot understand why it was necessary to say that the ordinances may be extended to different areas by the Governor General from time to time and that its operation may be commenced from time to time on and from such dates as may be notified by the Local Government But we find, Sir, that on the very date, that is, the 4th of January, when this general ordinance was pronounced, there are other notifications issued by the Government of India and by the Local Government simultaneously on the same date extending the ordinances to all areas except Aden and also by the Local Government making the date of operation the same, i e , 4th of January 1932 I submit that at the moment it is not necessary to go further into this matter, but it seems to me that we, i e those who are opposed to the cult of civil disobedience, are faced at this time with a situation which is certainly embarrassing to ourselves no less than to Government, because we are engaged at this time with speed and sincerity—those watchwords of Mr Wedgwood Benn—in carrying on the work of the Round Table Conference by means of the committees that have been appointed, and the question for consideration is therefore whether at such a juncture the unrest and excitement should occupy the attention of almost all the population of this presidency The question which I wish to ask Government is, we have the ordinances in force for nearly 10 weeks, and may I ask whether the situation has fundamentally improved during this period ? It may be said that it has improved to some extent because I may at once concede that the movement has not been allowed to assume serious proportions Last time the movement was in operation for nearly ten months before the settlement was reached This time it is only ten weeks, but my point is that we cannot say that that atmosphere of peace is prevailing which is necessary as I have already indicated, and I am not going into the question about the promulgation of ordinances because that is a matter first and primarily for the Central Government, and secondly, I do not wish to enter into any further details about either the civil disobedience movement or the drastic nature of some of these ordinances They have been sufficiently discussed in the press and authoritatively stated by His Excellency the Viceroy in his address to the Assembly, in the debate in the Assembly on the motion of Sir Harisingh Gour, by Sir James Crerar, the Honourable the Home Member, when he spoke in

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defence of Government's policy and by His Excellency the Governor while addressing us at the opening of this session and recently by the Secretary of State when he spoke on the India Office Estimates in the House of Commons In the course of his speech, he talked about the Government of India's solicitude and warning to Local Governments and quoted one or two extracts shewing the instructions issued by Government on the 8th of February, under which the emergency powers were to be carried out First he said

"The Government of India recognises the responsibility attaching to the assumption of extraordinary powers and would again bring to the notice of the Local Governments the great importance of exercising control and supervision over the exercise of those powers, and secondly, they would request the Local Governments to satisfy themselves with regard to alleged instances of abuse brought to their notice which is of course the normal practice and procedure Some of the powers contained in the ordinances are drastic and the Government of India attach the greatest importance to control by the local Governments of their exercise"

That is a statement which does show that the extraordinary powers which have been given to the local subordinate officers are really of a drastic nature, and therefore a great deal of control and supervision is necessary on the part of the local Government, and therefore I submit that the few criticisms which will be offered on this side of the House will be considered by the Honourable the Home Member with a view to seeing whether the kind of control and supervision which is implied in the instructions is being exercised I know last time when the settlement was brought about, there was an attempt made in the House by some of the honourable members to give expression to their criticisms. The then Honourable Leader of the House, Sir Ernest Hotson, advised us to forget and forgive and I for one associated myself fully with that expression and we did not go into the question any further This time, however, I could have wished that I would have been in the same position; but, Sir, the facts and circumstances are different and therefore I am sorry to find myself in no similar position at this moment Now, therefore, I wish to bring to the notice of the Honourable the Home Member certain aspects of the exercise of the power which is at this moment one of the vital points to be considered by the local Government May I ask if the Government could not do what lies in their power to lessen the bitterness and the hardships in areas which really arise under such drastic or extraordinary powers? His Excellency, while addressing us, was pleased to say that the measures which Government is putting into force have been adopted to ensure peace, that they are not an end in themselves but as a means only to secure their end, namely, the end of bringing a new constitution which he said "we have promised to India and under which she will"—in the words of His Excellency the Viceroy—"become in due course an absolute partner with the other Dominions" His Excellency went on to say, "Let me add that my Government has no quarrel with any political party as such however widely their views may differ from our own provided that they endeavour to give them effect through the regular constitutional channel" That being so, my submission is that the Government must see whether the application of

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the extraordinary remedy of ordinances is really extraordinary or whether it has become ordinary What I mean is that these powers are given to deal with a certain movement, namely, the movement of civil disobedience on a wholesale scale which was threatened by the Congress and, so far as we are concerned, I quite understand that Government will be justified in doing what is necessary for that purpose, but when there are political parties and political parties, is it not necessary, Sir, to use a certain amount of discrimination in applying these extraordinary powers? At the present moment particularly speaking, it may be said that there are three political sections in the different parts of the country Of course, there is the revolutionary movement or the terrorist movement in Bengal and the no-tax campaign in the United Provinces, both of which have a particular aspect and there is in the Bombay presidency, so far as I can see, the civil disobedience movement considered generally, and the other type of political agitation, which so far as Maharashtra is concerned is carried on by a section which is called the Responsive Co-operation Party which came into existence in 1924 I belong to Maharashtra and may be said to possess some firsthand knowledge about it, and I can say that that is a party headed by leaders like Mr N C Kelkar and Mr M R Jayakar and was brought into being by them as distinct from the party pledged to non-co-operation at all times My own knowledge of the situation is that that party, whose creed is more or less allied to the creed of the liberal party and being a political party, certainly carries on agitation but an agitation of a nature which is different from the agitation of the civil disobedience movement Of course, I do not deny that there may be persons, there are persons, who may have also indulged in the civil disobedience movement even in Maharashtra I do not deny that, but the point is whether that movement has taken such deep root in every nook and corner of this wide area that the application of the ordinances was rendered necessary in each and every nook and corner of the area That is the point which I am making, and it is because, Sir, I feel that the way in which several persons and several associations were dealt with and are being dealt with certainly requires to be criticised I can concede that it is difficult for Government to distinguish the activities of congressmen from those of others who have not joined the civil disobedience movement, and yet who do carry on political agitation for the redress of grievances or against certain policies of Government But surely Government are expected to know where and for what reason the agitation is carried on, where and whether a particular movement has taken deep root, and whether and where it is necessary to enforce the ordinances Is it not up to Government to find out what the position is, with all their paraphernalia of police agency and their executive officers? But what seems to me is that the executive officers seem to be over-zealous in resorting to these extraordinary powers as if they were ordinary powers and in cases where they are not strictly necessary Therefore, I would request Government to ask their officers to refrain from making such a wide and unrestricted use of these powers and on such a large scale in

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all places, whether their enforcement is called for or not I submit that it is this aspect which rather deserves to be considered when we are here to see whether the atmosphere is convenient for any purpose, I mean to say the purpose of constitution-building that we are proceeding with. Being connected with one of the committees, the Franchise Committee, I can say that to my own knowledge, in the Deccan, there is a kind of depression, there is a kind of feeling which has come over the country which certainly disables the people from assisting or co-operating with Government even in their own interest Of course, His Excellency the Governor thinks that he expects co-operation from us in putting down the civil disobedience movement He asked us to take courage and come to the assistance of Government, but, apart from that, even in the matter of this constitution-making, which is of vital importance to us, the people seem to be rather taken aback I do feel that that is not an atmosphere congenial to the evolving of a constitution which will be acceptable hereafter I know Government may not care whether certain people come up and make their representations and put forward their case as to how the franchise is to be widened and so on, or not Government may say "Those who do not care, we do not care for them We shall proceed in our own way" I really do think that because a certain section of the politically minded public keeps aloof, if you proceed to do your work *ex-parte*, I am sure that your work is not likely to receive satisfaction when the new constitution is brought into existence What happens in the case of a decree passed *ex-parte* by a court? The court says, the defendant does not appear, and therefore the decree is in favour of the plaintiff But, Sir, later on, when the defendant comes to know about it, a lot of trouble has to be undergone The proceedings are to be re-opened and the whole case has to be gone into again Therefore, I certainly appeal to the Government to see that, before the final constitution is brought out, they will do the utmost that lies in their power to secure co-operation

Before proceeding to the second and third aspects of my motion, I shall refer to only one or two points I know it is a very difficult task in this motion not to refer to various incidents, but I would really advise honourable members, and I would myself follow the advice, that instead of dealing with the instances which may have happened and which are happening in various parts of this presidency on the present occasion, they should adopt the procedure which I intend to adopt, that is, pick up certain cases and submit them in writing to the Honourable the Home Member The present motion no doubt might enable certain aspects of the ordinances to be discussed, and the Honourable the Home Member also said that he would reserve his remarks on this matter till the discussion of the address comes up Even if we to-day mention some instances, he will not be prepared, I am sure, to give any off-hand reply He must necessarily require time to investigate, and unless he does so, the reply which he will give will be merely some sort of general reply Therefore, I would not take the time of the House in dealing with such instances.

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But I may point out that I have in my possession two instances of individuals and one instance of an association in my own district (Satara), where I have reason to think that the matter has been dealt with in a manner in which it should not have been dealt with The persons were not as a matter of fact concerned in this movement They may have had their political views, but simply because they hold political views which differ from the views of Government, it does not follow that action should be taken under the very wide power which is vested in section 3 of the ordinances, and which has now become a sort of by-word known throughout the length and breadth of this land, viz the power of issuing a direction under clause (*d*), which allows the direction to be in any form, because the wording is, " 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 " The words " shall conduct himself in such manner " give very wide powers indeed, and it says " any direction " Supposing a police officer takes into his head to give a direction that the man shall stand in the courtyard, or in the sun for five hours, certainly he can issue that order He will say " I think it is necessary in the interest of the public peace that the man must stand or sit in the *chavdi* [*An Honourable Member* Or crawl], yes, or crawl, or do anything else for the matter of that That is how, Sir, the word " parole " has come into so much prominence in these days I find again, Sir, that persons have been arrested under this section, and detained for a fortnight or two months——

The Honourable Mr G A THOMAS May I correct the honourable member ? The arrest is under section 3, and the order under section 4

Rao Bahadur R R KALE Yes, the order is issued under section 4 clause (*d*) The power to arrest and detain suspected persons is under section 3, and, as I was saying, any person can be arrested and kept in prison for a fortnight The wording in section 4 (1) is, " The Local Government, 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 " These things are necessary he must be acting in a manner prejudicial to public safety or peace, or in furtherance of a movement prejudicial to the public safety or peace Then, the person may be ordered in writing to do so many things Now this order remains in force for not more than a month from the making thereof, unless the Local Government by special order otherwise directs So that, that is the period which is in the discretion of the authority In many cases, with the consent of the Local Government, the period has been extended to two months At the expiration of the two months, the man is let out He is asked to give an undertaking, or rather, he is asked to do several things, viz , that within 24 hours of his release, or within half an hour of his release, whatever the period may be, he is to report himself to the police, or to reside within certain limits, or to report himself to the police once a day, or twice a day, or twice a week, and lastly, to abstain

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from taking any part, directly or indirectly, in the civil disobedience movement or in the furtherance of that movement, or from doing anything which has a tendency to cause a breach of the public peace or safety Now, Sir, my submission is that it is to this notice or order which is issued as a matter of course in the case of every individual who after his detention, is released, that these conditions are attached I can well understand that this is a preventive measure, and what the Government is concerned with is that they should take steps to prevent the occurrence of anything which will endanger the public safety There are similar powers under section 108 of the Criminal Procedure Code For instance, although a man is not guilty of any particular offence, still if there are reasons to believe that he is a habitual offender, whether politically or otherwise, he can be asked to enter into a bond for good behaviour, or something of that kind But when, in addition to this condition, in the cases I have mentioned, the other conditions are attached, when a man is asked to stay in a village where he has no relations, no accommodation, no convenience for taking his food, and he is asked not to leave that village, or that he should visit the police station, I must say it is the sentiment which is associated with this attending the police station that comes in the way of the person obeying such an order This is what is called *hajri* in the mofussil The *hajri* is regarded as being a method which is applied to the Mangs, Ramoshis, habitual thieves and law-breakers. It is a matter no doubt of very great sentiment indeed, and necessarily, when a man of position and status in society is asked to observe this rule of *hajri*, not only the man himself but society in general and the public in general certainly consider it most humiliating, and no man with self-respect would care to obey such an order, he would rather go to jail In this way the jails are being filled There are no other offences at all If the records are examined, I think it will be found that a very large number of offences consist of disobeying orders like these What are the punishments ? The punishments are two years of rigorous imprisonment and large amounts of fine for the disobedience of such an order as this. I mean to point out that such hard cases create an impression in one's mind that Government is proceeding in a spirit of vindictiveness and humiliation If that is the impression that goes round in the country, it is impossible to have an atmosphere of peace and good-will where we can proceed to do anything of service to the country

Passing now from this aspect of the question to the other aspects, I may point out that there have been impressions created in other bodies and associations These are not the impressions of the party concerned, I mean the Congress Party, who are bent upon disobeying law But it is the considered opinion of various other parties, associations or bodies, for instance, the Liberal Federation, the Western India National Liberal Association, the Welfare of India League and so many other bodies which have passed resolutions, which I believe are in the possession of Government They go to show the widespread general feeling in the country or in the province and that is sufficient to give them an idea as to

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how the atmosphere is at present The Council of the Liberal Federation which met at Allahabad on the 13th of last month have passed resolutions saying that in the absence of the policy such as has been outlined above—they say the things that are necessary on some such lines as I have already indicated—it is becoming increasingly difficult for anybody or for any political party of Indians to continue to co-operate with Government. I only state this as an instance of a party which has behind it a long standing I submit, therefore, in these circumstances it is necessary to devise means by which an atmosphere of peace will be created. A situation of bitterness retarding the progress and making a settlement more difficult cannot be allowed to continue for ever. I am rather making these observations with a view to point out that the gulf is made more and more wide and unbridgeable between the people and the Government I am afraid that it will make the task of building a future constitution difficult, if not impossible Sooner or later the new constitution will have to be inaugurated and since it is to be a democratic constitution, all other procedure of election and so on will have to be proceeded with. For all this, is not a suitable condition of things necessary? Unless such settled state of affairs is established, it will be impossible to do anything in way of carrying on the administration, even if you do get provincial autonomy Conciliation will have to be the method to be used, if not to-day, to-morrow, if not to-morrow, day after to-morrow, or at some future date But, unless some method of conciliation or reconciliation is adopted, I do not think that it will be possible to carry on the administration of this country My point is therefore the sooner the causes for the bitterness are eliminated the better it will be

Now, I have to submit, Sir, one more point, before I conclude The proposal which I have made in the resolution is that a conference should be convened of leaders of various political parties [*An Honourable Member*: For the presidency?] I am confining myself to the bounds of this presidency As a matter of fact, if this Government does something which will be reasonably possible, it can then forward its own proposals to the higher Government, but for the present it must be our own Government which must make up its mind to proceed in a certain way Therefore I am saying if this proposal materialises and if any conference is called, my further submission is that the conference may result in making certain useful suggestions by which the present deadlock may be solved It may be asked whether the Congress party would be willing or ready to come to this conference My answer to that is that that party is not at present available The leaders of that party, most of them, are in jail We cannot know their mind I am quite conscious that it is not possible to know their minds But my point is that at least Government knows its mind If Government says "no compromise", then there is an end of that Compromise means give and take I do not mean to say that one party must go down My point is that, when there is a course and when we have proceeded to a certain stage in that

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course, then there arises the possibility of the two parties coming together. If by any means we have any indication of the mind of the Government then it is for the Government to find ways and means in consultation with such people as will be available by which a settlement of this question may be rendered possible I am very sorry to see that this civil disobedience movement was launched on an issue which really was not before the country—whether the peasantry is harassed to pay land revenue I do think that it was not an important issue When you have provincial autonomy, you will have the revenue administration in your own hands and you can give such redress to the people who may be oppressed. The real question is that of getting that power in your own hand For this purpose, we should consider the broad issue, and even from the point of view of Government, if they think that they can assist in this matter, it will certainly be a good reason to think that there will be a compromise forthcoming Before concluding, I may refer to the words of Lord Irwin, our late Viceroy He said

"All Governments ultimately rest upon consent and in the great problem of India they must apply themselves to the fact that law must be the fundamental basis of all society We will be doing a disservice to India if we allowed the basis of that society to be undermined and subverted That obviously imposes on us a double policy during the present unhappy situation in India, on the one hand of maintaining the stability of the State, . "

That has been done in the interest of law and order

" and on the other hand, of recognising that force by itself never solved any political problem

All that force can do is to create a position in affairs in which reason, argument, persuasion and conciliation will have no chance of finding the solution we seek."

I therefore do appeal to Government to seek the means by which it may be made possible to know the minds of others who are in jail and if by such mutual ascertainment it is possible to bring about a peaceful atmosphere, even at this late stage,—I should say it will not be too late as it is only 10 weeks as I said It is not yet too late Perhaps the other side may have learnt something by this time With the object that an attempt may be made to consider this question, I have moved this motion, which I hope will find support from all sides of the House.

Question proposed

The Honourable Mr G A THOMAS Mr President, I am rising very early in this debate because I think it may shorten and will facilitate the discussion if I endeavour to show to the House the spirit in which Government and Government officials have been putting into operation the provisions of the Ordinances I am aware that by speaking now I shall deprive myself of an opportunity of replying to any specific charges of maladministration of the Ordinances that may be recited in the course of the debate One of my objects, however, is to urge subsequent speakers on the opposite side of the House not to recite such charges. I hope the general feeling of the House is that this discussion should be maintained at the high level, upon which the honourable mover has placed it, and should be kept as free as possible from accusations and

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recriminations on either side I may at a later stage in my remarks quote a few cases to illustrate some of the difficulties which Government have had to encounter in giving effect to the Ordinances, but I shall avoid all reference to names and shall not take this opportunity, tempting though it is, to rebut specific allegations of harshness that have been brought against officials entrusted with the onerous duties of putting the Ordinances into operation

During the course of the general discussion of the budget, a few members of the opposition did mention cases in which, according to the information available to them, an unnecessary amount of severity had been displayed by Government officials I have investigated those cases and am in a position completely to refute those allegations I do not, however, propose to do this, as I feel that such action on my part might ruffle the peaceful atmosphere in which I am confident that every member of this House desires the present debate to proceed

The object of the honourable mover is, as I understand it, not to make an attack upon Government and their officers for deliberately working the ordinances with lack of restraint and consideration but to prepare the way for a discussion with His Excellency, if he consents to meet a deputation of the leaders of this House, as to the ways and means by which the present unfortunate political situation can be brought to an end and a fitting atmosphere created for the introduction at the earliest possible date of the Reforms which will give this country her rightful place in the comity of Nations

I am not going to discuss the necessity for the promulgation of the ordinances They have not been promulgated by this Government but by the Government of India with, however, I must add, the fullest approval and support of this Government I would invite the attention of those who question the necessity of the ordinances to the debate on the subject in the Legislative Assembly in the month of January and to the speech of His Excellency the Governor of Bombay on the opening day of this session Whatever view one may take of government by ordinance or of the necessity or duration of these particular ordinances, one thing is clear and that is that for the time being they form part of the ordinary law of the presidency All that this Government is now concerned with is the manner in which effect has been given to them, and I shall, therefore, confine my remarks almost exclusively to this aspect

My endeavour will be to satisfy this House that the ordinances have been operated in this presidency with the greatest possible measure of humanity and moderation [*Honourable Members Hear, hear*] It may be thought that some of the steps taken by Government have been severe, and I do not deny that The primary duty of Government is to govern and it is my duty as Home Member to see that law and order is preserved Although Government have always tried to temper severity with justice, they cannot in any circumstances relax even the harshest conditions that they may have found it necessary to impose

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under the ordinances if they consider them to be essential both for the maintenance and restoration of law and order in this presidency To the misguided Government have shown both lenience and clemency, but to the determined law-breaker no mercy can be shown now or at any time I do not suppose, however, that this House will be satisfied with mere pious expressions and general observations from me It wishes me to take it into my confidence, and this I propose to do I shall, therefore, to some extent depart from precedent and quote such extracts as are relevant from the various instructions that have been issued by Government from time to time to their officers for the working of the ordinances I hope and believe that this procedure will convince the House that whilst Government have omitted to take no step by which full advantage of the main provisions of the ordinances for dealing with the present subversive movement can be taken, they have shown no vindictiveness and no undue harshness towards any one Before proceeding, however, to quote from these instructions to officers, I would like to refer the House to certain announcements that have been made by His Excellency the Governor and the Government of Bombay and published in the Press Firstly, I would draw attention to His Excellency's original message to the people of this presidency, of which the latter half runs as follows

"While I and my Government have considered it desirable to arm ourselves with special powers those powers will be used solely for the purpose of combating the attempt which has been made by Congress to hinder the machinery of Government and to interfere with the rights of the people No law abiding citizen has anything to fear from the ordinances that have been issued" On the contrary, the ordinances will assist Government to protect law abiding citizens in the pursuit of their lawful activities and usual avocations We cannot, however, tolerate open or secret help to persons or bodies whose objects are avowedly unlawful and have been so declared It is the duty of all law-abiding citizens to abstain from participating in or giving any encouragement direct or indirect to the programme of civil disobedience with which Congress has now identified itself"

That is from His Excellency's original message From this I pass on to a Press Note of February 8th and quote the following extracts from it

"The object of section 3 of the Emergency Powers Ordinance"—

that is, the power to detain

"is to protect the public from the machinations of persons known to be engaged in the furtherance of the present anti-Government civil disobedience movement. It is not intended to be used, nor has it been used, for the purpose of making indiscriminate arrests of innocent people. Persons arrested under this section who have given an undertaking to abstain from unlawful activities in future have not been detained

"Section 4 of the Emergency Powers Ordinance, No II, is, to some extent, complementary to section 3 It gives powers to the Local Government and to all District Magistrates, *to whom alone these powers have* been delegated by the Government of Bombay, to control the conduct and movements of a person when there are reasonable grounds for believing that such 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 This control is exercised by serving an order upon a person in such terms as will ensure that the individual ceases to be a danger to the public and also enables Government to be satisfied that the order is being observed

"Severe restrictions have been imposed under this section only upon such persons as have refused to undertake to abstain from future unlawful activities, whose movements must, therefore, be definitely restricted

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"Government have armed themselves with full powers to give effect both to the Ordinances and to the Criminal Law Amendment Act, but these powers have been used only to the extent justified by the situation No loyal and law abiding subject of the King Emperor has the slightest need to fear that they will be used against him"

Now, as regards the first of these extracts, I wish to disabuse people of the idea, to which I have occasionally heard expression given, that persons are arrested and detained under this section 3 of the Emergency Powers Ordinance on mere suspicion only This is not a fact Persons are not arrested on mere suspicion They are only arrested on their past record There are many people walking the streets of Bombay and other big cities of this presidency today who are objects of suspicion,—I would not say that of any one in this House [*Laughter*] They have not, however, been arrested, and they will not be arrested until there is a reason for doing so, and the reason must be that there is sufficient evidence that they are engaged in unlawful activities Moreover, although the actual arrest may be made by an officer not below the rank of Sub-Inspector of Police, it is the District Magistrate and the District Magistrate alone who is empowered to order the arrest One case only—there may be others—but one case only has come to the notice of Government in which an officer below the rank of District Magistrate made such an arrest without the express orders of the District Magistrate, and that officer was duly cautioned No other such cases have come to the notice of Government As regards the second extract, that is, the one dealing with orders under section 4, I must point out that it is only the District Magistrate or the Commissioner of Police, Bombay, that can issue an order under section 4 It is absolutely wrong to think, as so many seem to think, that Government have placed such a weapon in the hands of subordinate officers.

Next I would invite the attention of the honourable House to a portion of the reply made by His Excellency to a deputation from the Welfare of India League He said

"In this connection,"

(that is, in connection with orders to report to the police)

"I draw your attention to the fact that, except where special reasons make this precaution necessary, an order to report daily at a police station is not ordinarily imposed upon any person who is willing to give a satisfactory undertaking that he will take no further part in the civil disobedience movement When people refuse to give such an undertaking it is necessary for Government to take some action to prevent their assisting the movement in future"

Again, in speaking to a meeting of representative business men, His Excellency said

"I also understand that section 3, Emergency Powers Ordinance"—

(that is, the power to detain)

"has caused some apprehension This, I think, must be due to failure to realise that this section is intended to be not punitive but preventive in effect Power therefore has been given to those officers taking action under this section to release people against whom they are proceeding on their giving adequate and satisfactory security that they will not take further part in any subversive activity You will no doubt have noticed that some people have already been released under these provisions in Bombay City and elsewhere."

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Finally, let me quote two extracts from His Excellency's reply to the Western India National Liberal Association. The first is

"Government have no reason to believe that any of their officers will take advantage of their powers under section 3, Emergency Powers Ordinance, to satisfy personal spite It may be noted that persons arrested under this section are not detained if they can satisfy the officers concerned that they will take no part in the civil disobedience movement"

The second extract is

"The general practice is to ask persons against whom orders under section 4 of the Emergency Powers Ordinance are issued whether they will undertake not to engage in unlawful activities It is only if they refuse to give such an undertaking that orders are passed against them to report to the police In the case of such refusal it is obvious that their movements have to be restricted and suitable orders have to be passed against them accordingly"

I hope this House will be satisfied from these assurances by His Excellency that His Excellency's Government have shown that whilst they are resolved to take the firmest possible action under certain provisions of the ordinances, they do at the same time desire not to administer them with any undue severity or in any spirit of vindictiveness

I shall now supplement these assurances, all of which have been published in the Press and presumably read by honourable members of this House, with certain relevant extracts from instructions which Government have issued to their officers But before doing that, I would like to mention one or two public references that have been made to the moderation with which the Government of Bombay have exercised their powers Two of these occurred in the debate in the Legislative Assembly on the Ordinances Sir Hugh Cocke said that in Bombay there had been no great protest against the ordinances Sir Cowasji Jehangir went further and said "I admit in Bombay City the powers have been used with consideration and great judgment" These utterances, coming as they do from prominent public men, are not without their significance and they are confirmed by many sections of the Press, from one of which I will quote the following words

"We must say that if there is any Government among all the Provincial Governments in India that has imbibed the greatest amount of wisdom from the *satyagraha* struggle of the last year, it is the Government of Bombay The admirable behaviour of the Bombay City Police during this year's struggle bears testimony to this fact and the latest press note issued by Government indicates that the Government of Bombay are alive to the effects which the behaviour of their officers produces on the minds of the people."

This extract is not from the *Times of India*, which has sometimes been accused of pro-Government leanings, it is from the *Hindustan and Praja Mitra*, which has never been so accused.

I will now give some extracts from instructions that have from time to time been issued by Government on sections 3 and 4 of the Emergency Powers Ordinance The first of these sections deals with arrests of persons who there is reason to believe have been, are or are likely to be

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participating in unlawful activities. As regards this section the original instructions were as follows:

"The power conferred by the notification will be general, but it is intended that this should be used in the first instance only against persons on the lists approved by Government in consultation with District Magistrates. The District Magistrate may, however, at any time use his discretion in arresting under this section a person not included in the list without a previous reference to Government, if he considers that strong and urgent reasons exist."

I hope this extract will satisfy the House that indiscriminate powers of arrests have not been given by Government. It is only the District Magistrate that can issue orders for such arrests, and except when there are special and urgent reasons to the contrary, Government themselves direct what persons should be arrested. All original arrests were directed by Government themselves.

Again:

"District Magistrates may use their discretion in arresting persons if they judge immediate detention to be necessary, but where circumstances permit, the service of an appropriate order under section 4 (*1*) will often prove even more effective."

This shows that it has been and it is the policy of Government to make use of section 3 only as an emergency measure.

I now come to section 4 of the same ordinance, under which Government have power to control the residence and movements of persons participating in unlawful activities and to regulate their conduct. The honourable mover, I think, quoted this section in full. The following instructions have been issued:

"In the case of persons whose arrest is not considered necessary, some kind of order should ordinarily be served in order to ensure that such persons do not use their freedom to continue supporting or organising the movement. Where it is clear that the person is prepared to sever himself entirely from the movement the order may be in general terms. In other cases specific directions can be added according to individual needs, but restrictions of a penal or quasi penal character should not be imposed on persons *who will not be likely to disregard a general order*."

And again, a further extract:

"Government have noticed that in a good many cases where copies of orders served on persons under section 4 (*1*) of Ordinance II have been received, one of the directions included has been an order to report periodically to the police. It is recognised that such a direction will often be justified, e g, to enable the police to check the presence of a person in a particular place to which his movements have been restricted. It may also be appropriate in some cases where *it is certain that whatever directions are imposed the person concerned will not be deterred from engaging in unlawful activities either openly or secretly*. But except where there is some definite purpose to be served by such an order Government do not desire it to be imposed as a matter of routine, particularly in cases where the person concerned would be likely to abide by a more general order requiring him to refrain from unlawful activities. In doubtful cases the test will often be whether the person is prepared to give a written undertaking to that effect. Where the District Magistrate is satisfied that a milder type of order is likely to be effective and to be observed, there is no object to be gained in combining with it a condition which is generally regarded as involving a certain amount of humiliation. It is always open to District Magistrates to cancel a direction to report to the police in any case in which they do not consider it really necessary and similarly to impose such an order as a supplementary direction on any person whom there is reason to suspect of evasion of the orders already served on him."

These instructions bring out three important points to which I invite the special attention of the House. The first point is that Government

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recognise that it is some humiliation to have to report to the police The second point is that orders to report to the police are not imposed if there are reasons to believe that more general orders will be obeyed, and the third point is that a man can avoid the humiliation of reporting to the police by giving an undertaking that he *will* obey a more general order. Such being the facts, it may seem surprising that so many orders to report to the police are being imposed The reason is simply that persons participating in the movement as a rule will *not* give the necessary undertaking A refusal to give an undertaking is tantamount to the declaration of an intention to engage in further unlawful activities, and I think no one can justly accuse Government of harshness if they take the necessary steps to restrict such persons' movements

It may interest this House to hear an extract from a circular in this connection issued by a notorious Congress leader It runs

"If the order simply asks us not to help the civil disobedience we need not express disobedience by an open action immediately like holding public meetings and calling upon people to join civil disobedience, etc *We must* not be trapped thus by our enemies But our duty in that case will be to organise our forces and strengthen our finances"

Then follows a list of such activities in which congressmen are urged to engage This circular proves the necessity of some order restricting and watching the movements of persons participating in unlawful activities

There are alternatives to reporting to the police For example, Government can serve an order upon a man to leave his place of residence and not to return to it without permission This order has on a very few occasions been imposed, but as it inflicts a great hardship in that it involves a man breaking up his home and perhaps having his business or profession ruined, it is thought to be much harsher in its incidence than an order to report to the police once a day, which in no wise interferes with a man's following his lawful avocations Curious to say, a case recently came to my notice in which a man had been obeying an order to report to the police, but when he was given a further order not to leave his usual place of residence without permission he disobeyed it on the ground that it was a greater humiliation than reporting to the police

The House will also, I have no doubt, be interested to hear the contents of a letter recently addressed to His Excellency by one of its most distinguished members He wrote that in his opinion orders to remain in certain areas and report change of residence to the police and orders to report to the police between certain hours on a particular day were humiliating to any self-respecting person He therefore suggested in his letter that before such orders were issued the persons concerned should be given an opportunity of explaining any circumstances that may be against them in the possession of the authorities, so that it might be possible for the latter to abstain from issuing such orders after taking from them, if necessary, an undertaking that they will not take any part in the civil disobedience movement. This, he went on to say, would avoid any occasion for complaints that persons are asked to report to

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the police without any cause If, he wrote, after this any person is found acting in furtherance of the civil disobedience movement, he may be punished and dealt with according to law or ordinance I have quoted this letter as it reveals the fact that many right-minded and well-affected persons are genuinely of the opinion that the ordinances are being worked harshly and at the same time recognise that if a person is given an opportunity of undertaking not to participate further in the movement, he has only himself to blame for any action that Government may take, if he refuses to give such an undertaking

I think the extracts I have quoted from instructions issued by Government will convince the House that Government are giving full opportunities for such undertakings to be given One further extract—that will be the last which I shall quote—goes further still

"In cases where orders of a severely restrictive character have been served before release from jail custody or in other circumstances which preclude a personal interview (with the District Magistrate) it is desirable that a subsequent opportunity should be taken of ascertaining the attitude and intentions of the persons concerned in order to decide whether any restrictions can safely be relaxed District Magistrates may use their discretion whether to accept an oral or a written undertaking from persons who profess their willingness to sever themselves from the civil disobedience movement"

I contend that moderation and consideration can go no further It must be remembered that the Congress had declared war upon Government It was, therefore, necessary for Government to take all measures necessary to take up this challenge for the maintenance of law and order and in the interests of public safety and of the police No one need take part in this war against Government. No one taking part in it has a right to expect quarter Government have given and will continue to give sufficient opportunity to any one willing to dissociate himself from the movement to do so, but I fail to see how any one who refuses to avail himself of that opportunity has any right to complain of severity or harshness on the part of Government War is not made with gloves on.

I am fully aware, Sir, that many honourable members may say "We recognise that Government have done all in their power to work the ordinances with moderation, but their officers have shown less restraint". It may be—I hope not—that subsequent speakers will quote instances in support of such a contention I sincerely hope that they will not do so, partly because, as I said just now, and as the honourable mover said in his speech, we do not wish to import a note of recrimination into this debate, and partly because it is obvious that I cannot reply to any *ex-parte* allegation against any individual officer without making a careful enquiry If any honourable member had any legitimate complaint to make—and again I am following in the footsteps of the honourable mover—I submit that he should have brought it to the notice of the District Magistrate concerned or of Government, or both, at once, the moment it occurred, instead of bottling it up and uncorking the bottle on the floor of this House.

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I am not going to suggest that there has never been a single cause of complaint To any instructions that have been issued, however carefully they may be worded, there must occasionally be different interpretations by different officers "*Quot homines, tot sententiae*" That is to say, there are as many opinions as there are men Mistakes must sometimes be made either from excess of zeal or excess of caution To some officers perhaps the curb must now and again be applied, to others the spur But my contention is that the ordinances and action taken under the ordinances must not be judged by mistakes that may be made They should rather be judged by the mistakes that are not made, When we reflect that, including Bombay City, there are 29 districts and 58 District Magistrates and District Superintendents of Police (I am including the Commissioner of Police, Bombay,) it is, in my opinion, astonishing that so few cases of excess of zeal on the part of Government officers administering the ordinances have come to light even in the extremist sections of the press I may be prejudiced, but I hope this House will give me credit for honesty and veracity, and I say deliberately that I am proud of the manner in which executive officers serving under me have done their duty,—both Europeans and Indians And I say Indians particularly because their task has been more difficult The task of all these officers has been difficult They have to steer between the Scylla of severity and the Charybdis of softness, and there is not a single one of them that has not steered a safe course Their position is in many ways far more difficult than that of Government itself It is a comparatively easy matter to lay down a policy, it is often superlatively difficult to give effect to it and to translate it into executive action

I gladly take this opportunity, therefore, to give public expression to my deep appreciation of the magnificent work that is being done by the district officers in the preservation of public safety, and I have not the least hesitation in saying that it is entirely due to their devotion to duty, their unremitting labours and their conspicuous self-restraint that this Presidency at the present moment is in a vastly more peaceful condition than any one could have anticipated three months ago and that there are now unmistakable signs that the Congress menace has been scotched, if not yet finally killed

It is, I believe, a common impression that the ordinances have been used to imprison thousands and tens of thousands of innocent persons To the best of my belief, not a single innocent person has been imprisoned. If any such exist, it is open to them to declare their innocence and obtain release by giving a satisfactory undertaking It may interest the House to know the figures of convictions that have taken place since the inception of the present movement in this Presidency The number of convictions up to March 1st was 5,165 Of these, 1,562, or 30 per cent only, were under the Ordinances and the remainder were under the ordinary laws of the land Taking the population of this Presidency as 21 millions, the number of convictions during the first two months

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of the movement was only ·02 per cent of the population, that is, less than 1 in 4,000

That, Sir, is all I have to say in the matter of the ordinances

Before I sit down, I would like to make a few observations on the address that has been moved by the honourable member for the University It is not the intention of the Government benches to vote on this motion, although it has their sympathy But what I wish to emphasise very strongly is the absolute necessity of submitting to His Excellency, if he is pleased to accord the desired interview to the party leaders, a definite concrete scheme of action If my honourable friends on the opposite benches and those on the non-official benches on this side of the House also will forgive me for delivering to them something in the nature of a short lecture, I must say that I do not think that any *really* useful purpose can be served by making complaints regarding the severity of the ordinances or Government action and by requesting that the ordinances should be removed and the action of Government modified I must repeat what has been so often said by so many people in so many places The ordinances have been issued to meet an abnormal situation deliberately brought into existence by the ill-wishers of Government So long as that abnormal situation exists, and not a day longer, will the ordinances remain as a temporary part of the law of the country If there is a genuine desire on the part of the elected members of this House, as there obviously is, and it is a desire, I may add, that is shared to an equal degree by every member of Government, that the ordinances should be removed, then I submit it is the clear and bounden duty of every member of this honourable House to do his utmost to remove that abnormal situation and create in this Presidency the peaceful atmosphere that is imperatively necessary for the successful introduction of the reforms and a transfer of power from what is called the bureaucracy to the elected representatives of the people

I am not going to ask this House to co-operate with Government I am not greatly enamoured of the word "co-operation" unless it is freely offered In some ways I prefer an active and open enemy to an inactive and unwilling co-operator In my opinion the leaders of the various parties represented in this House can do much better by organising themselves to bring about the peaceful atmosphere, to which I have referred, independently of Government, than by merely offering co-operation We have a common goal, namely, the restoration of normal conditions and the early introduction of reforms Government and the public can proceed along different paths towards this common goal The greatest need at the present time is to prepare the way for the coming of the new constitution Ordinances are a side-track and must not be drawn like a red herring across the broad path that leads to the goal in view What is wanted is propaganda, propaganda and more propaganda Government and their officers are doing what they can in this direction, but their range is necessarily limited They can and

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do supply authenticated information to the press, and they are issuing many leaflets for the instruction of the public But it must be remembered that the greater part of the press is not well disposed towards Government, so that the readers of newspapers are constantly being misled by their contents and are kept in ignorance of the steps that are being taken towards the realisation of Indian ambitions Leaflets do good but do not reach far enough To the illiterate they are useless and even to those that can read they are often unintelligible What is required is personal contact Every opportunity is taken by the touring officers of Government to get into personal contact with the people Durbars and meetings are being held and no other opportunity is lost of explaining to the people what the reforms will bring to them and what progress is being made towards their introduction In many places members of the public have come forward to speak on behalf of Government at meetings organised by Government officials In several places, prominent members of the public have themselves organised such meetings and given expression to their loyalty, but there is not nearly enough of this There should, I suggest, be some central unofficial organisation for making the true position known to the people Every elected member of this House has a constituency Why cannot every elected member make himself responsible for educating the minds of his electors and for creating a favourable atmosphere for the introduction of the reforms ? Once that atmosphere is created, the ordinances will automatically disappear, and I for one will welcome their disappearance. I get no pleasure out of them Lip service is of no avail, action is required, and it is to the party leaders that one looks for action Are they prepared to take it ? Is it too much for me to suggest that if a deputation of party leaders is given an interview by His Excellency that they will go to him with definite proposals for the organisation of a Loyalty League or a Peace Party, call it what you will, with the express object of explaining to the people what is actually being done at the present time for the speedy introduction of reforms and urging them to give their whole-hearted support to Government during the brief interval that remains ? India stands to-day on the threshold of her birthright The door is wide open to the promised land beyond Will the party leaders be real leaders ? Will they lead the way through that open door and conduct their followers to peace, contentment and freedom unshackled by the chains of Congress ? [*Applause*]

Mr SHAIKH ABDUL MAJID (Karachi District) Sir, may I at this stage request permission to incorporate one or two lines in the address that has been proposed ?

The Honourable the PRESIDENT By way of an amendment to the address ?

Mr. SHAIKH ABDUL MAJID. Not by way of an amendment but just a few words——

The Honourable the PRESIDENT That should have been submitted long before this Will the honourable member let me know what they are ?

Mr SHAIKH ABDUL MAJID I want to add, after the word "atmosphere" the words "on the lines suggested and the declaration of the Premier at the conclusion of the Round Table Conference coupled with the Minorities Pact"

The Honourable the PRESIDENT I do not think I would allow that

Mr G L WINTERBOTHAM (Bombay Chamber of Commerce) Sir, if you are discussing the possibility of a verbal amendment, which may make the address more acceptable to the House, I suggest to the honourable the mover that instead of the words "leaders of various parties in the Province" he might use the words "leaders of various parties in this House" There is obviously very great difference between the two——

The Honourable the PRESIDENT I think that would limit the scope of the motion The honourable the mover intends that it should be leaders of the parties in the province

Rao Bahadur G K CHITALE (Ahmednagar District) Sir, I feel considerably embarrassed by the words of the address and the two speeches that have been delivered in this House so far, and if I were to sum up the discussion so far, it might be done in this way, namely, that the Bombay Presidency being the western Presidency, "All is quiet on the western front" Not only all is quiet, because the war is on and the war is between the mighty Government represented in a way by the mighty arms of the ordinances on the one hand and the people who are not before us to defend themselves I believe that is an embarrassment which I feel and which the House must feel It is all very well to indulge in generalisations, but when the mental attitude of the highest officer in whose hands the destinies of this Empire rest is such that he starts with the mental attitude of "Dogs bark and still the caravan passes on," if that is the mental attitude which governs the whole action of the Secretary of State and the Government of India and the subordinate power represented by the local Government, what shall I say on the floor of this House and what shall I expect by the passing of this motion which asks in the words of the Honourable the Home Member to go upon bended knees and to ask for certain favours however uncertain in effect ? Who are we ? In fact, we are the butterflies and not the toad that feels the teeth of the harrow, but I am appealing to those others who have come here and who want as a matter of fact to put before this House the agonies of those people who are behind the bars I do not think for a moment that the mighty Government, the brutal nature of which is manifested by ordinances, is in a mood to listen There must be at least the mood, there must be the mental attitude, in fact the Government benches are not even eager to hear the other side, as many of them are leaving in batches This is the House in which the opposition is entitled to speak out their minds

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in a freer atmosphere in the boldest manner they can in order that these views may be considered by the powers that be

The Honourable the PRESIDENT Did the honourable member use the word brutal ?

Rao Bahadur G K CHITALE In the form of Ordinances, I did

The Honourable the PRESIDENT That is a strong word

Rao Bahadur G K CHITALE That is a parliamentary word, I think I mentioned the brutal nature of it I coupled it with the Ordinances I might have used the word "draconian" There are other words which have the same meaning, but I thought they may not be understood, and this word may be easily understood

The point of view that I wish to put forward before this House is this : before that appeal is made to this House for taking action on the advice which has been so sweetly tendered by the Honourable the Home Member, at least the leaders of the parties, whoever they may be, must be assured of the mental attitude, of the frame of mind of those whom we have to approach to suggest a solution of our present difficulties Throughout the address of the Honourable the Home Member we come across phrases which leave on our minds an impression that there is no mellowing influence in his heart, phrases which show the ire of the steel-frame. Their mental attitude is to be gauged by the bending knees which they expect

What shall I say with respect to this motion before the House ? It is said, and very well said, and perhaps the Honourable the Home Member is right in saying, that, after all, we have touched an infinitesimally small number, which does not count, which need not count As there is war, it does not matter if we administer the Ordinances and give sentences disproportionate to the nature of the offences That from his point of view does not matter a bit After all, this is war, and the combatants must take the consequences of their own action The Honourable the Home Member styles them law-breakers, as if to inspire terror in our minds, law-breakers as if they had committed murders, dacoities and robberies, requiring punishment of two years' imprisonment and a fine of Rs 500 or Rs 1,000 and more And for what offences are these punishments awarded? In a raging and heart-rending war, for not reporting themselves to the police! If the civilised nations existing on the face of this earth do come to know the nature of the sentences, which are altogether dispro portionate to the offences, we do know that civilised nations all over the world will think that such sentences are brutal, which are inflicted for a nominal or technical offence of not reporting to the police, apart from the fact whether even a technical offence is or is not made out. That is one phase of it.

Another phase of it is that no doubt we have this fact, that we have not got those scenes, those ugly scenes which have disfigured our public places last year But apart from that fact, though it may be that we have only a small number in prison so far, that is because the general

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public do feel convinced that the true spirit of nationalism is intended to be killed by the letter and the spirit of these Ordinances, and so long as the authorities cannot be persuaded to accept a contrary view, I say it is futile for anybody to come forward and say that a peaceful atmosphere can be created in a moment, as if it were by a magic wand.

So far as the Honourable the Home Member's speech is concerned, he wants conciliation, but conciliation on his own terms, after killing the whole nationalistic spirit in the body politic of the people who are aspiring for higher rights Shall I be right in assuming that those people who were in the front rank, who were following their peaceful avocations, such as pleaders, doctors, hard-headed business people, presidents, vice-presidents and members of municipalities and local boards are so foolish that they are trying to go to prison for the mere fun of the thing ? Shall I be right in assuming that these people who are now behind the bars are actuated by the meanest possible motives ? And in order to obtain, what ? I should think that no member of this House would ever think that these people, who are now courting imprisonment by way of protest, are at all actuated by selfish motives, which may be lying in the bosoms of those other people I am sure, Sir, they are only actuated by only one factor, which is at the back of the minds of all politically-minded classes, and it is this, that though it is assumed that the Round Table Conference methods are going to give us our promised land, they refuse to believe that any such serious thing is ever meant by the constitution which is being forged It is perfectly possible to take that view If we care to look into the Round Table Conference proceedings, if we care to see what was said just about the end of it, if we care to see also the circumstances which manifested themselves in those proceedings, I should think that there s plenty of room for not believing or putting the strongest possible faith in the Round Table Conference method To give an instance, one of the main factors, on which the self-respect of a nation which wants Home Rule depends, is the power of defence No doubt certain constitutional phases of that question were considered at the Round Table Conference, but shall I be far wrong if I were to say that the main question and discussion were postponed ? Take another instance The Princes were willing to come into the Federation at the first Round Table Conference, but at the second Conference, they were as a matter of fact very diffident about it at the close of the second Conference, and if we, the politically-minded classes do say that certain influences in Britain and in India were at the back of it, shall we be wrong ?

The Honourable Sir GHULAM HUSSAIN I rise to a point of order Is the honourable member right in bringing into this discussion the Princes, who are not represented in this House ?

The Honourable the PRESIDENT No Apart from that, it appears to me that now the honourable member is digressing beyond the scope of the motion

Rao Bahadur G K CHITALE If that is the ruling of the Chair, I will bow to it I thought that was very necessary, because I wish to point out in this House, which is the only place where I can do it perhaps with safety [*Laughter*] the mental attitude which is responsible for sending these good men to prison

The Honourable the PRESIDENT This is not the occasion to go so far into those wider questions

Rao Bahadur G K CHITALE Why should the Government be so ticklish about this? They are facts If I refer to the various Committees which are going round the country now, I think I shall be perfectly right, because that matter was referred to by the honourable member The main point which I wanted to make is that there is not the right mental attitude However, as I am digressing, I will take the hint I would then point out that even with regard to the work which is being done at present by the Franchise Committee, disclosures have been made about the way in which the committee is being packed in a way to ascertain only certain views Is not that itself an object lesson to us? Certain circulars have now been published in which the trades union people were asked to give evidence—the way in which the printed questionnaire was issued with the replies almost ready If that is the way in which the work of the Franchise Committee is going to be accomplished, shall we be far wrong if we do not put faith in this kind of work and if we feel hopeless about the result, which stands at the root of all our ambitions The power is no doubt to be transferred, the British people have certainly made up their minds to part with that power But that power, in essence, must be transferred to the people, not to certain other interests which form the minority, and so far as the outer world is concerned, they do believe that the object is not to transfer the power to the people, whose in fact it is, but to small and influential minorities As a result of these labours, Government will be——

The Honourable Sir GHULAM HUSSAIN Is all this relevant, Sir?

The Honourable the PRESIDENT I do not think that this really concerns the motion before the House I pointed it out to the honourable member, and I do not think I need point it out again to an honourable member of his experience I do hope he will limit himself to the motion before the House

Rao Bahadur G K CHITALE Then what is relevant? To sing praises in the way in which the motion wants us to do? If I cannot usefully serve the purpose, what is the use of continuing my speech? It is much better and bolder to oppose the motion tooth and nail

Sir SHAH NAWAZ BHUTTO (Larkana District) Sir, after listening to the three speeches of the honourable members who spoke before me, I think there is very little left, by avoiding repetition, to say on the matter Well, Sir, I have tried my very best to understand the object of the motion moved by my honourable friend, but I must admit that I have not been able to follow it.

[Sir Shah Nawaz Bhutto]

At least I believe that it is a superfluous resolution which serves absolutely no useful purpose Of course, apparently as it stands there could be no two opinions inside or outside the House to achieve this object Who will not desire to restore peace and order in our own country? Surely even with the party which is non-co-operating with us we sympathise in their sufferings These miseries are not only confined to the extremist party but by their action the masses, millions and millions, are suffering far more miseries than even the non-co-operating party. Therefore, the universal anxiety is to restore peace and order in the country I would rather have been particularly grateful to the honourable mover, if he had suggested some practical ways to achieve that object Our experience in the past has been that all sorts of efforts have been made, greater heads, wiser brains and people with greater influence, have all tried their very best, including Government Not only here in India but even at a distance of 7,500 miles away, we did our very best to convince the extremist party of what we people at least and even the great moderate leader of the people considered to be in the interest of India itself I do not want to say whether their point of view was right or wrong At least so far as this side of the House, the co-operating side of the legislature, is concerned, we feel and believe that unfortunately they had adopted a wrong attitude and they have bent their minds towards a destructive programme

Rao Bahadur G K CHITALE Is that in order?

The Honourable the PRESIDENT That is in order [*Laughter*]

Sir SHAH NAWAZ BHUTTO Of course, nobody appreciates rule by Ordinance, much less I believe Government themselves But my honourable friend has not made suggestions how to maintain law and order or how to provide security of freedom of action to individuals We have had enough experience of Lord Irwin's Government, when Government tried to play a duel of beggar and government What was the consequence? Absolute chaos in the country Now, leniency, reconciliation and all other possible methods and efforts have failed They are no good whatsoever At the same time, the great majority of people who felt that they had a real genuine grievance against Government thought that Government had ceased to exist People had no protection In some parts of my country, Sind, it was not only that Government ceased to protect people but even people were not allowed to protect themselves Things went so bad that even friends of Government got disgusted, and those who believed in constitutional progress ceased to offer their co-operation The object of Congress is to be master in their own country and manage their own affairs and that the power should be transferred to the people That is what we all want We want that Indians should control their affairs, to the extent to which they are capable to manage and that no one particular class should dominate That is the very thing What is the object of the minority pact? To offer them security and make them feel that they are part and parcel and have equal claim and

[Sir Shah Nawaz Bhutto]

opportunity to feel that it is their Government as much as that of majority community The chief of the extremist party, (the Congress), ignored it absolutely He would accept Sikh representation—they are not even one per cent of the population in India—but he would take no notice of the depressed classes He would come to placate the Mussalmans, he was prepared to do anything for them, he was prepared to give a blank cheque to us if we keep out of the pact and leave other minorities to look after themselves.

Rao Bahadur G K CHITALE Is it in order ?

The Honourable the PRESIDENT The honourable member is now digressing

Sir SHAH NAWAZ BHUTTO If at all we want the transfer of power it is in the name of India and for all Indians and for the benefit of India Under these circumstances, the past experience of the conferences is that, whenever they were tried, they proved a failure Unless the honourable mover suggests some practical ways, means and methods, unless he has got any gesture outside the House that by opening negotiations, our extremist friends will come round to negotiate,—I do not think any one of us will lag behind and much less Government who are more anxious than many of us—or unless the honourable mover himself would like his name to be added to those great people who have tried to bring about a reconciliation and failed, I do not think any purpose would be achieved at all

Mr G L WINTERBOTHAM (Bombay Chamber of Commerce) Mr President, Sir, in view of the motion which has been moved, it seems to me that an opportunity has been given which must be availed of by every section of the House to state quite clearly how they stand in present conditions in this presidency We on these benches, a small proportion of the House, stand for full responsible Government, with, of course, necessary safeguards, at the earliest practicable date We are the first to recognise that the present system of Government is played out. Government for the past so many years has rested on the basis of authority, the ultimate authority of the British Parliament Times and conditions have changed and we are now on the eve of a new era, when the basis of Government will be the will of the people Now, Sir, the change from one basis of Government to another cannot be made abruptly. There must be time to work out the essential details in the absence of which the new system will not function No one is in a better position to realise the extent of the difficulties in working out the details than those honourable members of this House who have been working on the Franchise Committee In their behalf, though I am perfectly certain that they will speak for themselves at a later stage, I would like to dissociate myself and those other honourable members of that committee from the insinuation made by my honourable friend from Ahmednagar (Rao Bahadur Chitale) that the aim and desire of the Franchise Committee is to benefit in the end only a section of the people of India I ask the honourable

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mover of the motion himself to refute this insinuation, when he gets the opportunity of replying to the debate It is a grossly unfair charge which should never have been brought on the floor of the House, especially by a member who has no means of knowing what happens in the proceedings of the committee, except the reports in the press

And, Sir, granted that the present system of Government is played out, the present authority is the *de facto* Government until something better can be substituted, and as I view it, it is the particular duty of those who are most anxious for the institution of the new Government at the earliest possible date, to support the old Government until the time of the transfer of power The position would be different if there remained any doubt in the minds of reasonable people as to the intentions of the present authority to grant the transfer of power But it has been made abundantly plain that the British people speaking through the Parliament are definitely in earnest, and we on these benches at any rate, whatever the honourable member from Ahmednagar (Rao Bahadur Chitale) may say, are convinced that the British Parliament is committed to the establishment of self-government in India at the earliest possible date in the terms of the Prime Minister's recent speech in the Parliament as recorded in the White Paper

This being the position, there can logically be two parties only in the State to-day—those who support authority and those who seek to undermine and destroy it I would ask honourable members one perfectly plain and straight question Which of those two parties is best serving the country's interests ? Is it more for India's good to work in co-operation with the authority for the quickest possible transfer of power or to follow the path which leads to chaos and which will not only cause inevitable delay in the transfer of power but will leave a legacy of bitterness and disorder which will be the gravest handicap to the functioning of the new Government when it comes ? If honourable members provide the answer to this perfectly straight question, the issue will be greatly clarified

It is fashionable to-day to say that the ordinances create bitterness I do not believe that this attitude represents a square facing of the facts We none of us like rule by Ordinance The honourable member the Finance Secretary in the course of the budget debate said that it was no more possible to continue to carry on the administration on borrowings than to continue to rule for all time by ordinances It is obvious that government by ordinances can only be a temporary and emergency measure They must be regarded as a most unpalatable necessity, as emergency measures which established authority requires to deal with a situation which is none of their choice but is forced upon them In passing it is relevant to mention that government by ordinances is not at all unknown in free and self-governing countries If the honourable member from Ahmednagar is a student of up-to-date political affairs, he will know that in the Free State of Ireland there are ordinances even now in existence of

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unparalleled severity as compared with the ordinances promulgated by the Government of India

Rao Bahadur G K CHITALE: Not even a hundred have been imprisoned

Mr G L WINTERBOTHAM: I yield to none in my anxieties to see the need for the ordinances pass away at the earliest possible date, but I cannot honestly say that because I dislike the ordinances, the necessity for them does not exist. I believe myself that the Government of Bombay is making no more use of the ordinances than is necessary to secure to the average citizen the security of life and property to which he is entitled. But even if I believed otherwise, I could not honestly say that because I disapproved of the tactics of the leaders of my army it was therefore necessary for me to desert and join the other army. I believe that the other side is a powerful force for good or for evil in the life of the country. But if I am right in supposing that there is no honourable member present who approves of civil disobedience, then I can only conclude that the other side has either misjudged the minds of the people as a whole or is seeking to impose a course on the country which is not acceptable to the country as a whole.

This, then, is how we on these benches stand, and, in view of the motion which has been moved, I regard it as necessary to make our position plain. It is perfectly clear that honourable members of the same mind as the honourable member from Ahmednagar do not believe in the goodwill of the British Parliament, the Government of India or of any person. The only doubt which I feel is what the honourable member is doing here at all in that case, because surely honourable members come here to co-operate.

Rao Bahadur G K CHITALE: To co-operate with self-respect.

Mr G L WINTERBOTHAM: If it is the intention of this motion to strengthen the hands of Government, and if it is made clear that that is the intention in no uncertain words, we shall find no particular difficulty in supporting it. But I am bound to say that in view of what I understand to be the attitude of the honourable mover in connection with the very small adjustment in wording which I have suggested, I suspect that there must be other motives behind this motion than that of strengthening the hands of Government. In that case, it would be impossible for us on these benches to lend our support to it. I can only say, Sir, that we would support any motion the clearly expressed intention of which was on the lines clearly indicated in the last portion of the Honourable the Home Member's speech.

Mr. B S KAMAT: Mr President, I do not intend to import into this debate unnecessary heat if I can help it. But it is necessary for me on this occasion, in visualising the political situation of the day, to refer to two aspects of the question, namely, the ordinances and the progress which is being made with reference to the constitutional reform now under discussion.

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With reference to the ordinances, I concede that at the beginning of this year, when probably the civil disobedience movement was revived, Government were forced to adopt certain methods to maintain law and order, of which the ordinances were a part I take it that the ordinances are a passing phase, a temporary arrangement, in the maintenance of authority, and will soon disappear But, Sir, when I concede that there was a necessity for ordinances at the beginning of this year, it is also my duty to analyse and see if Government in administering the ordinances have carried out their duty by paying regard to those canons of justice, humanity and moderation which are incumbent on every civilized government in its administration of law and order I am glad, Sir, that this morning the Honourable the Home Member has been good enough to place before this House a considered statement regarding the general policy maintained by Government in working certain provisions of the ordinances I wish the Government of Bombay had come forward with an announcement of this character much earlier, for, it need not be concealed that the general public during the last two months have been greatly in the dark with reference to the general policy of district officers and, for the matter of that, even of Government as a whole in regard to certain provisions of the ordinances, especially the question of parole and committing people to jail if they do not give a certain kind of undertaking The Honourable the Home Member has referred, in this connection, to one or two facts which are of a great deal of significance. He has assured the House that there has been no motive on the part of Government of humiliating people and that Government have never been vindictive, and have issued instructions to the district officers not to be vindictive in carrying out the elementary duty of maintaining law and order I welcome that statement on the floor of this House this morning But, Sir, as I have said, the instructions to officers and the general assurance given now about parole should have been made known to the public far earlier Even now, accepting this assurance, as I do, I have to ask the Honourable the Home Member whether he is prepared to go a bit further in order to convey to the general public the sincere desire of Government towards paving the way for a calm atmosphere in the country to do one or two things I am inclined to believe that at the end of these ten weeks of the administration of the ordinances, certain circumstances have changed, changed for the better from the Government point of view I believe that His Excellency the Viceroy of India in one of his statements has made it perfectly clear that the ordinances will remain in force only as far as circumstances require I for one think that it is time to take stock of these circumstances and to see whether they have not changed for the better. If on a consideration of the changed circumstances, Government are really in a mood to re-examine the position and to show further moderation, there are one or two proposals which I wish to make, especially as my honourable friend from Sind, Sir Shah Nawaz Bhutto, has asked us to make concrete proposals to Government I venture to think, Sir, that there are one

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or two ways in which Government can show that they are in a mood to revise their policy and the instructions issued by Government under section 4 of the ordinance The direction is this In order that a man who is considered to be a danger to the public should, as a preventive measure, be secured in jail, it is now open to any district officer to detain him in jail if he is only satisfied that he *had acted* in the past in a manner prejudicial to the public safety Now, it is perfectly true I admit that people who had taken part in the civil disobedience movement in the year 1930 should be considered to be a danger to public safety, and as it is, it is perfectly open to district magistrates to consider these people as undesirable and, therefore, as a preventive measure, to put them in jail Now, we know this has been tried for ten weeks Will not Government moderate their caution ? Is it necessary now, I ask, to work that section in the manner it has been so far worked, and consider those who *had* taken part in the civil disobedience movement in the year 1930 as persons dangerous to the public safety even to-day ? Is it not desirable to give such people *locus pœnitentiae* as a gesture of moderation and to issue instructions to the district magistrates not to raise a presumption against those who were involved in 1930 but to give such people first of all a notice, a warning, that they should not act in any undesirable manner in the present movement and if they disregard the warning then only to put them in jail ? I consider, Sir, this will be a real gesture showing that you are paving the way to secure a calm atmosphere, which my honourable friend the mover of this motion desires

The second direction to show further moderation is this It is about the parole The Honourable the Home Member assured the House that it was never the intention of Government to put into jail people who although they belong to the civil disobedience movement gave an assurance or an undertaking that they would not take part in that movement any further But, Sir, what is really objected to is the insistence on the giving of an undertaking with a threat of force behind it If instead of enforcing the giving of an undertaking Government would leave it to the good sense of such leaders to behave well in the future, or at best ask them not to take part in such activities in the future after they are once released from jail, I believe there are a good many prominent men in the civil disobedience movement who will observe good behaviour What they resist is the compulsory written undertaking to do so Sir, it is open to Government to issue revised instructions to their officers that persons who have come out after serving two months of imprisonment should not be asked at the point of the bayonet, so to say, to give an undertaking to be of good behaviour in the future, but that it should be left to the good sense of the leaders not to take further part in the civil disobedience movement If they still misbehave, it is then perfectly open to Government to prosecute them under the ordinance and get them sentenced to the maximum punishment of 2 years' imprisonment I consider this would be a good gesture now giving an indication that Government mean on their part to pave

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the way for a better atmosphere than we have had during the last ten weeks I feel, Sir, that the duty to set this example rests more on the Bombay Government than on the other local governments in India, for this simple reason, that it is in this province that the leader of the Congress movement has his centre of activity, and in Bombay which is the centre of activity Bombay Government can show that they have their finger on the pulse I read certain favourable indications, Sir, at present; as the Honourable the Home Member put it, the Congress menace has been scotched, although the movement has not been killed I ask Government whether they are determined to kill and crush the movement under their heels I have not the slightest sympathy with the Congress people, but I hold that it would not be statesmanlike for Government to continue their present policy if it is intended to put down their heel more and more vigorously until they see that that particular organisation is entirely crushed That would not be politic at all All that one need do in order to restore the prestige of Government, in order to restore respect for authority amongst the general public, is to see that the back of the civil disobedience movement is broken, and the activities of the movement in certain undesirable directions are stopped As soon as respect for authority in the general public was restored, the purpose of Government would be served Now, I think Government should stop and consider whether the time is not ripe for showing the gesture by modifying their policy of arrests in the directions which I have indicated I think such a gesture should emanate in the first instance from Government It would be unwise to go on and continue this policy until Government are satisfied that the whole Congress organisation is practically crushed There should be no question of crushing it to death

My honourable friend the member representing the European Chamber of Commerce (Mr Winterbotham) referred to one or two points in the speech of my honourable friend to my left (Rao Bahadur Chitale), and I think it my duty to reply to the points raised by him in the debate I can make it perfectly plain to this House that I never had any soft corner in my heart for the civil disobedience movement or those who are conducting it I have never belonged to the Congress, nor do I think their methods are in the long run to the welfare of India, but I can quite recognise that some of the misguided people or even the wiser people in the Congress are pursuing their present methods in order to bring political pressure to bear on the authorities both in India and outside India while the reforms are being discussed But in carrying out their object of bringing political pressure to bear, we must not misinterpret certain phases, even though temporary phases, of political life in India I do not consider that the vast bulk of the people treat the Round Table Conference with such distrust which the honourable member representing the Bombay Chamber of Commerce assumes There is a vast portion of the population who really believe that a great deal of good will come from the Round Table Conference, also there are people in India, who think that when

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the Prime Minister made his two statements—one at the end of the First Round Table Conference and the second when he reaffirmed his first statement at the end of the second session—that he means business and he meant it in right earnest And yet on the other hand it is necessary for me to add that there are again large numbers of people, very sensible people, who have perhaps a little distrust at the back of their minds about those safeguards which are being talked about If there is a little lingering suspicion in the minds of the people of India, it is with reference to those safeguards which are still being kept for discussion at the last stage It is this feeling, I expect, which my friend to my left voiced in his speech I am sure there is no wholesale distrust about the Round Table Conference, the only distrust is that about these safeguards and that under these safeguards the fear that they may not give to India all that India aspires for. The honourable member Mr Winterbotham referred to an insinuation which, he alleged, my honourable friend on my left (Rao Bahadur Chitale) made against the Franchise Committee I am not concerned in defending my friend when he spoke of the composition of the committee I am not concerned in showing whether he was right or wrong But I think I would be failing in my duty again if I did not voice the fact that there is a strong feeling in the presidency on two points One is that as the destiny of the future councils is in the hands of those who are now forging the constitution—amongst them is my honourable friend opposite, and also my honourable friend representing the University—they and their colleagues on the Central Committee should not be carried away too far by mere academic principles such as that of adult franchise. So far as my personal view is concerned, this is one point Secondly, there is also a feeling that in giving every possible direction and succour to the minorities, there should not be the danger of overdoing it——

The Honourable Sir GHULAM HUSSAIN How is that relevant, Sir?

Mr B S KAMAT——overdoing in the sense that the intelligentsia of the people should not be entirely subordinated to the minorities Those are the two points, and I think those are important points which require careful consideration

Sir, I have indicated one or two directions in which the working of the ordinances can be moderated If this is done, I expect it will go to secure the calm atmosphere which this resolution desires

Mr J B PETIT (Bombay Millowners' Association). Mr President, I have much pleasure in supporting the proposal of my honourable friend, the member for the University (Rao Bahadur Kale) He has spoken of the necessity of creating an atmosphere of peace and goodwill in the country in view of the impending introduction of the reforms and has made certain proposals to attain this end I need hardly assure him that he carries with him in this effort the best wishes of this honourable House I confess, however, that I am not quite enamoured of the wording

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of his resolution ; but I take it that he is himself not quite enthusiastic about it. I understand that it is merely his intention to raise a debate on the present political situation and to create for the members of this honourable House an occasion for expressing their views thereon and particularly on the ordinances. I accordingly take this opportunity of making a few observations on this subject, and simultaneously of drawing the attention of the Government to what I consider to be very grave defects in the manner in which the ordinances are being put into operation. As I have already declared before, both in this House and elsewhere, I may say at once, that on principle I am absolutely against government by ordinances, except of course in very rare and extraordinary emergencies. Such an emergency, I submit, Sir, has not arisen in the country, the laboured statements of the Governments of India and of Bombay to the contrary, notwithstanding. It appears to me that the promulgation of the ordinances in the country by the Government of India and their application to this province by the Government of Bombay, were the result of panic and weakness ; and their indefinite continuance only shows that the Government have not yet got over this feeling.

In this whole drama, the one point which impresses us most, is the question of the necessity of these ordinances. I have not yet understood why it was ever felt necessary to promulgate these extraordinary measures. I fail to see even now why the ordinary laws of the land—of which there are plenty and to spare in the armoury of the Government—could not have coped with the situation that these ordinances are intended to remedy. I have not heard, either during to-day's debate or in the many statements that have been previously issued on behalf of the Government, a single valid argument advanced in favour of the promulgation of the ordinances ; much less have I noticed any justification for their continuance for this inordinate length of time. I am sure, Sir, this honourable House will value very much any information on this point which the Honourable the Home Member in the course of his reply may be able to give.

The Honourable Mr. G. A. THOMAS : On a point of order, Sir. The ordinances have not been promulgated by this Government. They have been promulgated by the Government of India. They have been discussed and the situation has been explained in the Legislative Assembly. This Council, I submit, is not competent to discuss the question.

The Honourable the PRESIDENT : I do not know whether the honourable member meant to criticise the promulgation of the ordinances. I understood him to say that the application of the ordinances which have been promulgated was not justified. That is, I think, the point which he is trying to make.

The Honourable Mr. G. A. THOMAS : I do not know if I am correct, but I understood him to say that the ordinances are not necessary and

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that the laws of the land are quite adequate to deal with the situation. I do not think that question can be discussed here.

The Honourable the PRESIDENT: Does the honourable member mean that the ordinances are not necessary and that the laws of the land are quite enough?

Mr. J. B. PETIT: Yes, Sir. That is what I mean.

The Honourable the PRESIDENT: That is out of order.

Mr. J. B. PETIT: I know that the ordinances have been promulgated by the Government of India. I did not say that they were promulgated by the Government of Bombay. My complaint, however, is that the Government of Bombay should have applied these ordinances to this province, when there was no occasion for such a step.

The Honourable the PRESIDENT: I thought that was what the honourable member meant.

Mr. J. B. PETIT: That is exactly what I meant and said. I shall go a step further and say that I do not understand why these ordinances, having been once applied to this Presidency, should be continued for this length of time. Let us assume for the sake of argument that at one time there was some justification—which, by the way, I deny—for the application of these ordinances to the Presidency of Bombay. On the Government's own showing, the Congress has now been crushed and everything is quite normal. Why, then, unnecessarily prolong the application of these ordinances to this Province, when such satisfactory results have already been achieved? I hope we shall get a convincing explanation on the matter from the Honourable the Home Member in the course of his reply.

The Honourable Mr. G. A. THOMAS: I shall have no reply.

Mr. J. B. PETIT: In this connection, I think I may reiterate what I have already said before, on more than one occasion, that the war of extermination declared by the Government against the Congress is most unfortunate. I want the Government to realise that it will not be possible for them to crush out of existence, a country-wide organisation of the magnitude and importance of the Congress which has laid its roots deep into the life and soul of the people. I am not a Congressman myself. I am not a follower of Mr. Gandhi. I have no sympathy with his tactics. But, in spite of these facts, I wish to impress upon this honourable House the gravity and the far-reaching effects of the error that the Government have committed by this policy. As we are all aware, the Congress is the largest, the most vocal and the most active political party in the country; and it is the only body that is in a position to deliver the goods. Even His Excellency the Viceroy has admitted this. I put it to the Government themselves, whether it is wise under these circumstances to antagonise this body in this manner? After all, Mr. President, a stage must be reached, if it has not been reached already, when all those Congressmen and women who have been arrested and imprisoned, will

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have to be set free. The Government are not going to kill them and they cannot keep them in prison for all time. It is for them to consider what they will be, when they come out of the jails, with their self-respect injured beyond repair, with their feelings wounded without any justification, smarting under the humiliation and injustice of their incarceration, and seething with bitterness, revenge and contempt towards the Government! The result will be that the Government will simply drive the Congress movement underground, and compel its adherents, who will be thus soured and embittered against the Government, to carry on their activities in the dark like rats, slowly but surely undermining the very foundations on which the structure of the Government stands. It is needless to add that very strong feelings of indignation, of resentment and of uncertainty have been aroused in the public mind in consequence of the manner in which the powers obtained by the Executive, are being used and applied, or rather, misused and misapplied by the Government. People in various walks of life feel, and I think very rightly feel, that the ordinances give such extraordinary powers to the authorities, that nobody with any opinion worth the name or with a desire to act with any degree of independence, or in a manner disagreeable to the authorities, is safe. Among the divers ways in which the tyranny of these ordinances is being and has been exercised may be mentioned, the denial of the elementary rights of citizenship; the suppression of the freedom of speech and action; the gagging of the press; the censorship of news; the prohibition of public meetings; and last though not least, the forcible opening of shops and businesses, even against the wish of those owning them. It would be interesting to know if the compulsory opening of shops is a necessary item in the programme of the Government for the eradication of lawlessness and the production of an atmosphere of peace and goodwill. But the worst phase of these ordinances is the perfect indifference and callousness with which thousands of people have been spirited away and clapped into the jails, not only for offences of omission and commission, but also of imagination; not only for one's doings in the present, but also for one's actions in the past and the contemplated ones of the future! In many cases rigorous and vindictive sentences have been inflicted, and heavy fines imposed, which, when not recovered, have been followed by distress warrants, not only against the property and assets of those fined, but also of their kith and kin, who may have no connection or sympathy with, and in many cases, absolutely no knowledge of the alleged offence. These are only a few methods indicative of the oppressive and capricious manner in which these ordinances are being used for terrorising the people. I know the instances of many people who have suffered in this manner. I will not, however, trouble the House with their details, but, in accordance with the suggestion of the honourable the mover in that behalf, will send them to the Honourable the Home Member for inquiry and redress. It is for the Government to see that such activities are suppressed at the earliest possible moment.

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The Honourable the Home Member, in the course of his remarks, said that if any useful purpose was to be served by this motion, some sort of concrete proposals ought to be made, either by this House or by the honourable the mover, which might be considered by His Excellency, and if possible, given effect to. I entirely agree with him in thinking that by merely asking for the appointment of a committee or the summoning of a conference, we will not be able to remedy the present state of affairs. As I have already said more than once, I contend that there never was any occasion for the application of these ordinances to the Presidency of Bombay, much less is there any justification for their continuance to this day. I admit that many aspects of the activities of the Congress are exceedingly harmful, mischievous, seditious and subversive, and that they deserve to be put down with a strong hand. But, I submit, Sir, that the laws at the disposal of the Government are ample, strong and stringent enough to enable them to deal effectively with them, if they wish to do so. I am unable to understand their resort to the ordinances instead. My chief complaint is that these extraordinary measures should have been resorted to, when it was wholly unnecessary to do so. I have heard only two excuses advanced against the operation of the ordinary laws of the land : one, of the delays of the law and another one of giving notoriety to the miscreants. Neither of these is convincing. If a resort to the ordinary laws of the land means delay and gives some publicity to the proceedings, they are necessary evils and must be faced. There can be no royal road to the attainment of justice and good government. I do not think a case has been made out for such an unusual and out-of-the-way step ; and I am sure that this House will not be carried away by such arguments. In justification of the ordinances and their scope, the Honourable the Home Member referred us to various countries of the world where more stringent measures have had to be taken and are even to-day being taken. May I, however, remind him of one fact, namely, that the conditions there are totally different from those prevalent here ; and that if such extraordinary measures are ever introduced in those countries, they are invoked only in very rare cases and in times of the gravest crisis ? I submit, Sir, that such a pressing emergency has not arisen and such a grave crisis has not occurred. At least, we do not know of either of these events having happened. Unless and until such an emergency has been proved to be in existence, I am afraid that these ordinances and all actions taken under them, must stand self-condemned.

Sir, it is a matter of profound regret that at a time like this, when the country is on the eve of great and momentous changes, and when the most cordial sentiments of friendship and goodwill should rule supreme, the atmosphere is charged with the bitterest feelings of hostility, of antagonism, of distrust, of revenge and of hatred towards the Government, as the result of the application of these ordinances to this Province. Sir, there are moments—full of promise and pregnant with great possibilities—in the lives of men as of Governments, when the utmost amount of circumspection, of wisdom, of patience and of tolerance,

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is absolutely necessary in all those occupying positions of authority and responsibility, if they are to fulfil their obligations adequately and evoke the co-operation and contentment of the people committed to their charge. This is one of those supreme moments in the history of this country, when the exercise of these virtues is most urgently needed. Is it too much to appeal to the Government of Bombay and to the Honourable the Home Member, who represents the department directly responsible for the present situation, to take immediate steps to withdraw the application of these ordinances to this Presidency, and to resort, if necessary, to the ordinary laws of the land to deal with the situation which he described so graphically during the course of his remarks a little while ago? Nothing will be easier for him than to give effect to this request, if he only makes up his mind to do so, without endangering in the slightest degree the peace and goodwill of the people of this Presidency.

My honourable friend Mr. Winterbotham, representing the Bombay Chamber of Commerce, speaking on this question, told us among other things that he and the group he represents, gave their full support to complete self-government for India with the necessary safeguards. I think I may very appropriately add, without meaning any offence, that he and his group seem to me to be giving their "*full support*" also to ordinance rule! But I would like to remind him of the fact, and I hope he will pardon me for doing so, that there is a very strong feeling of resentment and indignation prevalent throughout the Presidency, in consequence of these extraordinary, uncalled-for and unheard-of measures. I hope therefore that the Government will come to the rescue of this Presidency and generate an atmosphere of peace and goodwill, which the honourable the mover of the motion suggests, in order to smooth the path for the introduction of the new reforms and to ensure their success. And what better way can there be to bring about such a happy consummation than by the immediate withdrawal of the application to the Presidency of Bombay, of these obnoxious measures, which are at once an insult to our self-respect and dignity, and an unwarranted outrage upon the liberty and the integrity of our people!

Dr. P. G. SOLANKI: Sir, I am really very glad that my honourable friend Rao Bahadur Kale has brought this motion for an address to be submitted to His Excellency to restore peace and order by convening a conference of leaders of various parties in the province. Sir, I am aware of a certain conference having been held in Bombay which was called by His Excellency the Governor and leaders of all parties and communities at Government House. There, every man was called upon by His Excellency to express his views and to suggest certain constructive proposals to bring about order and peace and to calm down the atmosphere. But, Sir, many of those who had assembled there refused to come forward and give out their ideas and to express their views. Some did co-operate and did obey the orders of His Excellency and gave out their opinions, and we all thought that after that conference a calm atmosphere would prevail, but to our great surprise and to our great

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sorrow we find that, though a calm atmosphere which always prevailed amongst the masses and amongst the illiterate people, did not prevail amongst the dissatisfied congress creed people and these are the people who carry on the propaganda of destroying the existing peace and order and to overthrow the British Raj. May I ask the honourable member Rao Bahadur Kale, in the name of which people he appeals, does he appeal in the name of the advanced and educated minority classes or is he appealing in the name of the masses, the Mahomedans, the depressed and the backward classes and Anglo-Indians and Europeans? I will request him to enlighten us on this particular point when he replies to the debate.

Rao Bahadur R. R. KALE : I recognise no community at all.

Dr. P. G. SOLANKI : As the facts stand to-day and if we were keenly following the proceedings of the Round Table Conference and if we are following what goes on in the Franchise Committee, we are thoroughly satisfied as to the honesty of purpose of the Government and the honourable member Rao Bahadur Kale also ought to be satisfied. The Franchise Committee proceedings mostly are not open to the public yet, I am really surprised, Sir, that some of the so-called nationalist newspapers are carrying on a mischievous propaganda against the proceedings of the Franchise Committee and attribute certain motives to it and they come out with some coloured and twisted reports which upset the minds of the people outside. It is none of the business of such newspapers to mislead the public or to throw dust in the eyes of the people and trumpet the doing of the Congress.

Dr. M. K. DIXIT : Is this in order, Sir ?

The Honourable the PRESIDENT : No, that is not in order.

Dr. P. G. SOLANKI : I made that remark only to point out what amount of harm is being done by such propaganda in these papers.

As regards the remarks passed by my honourable friend Rao Bahadur Chitale from Ahmednagar against the motives of the Franchise Committee and against the motives of Government, I differ from him and I do say that Government has been trying to do their best seriously, honestly and sincerely to bring about good relations, good understanding and peace between the people and themselves. May I ask my honourable friends Rao Bahadur Kale, Rao Bahadur Chitale and other honourable members of their ways of thinking, how many times they themselves have come forward, and how many times they have held public meetings of people whom they call their followers, how many times they have exercised their influence and spoken to them in public and convinced them that the Government are trying to do their level best to bring about a better atmosphere and that they should in return try to offer the hand of co-operation and friendship to Government ? As far as I know, Sir, nothing of that sort has been done uptil now in the public by these honourable members. In private they may be talking to their friends

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on this subject but my experience tells me that these members talk privately amongst themselves as well as to other honourable members but they do not do so in public meetings. What is the result of these private conversations? It is that the people have come to believe that whatever is said at public meetings on the Azad Maidan is good for the people and that whatever is done by Government either at the Round Table Conference or elsewhere is only moonshine and detrimental to the welfare of the country, that nothing is going to come out of this Round Table Conference or out of the Committees appointed by Government. These are the expressions which people give utterance to, in public. Sir, if that is the attitude of such men, what can we expect? I do not remember the exact words of the appeal which His Excellency made but I think he appealed to the people present there to come forward boldly irrespective of any interference with Government to work independently and to assure the people that Government is serious and if they have to find fault with Government, they themselves should come forward and see His Excellency or any Members of the Cabinet and tell them that in such and such a way they can improve matters, but nothing of that sort has been done uptil now. A sort of a panic has come upon the minds of such of my honourable friends who talk in private conversations or in their houses or at their dinner tables, and magnify matters. Beyond that nothing comes out of such talks. Had it not been for these emergency measures, which are otherwise known as the ordinances, I believe it would have been difficult for us to sit in this very Council House and I think it would have been still more difficult for us to sit in the Franchise Committee if the rowdy elements had been allowed to have their own sway. We saw it two years ago, Sir, as I spoke in the Governor's conference and I think it my duty to say it here to-day that the ordinances were timely and that if they had not come in time, worse things would have happened. Government never say that the ordinances are to remain permanently. Both Government and His Excellency have said that the ordinances have come only as temporary measures because their hands were forced and it lies in the hands of the leaders of the people, the influential leaders of the people, to come forward and show to Government that there is no more necessity for such ordinances and that these ordinances could be safely withdrawn. But no such effort has yet been made by any of my honourable friends here as well as outside by any person.

My honourable friend Mr. Petit has boldly said that there is no necessity for continuing these ordinances but there are differences of opinion on this question. Mr. Petit goes out from his bungalow in his motor car and goes direct to his office and so he does not know how many heads are broken in the streets by the rowdy elements misled by the Congress propaganda or other propaganda of a political kind carried on by some interested people. If my honourable friend Mr. Petit had gone through the ordeal of rough handling at the hands of masses,

[Dr. P. G. Solanki]

I think he would have been the first man to run to Government and to ask Government to issue ordinances at once without any delay. Unfortunately, these rowdies have not yet approached the big folks, they have ransacked only poor men and tried to cut each other's throats, whilst the agitators and wire-pullers are enjoying the fun. What is the use of my honourable friend Mr. Petit talking like a philosopher if he cannot come out in the open and tell the masses to go on the right path and to strengthen the hands of the Government? Instead of that, the so-called leaders very silence in public shows that they neither disapprove of their conduct nor do they approve or like their action, which means that their silence may be construed as an approval of their actions. I appeal to the patriotic honourable members of this House who have brought or supported this motion to come forward at once as the time is not yet lost, it is not too late, Government themselves are not anxious to keep or continue these ordinances and if we can assure Government, Government will to-morrow remove the ordinances. The remedy still lies in our hands. If you go and just consult the people outside, you will see what they think of the whole situation. It is very well for the educated people of the higher strata and for the advanced classes to talk of these things, because they are safe in their houses which are protected by Pathans and Bhayyas, but the houses of the poor people and their properties, their wives and their children are in danger when they go out for their daily avocations. I believe and the Government also do believe that the time is not yet come, nor are we in a position to assure Government that there is no more need for ordinances. Over and above that, the motion which has been brought here before the Council is rather too late, it is a day after the fair, a lot of things have been done, the Government is anxious and is every day trying to restore peace, the Members of the Cabinet are trying their level best to restore peace. I believe the Honourable the General Member and the Honourable the Home Member are no less anxious than ourselves to restore a calm atmosphere and to have their fair name kept on and continued as good and tactful and able administrators. It is not an easy task for them to sleep over all these things. They are every moment vigilant, but, Sir, when will that pleasant day come when members on the opposite benches will come forward and co-operate whole-heartedly and in a friendly way with the members of the opposite benches on the official side. I have found such persons always finding fault and criticising the Government and the measures adopted by them and never an attempt was made in a friendly way to bring about some constructive work and thus restore peace and order.

Sir, finally I might come to particular questions which the Chair, I am afraid, may rule out of order. But as my honourable friend Rao Bahadur Chitale and some other members were allowed to refer to them, I believe I also will be allowed to ask one pertinent question to the leaders on the opposite benches. Where was the necessity for

[Dr P G Solanki]

the Government to interfere in the internal matters of the people when the ordinary laws were enough to cope with the situation ? If there was love and friendly feeling and brotherly love existing between the different communities of this Presidency then such a state of things would not have arisen Sir, was there not a lack of friendly and brotherly feeling among these different communities, the Mahomedans, the Anglo-Indians and the depressed classes *versus* the advanced classes and the orthodox Hindus ? Leaving aside the small minorities, what about the two major communities ? Has anything happened in these years which made the Mahomedans go against their Hindu brethren ? Hindus always professing to be elder brothers, should come forward and make common cause with the Government and make up the differences Do they not know that it is better to make common cause with such a Government, which is very enlightened and wise Government, and with whom the advanced classes for the last 150 years had made common cause ? What has come upon both of them today ? They (the Hindus) are finding fault with the very Government whose hands they had strengthened in the past, and had monopolised the political and administrative powers in their own hands It is of late that the Hindus are finding fault with the Mahomedans and the depressed classes, and they say these are the people who are the enemies of our country, because they do not walk meekly and submissively in the parlour of the Congress

The Honourable the PRESIDENT The honourable member is now getting on to his pet subject I must point out that unless the House desires to carry over the discussion to the next day for non-official business, the speeches must be limited I hope the honourable member who is now speaking has concluded his remarks I must then give a chance to only one more member for a few minutes before calling upon the honourable the mover and the Honourable the Home Member for a reply So the honourable member Dr Solanki must conclude his speech in a few more words

Dr P G SOLANKI I expected so, but anyhow I have done my duty by expressing my views

Rao Bahadur R R KALE There are some members on this side who want to speak I fear the discussion will have to be continued on a subsequent day

The Honourable the PRESIDENT If it does not conclude today, it will have to be carried over

Dr P G SOLANKI Finally, Sir, my appeal to my elder brothers (the Hindus) is—let us make up the differences amongst ourselves, let us show to the Government that we are united, let us show to the Government that we are not quarrelling for petty interests and selfish motives, and then alone the Government, all the three Governments, the Government of India, the Home Government and the Bombay Government, will come forward and declare that there is no necessity for the ordinances and the ordinances will be removed spontaneously

[Dr P G Solanki]

With these words, I oppose the motion moved by my honourable friend Rao Bahadur Kale

Mr A N SURVE (Bombay City, North) Sir, I had no mind to take part in the debate on this motion, but the mention of the Franchise Committee has compelled me to be on my legs to represent the view of the section of the public which I represent Sir, in this connection we are told that there should be co-operation But may I enquire whether all the parties are given an equal opportunity ? I must place certain facts before this House Sir, in our present constitution, 7 seats were allotted for the Maratha and allied castes

An Honourable MEMBER How does that arise ?

The Honourable the PRESIDENT What is the difficulty of honourable members in understanding the limitations of the debate on the motion before the House ? These are all foreign matters dragged into discussion I have pointed out to honourable members all this morning that the discussion goes beyond its proper limits, and yet they would insist on bringing in matters which have nothing to do with the motion before the House

Mr A. N SURVE We are required by this motion to offer our co-operation, as certain committees have been set up I refer to the last paragraph of the motion It says " and secure the co-operation of all parties in facilitating the work of the several Committees set up to help the framing of the New Constitution " We have the Franchise Committee in Bombay at present It was mentioned by several honourable members in their speeches and I am bringing out that one section of the public is ignored Therefore, what I have been suggesting is——

The Honourable the PRESIDENT No instructions are to be given under this motion to the various committees, as to what they should investigate and how they should proceed These committees have been mentioned with a view to calling a conference, so that the conference may consider measures to create a peaceful atmosphere, so that the public may co-operate with the committees and the various activities in the framing of a new constitution That has nothing to do with the individual work of any committee working in India or here

Mr A N SURVE My only point is that the committee that is in Bombay, the Franchise Committee, is deprived of the opportunity of knowing the needs of one section——

The Honourable the PRESIDENT The honourable mover wanted to show what the situation was and he took the Franchise Committee as an example We have nothing to do with the Franchise Committee All these matters are foreign to the subject under discussion I must stop the honourable member, because we are wasting time

Mr A. N. SURVE I have no other remarks to offer, if such a narrow view is being taken

Mr A B ACHREKAR (Satara District) Sir, I rise to support the motion moved by my honourable friend Rao Bahadur Kale Sir, I have heard the honourable member Dr Solanki saying that but for the Ordinances, it would have been impossible for him to sit in this Council Sir, I think that my honourable friend should be rather grateful to that great institution, the Indian National Congress, for bringing him here in this Council and giving us the Montford Reforms

Dr P G SOLANKI Question

Mr A B ACHREKAR Sir, it should be understood that I am not at all for the civil disobedience movement I represent the backward communities, but at the same time I say that the backward communities and all the other communities and the Indian people are getting the benefit of the Congress I am not for non-co-operation nor for the civil disobedience movement, but, at the same time, I am of opinion that the political progress which the country is at present getting is out of the work of the Congress people I do recognise that with great humility [*Rao Bahadur G K Chitale "Hear, hear"*] Of course, we cannot associate ourselves with the present civil disobedience movement, but that does not debar us from recognising whatever good there is in that great institution which came into existence long before I was born Sir, last year we had the civil disobedience movement, and it was recognised by the then highest authority in the land, Lord Irwin, that it was not possible to carry on the work of the Round Table Conference without the help of that best organised party, the Congress, and, Sir, it was thought by him advisable to get the co-operation of the Congress as a whole

Sir, the honourable mover of this motion perhaps wants the co-operation of all parties in the land When he refers to all parties in the province, I think he is also desirous of getting the co-operation of the Congress party Sir, the Working Committee of the Congress decided to embark upon the civil disobedience movement I have nothing to say against that, they may be right, they may be wrong But I do not think that the bulk of the Congress, which has been functioning for the last 45 years, or all those who are in the Congress are for law-breaking There may be people who were once Congressmen, but they may not like to be Congressmen now with the present badge of civil disobedience and the co-operation of such people in my opinion may be sought That is perhaps the motive of the honourable mover in bringing this motion before this honourable House I do personally realise, Sir, that it is the Congress, and not the members of the depressed classes, nor the members of the non-Brahmin party, nor the members of the Liberal party, which is responsible for giving these Reforms to us, Indians I do want to recognise that it is the Congress which cooks, and we all want to eat or sit at the table at the cost of the real workers.

An Honourable MEMBER Government

Mr A B ACHREKAR Government also grants reforms when it is forced It is the creed of the non-Brahmin party, to which I belong,

[Mr A B Achrekar]

that India should have Dominion Status All now want Dominion Status, but that Dominion Status was much feared some 20 years before I do not mean to say that we should adopt all the Congress methods, when I say that without the Congress support it is not possible for us to have that calm atmosphere which is necessary for the working of the Reforms Sir, it has been admitted that the Congress is the party with the overwhelming majority, representing all shades of opinion, and that the Congress represents India as a whole with all her communities That has been admitted, and we need not go back to that point It has been admitted in the second Round Table Conference that Congress wields the greatest influence in the land I want therefore to appeal to the House that the House should vote for this motion and try to seek the co-operation of those Congressmen who are not for civil disobedience movement, who are for following other methods and working in other ways for getting Dominion Status for India I would appeal, especially to the members of the non-Brahmin party to support this motion, because they are likely to get something out of this motion, if it is resolved that His Excellency be given an address and His Excellency agrees to convene such a conference of the leaders of the various parties I would therefore appeal to the non-Brahmin leaders especially to go in for this motion and to support it, as the non-Brahmin members are not going to lose anything thereby I do see the necessity of the ordinances, but I differ as regards their application I do not like such action as is being taken under the ordinances to humiliate people by putting them on parole and asking them to report to the police These things, Sir, are really humiliating Although I am not a Congressman, I would not like any of my brothers who is a Congressman having to go everyday to the police station to report himself The Honourable the Home Member has told us that if any person gives an undertaking he will not be asked to go and report himself to the police But the asking of that undertaking, I hold, involves a presumption that he was acting illegally in the past In the city of Satara wherefrom I come, for the last two years I have not seen any movement of civil disobedience going on there In spite of that, forty or fifty people are being kept under arrest I know personally that they have not the courage to actually associate themselves with the civil disobedience movement, but they are still being kept under confinement probably on the suspicion that they are likely to act in a manner prejudicial to the public safety There are certain pleaders also among them All those pleaders still hold sanads from the High Court If they are so dangerous, why are their cases not taken to the notice of the High Court to have their sanads cancelled before they are asked to report themselves to the police ? It is humiliating to a lawyer who has been given a sanad by the High Court to practise in the law courts, who is practically an officer of the court, to go to the police station and report himself there everyday If in consideration of this humiliation he refuses to report himself to the police, he has to go to jail That is too much If they are found dangerous to the public safety, you can

[Mr A B Achrekar]

take disciplinary action against them and get their sanads cancelled first before they are asked to report themselves to the police I take these pleaders to be officers of the court, and as such they are the servants of this Government Even pleaders of high reputation are being asked to report themselves to the police, and if they refuse to go to the police station, then, Sir, they have to go to jail This part of the ordinance is working too harshly against the self-respect of the citizen. Then, Sir, the honourable member representing the Millowners' Association has referred to the practice of serving notices on shopkeepers that they should open their shops That is encroaching too much on the personal liberty of these people Such application of the ordinances is likely to promote the spirit which Government wish to combat What the Congress has not been able to do, the ordinances have been able to do, namely, alienating the masses from Government and spreading discontent among them I speak with a knowledge of the masses Up till now, the Congress was not able to do anything to alienate the sympathies of the masses from Government, but now owing to the application of these ordinances and the continuation of the ordinances, even the agriculturist has come to know that there is going on something wrong So many people are kept under confinement that he has come to think suspiciously about the methods of Government Discontent and disaffection is being spread by the continuation of the ordinances Sir, there is no necessity now for continuing the ordinances The ordinary law is quite sufficient to control such disturbances as there may be I am, Sir, for the discontinuance of the ordinances

With these words I support the motion brought forward by my honourable friend Rao Bahadur Kale

Mr S H. PRATER Sir, the present political situation has produced one very unfortunate result it has diverted men's minds from the main issue before the country and concentrated attention upon the struggle between the Congress and the Government The main issue before the country is not whether Congress or Government will win in this struggle, it is not the activities of Congress or the measures taken by Government to suppress them The main issue before the country is the introduction of such reforms in the government and administration of the country as will place the responsibility for that government in the hands of the Indian people All parties are agreed upon the issue As a result of the break of Congress with the Government, two alternatives have now been placed before this country, namely, whether the country is to win its goal by constitutional means, by methods of conference and negotiation, such as were adopted by the Round Table Conference, or whether it is to win its goal by force, by methods which would make the present system of government untenable and compel those in authority to yield to the country's demand In judging between these two alternatives, we must review what has been achieved so far by methods of conference and negotiation and see if the confidence that has been placed in these methods has been justified or whether the results have been

[Mr S H Prater]

so disappointing and so ineffective as to compel us to abandon constitutional means and to employ the alternative I do not propose to review what so far has been achieved by methods of conference, the results are apparent to everybody in this House Whatever might have been said for or against the Round Table Conference, this much can be said, that an enormous advance has been made and the country brought within sight of its goal by the pains and labour of her sons and the way made clear for its attainment At this, the penultimate stage of the work, Congress decided upon the tragic step of giving up methods of co-operation and adopting the alternative of force I do not wish to go into the reasons which led the Congress to take up this unfortunate and almost unbelievable step It is sufficient to say that there existed in the Congress Executive a powerful party which did not want to compromise with Government, which did not want to compromise with minorities who differed from their views, which wanted to force their whole programme upon the country, a programme which would place the country under the domination of the Congress executive . [*Interruption*]

Mr HAJI MIR MAHOMED BALOCH (In Urdu) They want everything

Mr S H PRATER Yes The result has been that the Congress has broken with the Government and the country is thrown once again into the disorder and chaos of the civil disobedience campaign with all its attendant misery and its attendant suppression The avowed intention of this campaign is to destroy the Government, destruction means war and the dividing of the country into two opposing camps, Government and their supporters and those who wish to destroy Government There can be no neutral The issue before the country is not whether Government or Congress will win, but whether the political freedom of India can be achieved by force or can be achieved by constitutional means And if we are convinced that in the peculiar circumstances of this country the argument of force will only lead to chaos and ruin, we are bound to accept the alternative of constatutional methods, and if we accept that method on the results that have been achieved, then we are bound to give our unqualified support to Government in the present crisis Patriotism is not the monopoly of those who wish to destroy Government, it can also be attributed to those who wish to co-operate with Government in framing a system of Government and administration which will give India the political freedom which she desires The present situation is this a deadlock has been reached and nobody can foretell what is going to be the result of that deadlock But recriminations against Government and against the methods pursued by Government will not help to relieve that deadlock or to solve the present problem The resolution before this House advocates conciliation Everybody will admire the spirit of that resolution, but everybody will realise the difficulties of its practical application When two parties are opposing each other, when they are at death grips and one of them has expressed an intention of making

[Mr S H Prater]

this a fight to the finish, conciliation cannot come through them It must come from a power without, and that power can only be the force of public opinion, the force of same public opinion which realises that so grave and so complex an issue as the political future of this country cannot be solved by the argument of force but can only be solved by methods of conference and negotiation Only when the weight of public opinion is thrown on the side of law and order, on the side of constructive work and constructive effort, will the energies of the people be turned into channels which will be most effective, into channels whereby the problem of the future of this country can best be solved And we as co-operators with Government should help to form that public opinion by word and counsel at every opportunity that we have, for it is only by co-operation and compromise between the British and the Indian peoples that a solution can be found eventually which will be acceptable to all classes of people in this country, including the minorities, for it is only by this co-operation that we will be able to find a solution which will tend to the security and contentment of the people of this country

The Honourable the PRESIDENT The House is now adjourned to 2 p m , on Monday, the 14th March 1932

BOMBAY PRINTED AT THE GOVERNMENT CENTRAL PRESS

Monday, the 14th March 1932

The Council re-assembled at the Council Hall, Bombay, on Monday, the 14th March 1932, at 2 p m, the Honourable the President Sir ALI MAHOMED KHAN DEHLAVI, Kt, Bar-at-Law, presiding

Present

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr A B
ADVANI, Mr P B
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S N
ASAVALE, Rao Bahadur R S
BALOCH, Mr HAJI MIR MAHOMED
BANGI, Mr A. K J
BELL, Mr R D
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S K
BOWERS, Mr P L
BRANDER, Mr J P
BULLOCKE, Mr A GREVILLE
CHITALE, Rao Bahadur G K
CLAYTON, Mr H B
COLLACO, Dr J A
COOPER, Khan Bahadur D B.
DAVIS, Mr G
DESAI, Rao Saheb B G
DESAI, Mr H R
DHALUMAL LILARAM, Mr.
DIXIT, Dr M K
D'SOUZA, Dr J ALBAN
FREKE, Mr C G.
GANGOLI, Mr G S
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr M D
GOKHALE, Mr L R
GOVER RORA, Mr
HUDSON, the Honourable Mr W F
HUMPHREY, Mr JOHN
JITEKAR, Mr HAJI IBRAHIM
JOG, Mr V N
KADRI, Mr J S
KALE, Rao Bahadur R R
KAMAT, Mr B S

KAMBLI, the Honourable Dewan Bahadur S T
KARBHARI, Mr M M
KHUHRO, Khan Bahadur M A
KIRKE-SMITH, Mr. A.
KULKARANI, Rao Saheb P D.
LANE, Mr C M.
MACLACHLAN, Mr D
MATCHESWALLA, Mr G E
MCELHINNY, Mr G W
MEHERBAKSH, Mr S
MEHTA, Mr M H
MITCHELL, Mr H C B
MODI, Sardar Davar T K
MONTEATH, Mr J
MORE, Mr J G
NAIK, Rao Bahadur B R
NAVLE, Mr N E
OWEN, Mr A C
PARULEKAR, Rao Bahadur L
PATEL, Khan Bahadur A E
PATIL, Rao Bahadur D R
PATIL, Mr N N
PATIL, Mr V N
PATIL, Rao Saheb V S
PERRY, Mr E W
PETIT, Mr J B
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G V
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr HOOSENALLY M
RESALDAR, Mr A K
ROOSE, Mr F O J
SHAIKH ABDUL AZIZ, Mr
SHAIKH ABDUL MAJID, Mr
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr
SHINDE, Mr R B
SINDHA, Mr MADHAVSANG JORBHAI
SOLANKI, Dr P G
SPENCE, Sir REGINALD
SURVE, Mr A N
SURVE, Mr V A
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr
TALPUR, MIR BANDEH ALI KHAN
THOMAS, the Honourable Mr G A
TOLANI, Mr S S
TURNER, Mr C W A
VAKIL, Mr PESTANSHAH N
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R V

WADKE, Mr B P
WILES, Mr G
WINTERBOTHAM, Mr G L

NEW MEMBER SWORN

Mr P B Advani made the prescribed affirmation of allegiance to His Majesty the King-Emperor, and took his seat in the Council

MOTION TO PRESENT AN ADDRESS TO H. E. THE GOVERNOR re : THE POLITICAL SITUATION.

Question again proposed—

"That the following humble address be presented to His Excellency the Governor of Bombay —

May it please Your Excellency,

We, the Members of the Bombay Legislative Council, respectfully pray that in view of the present political situation, Your Excellency will be pleased to convene a Conference of leaders of various parties in the Province in order to find the means of establishing a peaceful and calm atmosphere and secure the co operation of all parties in facilitating the work of the several Committees set up to help the framing of the New Constitution"

Rao Bahadur D R PATIL (East Khandesh District) : Sir, the motion moved by the honourable member Rao Bahadur Kale is innocent in its nature, as innocent as his views on the civil disobedience movement I understand that the honourable member Rao Bahadur Kale's object is to bring about a reconciliation between the Government and the Congress, two parties which stand on their own solid principle, the one for law and order and the other for the civil disobedience movement I for one have no sympathy with breakers of law or with their unlawful activities His Excellency the Governor has clearly stated in his speech, "but we will not permit coercion because in my opinion no movement should have coercion as its basis" Further, His Excellency said, "We will enter into no treaties with law-breakers And let me warn those who resort to these methods, that they must be prepared to suffer the full legal penalties which they have deliberately provoked by embarking on this line of action" I am of the opinion that under any form of Government the breaking of laws will not be tolerated as such a procedure is necessarily detrimental to the best interest of the country Now, Sir, the position is this The honourable member Rao Bahadur Kale is very anxious to bring about peace and harmony between the Government and the Congress I do not know his scheme or whether he wants to act as an intermediary between the Government and the Congress like Mr Jayakar and Sir Tej Bahadur Sapru If he gets that honour, I shall be very glad to congratulate him upon that We know, Sir, that both the parties are unbending, and the question is, how to effect a compromise On that I hope the honourable the mover will throw some light I want to know definitely from him on what lines he is going to proceed if His Excellency is pleased to call a conference as he desires If we leave aside the question of the Congressmen, all the other parties are in favour of co-operation and they are all against the movement of civil disobedience. We have heard the speeches

[Rao Bahadur D R Patil]

of the honourable friends here and we know that there is not a single member of this House who likes the idea of the civil disobedience movement Of course some members might have got certain grievances as regards the use of powers under the ordinances, but to that the Honourable the Home Member has given a reply that instructions have been issued to all officers concerned to see that they exercise every possible moderation in the use of their powers.

As for myself, Sir, I am doubtful whether any useful purpose will be served by passing the motion because the leading Congressmen are in jail and their sympathisers and followers are bent on carrying on their propaganda and naturally they will not like this idea of a conference Government on their side knows the views of us all, co-operators What is to be done at the conference ? I do not understand for a moment what good is likely to come out of such a conference even if one is called. All the same, I am not going to stand in the way of my honourable friend Rao Bahadur Kale if he succeeds in paving the way for a compromise and gets the credit for restoring peace and order in the country

Dr M D. GILDER (Bombay City, North): Sir, when I heard the honourable mover Rao Bahadur Kale introducing his motion on the floor of this House, I wondered whether the address would serve any useful purpose or whether we should be in the same position as that in which my honourable friend Mr Baloch said the other day he found himself, namely, "Those who want to ventilate their grievances do so again and again but who is there to listen to them ?" However, I must congratulate the honourable mover and the honourable member who followed him on the high tone in which they initiated the debate, and I must express my admiration for the Honourable the Home Member's missionary zeal in preaching to the opposition to go over bag and baggage to the Government side, and not only to go over but to serve as their propagandist agents in the war they have declared against the Congress

Sir, I was highly struck with the first part of the Honourable the Home Member's speech, but when he talked about war and not only about crushing but killing the Congress, I once again wondered whether the honourable mover of the motion would be able to do anything more than what the Pope did during the Great War or what we see being done now from Geneva in addressing letters full of pious hopes to the combatants at Shanghai——

The Honourable Mr G A. THOMAS May I correct the honourable member, Sir ? I did not say anything about killing the Congress but killing the menace of the Congress, two different things "

Dr M D GILDER I stand corrected, Sir , but, after all, that is war mentality, killing the one or the other I will not enter into the origin of the ordinances nor will I touch upon them except just to say that in all wars both sides claim that the challenge came from the opposite side We are living too near the events, we do not know the secret despatches that might have passed between the Congress executive and their sole

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representative in London and also between Simla and Whitehall as to the preparations that were being made So, I do not think that it is worth our while entering into the origin of the ordinances But, Sir, when we are appealed to to join the war on one side or the other, we, who have so far remained neutral, have a right to see whether the war is conducted according to the conventions of civilised warfare Sir, my honourable friend the preceding speaker quoted His Excellency's speech where he said that the Congress must undergo the full legal penalties I have not known so far any Congressmen who have shirked the responsibilities for their acts It is not the Congress that is talking about these things, it is we, Sir, who are standing between Government on the one side with whom we cannot see our way to agree, and the Congress on the other side from whom also we are in some of our opinions as the poles asunder, and we only wish to see that the combatants, if there is to be war, will carry on that war according to the recognised canons of civilised warfare In war if an officer is arrested, he is given the option of either remaining in prison taking his chance of making an escape and taking the consequences, or of giving his parole and coming out I do not know who invented the word "Parole" in connection with the Congress, whether Government or journalists, but the way in which this affair is managed is certainly not what would be called in accordance with the conventions of civilised warfare The man is simply given an order to report, he does not accept it of his own free will, and as he has not agreed to it, naturally as an officer and soldier according to his own mentality he would think of going to visit his family or of going to the front. He is immediately arrested and not kept as an officer would be kept, but he is sent to a prison for a long term of rigorous imprisonment and perhaps also of fine When only recently a paper, which was not a Congress paper but a paper which criticised without bias both the Government and the Congress, openly stated these facts, that paper was asked to provide security Then, Sir, might I ask why is there a difference made between different papers and why are some papers not allowed even to report the names of those who are convicted whereas no such notice has been served on other papers? Sir, this sort of thing, this gagging of the press, is certainly prejudicial to the Government itself We know how rumours spread like wild-fire in this country The press, owing to the ordinances can take no notice of them, they do not come to the attention of the Government and the Government has no means of contradicting them, though we would like them to be contradicted if they are false Rumours have come to my knowledge that in Gujarat men have had to take their clothes off and they were then beaten with hunting crops and with canes on that part of their anatomy where our fathers used to inflict punishment upon us with their slippers when we were little boys As they are rumours, I will not speak more about them in this House, but I would certainly request the Government to see that news is not left to be spread as rumours but to take steps to see that authentic information on these and other points is furnished to the public

[Dr M D Gilder]

Now, Sir, let us see what the effect of the working of the ordinances is If you talk to anybody about the civil disobedience movement in the streets, he looks round to see if there is anybody about listening, so great is the terrorism that has been spread by these ordinances Such is the contrariness of human nature that though Mother Eve had the run of all the fruits in the Garden of Eden excepting the apple, she must needs go and eat the apple first. Similarly, the more rigorous you make the ordinances, the greater the rigour with which you work them, the greater will be the crimes under those ordinances, more particularly if there is a halo of martyrdom attached to them at the other end When people in good class of society have had to spend some years of their life in jail or have been otherwise severely punished, are they ever going to forget these facts? Is not the Government building up for itself in future an implacable opposition, an opposition which it can never placate? Think of Egypt, during the war, Zaglul Pasha was exiled; it is long since the end of the War, long since the death of Zaglul Pasha, but his shadow is still hovering over Egypt and is preventing any settlement in that country to-day

Sir, His Excellency the Governor gave us the instance of Ireland. Ireland is in a lucky position to-day, of having its own Government, and the prisoners of yesterday under the Ordinances are the heroes of to-day And who knows whether these very Ordinances may not be applied to those people who actually framed them? We in India unfortunately are not in a position ever to apply them to the opposite side

Sir, I am in touch with my constituency It is my business to keep myself in touch with it, and I know that the movement has spread underground, that there is a growing admiration for the sacrifices made by the Congress people, that as time goes on there is greater and greater alienation of sympathy from the Government If, as a result of the Round Table Conference, the Reforms fail to satisfy the public, the position of the Moderates would be absolutely untenable, and the Government would find itself without a friend

I would, therefore, conclude with an appeal to this honourable House to follow in the footsteps of another Council, another provincial legislature, which has passed a motion to this effect, and I would appeal to my honourable friends opposite, whose country has ever stood for the under-dog, whose doors have always been hospitably open to the refugees of political and religious persecution of all countries, to reconsider the whole position, and see if they cannot end the present situation by a conference of the kind proposed by the honourable mover of this address

Mr SHAIKH ABDUL MAJID (Karachi District) Sir, let me state at the very outset that I am perfectly in agreement with the object of the motion under discussion The object is very laudable and praiseworthy The honourable member Rao Bahadur Kale himself is a

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man of peace, and he has suggested the way of peace, the way for restoring a peaceful atmosphere in the country But I am afraid the conference suggested by him will not bring about the desired object In the first place, he proposes that His Excellency the Governor should be requested to convene a conference of leaders of various parties in the province, and then ultimately to secure the co-operation of all parties in facilitating the work of the several committees set up to help the framing of the new constitution I submit, Sir, that it will not be possible for a conference of a provincial character to secure the co-operation of all parties and facilitating the work of the several committees that have been set up by the Round Table Conference The scope of the question is much wider than a provincial legislature can venture to undertake It would have been better if a motion of this character had been brought before the Legislative Assembly or the Council of State, and then perhaps some hope could have been entertained of restoring a peaceful atmosphere in the country, because the situation in the province of Bombay is a part and parcel of the situation as it exists in the country as a whole, and the policy that is being pursued by the Government is a part and parcel of the policy of the Government of India, in the same manner as the movement that is being carried on by the Bombay Provincial Congress Committee is under the programme of the All-India Congress Committee The conference, I believe, will have to face at the very outset practical difficulties for tackling the question which concerns not only this province but the whole of India, and not only India but England as well, because it aims at securing the co-operation of all parties represented on the various committees of the Round Table Conference, and I think it is beyond practical politics to suggest a measure of this kind to His Excellency the Governor of Bombay

Then, Sir, before I enter into a detailed examination of the present political situation and the other contributory factors that have brought it about, I want to say a word or two as to the object of this unfortunate war that is being waged in our country, to the detriment of the interests of the vast majority of its inhabitants I characterise this war as a sort of civil war between the two parties in the country, one representing the present Government and the other representing the future Government It is a war between two Governments for dominating each other as well as for dominating the whole of the country But the position of my community in this state of war is extremely delicate I am prepared to co-operate with both the parties, with the intention of settling the question of the Indian constitution as well as the claims of the various communities and interests, but no party is in a mood to co-operate with me I stand in a way between the devil and the deep sea On the one hand, there is the Government who would not say anything as to the future position of my community in the future constitution of the country, on the other hand, there is the Congress, with whom I am willing to co-operate in framing the future constitution, but it would not concede my birthright, my minimum demands Sir, it is a most unenviable

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position in which I find myself and the community whom I have the honour to represent Further, Sir, as far as I can see, no sufficient effort was put forth by both the parties in bringing about a better understanding I believe that, if Government on the one hand and the Congress on the other had made up their mind not to resort to war but to frame the future constitution with mutual co-operation and have a peaceful atmosphere, their efforts would have proved successful But both parties were chafing under some imaginary insults and both were determined to prove their prowess, and hence we see that a state of war exists between the Congress and the Government I, Sir, look upon war as a profession of monsters I do not believe in war I think we are living in an age in which wars can be avoided by resorting to arbitration, by resorting to constitutional agitation, and by resorting to peaceful methods If there is any party which is suffering the most in this state of war, it is neither the Government nor the Congress—it is the people of this country The Congress and its volunteers are getting a sort of training in fighting the Government for the achievement of their ideals and aims, and the Government on the other hand want to inflict its will by means of force on the other party In the long run, I may say that neither repression will pay Government, nor the civil disobedience movement bring freedom to the country It is the way of peace that both the parties will be compelled to adopt sooner or letter Political history demonstrates very clearly that repression has not succeeded anywhere, no less than that the civil disobedience movement has not brought, freedom to any country So, both the parties will miserably fail in destroying each other, and they will come to their senses sooner or later There has been some reference to the excesses that have been committed here and there on either side, but war is war and nobody should be surprised if some excesses are committed on either side But I think the excesses that are committed upon me by both the parties are absolutely ignored in this state of war For instance, I invite the attention of this honourable House to the activities of the Congress, their social ostracism, their commercial boycott, their compelling the people to follow their ways injure me more than even the Government In the same manner, while the Congress is carrying on the war with the Government, the Franchise and other committees are busy with their programmes They are framing the future constitution for the so-called rebels, and I do not know what is my position in that constitution So, Sir, it is on account of this that I say that I am the greatest sufferer on account of this war In discussing the present political situation, I may have to go as far back as the time when the Simon Commission visited our land I think that is the origin of the present situation Almost all the parties, political as well as communal, at least of my community co-operated with the Congress in boycotting the Simon Commission Then followed the famous announcement by Lord Irwin about the holding of the Round Table Conference in London and inviting all the parties in the country to avail themselves of that opportunity

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I think, Sir, Mahatma Gandhi blundered at the very outset by refusing that offer, when it was given with the best of intentions He began to lay down certain conditions, before participating in the Round Table Conference As these conditions were not fulfilled, he came out with the civil disobedience movement and a demand for complete independence We all know the meaning of the civil disobedience movement and the demand for complete independence, originated by Mahatma Gandhi It was as expressed by the honourable member Mr Kamat to bring pressure on the Government in order that the future government should be in accordance with the ideals of the Congress. Then, Sir, the civil disobedience movement was followed by the historic Gandhi-Irwin pact Mahatma Gandhi, the sole delegate of the Indian National Congress, joined the Round Table Conference After his landing here he began to tackle the question of ordinances that had been promulgated not by the Government of Bombay but by the Government of India He then preferred to go to jail, not because the constitution as proposed by the Round Table Conference was not up to the mark, but because he was refused an interview by His Excellency the Viceroy. What I want to submit is that this is the second blunder committed by him If he had declared war against Government on some essentials, on the fundamentals of the future constitution, he would have been perfectly justified But he declared war on a non-essential thing—the promulgation of the ordinances and the refusal of interview by His Excellency the Viceroy. I still believe, Sir, that if the civil disobedience movement is withdrawn, the ordinances must be withdrawn If the ordinances are withdrawn, the civil disobedience movement must go to dogs At least, if there was a desire on either side to have peace, I still maintain that, with a little broadmindedness and foresightedness, the present situation would not exist. But that course was not followed by the Congress, and now we are called upon to present an address to His Excellency the Governor for convening a conference of the various parties—I believe including the Congress party as well—to seek the co-operation of all the parties in facilitating the work of the several committees that have been set up to help in framing the new constitution and to establish a peaceful and calm atmosphere I confess that, unless the honourable mover convinces me that the Congress is going to participate in this conference, no useful purpose will be served by requesting His Excellency to convene this conference

Then, Sir, I wanted to say a word or two about the excesses that are being committed on either side in furtherance of their respective militant programme I may bring to the notice of the Honourable the Home Member, if he can do anything in the matter, that if Government can treat sympathetically respectable and highly patriotic men in a better manner, this will remove a great cause for heartburning and bitterness In my province a man like Mr. Bechar who was a member of this honourable House and who has been a member of the Karachi Municipality for a number of years and who is a well-to-do man of high status is

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awarded the "C" class I think that is not the moderation which we have been assured by Government that they maintain in putting down the civil disobedience movement and in sending the civil resisters to their destination On the other hand I can give a recent instance about the city of Bombay as to how the Congress is interfering with the commercial activities of the people I am in possession of a Congress Bulletin, issued by the emergency council The heading is "Boycott"—"To merchants and mukadams of Sewree" Then it goes on to say

"You all know that Messrs Mahomed Suleman and Co have disregarded the Congress Mandate and had dealings with Messrs Ralli Brothers and Co and Bombay Company On asking for an explanation of this they have given an extremely insolent reply They are not inclined to leave the association of English merchants who have been robbing India for the last 150 years We should therefore give them every convenience for their association with the English. It is therefore declared that no one should either sell goods to them nor should buy from them No one should have either direct or indirect mercantile dealings with them Let them know that however insolent or wealthy they may be still they cannot live in India and be treacherous to that country"

There is another notice under what I would call Congress ordinance. The first one I read is dated 1st March 1932 The second one which I am going to read is dated 2nd March 1932 It reads

"Yesterday it was announced in the bulletin to boycott the firm of Messrs Mahomed Suleman and Co It should also be noted that the firm of Messrs. Osman Suleman is also to be boycotted, because both the firms belong to the same owner"

"Issued by the Bombay Emergency Council of the Congress"

Now, Sir, in this warfare, I have already stated that I am the greatest sufferer from the political as well as from the commercial point of view. I know a number of people have been fined by Congress Committees all over India for refusing to abide by the instructions of the All-India Congress Committee They are being financed by interested firms to carry on their programme of militancy When any national organisation tries to interfere with the private rights of the people and interfere with their business, nobody should be surprised that those who are affected by the activities of the Congress approach Government for help and Government may help them in the best way possible

One thing that is mentioned in this notice is that the English merchants have been robbing India for the last 150 years I do not know how far it is correct I wish to submit that my community has no part in it My community has no part in the robbing of India by association with English merchants It is the majority community that is responsible for the destruction of the industries of India by its trade with foreign merchants and countries I am not responsible also for the other thing, namely, in the selling of liquor and the using of liquor which is said to be another cause of India's enslavement and ruin At least in Northern India, you will find not a single Mussalman as a liquor vendor There may be a few Mussalmans using liquor but that too secretly But as a matter of fact, you will find liquor in almost each and every house of my neighbours Without going into the discussion of this notice, Sir——

Rao Bahadur R R KALE May I know whether the document which the honourable member has read is a genuine document, and if so, whether it has been produced before the Council? The honourable

[Rao Bahadur R R Kale]

member cannot refer to a document which is not produced before the Council.

Mr SHAIKH ABDUL MAJID I do not understand the point, Sir

The Honourable the PRESIDENT The honourable member has referred to a document Is that a genuine document, is it reliable ?

Mr SHAIKH ABDUL MAJID I have seen the genuine document under the signature of the Police Commissioner of Bombay, and I have got a copy of it

The Honourable the PRESIDENT Apart from that I might point out that the honourable member is now entering upon a criticism of the action of the Congress, which is not the point before the House

Mr SHAIKH ABDUL MAJID What I was dealing with was whether any amicable settlement was possible under the present circumstances, firstly, between the Government and the Congress and, secondly, between the different political parties in the country A political settlement to be lasting must not be a settlement only between England and India, but also between the various peoples and communities inhabiting India When this is the mental attitude of a party that is in power and that is in the majority towards the minorities, I rather feel very much diffident if the conference, even if it is called, will prove a success

With all that, Sir, I finish my speech with an appeal for peace Peace is the greatest need of the day The economic depression, the communal unsettlement, the restlessness, and the world conditions demonstrate the necessity of peace. The sooner it is established the better I would, therefore, make an appeal to both the parties, to the Government to withdraw the ordinances and to the Congress to stop civil disobedience Let there be peace That is the only method by means of which peace can be achieved under the existing circumstances.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN Sir, I have given my most anxious consideration to the implications of the motion and I have come to the conclusion that no useful purpose will be served, in the present state of the public feeling by accepting the motion Nobody I think will be more pleased or happy than Government themselves to find out means to establish a peaceful and calm atmosphere to facilitate the work of the Round Table Committees But a conference of the kind proposed by the honourable member from Satara (Rao Bahadur Kale) is not, in my opinion, likely to prove successful Does the honourable member from Satara expect peace and calm atmosphere to prevail when Government have to resort to extraordinary measures to preserve law and order ? And does he seriously believe that the calm atmosphere which he so ardently desires will be produced in the present state of public feeling unless the present rule of ordinances is brought to an end ? And does he expect that Government will or can change the present policy unless and until the challenge given to law and order by the Congress is withdrawn ? Sir, no Government worth the name will

[Khan Bahadur Abdul Latif Haji Hajrat Khan]

hesitate to accept such a challenge Either they have to abdicate when such a challenge is given or they must rule with a firm hand There is no half way open to Government. So the chief condition precedent to any such peaceful and calm atmosphere is that the present revolutionary and subversive movement must be stopped So long as the present civil disobedience movement is going on, in other words, as long as defiance of law and order is going on, so long there is no hope, in my humble opinion, of any such peaceful and calm atmosphere prevailing in the country I expect that nobody regrets more the necessity of having had to resort to such extraordinary measures than the Government themselves and I believe that the ordinances will not be allowed to be in force a day longer than the time when the necessity for them is removed Government have thus a clear duty to perform and they will be ill-performing it if they show any slackness or weak-mindedness in the discharge of their duties It must be recognised at the same time that Government have shown ample proof of their sincere desire to push on the work of the Round Table Conference by setting up three different committees So, it is easier, for obvious reasons, for the Congress to make the first move to bring about a peaceful and calm atmosphere in the country than for the Government

Dr J ALBAN D'SOUZA (Bombay City, South) Mr President,——

Rao Bahadur S K BOLE *rose*

The Honourable the PRESIDENT Dr D'Souza has been allowed to speak, and he is in possession of the House I should point out that honourable members who wish to address the House must rise in their places every time the chance arises until they catch the eye of the President The Chair will not call upon them because they had risen several times before

Dr J ALBAN D'SOUZA Mr President, there cannot be a shadow of doubt that the motion tabled by my honourable friend Rao Bahadur Kale, which is now under discussion, is a highly praiseworthy and commendable effort at bringing about a conciliation between those who, at the bidding of His Majesty's Government, are now actively engaged in introducing a process of reforms with federation as the aim, based on the one hand on self-governing provinces and on the other on Indian States—between these and those who either by acts of indifference or positive negation seem, for reasons of their own, to be opposed to the process Sir, the principle of conciliation necessarily connotes the existence of at least two parties, and, further Sir, for any measure of success to be achieved by conciliation, the only earnest for it lies in genuine advances made by both parties towards one another, in other words, conciliation is based on the all-important principle of give and take Sir, my honourable friend Rao Bahadur Kale referred to the present political situation, and it is, I believe, the present political situation that has actuated him to put forward this effort to effect a conciliation. Before we get any further with the pros and cons of the

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necessity of bringing about this conciliation, as arising from the present political situation which, as I have indicated means a process of give and take, I feel it behoves us to search our consciences a little I propose to conduct this search of our consciences and particularly so, of that of my honourable friend Mr Petit by means of the following queries The first query is, what does India basically demand from His Majesty's Government ? The second is, what has India already received and is likely to receive at the hands of His Majesty's Government ? Thirdly, in the matter of the proposed conciliation, has the "give" portion, in the principle of give and take been complied with to a genuine and satisfactory extent by his Majesty's Government ? And, lastly, in the matter of the proposed conciliation, has the "give" portion been complied with to a genuine and satisfactory extent by India ? Sir, I request the House to bear with me for a few short minutes, while I search my conscience and the conscience of the honourable House with these queries

Sir, the first query is what is India's basic demand from His Majesty's Government ? Put briefly, succinctly yet comprehensively, I say, Sir that India rightly and legitimately demands a fuller share in the responsibility of her own government The second query is, what has India received so far ? I need not go into this question very minutely The very first bench on the official side indicates what has already been achieved Out of seven Members of Government only two are Europeans and five are Indians, that is, 72 8 per cent of the Members are Indian Further, Sir, as the Honourable the Home Member said in the course of his speech the other day, in the superior services, the ratio of Indians to Europeans is progressively on the increase in favour of Indians Coming now to consider what India can expect to receive in the near future——

Rao Bahadur R S ASAVALE On a point of order, Sir Are we discussing the question of the constitution now, or are we discussing the motion before the House ? Is the honourable member in order ?

The Honourable the PRESIDENT Has the honourable member anything to say in respect of the point of order ?

Dr J ALBAN D'SOUZA I wish to emphatically point out Sir, that the motion of my honourable friend the mover aims at a conciliation which as I have indicated involves the principle of give and take. I therefore submit, Sir, that the consideration of what has been given is perfectly justifiable and quite in order

The Honourable the PRESIDENT Ever since the discussion started, I have been pointing out to honourable members that they should speak within the scope of the motion But I think almost every speaker has digressed from the main point The honourable members should understand that the present proposal is to present an address to His Excellency to convene a conference to consider ways and means of bringing about reconciliation and of restoring peace in the country

Dr J ALBAN D'SOUZA Mr President, the idea underlying the motion is that of conciliation I therefore hope the House will consider it from the point of view I have mentioned To resume the line of my argument what may India expect in the near future from His Majesty's Government? In answer to this I will refer the honourable House to the statement made by the Prime Minister at the close of the second Round Table Conference on the 1st December 1931 There he has said

'The view of His Majesty's Government is that responsibility for the Government of India should be placed upon Legislatures, Central and Provincial, with such provisions as may be necessary to guarantee, during a period of transition, the observance of certain obligations and to meet other special circumstances, and also with such guarantees as are required by minorities to protect their political liberties and rights"

The Honourable the PRESIDENT That passage is irrelevant to the question at issue

Dr J ALBAN D'SOUZA Sir, as conciliation, involving a give and take, is concerned, what I wish to indicate is what His Majesty's Government has done, in the way of giving, by definite and decisive steps taken to meet the demands and wishes of India This, Sir, I believe, will give the honourable House an idea as to how to proceed in the matter of the suggested conciliation In his opening remarks the honourable mover actually suggested that a spirit of conciliation should prevail If the advances made on both sides justify it, conciliation will be possible I am trying to indicate that the spirit of conciliation is not going to prevail if all the "give" has got to be done on one side and a proportionate amount of "give" is not done on the other. I hope this will convince the honourable House that what I am saying is in perfect accordance with the principle directly concerned in the matter of the conciliation solution that has been suggested

Sir, one of the members on this side of the House doubted the sincerity of the advances made by His Majesty's Government I think there is all the genuineness and sincerity possible in the move made by His Majesty's Government We cannot get a better proof of this than in certain statements made by the Prime Minister and particularly in the statement which I have quoted——

The Honourable the PRESIDENT I must point out to the honourable member again that he is entirely digressing from the point. The question raised by the honourable mover of the motion is the situation that has arisen out of the issue of the ordinances by the Government of India, with which of course he would not deal, but since the application of certain sections of the ordinances to this Presidency has created that situation in this Presidency, one of the methods he suggests, to remedy that situation, is the holding of a conference That has been fully explained That is the issue before the House

Dr J. ALBAN D'SOUZA Since you have ruled it so I shall leave the subject of the spirit of conciliation and get on to the ordinances I heartily believe, Sir, that the ordinances both in their institution and in their application are the most hateable and sickening of processes.

[Dr J Alban D'Souza]

I must however say that inasmuch as these are a desperate remedy for a desperate disease and are not the result of ordinary ailments resulting from normal and legitimate demands they naturally fall outside the scope of the process of give and take the suggested conciliation calls for The reference made by my honourable friend the mover to a spirit of vindictiveness and of repression for repression's sake, therefore, does not arise I heartily agree with the view expressed by the Honourable the Home Member when he said that it is a case for propaganda, propaganda, and yet more propaganda. I believe that this will do it better than any conferences of the kind suggested by the honourable the mover We have had a number of such conferences in the past and we know that the results thereof have been very small I feel very strongly that it ought to be the earnest desire of each individual member of this honourable House, if he has any interest and stake in the land to do his best to create a public opinion in his constituency in favour of arriving at a friendly understanding between the several parties that are responsible for the present state of affairs

Rao Bahadur S K BOLE Sir, I also think, like the honourable member Sir Shah Nawáz Bhutto, that the present motion is unnecessary Sir, His Excellency the Governor is a shrewd statesman and he himself, without anybody asking him, held a conference of leaders in the city of Bombay Men of different shades of opinion were present there and His Excellency asked all of them to express their views I very well remember that His Excellency called out the name of the honourable mover Rao Bahadur Kale But he was conspicuous by his absence When an opportunity was offered to him, he failed to take advantage of it Now he has come before this House with his motion It is, I think, just after the fair

Now, the civil disobedience movement is not confined to this Presidency It is being carried on all over British India The ordinances also are not confined to Bombay Presidency, they are applicable to the whole of British India The ordinances were promulgated by the Government of India So the subject matter of the motion is an All-India affair I therefore think that instead of requesting His Excellency the Governor to convene a conference, the honourable member who moved this motion would have done better if he had requested His Excellency the Governor to convey to the Viceroy of India the recommendation of this Council to convene a conference of All-India leaders But he has not done that I had submitted an amendment to this effect; but that was disallowed on the ground that it would widen the scope of the motion I have, therefore, to oppose the motion, as I think it will serve no useful purpose

Now, I come to the question asked by the honourable member Mr Achrekar, as to who is responsible for the introduction of the reforms I may tell him that it is the Indian soldiers belonging to the backward and depressed classes and the Muhammadan and other martial communities

[Rao Bahadur S K Bole]

who fought on the battle-fields of Europe and Asia and shed their blood during the last war who are responsible for the introduction of the reforms which we are now working by entering this Council Sir, a large number of soldiers lost their lives on the battle-fields and the merchants and millowners hoarded wealth by making huge profits Therefore, they are quite safe in the civil disobedience movement It is the masses that are suffering on account of the civil disobedience movement

It is very risky to speak against the Congress [*An Honourable Member* Why ?] You may ask the millowners and merchants They know how risky it is They are so much afraid of the Congress ban Though they speak against the Congress in private, they dare not utter a single word against the Congress in public Some of the millowners may behave as if they were wolves towards their workmen, but in their behaviour towards the Congress, they are like meek lambs I admire the spirit and courage that is shown by my friend Dr Solanki in expressing boldly his views about the Congress He has rightly followed the advice given by our All-India leader, Sir A P Patro, who asked the public to come out boldly into the open in order to support Government to complete the work started by the Round Table Conference Sir, the Congress does not represent the masses It has done nothing for the backward and depressed classes On the contrary, it refused to help the backward and depressed classes to get freedom and equality in social matters Those classes, therefore, are against the Congress movement The civil disobedience movement started by the Congress is ruining the masses [*Interruption*] Therefore, if the honourable mover wants Government to remove the ordinances, he should first of all prevail upon the Congress leaders to abandon the civil disobedience movement and then only will there be the necessary peaceful atmosphere With these words, I oppose the motion

Mr L R GOKHALE (Poona City) Sir, the motion for an address to His Excellency the Governor is a very simple one, but I find various interpretations have been put on it Some of the honourable members have detected a personal element in the motion of the honourable member representing the University (Rao Bahadur Kale) I do not see anything personal in it which would lead us to believe that he wants to act the role of a peace-maker like Mr Jayakar or anybody else All that the motion suggests is that leaders *of all parties* in the Presidency should be asked to meet in a conference with a view to restore peaceful and calm atmosphere for the working of the new constitution I fail to see any personal element in it If anything, it is an attempt to bring together the various parties which had no opportunity to meet together for many days As a matter of fact, in this Council we see there is no representation of certain sections In this honourable House there are no representatives who can speak on behalf of the Congress movement It is all very well for some of us here to run down the Congress or to misrepresent the Congress or its motives or its working because it is safe here as there is no one to reply to that I am afraid also there is not one here——

An Honourable MEMBER You are one

Mr L R GOKHALE If I were a Congress representative, I would not have been within the precincts of this honourable House All those who are in this House are not representing the present Congress, otherwise we have no place in this honourable House

An Honourable MEMBER Are there not friends of the Congress in this House ?

Mr L R GOKHALE Yes, there are friends and there are enemies also. I know there are those who are its enemies in season and out of season, so, there are friends of the Congress, but that will not enable us to say that the Congress is represented here

Another element of the country is not represented here and that is the Indian mercantile community, I mean the native Indian community of merchants There is a representative of the European communities, there is a representative of a limited interest of the millowners, but the vast Indian commercial community has been for one reason or another kept out of this honourable House There are other interests also not represented, I mean the depressed classes not headed by Dr Ambedkar or the honourable the nominated member Dr Solanki Then again, the representatives of that minority of my Moslem brothers who do not see eye to eye with those who are present here, are not here These are some of the communities and some of the interests and some of the minorities who are not represented here

Rao Bahadur R S ASAVALE There are two elected members

Mr L R GOKHALE I know, but those who have been non-co-operating with the Council and the elections have not sought entrance in this honourable House and therefore they are not here The main object and the purpose of this motion is to bring together all those who are co-operating with Government and those who are not able to co-operate with Government It was suggested by the honourable member the representative of the European Chamber of Commerce that an amendment should be made in this resolution and a conference of the representative leaders of this House should be called by His Excellency I think there would be no particular advantage in having such a conference, in fact to make that amendment would be to lose the spirit and the purpose of this motion, Sir The object of this motion, as I say, is to bring together all those elements which have not been able to meet on a common platform for various reasons It was suggested just now that there was a conference called by His Excellency very recently and there representatives were called to meet and there my honourable friend Rao Bahadur Kale was conspicuous by his absence Why he absented himself is not a question for this House to consider, but at any rate that conference could not speak for all the parties That conference was of persons who were co-operators or members who previously were or now are members of this honourable House How could there be representation of those who were not in the Council in that conference ?

[Mr L R Gokhale]

The question raised by this debate is of great importance 'Is it or is it not necessary to make an attempt to restore peace and order in the country ?' If it is, what are the means of doing it and is not this suggested conference one of the very important means of achieving that object ? I find, Sir, all the speakers who have spoken on this debate have begun with paying a compliment to my honourable friend the mover of this motion by saying that his object is a very laudable one and they have also gone so far as to say that it is necessary to restore peace and order and to find out means for doing that Having said so much, I was surprised to find that for one reason or another representatives of the so-called minorities were slipping away from that position and advancing one reason or another why this resolution should not be supported. Having given the best thought and the most sympathetic thought to this trend of argument, I fail to see either the propriety or the logic of this statement that though the motion is such as should be accepted, yet it should not be voted for What is the meaning of it ? I for one fail to see its meaning or its logic If really all of us are serious and do believe that an honest attempt ought to be made, should not a chance be given for such an effort to be made under the auspices or under the aegis of His Excellency the Governor ? Suppose this motion is successfully accepted by this House and His Excellency is pleased to call a conference and if at that conference the Congress or the other elements which are not represented here refuse to come and associate with us, that will not cost us anything It is not a question of prestige, but on the other hand it will be clearly shown to the world outside that every effort was being made by Government and the co-operators with Government to approach an understanding and that they had put forward a hand which was refused by our friends of the Congress cult. I don't think it likely, but that will not in itself be a small advantage. Sir, I think I should not omit to say that the Congress is a real, patriotic, powerful element in the country Whether you speak of it as a disloyal movement or whether you speak of it as a movement of only the majority community or whether you speak of it as confined to interested persons in the country, all that talk will have no value when we see actual realities Go wherever you like in the country, go to any village, go round rural or urban areas of the Presidency and you will find that the Congress has taken a firm hold on the minds of all sections of the community, whether they are Mahomedans, whether they are Parsis, whether they are Hindus or whether they are Anglo-Indians. Everyone of the communities has been thinking that the Congress is certainly fighting honestly for the rights and privileges of the people No doubt, the methods may differ, but nobody can find fault with the Congress element and can honestly say that they are fighting for selfish interests It was for the first time, Sir, that I had the great pleasure and privilege of hearing that the Congress was dominated by persons who had personal motives in this struggle To go to jail, to suffer rigorous imprisonment, to be separated from their families, to be dragged away from their professions, to lose their

[Mr L. R Gokhale]

property acquired during a whole-lifetime, and then perhaps to be belaboured if there is a lathi charge, is this all selfishness ? Is this all personal interest ? Is this all an attempt to gain something for the individuals or the community ? I put it to every honest thinker about the question May be the Congress people have been led away or misguided in their ways of remonstrating or in their ways of fighting for the motherland, but that is no reason for running down the people in their motives, in their aspirations Has the Congress asked for any particular boon or a particular privilege for any certain privileged classes ? The Congress was started in 1885 Up to now it has been speaking in the name of the country I know that some of those honourable gentlemen who are sitting on the opposite benches at one time had great respect for the Congress movement and they had identified themselves with that movement heart and soul Can they really say that the Congress movement is either a sectional movement or an interested movement or a movement of persons with selfish, personal motives or for personal gains ? I appeal to the House to think about it Let us make an honest effort to meet those whom we call misguided and see whether we cannot sit round a table and hear each other and converse with each other and come to a solution of the difficulty which lies in their way of giving up the movement on which they have launched It is true that unless the ordinances are withdrawn or rather the application of the ordinances is removed, there cannot be a peaceful atmosphere, and it is equally true that unless the civil disobedience movement is brought to a stand-still, there cannot be a suitable atmosphere for a compromise, but how is that to be achieved ? Can it be achieved by sitting at the ends of the table or can it be achieved by one side being outside somewhere in the country and one being inside here in the Council ? Is that a method which would do ? I believe there is a concurrence, a strong united feeling, that some effort must be made to bring back a peaceful atmosphere in the country if the coming constitutional reform is to be worked satisfactorily to the benefit of all That is the feeling of every honest politically minded person But then the next question is, how that can be done Some of us are fighting shy of the opposition, are reluctant to meet face to face those who are our opponents, to meet those who are now our adversaries so to say, but I say, let us take a chance and come and meet together I do not think that those who are our friends and compatriots of some of us two or three or four years ago, are fools enough not to understand this properly They are patriotic men not thinking of personal and selfish advantages, they are intelligent, they are as much able to appreciate the benefits of the country as any one of us and its position We are not going to meet people who are mere school-boys or who are mere riff-raffs of the community We are going to ask leaders of the parties to meet together Is it possible to conceive that popular leaders, Government-side leaders, pro-Government leaders, pro-Mahomedan leaders, pro-majority leaders or all those leaders will sit together and confer together for a time for nothing, that it will be a mere

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wasted effort on our part or a mere waste of our energies or of our money ? That is the question that is before this honourable House, and really I think that question has been raised at a very opportune time and not a bit too late——

Rao Bahadur S N ANGADI Who will speak on behalf of the Congress ?

Mr L R GOKHALE That is really a relevant question, which is easily answered Once this Government decides on holding a conference of leaders of all parties, I know Government knows the ways and means of securing the presence of those very persons whose presence they may require Government certainly knows its mind, Government knows the leaders of various parties, and I for one would ask His Excellency to help us to get at the conference such leaders as can speak on behalf of the Congress party authoritatively I can appreciate the motives of those great men who have sacrificed everything for their country and I can also appreciate that those men are not now free men, but that does not mean that they shall not ever be free, that does not mean that Government will not allow them to come out of jail for all time and to confer with us, and that is the reason why I believe my honourable friend Rao Bahadur Kale comes forward with a prayer to His Excellency to hold such a conference I do not think either that the Government means to perpetuate these ordinances I do not believe it, I certainly cannot believe that the leaders of the Congress party do not know that civil disobedience is not a permanent measure for achieving freedom or for achieving political progress of our motherland Both parties to the dispute are wise enough to understand how far these things should continue and when they should cease I do believe that both of them have tried their strength sufficiently Government must have found by this time that dictators after dictators follow each other, no sooner the 22nd dictator is clapped in jail than the 23rd dictator steps into his place ; no sooner the 23rd dictator is put into prison than the 24th takes his place and so on, and the Congress Bulletins are being published notwithstanding all the long arms of the Government of Bombay Similarly, the Congress people, whatever some of them may say to the contrary, must have also seen that their activities have been sufficiently curbed and checked by the coercive measures which Government is taking and both parties must have known by this time just what has been gained and just what has been lost and both of them must now be thinking whether the time has not come for a compromise or for an understanding satisfactory to both parties concerned and in the interest of the mothercountry at large

The day before yesterday we were asked whether a battle was ever fought with gloves on My answer is definitely and positively "No" But I would ask another question "Was there ever a battle fought between a powerful, well-armed, violent party on one hand and a party which was unarmed, non-violent and non-resisting on the other ?" Have we ever heard of a battle in which one party is fighting with arms

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in its hand and the other is unarmed but ready to suffer and ready to give the other cheek if slapped on the one cheek, as Christ did ? Is that possible ? Is that war ? And if such a war is there, I do believe such a war ought to be fought with gloves on There ought to be sympathy, there ought to be fellow-feeling, there ought to be a humanitarian feeling, there ought to be right understanding I do not know whether it is really a war It is a misnomer to call this fight for freedom, as is being fought at the present time, a war It is a struggle between a people who are unarmed, non-violent—there may be exceptions but they do not form the rule—on the one hand and a powerful, well-armed, and where necessary a violent Government on the other, perhaps helped occasionally by those who think that there lies the salvation of their community in helping the Government against a people who are helpless so far as help can go This is the position Therefore, I put it, Sir, is it not necessary to carry on this war with sympathy, with gloves on ? You are not fighting an enemy, you are fighting your own people, who are fighting for their own freedom In fact, you are ready to give them that freedom You only say "Let us go, at this rate, at this particular pace" and they say "Let us go faster" Cannot a *via media* be found out as to at what pace they should go ? In order to do that, an effort is being made by my honourable friend Rao Bahadur Kale Should we say "All that you say is very good, all that you are speaking is certainly acceptable, but we do not think our interests require that we should support you, let us hold back from voting in favour of the motion" ? At this moment, if our interests require anything it is certainly the backing up of this motion and showing to the people outside that those who are co operating with Government are equally anxious to co-operate with those who are not with the Government to get a settlement and a happy solution of this difficult problem That is how I look at the motion

Of course, I never expected, Sir, that the debate on this motion would descend down in some cases certainly to some petty fights between community and community The high level of debate that was kept up in the first few speeches dwindled down to a level to which I certainly wish it had not gone down We are tackling a very serious problem in the life history of this great country, certainly of this great province of the country We are on the threshold of new Reforms We want to collect our forces together, to co-ordinate them, and to see if we cannot work these Reforms to mutual advantage and not to the disadvantage of a single community That is our purpose With that purpose at the back of his mind my honourable friend Rao Bahadur Kale has brought up this motion before the House Are we then to run it down, to belittle it, to say that the depressed classes will suffer, and the oppressed classes will have no relief, and the advanced classes will go forward and suppress further the oppressed and the depressed classes' so-called claims ? I can certainly assure honourable members that if they go round the country they will find that nine-tenths of the followers of the Congress do not belong to the advanced classes now The advanced classes form a small

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community numerically, and naturally the followers of the Congress are certainly the majority of the so-called backward classes and sometimes also from the depressed classes

Dr P G SOLANKI Question

Mr L R GOKHALE My honourable friend will ever be questioning He will even question, I am afraid, if the sun is shining If I were to say that the sun is shining, I am afraid he will say it is not shining I cannot help it But if my honourable friend accompanies me to places in the rural areas, I can give him facts, names, figures, which will prove who are the followers of the Congress, the advanced classes or the backward classes In a certain village there are 6 Brahmins and 606 non-Brahmins The 6 Brahmins who are there have joined the Congress, but out of the 606 non-Brahmins, I can say that more than 150 or 200 are in a sympathy with the Congress But apart from this, there is one other fact which has to be considered Scan very carefully the list of those who have invited upon themselves a jail life See how many of them belong to the forward classes and how many of them belong to the so-called backward classes I have scanned the figures, and I can satisfy my honourable friend Dr Solanki that he is certainly under a delusion Perhaps it suits his purpose to say that the depressed classes are not with the Congress But the fact is otherwise, they are with the Congress, and it is not to be wondered at The Congress is for the people, is asking for rights for the people It is very natural to be influenced by high promises, and the people think that the Congress is honest To them it appears very clear that the co-operators are with the Government and the non-co-operators are against the Government, and the people want to get something from the Government—rights for the people Is it very strange for those who have brains, for those who have heads on their shoulders to come to the understanding that those who are with the Government are pro-Government people and not so much for the country, and that those who are against the Government and who are in the jails, are for the country? It is not very strange My backward friends are human beings, with as much intelligence as other communities have We have lived among them, we have moved among them, and I can positively say that they really think that the salvation of the country is in the hands of the Congress And it is of course true that the Congress people have made sacrifices We are here driving in motor cars, we want good dresses and excellent food What of the Congress? The leader of the Congress we call a half-naked *fakir* What does it indicate? That indicates the way of thought of the Congress school I need not justify the way of Mahatma Gandhi, but I do not think it is not at all strange that the people in the villages are fascinated by the activities and work of the Congress people Sometimes there are misguided persons, I know it Sometimes there are people who proclaim lip non-violence, but they are one in a thousand Such cases may occur and do occur, but that is no reason why we should refuse to co-operate

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or invite the co-operation of those who are the most prominent patriotic people moving in the country and accepted as such by the country

So, I would only say that when this conference is called, if it is called at all, across the table a discussion may be really raised over certain questions which we have now discussed, for instance, the question of the minorities Really, if the minorities do believe that their interests are not being properly watched, that question can be discussed in that conference If there are others who really believe that their interests are not safe, can they not suggest ways and means how they can be safeguarded ?

An Honourable MEMBER We have suggested already.

Mr L R GOKHALE They have been suggested and, so far as reports go, they have been accepted But if there is a further occasion, why should you not take advantage of it ? I see, Sir, a peculiar mentality in not being ready to meet and face a conference like this If our cause is fair, honest and just, it will certainly meet with success On the other hand, if it is not fair, it may not meet with success What is wrong there in having such a conference ? I for one would really say that the minority communities should be the first to invite such a conference and be present at its sittings and discuss the various points We see the position to-day of our Parsi friends They are in a minority, they are an infinitesimal minority They have never said that they do not want to be represented on the conference I think it has been made sufficiently clear that the attitude of Parsis is one of favour for this motion I would certainly say that that should be the attitude of all parties concerned I would like to know what we are going to lose by having this conference. Shall we be going back ? Shall we be thrown back somewhere ? Nobody has been able to tell me exactly what is the loss in having this motion passed But what would be the gain, all know An honourable member says that it will be of no use I would like to ask, why ? Why will it not be of any use ? It really we meet together, will not the discussion bring out something ? We have a saying in Sanskrit which means " Out of discussion come truths." If two parties meet together and make an honest effort at understanding, the result is always a good understanding Instead of that we are trying to keep ourselves apart from one another We have here the Government benches I must admit they have expressed their sympathy for this motion They say they have sympathy, though they have gone further to say that they will not take part in the voting I for one should have expected the Government to be courageous enough, and if they really had sympathy for the motion, to vote for it Why should we try to please somebody else except ourselves ? If the Government benches really believe that this is a right motion, and should have their sympathy, is it not their duty to put their weight on its side ? Why should they say that they will not vote ? I do not think Government is afraid that because they may vote against a certain party to-day they will lose that party from their fold for ever I do not think it is

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likely ' Occasional votes do not disturb the relations that exist between the parties and their leaders I do really think that the Government would be well advised in coming out and voting with the people, according to their convictions If some of them think that the motion should not be accepted, let them oppose the motion On the other hand, let those who are in favour of it go and join the majority, which I hope there will be, for the motion But this attitude of lip sympathy without actual help is not such as can either be understood or appreciated

Sir, I find that one or two Congress Bulletins were read out here, and they were read out probably with a view to let the House know what is the trend of thought of the Congress people I believe no ghost is required to tell us what the mentality of the Congress people is, what boycott they advocate, what their feeling is towards the European mercantile community, and what their feeling is towards those who want to deal in foreign markets For this very reason it is, to convince the Congress people that the good of the country lies not in this direction of distrust but in the opposite direction, that we are going to have a conference called I should say these Bulletins are the best argument in favour of the motion being carried It is only to carry these men from the present path and bring them on to the right path that this motion has been put forward The Bulletins are evidence that there is active intelligence that is being bestowed upon these questions, and it is our responsibility to guide it into the right channels That is how I would look at the question of these Bulletins

I was told, Sir,—I was surprised to hear it—that it is the soldiers that have won the Reforms, not the Congress I do not know, but I do presume that those who say this have read the history of the Congress movement I do not want to remind the honourable member that Hume and Wedderbern among others started the Congress in 1885 It was afterwards supported by the country Some may say that the Congress has been progressing, others may say that it has been drifting I do not want to quarrel with either of them, but there is no doubt the Congress has been progressing, and the Reforms that we received after the War cannot be said to be the result of the War, so that the Indian soldier alone can claim the credit for it to himself It is very easy, once you do not want to give credit to the people who worked for it, to give it to others or to take it for one's self There is something wrong in making such a claim, and history cannot justify it It is nearly fifty years that the Congress has been working, lakhs and lakhs of rupees have been spent over the work of the Congress, Congress pandals from year to year have been packed up with 40,000 or 60,000 people Were they all Brahmins and people belonging to the forward classes? Was there no soldier in it? What is the idea of those who say that the Reforms are the outcome of the sacrifice of the Indian soldiers? Of course, the soldier did his duty, and his reward has been given to him The Congressman has been doing his duty, his reward must be given to

[Mr L R. Gokhale]

him To appropriate all that to one's self, and to deny a proper reward to the other party is not fair It is not true that the Congress has done nothing The declarations would not have been made but for the Congress

With these words, Sir, I say that this motion of my honourable friend should be accepted, and an honest effort should be made to see the happy result of the conference that is suggested in it

Rao Bahadur D. R PATIL I move the closure, Sir

The Honourable the PRESIDENT I accept the closure The honourable the mover

Rao Bahadur R R KALE (Bombay University) Sir, when I moved the motion, the Honourable the Home Member was pleased to get up and state the Government case I did not expect that the debate would take such a turn and in fact take such a long time of the House But at least we have the great benefit of the expression of views by various honourable members Even that is a gain to some extent In reply to the several criticisms that have been made, I should like to say a few words

The motion does not seem to have been properly understood Therefore it seems to me that there has been some misunderstanding about it First of all, in my opening speech, I made it clear that my first object in moving my motion was to see whether, after two months that the ordinances have been in operation, such a stage has arrived when Government might be in a position to bestow some thought on the question which has been raised, namely, whether the ordinances should be kept in full operation in the whole of the areas That was the point which I had made It seems to me that Government at the beginning may have been perhaps justified in fixing a day—the 4th or 5th of January—from which each of the ordinances should come into operation throughout this presidency After a lapse of certain time, is it not fair for them to consider whether the operation of the ordinance should continue in full force and in all parts of the country ? It has been stated by the Honourable the Home Member that the ordinances would not be kept for a day longer than necessary May I ask him whether it is the intention to keep them in force, all of them in all the places, just as they were brought into existence at one moment and in all places, and they were waiting for that moment, when they will do away with them ? Is it not possible for them to consider whether it is necessary to wait for that distant moment or to proceed to withdraw the ordinances from such areas and such places as, in my humble opinion, must have been in a position to show that the real effect of the ordinances in those areas has been adverse for an atmosphere of peace and calm ? That is one point which may be discussed in the conference There are two objects in my motion One is to consider ways and means to bring about peaceful atmosphere and the other is—for what ?—for assisting in framing a constitution—a work of the highest magnitude at the present moment.

[Rao Bahadur R R Kale]

I was surprised to see the honourable member Dr Solanki saying that they would not have been able to sit on the Franchise Committee, but for the ordinances I am afraid I cannot agree with his view If he and others of his persuasion believe that the absence of representation of other views is likely to make their task easy in the framing of the constitution, and also if he believes that the constitution can be framed in this manner in the absence of the co-operation of that vast politically-minded class, does he expect that such a constitution can possibly be worked ? May I ask him only this question ? Though he may find the task easy at the beginning, he must look ahead It is no good looking for the moment and saying we have a calm atmosphere and an *ex parte* does not matter On paper the constitution will look well but when put into force, are we again to rule the country by ordinance ? If certain honourable members entertain that view, they are welcome to do so But from my humble experience of public life for 40 or 50 years, I do feel, however much I may differ from those of the Congress persuasion, it will be extremely difficult to work a constitution, if it is meant really for the good of the people in general. That is the point which we have to consider I do sincerely believe that there are people even outside the Congress—I mentioned in the opening remarks several associations—who have not been able to bestow any thought, because their attention is distracted They have no rest, they are in a condition of restlessness and from the little I have been able to know from the inside and outside work in which I am engaged, they are altogether in a mood of despondency I mentioned the responsive co-operation party I expected that they would be coming to assist us and that at this time of difficulty and momentous importance they should take their part Do we find anything in the press, any suggestions as to the line of work on which this constitution making should proceed ? Everybody is afraid There is an atmosphere uncongenial for the expression of free opinion I think we cannot shut our eyes to the situation The press has been warned and security has been demanded Of course with regard to persons, they are arrested they are kept in jail up to the period allowed under the ordinance and are let off with a warning to give attendance in a police station up to June or July—give parole for any number of months up to 3rd July That shows the way in which Government seem to have made up their minds not to think of anything else but to continue the whole system of this ordinance in operation up to the full period

Ordinances are emergency measures It is admitted. It was stated by the honourable member Mr Winterbotham that there are ordinances in other countries, perhaps, more drastic I may draw his attention to the emergency measures that were passed in England in 1920 when there was a strike movement in England What is the procedure ? Any ordinance or order in Council can be promulgated, but before the expiry of seven days, the matter has to be placed before the Parliament, if it is in session, if not, a special session of the Parliament has to be called

[Rao Bahadur R R Kale]

and that order in Council or Ordinance has got to be placed for the sanction of the House There we see that that power is centred in the hands of the representatives of the people But here the ordinances are drafted by a judicial or legal Secretary of the Government I do not say that he should be blamed for it It is his duty But he is a Secretary of the Government which is not responsible If we take the instance of other countries, we will see that the ordinances are promulgated but they are operated upon in different ways And though there is a penalty provided, what is that penalty ? In the Emergency Powers Act it is provided

"Provided also that no such regulation shall make it an offence for any person or persons to take part in a strike, or peacefully to persuade any other person or persons to take part in a strike"

I may point out that here the people are arrested on suspicion, and they are asked to enter into a parole If they disobey the parole they are given rigorous imprisonment Here the civil disobedience is thus rather encouraged I am sure there has been no disobedience of the laws relating to forests or land revenue or anything in my part of the country But it is only the disobedience of the parole order My point is that people who are out to disobey may create an opportunity for them to disobey Because these are the directions under the ordinance that he must behave in a certain manner, that he must attend a police station, at a particular hour, and if a civil resister disobeys, he is stated to have committed an offence These are the only offences that are committed in the present regime There is no salt satyagraha, there is no forest satyagraha as we witnessed last year But here the only offence is that of disobeying a particular kind of order which I have mentioned My point is that, if those are the people who as I said are likely to be useful in the work of assisting and co-operating with Government in the matter of this reformed constitution, why not give an opportunity to them ? The first thing, therefore, as I said is to try to see if the ordinances could not be withdrawn in certain areas, if not in all, I do not say that they should be withdrawn from all places at once It is for the consideration of the Government if those leaders who are out of jail can be made available for this work Government might be in a position to ascertain whether the situation in certain parts of the country has not been such as not to require any longer the continuance of these ordinances

Secondly, the object is as has been stated by a number of honourable members of this House that, if possible why not seek the co operation of those who long for peace ? I said in the beginning of my speech that the leader of the Congress, as soon as he landed, expressed his desire which I quoted The honourable member Sir Shah Nawaz asks "What is the use ? We tried in India once and we tried in England a second time" That very leader has declared that he is quite willing to co-operate but there were certain reasons why he could not carry out his intention I referred to them in my opening speech The blame may be on both the sides After all, Mahatma Gandhi is a human being.

[Rao Bahadur R R Kale]

There have been some things which could not have been remedied Is it not possible again to try ? Should we be completely hopeless of improving the situation remembering that it was a ticklish cause, as I may call it, which broke the whole pact and rendered the situation as it is being experienced to-day After all, the refusal has something to do with it Cannot such an interview be granted even now ? As I said, we do not know the minds of the Congress people, but Government have every means of knowing it Let the public know the position It cannot be gainsaid that Pandit Malaviya did make out a case for reconsideration of the Government's decision in the rejoinder that he gave to the statement issued by Government It may be that a particular letter or message of the leader of the Congress may have a justification for His Excellency the Viceroy to take umbrage at Forgiveness is only a virtue in the weak, while in the strong it is an ornament, as the verse "*Kshamā Guno Ashaktānām Shaktānām Bhūshanam Kshama*" shows My honourable friend Rao Saheb Kulkarni is not here ; otherwise, he would have given the correct Sanskrit quotation, which I have translated But I think it is as I have quoted Forgiveness is a virtue in the weak, because he cannot fight , but if a strong man, who can punish, forgives, it will be an ornament to him Why not act in that spirit ? Where was the need for such hurry in precipitating matters and such haste in breaking off negotiations ? It has disturbed the whole atmosphere to attain which tremendous efforts were made by the late Viceroy, Lord Irwin , the partially done work of the Round Table Conference was left at that stage I feel it is essential in the framing of a constitution for this country that no effort should be spared to convene a conference of all leaders in the province By "leaders" I do not mean the people who are sitting here We are no leaders, I must confess Who is going to head us ? The Honourable the Home Member said that we members of the Council should go into the country and carry on propaganda We have attempted this, but who is going to listen to us or pay heed to us ?

The Honourable Sir RAFIUDDIN AHMAD *laughed*

Rao Bahadur R R KALE It is no use concealing facts , facts are facts The reason is obvious we have not been able to show as a result of our work in the Council that something has been done for the people Unless we can show something concrete to them, we cannot convince them That is the difficult and delicate position in which we are placed The honourable member Mr Winterbotham said that there were only two parties in the country, one the Congress and the other the Government [*Mr G L Winterbotham indicated dissent*] I thought that was the statement he made The state of having only two parties may come hereafter when responsible government comes in those in power will be one party and the rest the other party But at the present moment the situation is quite different As we all know, there have been other parties In countries where there is responsible government, there is a party in power and members of that party can go out and say to the

[Rao Bahadur R R Kale]

people, "Here are the measures which we have carried out and they are to your benefit" The position here is different There is suspicion about the way the reforms are being launched I ask the honourable member representing the Bombay Chamber of Commerce, when there is that suspicion that Government are only thinking of carrying out the minority pact that was arranged in England, if Government do that, is that likely to inspire the least confidence in any of the other electors? My honourable friend Mr Achrekar, who belongs to a backward class—I refer to him because if I say anything it may be misinterpreted—gave expression the other day to the feelings which actuate the Marathas and the villagers It is no use the honourable member, Rao Bahadur Bole and Dr Solanki, living in Bombay City, holding no elected seats, parading as the representatives of the people and stating what the sentiments of these people are.

Dr P G SOLANKI I represent the backward and depressed classes of Gujarat and Northern Division Though nominated, I am in no way less patriotic than the elected members parading as representatives of people

Rao Bahadur R R KALE I referred to Mr Achrekar as a representative of the Marathas However that may be, I have always been for placing the facts before Government Government must be put in possession of the facts as they exist in the country If we do that, then our duty is done

I would not take more time of this House I am certainly grateful to the Honourable the Home Member for the sympathetic reception he gave to the resolution He said that the ordinances were being worked with moderation and that he would look into the cases that might be brought to his notice It is the duty of this side of the House to take advantage of that and point out to him cases where injustice has been done I also thank him for his promise to remain neutral I would not blame him for that, because probably Government wants to know what the non-official opinion on this motion is Let us on a point like this be unanimous I know it may be said that time has passed, but it is not yet too late Let us do our duty I appeal to the House to pass my motion I have no particular interest to serve in this matter, but I do feel that we shall be failing in our duty if at this juncture we do not carry to Government the opinion of this House, namely, that there is a feeling outside which does count and we should try to take account of that and proceed accordingly

The Honourable Sir GHULAM HUSSAIN Mr President, I have heard the mover of the address and the other speakers with great interest I find, Sir, that there is great divergence of opinion in regard to this address In spite of these acute differences, I assure the honourable members of this House that no one wishes more fervently than Government that there should be a calm and peaceful atmosphere They desire so not only in connection with constitution-framing, but for all time

[Sir Ghulam Hussain]

At the same time, I must bring to the notice of the Honourable House that it is far from the truth that Government want to govern by ordinances The Honourable the Home Member the day before yesterday explained the various ordinances, their implications and how they are being worked, and he assured honourable members that the ordinances in this presidency were being worked with moderation and restraint He has heard all the criticisms that have been levelled against the working of the ordinances, and I am sure he will take into consideration all reasonable criticisms He has heard that in spite of the ordinances excesses are being committed by the Congress people and he will consider that question also

Sir, to my mind, this conference does not seem to be a remedy The British Government is committed to self-government for India the principle has been accepted once for all that we are to get responsibility in the centre and autonomy in the provinces The real work now is that everyone of us should see that these reforms are introduced as early as possible Then there will be absolutely no complaints about these ordinances Law and Order and Land Revenue, about which we have been hearing all these days, will be in charge of Ministers responsible to the legislature and the people, and then the drafting will be done by a Secretary who will be responsible to a Minister That is the real remedy for all these ills that we have been discussing for the last two days

Coming to the motion of my honourable friend, one of his objects was to consider the political situation——

Rao Bahadur R R KALE Ordinances also

The Honourable Sir GHULAM HUSSAIN ——and, therefore, he brought in the ordinances, if I rightly understood him He will pardon me if I say that there are acute differences about the ordinances in this Honourable House There were members who said that if Government did not continue these ordinances they would not be able to attend this Council.

Rao Bahadur R R KALE Only one member said that

The Honourable Sir GHULAM HUSSAIN There was another honourable member who said—I have taken down the very words—that there were places in the presidency where there was so much lawlessness that people thought that Government had ceased to exist I heard another honourable member saying that in spite of the ordinances the Congress is committing excesses and restraining people from carrying on their ordinary avocations

Rao Bahadur R R KALE Is that so in all places ?

The Honourable Sir GHULAM HUSSAIN Whether all or few, these are the facts that have been placed before this House by members as representative as the honourable mover of this address Therefore, Sir, I submit that there are acute differences about the ordinances and about the utility of this conference The honourable member wants all these

[Sir Ghulam Hussain]

difficulties solved by a conference of provincial leaders, I submit, Sir, that the honourable mover and other honourable members of this House are well aware that the civil disobedience movement is not a provincial movement, but an All-India movement The honourable mover will excuse me when I say that provincial leaders, however big they may be, cannot deal with this movement It is only All-India leaders that can deal with it Suppose we acceded to his request and we called such a conference, where is the guarantee that the decisions of the provincial leaders would be accepted by the All-India leaders ?

Rao Bahadur R R KALE There is Pandit Malaviya

The Honourable Sir GHULAM HUSSAIN He is not the only leader The honourable member himself admitted that there were other parties, the revolutionary party, the responsive co-operators who were nearly identifying themselves with the Liberal party to which the honourable member belongs I will draw the attention of the House to several other parties which he has not mentioned There are the Muhammadans who claim that they are a party by themselves There are the depressed classes who say they are a separate party, so also the Non-Brahmins who are a distinct party Now, Sir, if this question is dealt with by the provincial leaders, how are we going to have the revolutionary leaders here ? Will any honourable member advise Government how to invite the revolutionary leaders ?

Rao Bahadur R R KALE Not in this Presidency

The Honourable Sir GHULAM HUSSAIN But the movement is an All-India movement The peaceful atmosphere which is so necessary cannot be created unless all the leaders come and discuss the matter and find out ways and means

My honourable friend Mr Gokhale said that these provincial leaders may settle communal questions Even All-India leaders have failed to arrive at a satisfactory communal solution I was there where Mahatmaji himself was We did not succeed Much less will provincial leaders succeed in the solution of that question

Honourable members have noticed that this resolution has not had a good reception from a large section of the House The Muhammadan leaders opposed it, the depressed class leaders opposed it, and some of the Non-Brahmins also opposed it The honourable mover himself admitted that, though he is an elected member of this Council and leader of a party in this House, he has no influence outside I do not know whether the same can be said of the other leaders of parties That is not my concern

Rao Bahadur S K. BOLE Leaders of other parties have got followers, whilst this leader has no followers

The Honourable Sir GHULAM HUSSAIN But that is not my concern, Sir The honourable mover did not name any leaders who, in his opinion, should be invited to the conference He has thrown the whole burden of finding out the provincial leaders on Government The other day

[Sir Ghulam Hussain]

I was very much amused when my friend Sir Shah Nawaz gave an instance of a leader who was called to a similar conference at Government House At that time the leader told him that if he had his way, he would stop the civil disobedience movement by means of bullets, and to my honourable friend's regret, that very man was found denouncing Government for taking action against the Congress When we have leaders in the country who speak one thing at Government House and quite another thing outside, it becomes very difficult for Government to find out who are the real leaders The attitude of such leaders amounts to "hunting with the hound and running with the hare." There are leaders who cannot carry their parties with them, but in order to continue as leaders, consent to being led by their parties sometimes There are again other leaders who really carry influence with their party and can deliver the goods, but they are few and far between The honourable mover never suggested the names of any leaders in the event of Government deciding to convene a conference [*Interruption*] Everything must be known I just gave an instance of a leader who gave one opinion in a conference and just the contrary opinion outside it

Suppose we accede to the honourable member's request in spite of the wishes of a very large section of this House Suppose we go to the extent of displeasing the Muhammadan, European, Depressed Class and other parties Suppose we convene a conference The honourable member has not given any indication as to which leaders are to be invited. If we call a conference, the four or five important sections which I have just mentioned will not attend it What will be the result of the conference? Naturally, they will say that they are against the convening of such a conference and refuse to attend it It will be a leap in the dark, just to meet the wishes of one party May I enquire whether the honourable mover has consulted the leaders of other parties, whether he has ascertained if they will attend the conference if one is convened? I am afraid my honourable friend has not taken the trouble to consult honourable members of this House and their leaders, much less the trouble of consulting any one outside

These are the practical difficulties in the way of convening a conference as suggested. This civil disobedience movement is an All-India movement It ought, therefore, to be dealt with by All-India leaders. Even if we accede to his request, I am afraid there is no guarantee that the decision of the provincial leaders will be acceptable to the All-India leaders They will say, "You may discuss the situation in the Bombay Presidency We have nothing to do with it" That is not going to restore a calm and peaceful atmosphere in the country If we convene a conference, we will be displeasing a large section of this Honourable House, most of whom are elected members The honourable mover has heard their views Moreover, we do not know whether the leaders will attend the conference or not Honourable members will, therefore, realise the difficulties of Government We have to please the majority Even if we are prepared to displease the Muhammadan, European,

[Sir Ghulam Hussain]

Depressed class and other parties and convene a conference, is the honourable mover prepared to give us a guarantee that the other parties will participate in the conference? I admit that his object in bringing this resolution is most laudable It is a good intentioned resolution, but the honourable member must know that mere good intentions by themselves are of little or no value. We ought to deal with the question from the practical point of view I have placed these difficulties of Government before the honourable House. I now leave it entirely to the House to decide the question whether the conference is a practicable proposition and whether it is likely to serve any useful purpose

Mr A N SURVE On a point of information, Sir In the course of his speech, I heard the Honourable the Leader of the House to say these words: "There are the non-Brahmins who claim to be a party." May I just enquire whether, after 10 or 12 years' existence of the said party, he still doubts or disputes its existence?

The Honourable Sir GHULAM HUSSAIN I said that there does exist the non-Brahmin party It is the honourable mover who doubted it

Question put The House divided Ayes, 27; Noes, 29

Division No 3

Ayes.

ACHREKAR, Mr A B	KULKARNI, Rao Saheb P D
CHITALE, Rao Bahadur G K	MEHTA, Mr M H
COLLACO, Dr J A	MORE, Mr J G
DESAI, Mr H R	NAIK, Rao Bahadur B R
DHALUMAL LILARAM, Mr	NAVLE, Mr N E
DIXIT, Dr M K	PARULEKAR, Rao Bahadur L V
GANGOLI, Mr G S	PATIL, Rao Saheb V S
GILDER, Dr. M D	PETIT, Mr J B
GOKHALE, Mr L R	PRADHAN, Rao Bahadur G V
GOVER ROBA, Mr	SHAIKH ABDUL MAJID, Mr
JOG, Mr. V N	SURVE, Mr V A
KALE, Rao Bahadur R R.	TOLANI, Mr S-S.
KAMAT, Mr B S.	VAKIL, Mr PESTANSHAH N
KARBHARI, Mr M M	

Tellers for the Ayes Rao Bahadur G V PRADHAN and Mr G S GANGOLI

Noes

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur	MEHERBAKSH, Mr S
ALLANBAKSH, Khan Bahadur	MODI, Sardar Davar T. K.
BANGI, Mr A K J	OWEN, Mr A C.
BHUTTO, Sir SHAH NAWAZ	PATEL, Khan Bahadur A E
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN	RAHIMTOOLA, Mr HOOSENALLY M
BOLE, Rao Bahadur S K	RESALDAR, Mr A K
BULLOCKE, Mr A GREVILLE	SHAIK ABDUL AZIZ, Mr
COOPER, Khan Bahadur D. B	SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr
DESAI, Rao Saheb B G	SHINDE, Mr R B.
D'SOUZA, Dr J ALBAN	SINDHA, Mr. MADHAVSANG JORBHAI
GHULAM NABI SHAH, Khan Bahadur	SOLANKI, Dr P G.
JITEKAR, Mr HAJI IBRAHIM	SPENCE, Sir REGINALD
KADRI, Mr J S.	SYED MIRAN MAHOMED SHAH
KHUHRO, Khan Bahadur M A.	TALPUR, MIR BANDEH ALI KHAN
	WHITTEBOTHAM, Mr G L

Tellers for the Noes Mr SHAIKH ABDUL MAJID and Rao Bahadur S. K. BOLE.

(After recess)

BILL No XII OF 1931 (A BILL FURTHER TO AMEND THE BOMBAY MUNICIPAL BOROUGHS ACT, 1925)—First Reading—Rao Bahadur D R Patil

Rao Bahadur D R. PATIL (East Khandesh) Sir, I do not move this Bill in this session but will postpone it to the next session.

BILL No XXIV OF 1931 [A BILL FURTHER TO AMEND (SECTION 39 (1) OF) THE CITY OF BOMBAY MUNICIPAL ACT, 1888]—First Reading—Rao Bahadur S K Bole

The first reading was not moved, the honourable member Rao Bahadur Bole being absent

BILL No XXV OF 1931 [A BILL FURTHER TO AMEND (SCHEDULE B OF) THE CITY OF BOMBAY MUNICIPAL ACT, 1888]—First Reading—Rao Bahadur S K. Bole

The first reading was not moved, the honourable member Rao Bahadur Bole being absent

BILL No XXVII OF 1931 (A BILL FURTHER TO AMEND THE BOMBAY MUNICIPAL BOROUGHS ACT, 1925)—First Reading—Mr L R Gokhale

The first reading was not moved, the honourable member Mr Gokhale being absent

BILL No XXVIII OF 1931 (A BILL FURTHER TO AMEND THE BOMBAY CITY MUNICIPALITIES ACT, 1925)—First Reading—Mr. J G More.

The first reading was not moved, the honourable member Mr More being absent

BILL No XXXVII OF 1931 (A BILL FURTHER TO AMEND THE BOMBAY HEREDITARY OFFICES ACT, 1874)—First Reading—Mr H R Desai

Mr H R DESAI (Deccan Sardars, Inamdars and Landholders) Sir, I do not wish to move this Bill at this session

BILL No XXXVIII OF 1931 (A BILL TO REGULATE THE KEEPING OF ACCOUNTS OF CERTAIN TRANSACTIONS)—First Reading—Mr Syed Munawar

The first reading was not moved, the honourable member Mr Syed Munawar being absent

BILL No XXXIX OF 1931 (A BILL FURTHER TO AMEND THE PROVINCIAL SMALL CAUSE COURTS ACT, 1887, IN ITS APPLICATION TO THE PRESIDENCY OF BOMBAY)—First Reading—Mr L R Gokhale

Mr. L R GOKHALE (Poona City) Sir, I do not wish to move the Bill at this session.

BILL No. XL OF 1931 (A BILL FURTHER TO AMEND THE BOMBAY LAND REVENUE CODE, 1879).

First reading

Rao Bahadur D R PATIL (East Khandesh District) Sir, I beg to move the first reading of Bill No XL of 1931 (A Bill further to amend the Bombay Land Revenue Code, 1879) *

Sir, the object I have in view in moving for the first reading of this Bill is that in the interests of justice it is quite essential that when an appeal under the Land Revenue Code is decided, reasons for the decision should be given by the appellate authority Under the Code it is not obligatory upon the appellate authority to give any reasons for the decision of an appeal This amending Bill aims at making it obligatory upon an appellate authority to give reasons for any decision in the appeal.

Even under the Criminal Procedure Code reasons have to be given by the appellate authority and as section 209 of the Land Revenue Code stands the appellate authority is not bound to give any reasons for the decision in appeal My only object is that reasons should be stated whenever an appeal is to be decided With these words, I move that my Bill be read a first time

Bill read a first time

Question put, and agreed to

Second reading

Rao Bahadur D R PATIL Sir, I beg to move that Bill No XL of 1931 (A Bill further to amend the Bombay Land Revenue Code, 1879) be read a second time

Bill read a second time

Question put, and agreed to

Bill read clause by clause

Clause 1 (Short title) ordered to stand part of the Bill

Clause 2 (Amendment of section 209 of Bombay Act No V of 1879)—

In section 209 the following words "with reasons for the same" shall be added at the end of the words "appealed against"

The Honourable Mr W F HUDSON Sir, I beg to move the following amendments to clause No 2

For clause 2 of Bill No XL of 1931 (A Bill further to amend the Bombay Land Revenue Code, 1879), substitute the following —

In section 209 of the Bombay Land Revenue Code, 1879,

(1) after the word "may" where it occurs for the first time, the word "for reasons to be recorded in writing" shall be inserted, and

(2) the following proviso shall be added at the end, namely —

"Provided that it shall not be necessary for the appellate authority to record reasons in writing—

(*a*) when an appeal is dismissed summarily, or

(*b*) when the decision or order appealed from is itself a decision or order recorded in appeal, or

(*c*) when an appeal is made to the Governor in Council under section 204"

* Appendix 17

[Mr W F Hudson]

As regards these amendments, it will be observed that I have ventured practically to redraft the Bill because, as my honourable friend the mover will I think agree, his Bill did not exactly convey what he intended and the first part of my amendment merely elucidates what he did mean to convey, and I have ventured to put it into a more correct legal form

As regards the rest, I should like to tell the House that there has been a very considerable difference of opinion amongst experienced officers as to the desirability of this Bill being supported by Government, and it was only with considerable hesitation that I agreed to do so. Government can only agree to this Bill being passed if the rest of my amendment is accepted

First, the proviso is that it shall not be necessary for the appellate authority to record reasons in writing when an appeal is dismissed summarily As honourable members know, a summary dismissal of an appeal is a recognised part of our judicial procedure Section 421 of the Criminal Procedure Code says.—

"421 (1) On receiving the petition and copy under section 419 or section 420, the Appellate Court shall peruse the same, and, if it considers that there is no sufficient ground for interfering, it may dismiss the appeal summarily,

Provided that no appeal presented under section 419 shall be dismissed unless the appellant or his pleader has had a reasonable opportunity of being heard in support of the same.

(2) Before dismissing an appeal under this section, the Court may call for the record of the case, but shall not be bound to do so"

I think the House will agree that if the summary dismissal of an appeal is a recognised part of our judicial procedure, there is no reason why that procedure should not be permitted in the case of revenue appeals Honourable members will, I am sure, understand that revenue officers receive an enormous number of appeals Some of them require the most careful consideration, while others require practically no consideration at all, because they obviously are frivolous I will give an instance of the sort of appeal which I mean In certain parts of this Presidency, Government laid it down that for special reasons no land in a particular area was to be given out I need hardly say that that does not deter hundreds of applicants from applying for that land. Naturally, the officer, to whom the application is made, in carrying out the orders of Government, refuses to give that land and then the applicant not at all satisfied appeals That obviously is a case in which no further orders are required, and obviously there is no need for the appellate authority to do anything more than dismiss the appeal summarily If he had 20 pleaders before him and he himself thought that it was desirable that the land should be given out, nevertheless, by the executive order of Government, nothing can be done, and it would be quite impossible for our revenue officers to carry out their duties if they had to treat that as a serious appeal and write an order about it. Therefore, I think the House will agree with me that the right of summary dismissal must be permitted

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Then, secondly, when the decision or order appealed from is itself a decision or order recorded in appeal, here again it is an obvious waste of time for the appellate authority (he may be the Collector or the Commissioner, as the case may be) to have to record reasons as to why he supports or upholds the order of the officer below him When he does not support the order of the officer below him, I mean when he modifies or reverses it, he practically invariably writes an order explaining why he does so for the instruction and information of the officer below him, but when the case is a perfectly clear one, when the officer below has recorded his reasons for his decision, when he rejects the application, it is quite unnecessary to have those reasons recorded over again, and I do appeal to the House not to throw this burden upon our extremely hard-worked Commissioners I say that advisedly, because there was a time in this House when honourable members used to refer to Commissioners as post-offices—they are not post-offices, I can assure the House that they are very hard-worked officials—and the only result of having to record their reasons on hundreds and hundreds of appeals will be that the decisions on those appeals will be inevitably postponed to the great dissatisfaction of the appellants, who will gain nothing from the appellate court writing over again the reasons which have been already recorded by the authority below As I say, when the second appellate court disagrees with the first appellate court, the order will undoubtedly be explained and the reasons will be given, but when it is a case of merely agreeing with and supporting the officer below, it is a pure waste of time, paper and ink for the second appellate court to attempt to state the reasons

Thirdly, when an appeal is made to the Governor in Council under section 204, here I would appeal to the kindness of the House I have not handy any record of the number of appeals which come to Government, but they are a very large number, and I do not think that the House can expect Government to record its reasons in every case It never has been done, we have got along without it very well and I can only say, if the House insists on Government recording its reasons in every case in which it decides an appeal, that the Secretariat will be hopelessly over-worked Not only the Secretariat, but we know the honourable members on this bench in all probability are going to have a great deal more to do in future—possibly double the work they are doing now,—and I should, even under present conditions, find it extremely difficult, if not impossible, to have to record my reasons for my decision in every appeal which I dealt with If and when Government upset the order of the authority below, it quite frequently happens that they do record their reasons on the same ground as I have just mentioned, that is to say, that they wish the authority below to understand what it is, but when they are merely rejecting the appeal, then it is the purest waste of time for them to make any attempt to write a judgment which I understand my honourable friend the mover would like.

Having said so much, I want the House clearly to understand that this Bill, which as I say I accept with very great hesitation, is going to do

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two things First it is going to give our revenue officers a good deal more work than they have had in the past because it is one thing making up your mind clearly about a certain case and quite another recording your reasons for it—it means four or five times as much work as is usually involved in the disposal of an appeal when you have to record your reasons fairly on the whole case, and secondly it is going to lead to inevitable delay in decisions on those cases A Revenue officer reads the papers and makes up his mind as to his decision But he has got to record his reasons, and as this takes some time, he puts aside the papers Then something more urgent comes along which takes up his attention, and in this way the matter is delayed Instead of saying "Appeal rejected", if I have got to state my reasons for it, there is going to be inevitable delay However, in spite of that, if the House thinks that this is a sound provision—I feel grave doubts about it—Government will not oppose this Bill, provided this amendment is accepted

Amendment proposed

Mr L R GOKHALE Would not the Honourable the Revenue Member like to drop (*b*) of the proviso ?

The Honourable Mr W F HUDSON No, Sir I am afraid I cannot drop it I regard it in some ways as the most important part of the Bill The appellate court is nearly always going to be the Commissioner, and I think it is quite unnecessary, when the Collector has recorded his reasons, that the Commissioner should record them again I would point out to the honourable member that when the Commissioner differs from the Collector, he does at present almost invariably record his reasons. There will be no change in the existing practice in that respect What I do not want the Commissioner to do is to record his reasons when he upholds the order of the Collector

Mr V N JOG When the appeal is to be dismissed summarily, will an opportunity be given to the appellant to be heard ?

The Honourable Mr W F HUDSON Yes Of course, the appellant is always given an opportunity of being heard

Mr V N JOG There must be a proviso to that effect

The Honourable Mr W F HUDSON Not by pleader In a Revenue court, as the honourable member must be aware, the appellant is always given the opportunity of appearing in person and presenting his petition The practice at present is for the appellant to walk into the office and present his petition There is no change in that respect He is not allowed to be represented by a pleader, and we are not discussing that question at the moment

Rao Bahadur D R PATIL Sir, I have heard the speech of the Honourable the Revenue Member, and I think I should accept his amendment Therefore, Sir, I accept the amendment

Amendment put, and agreed to

Clause 2, as amended, ordered to stand part of the Bill

The preamble ordered to stand part of the Bill

Rao Bahadur D R PATIL Mr President, I beg your permission to move the third reading of the Bill

Third reading

The Honourable the PRESIDENT As regards the third reading of the Bill, the Remembrancer of Legal Affairs has certain verbal amendments to move, which are not yet ready The Bill may be taken up for the third reading to-morrow

The following Bills, for the first reading, were not taken up owing to the absence of the honourable members concerned —

BILL No XLI OF 1931 (A BILL FURTHER TO AMEND THE SIND INCUMBERED ESTATES ACT, 1896)—Khan Bahadur M A Khuhro

BILL No XLII OF 1931 (A BILL FURTHER TO AMEND THE BOMBAY PUBLIC CONVEYANCES ACT, 1920)—Mr A K Resaldar

BILL No XLIII OF 1931 (A BILL FURTHER TO AMEND THE BOMBAY PRIMARY EDUCATION ACT, 1923)—Mr R R Bakhale

BILL No XLIV OF 1931 (A BILL TO AMEND THE CITY OF BOMBAY PRIMARY EDUCATION ACT, 1920)—Mr R R Bakhale

A BILL FURTHER TO AMEND THE DECCAN AGRICULTURISTS' RELIEF ACT

Mr L R GOKHALE Sir, I ask for leave of the House to introduce a Bill further to amend the Deccan Agriculturists' Relief Act, 1879

Question put and leave granted

Mr L R GOKHALE Sir, I introduce the Bill

The Honourable the PRESIDENT The Bill is introduced

A BILL FURTHER TO AMEND SECTION 16 OF THE CITY OF BOMBAY MUNICIPAL ACT.

Rao Bahadur S K BOLE Sir, I beg leave of the House to introduce a Bill further to amend section 16 of the City of Bombay Municipal Act, 1888 This Bill seeks, on the lines of the District Municipal Act and the Municipal Boroughs Act, to amend section 16 of the City of Bombay Municipal Act, in order to disqualify members of the Municipal Corporation who are in arrears of municipal dues and taxes

Question put and leave granted

Rao Bahadur S K BOLE Sir, I beg to introduce the Bill

The Honourable the PRESIDENT The Bill is introduced

A BILL FURTHER TO AMEND THE BOMBAY UNIVERSITY ACT.

Rao Bahadur R R KALE (Bombay University) Sir, I beg leave of the House to introduce a Bill further to amend the Bombay University Act, 1928 The amendments which I have sought to make in the Act are due to the fact that the Act is new and it has been found that there are difficulties in its administration Consequently, the occasion has arisen for introducing the changes The matter was considered by the

[Rao Bahadur R R Kale]

Senate and the opinion of the Senate was that these amendments were necessary Hence, in order to give effect to those recommendations, I have brought up the Bill

Question put, and leave granted

Rao Bahadur R R KALE Sir, I introduce the Bill

The Honourable the PRESIDENT The Bill is introduced

A BILL FURTHER TO AMEND THE DECCAN AGRICULTURISTS' RELIEF ACT.

Rao Bahadur R R KALE Sir, I beg leave of the House to introduce a Bill further to amend the Deccan Agriculturists' Relief Act, 1879 The object of the Bill is to extend the area of the jurisdiction of the village munsiffs At present the village munsiffs entertain suits of a small nature when the place is situated within 2 miles In view of the motor and other traffic facilities, it is thought necessary that the limit should be extended to, say, 5 miles, and the object of the Bill is to make the necessary amendment

Question put, and leave granted

Rao Bahadur R R KALE Sir, I introduce the Bill.

The Honourable the PRESIDENT The Bill is introduced

A BILL FURTHER TO AMEND THE BOMBAY VILLAGE POLICE ACT.

Mr A N SURVE (Bombay City, North) Sir, I beg to move for leave to introduce a Bill further to amend the Bombay Village Police Act, 1867 Under sections 14, 15 and 16 of the Act the village police patil is invested with power to try certain offences, and under section 17 the proceedings are to be oral Sir, this is a very ancient Act It was passed as far back as in 1867. Therefore, I seek to bring it up to modern requirements. The Bill seeks to give an option to the person charged to have his case tried by a Magistrate, and also to have the proceedings recorded in writing if he so chooses

Question put, and leave granted

Mr A N SURVE Sir, I introduce the Bill

The Honourable the PRESIDENT The Bill is introduced

A BILL FURTHER TO AMEND THE BOMBAY PREVENTION OF GAMBLING ACT

Mr L R GOKHALE (Poona City) Sir, I beg to move for leave to introduce a Bill further to amend the Bombay Prevention of Gambling Act, 1887 The object of the Bill is as far as possible to confine betting at the race course to certain persons

Question put and leave granted

Mr L R GOKHALE Sir, I introduce the Bill

The Honourable the PRESIDENT The Bill is introduced

A BILL FURTHER TO AMEND THE BOMBAY CITY MUNICIPALITIES ACT.

Rao Bahadur D R PATIL (East Khandesh District) Sir, I ask for leave of the House to introduce a Bill further to amend the Bombay City Municipalities Act, being Bombay Act No XVIII of 1925

Sir, in introducing the Bill I wish to inform honourable members that it seeks to add the following proviso to section 18

"Provided that when such a fresh election has to be made it shall be held after the expiry of the term of office of a President or Vice President"

I have given sufficient reasons in the Statement of Objects and Reasons

The Honourable the PRESIDENT The honourable member can give the reasons and not refer to the Statement of Objects and Reasons, as it is not yet before honourable members

Rao Bahadur D R PATIL Sir, the object of the Bill is this Sometimes it so happens that before the period of the office of a president expires, he calls a meeting for a fresh election of a president That has actually happened in the city municipality of Bhusawal Therefore I want to introduce the Bill with the object that no president should be allowed to call a meeting for the election of a president unless and until the period of his office expires

Question put, and leave granted

Rao Bahadur D R PATIL Sir, I introduce the Bill

The Honourable the PRESIDENT The Bill is introduced

A BILL FURTHER TO AMEND THE DECCAN AGRICULTURISTS' RELIEF ACT.

Rao Saheb P D KULKARNI (Poona District) Sir, I beg leave of the House to introduce a Bill further to amend the Deccan Agriculturists' Relief Act, Act No XVII of 1879 The object of this Bill is this Section 13 (c) not having been expressly repealed is not affected by the repeal of 257A of the Civil Procedure Code, 1882, by the amending Act of 1908 Therefore, in taking accounts under the said section any amount in excess of the judgment-debt, which the debtor has agreed to pay, may not be debited to him, without the previous sanction of the court which passed the decree The authority investing the court with the power has been repealed by the amendment In order to remove the difficulties experienced both by the courts and parties, I have moved this amending Bill, for the introduction of which I hope the House will grant me leave

Question put, and leave granted

Rao Saheb P D KULKARNI I introduce the Bill

The Honourable the PRESIDENT The Bill is introduced

A BILL FURTHER TO AMEND THE CITY OF BOMBAY MUNICIPAL ACT.

Mr A N SURVE (Bombay City, North) Sir, I beg to move for leave of the House to introduce a Bill further to amend the City of Bombay Municipal Act, 1888 In the District Municipal and in the Municipal Boroughs Act, there is a provision by which members of the municipality who are in arrears of taxes payable to the municipality become disqualified to continue to be members of that particular body In the City of Bombay Municipal Act, there is no such provision Of late, it has come to light that several members of the Bombay City Municipality are indebted to the municipality in respect of taxes In order to bring the provisions in this Act in a line with those of the other municipal Acts in force in the presidency I have brought forward this amending Bill

Question put, and leave granted

Mr A N SURVE I introduce the Bill

The Honourable the PRESIDENT The Bill is introduced

DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST.

The Honourable the PRESIDENT The first resolution is of the honourable member Rao Bahadur Patil, which was part-discussed. I shall read out the resolution for the information of the House

"This Council recommends to His Excellency the Governor in Council that he be pleased to convey to the Secretary of State for India and His Majesty's Government in England through His Excellency the Governor General in Council that it is the emphatic opinion of the Bombay Legislative Council that in the contemplated revision of the Government of India Act by the British Parliament after the deliberations of the Round Table Conference are over, due provision be made for adequate representation of the rural areas on the Local Legislature of the Province of Bombay and that the rural franchise be so lowered and the number of seats for the constituencies be so increased as to carry out the aforesaid objects."

Rao Bahadur R R KALE (Bombay University) Sir, this resolution and the recommendation which it seeks to make is, if I may use a legal expression, *sub judice* I do not say that in the strict meaning of the expression The matter is under investigation and certainly a resolution of this kind, if passed, may be forwarded to the committee, which will consider it and give it due weight as a resolution passed by this Council. I think the intention is to secure adequate representation of the rural areas I think that a resolution of this kind might strengthen the hands of those who wish that adequate representation should depend upon the population of the rural areas If the franchise is lowered, as I hope it will be, the number of seats also will have to be increased I hope that this resolution will be supported and carried by this Council

Rao Bahadur R S ASAVALE (Bombay City, North) Sir, I rise to support the motion with one object only The recommendation made by the honourable mover is no doubt a laudable one It is the intention of even the Prime Minister as well as the British Government and also of the Government of India that the franchise should be lowered.

[Rao Bahadur R S Asavale]

If I mistake not, even the Leader of the Congress, Mahatma Gandhi, has mentioned in the Round Table Conference that the franchise should be so lowered that it should go to the masses themselves, and that they should have the real voice in the administration of the country Therefore, with this object in view, I hope this honourable House will accept the resolution unanimously, so that the hands of the representatives at the Round Table Conference will be strengthened to demand the franchise that is really needed in this country, as also the number of seats should be increased in the rural areas specially in order to safeguard the interests of the agriculturists and the masses With these few words I support the resolution.

Mr J B PETIT (Bombay Millowners' Association) Mr President, I should like to bring one important consideration to the notice of this House, and that is, that in giving its support to this proposal, regard must be paid to the interpretation that is likely to be placed on the expressions "due provision" and "adequate," which occur in the concluding portion of the resolution under discussion. Nobody denies, Sir, that the rural areas should have proper representation in the Council. Nobody also wishes that the urban areas should have a preponderance over the rural areas But, Sir, we cannot possibly ignore the important fact that illiteracy is very largely prevalent in our province, in common with the rest of the country, and that it is more marked in the rural than in the urban areas It must always therefore be a very important factor in the decision of such questions, and I want this honourable House to bear this fact in mind I submit that in our zeal to give to the rural areas a very large representation, or even one in proportion to their population, we must not lose sight of the risk of thereby appreciably reducing the level of the Council I am one of those who cannot see much sense in enfranchising an unduly large number of people, without regard to their capacity to use the vote properly I am emphatically of opinion that our main object should be to enfranchise as many educated people as possible, or at least as many as can intelligently exercise their vote and realise their responsibility in the matter If this point is borne in mind, I do not believe that honourable members who have the ultimate good of the country at heart will be over-enthusiastic in giving the franchise, merely for the sake of giving it, to everybody in the province, and particularly in the rural areas where illiteracy is more pronounced, without reference to his educational qualifications or at least his capacity to weigh and appreciate the value of the vote If I am not divulging a secret, it is under contemplation that the present qualification should be so extended as to enfranchise at least 10 to 12 per cent of the total adult population. It is clear therefore to my mind that a very large section of the inhabitants of all the important districts of the presidency, including the rural areas, may confidently look forward to being adequately enfranchised at a very early date I think this proposal goes far enough already, and any extension beyond this ratio, would, in my opinion, be exceedingly dangerous, having regard to the present condition of the country I think that those who allow

[Mr J B Petit]

themselves to be led away by the fetish of wholesale enfranchisement, ignore the fact that the competence and the stability of the future Council are of greater value and will count more in the good government of the country than the mere number of voters who will have the right to send representatives to the Legislature It is, therefore that I would request this honourable House to pause and consider carefully what the exact significance of the question is, that it is being now called upon to decide If it is the opinion of this House that the expressions "due provision" and "adequate" mean the enfranchisement of the people of the rural areas to such an extent as is adequate to their literacy or their sense of responsibility, I have not a word to say against the proposal But if by these expressions is meant the enfranchisement of the entire adult section of the rural classes, then I for one would ask this honourable House to hesitate and not to take a precipitate step of this character I think we are all apt to exaggerate the value of enfranchising as large a number of people as possible on the purely imaginary assumption that the number of those enfranchised should bear some respectable and fixed proportion to the total population, both in the rural and urban areas equally, as though there was something very wicked or reprehensible in having a small but competent electorate, even with some inevitable disparity between the voting strength of the respective areas

I beseech honourable members of this House not to attach any undue importance to such sentimental arguments, but to act with one and only one object in view, namely, the good of the people Our aim should be to so devise the franchise as to ensure the election of a House, which may be representative in its character, responsible in its nature, stable in its constitution and comprehensive in its scope It is for this honourable House to consider and decide for itself, how to bring about such a result in the present condition of the province I have no doubt in my mind that it cannot certainly be done by a headlong and reckless lowering of the franchise, and making it applicable even to people who have no conception of the duties and responsibilities entailed thereby. I submit that in our desire to enfranchise a very large number of people, we ought not to run the risk of electing a House which may be neither responsible nor stable, and which may therefore be open to the danger of being handled and manipulated by designing and unscrupulous people for personal aggrandisement and for the creation of a state of affairs, wholly inconsistent with the best interests of the province As I have already said before, no useful purpose will therefore be served by the acceptance of this resolution by this honourable House, first, because more than 10 per cent of the total adult population is going to be enfranchised almost immediately—which in my opinion is quite adequate for our present requirements,—and secondly because, this resolution, if passed, is likely to be construed as a desire on the part of this House—which I believe does not exist—to enfranchise an unlimited number of people on the population basis, without any reference to their qualifications Under these circumstances, I hope that this House will not accept it

Mr L R GOKHALE (Poona City) Sir, I support the resolution with great pleasure. One reason for my doing so is that the resolution is a pious wish without any definite expression of any particular view I do not find that the resolution gives any idea as to what is due provision and what is adequate representation I think these are pious wishes that justice should prevail everywhere, that there should be no injustice, and that all should be treated equally So, I do not think there is any reason for any one to oppose the resolution We cannot, however, intelligently support it until some idea is given to us as to what is meant by due provision and adequate representation If the rural franchise is to be lowered, one thought that I want to express about it is this that no unnecessary distinction should be made in giving the franchise, no idea should be entertained as regards caste, race or creed It should be open to all above the age of 21 years, provided they satisfy certain qualifications In short, I would expect that there should be uniformity in the franchise and if that uniformity is observed, then I believe it is reasonable to expect that there would be no undue representation of any section or community. It is essential that all interests should be represented adequately.

The second question that arises is this what should be the qualification for the franchise, whether it should be adult franchise which we once tried to give to Bombay City for municipal purposes, or whether the franchise should be limited to property qualification, literacy or any other qualification I think the literacy test is the best test that can be made applicable in giving the vote It is very difficult, however, in India, under the present circumstances, to lay down that, unless a certain individual is literate he should not be allowed to vote If that rule is laid down, I think in the rural areas it will be very difficult to get a sufficient number of voters to go to the polling booth on the election day. Owing to want of funds, we have not been able to introduce compulsory primary education. I am sure this is due to want of funds and not to any neglect on the part of the Minister for Education [*Honourable Members. Hear, hear*] But the fact remains that we have no money to give compulsory primary education And so long as it is not there, the test of literacy cannot be made applicable That being so, what should be the other test? We have rent and property test My idea is that rent should not be a qualification Ownership of property alone should be the test and not the rental We find in a number of places that tenants are given the vote To my mind in the rural areas only the landlords should be entitled to vote and not the tenants who cultivate the lands for them, because the tenant is not a free agent to exercise the right of vote A person may have twenty tenants under him each paying ten rupees as rent That is a point that also is worth consideration Considering all these points, adequate representation should be given. The honourable mover of the resolution has not told us what should be the number for a district In Poona district, the population is 1,169,000, out of that 256,000 is the urban population

Rao Bahadur R S ASAVALE On a point of information, Sir The honourable member himself had moved an amendment to introduce adult franchise Now, he says that only property holders should be enfranchised He is contradicting himself

Mr L R GOKHALE I thank the Rao Bahadur for reminding me of what I have done But I myself began my speech with a reference to that amendment But as we are not now going to get adult franchise, as I am forced to make a selection, I think we should have some guiding principle I should have been glad if the honourable member Rao Bahadur Patil had moved a resolution for universal adult franchise in rural areas and urban areas

Rao Bahadur R S ASAVALE We want it

Mr L R GOKHALE You did not move it As it is, I have to make a selection I take as an illustration the Poona district Poona District has an urban population of 256,000 and a rural population of 913,000 To give adequate representation to these 913,000, how many representatives should be given to Poona District (Rural) is a question for consideration I should think that if they get something like five to seven representatives——

An Honourable MEMBER Modest

Mr L R GOKHALE I am always modest If these nine lakhs have five to seven representatives, or at the rate of one member for every lakh and a half or two lakhs of the population, that will be adequate representation There should be at least five representatives for the rural population and two representatives for the City I would also suggest that the number of voters in the cities should not be smaller than the number of voters in the rural areas They should not be enrolled on the same plan I have given this only as an illustration of what I consider should be the number of representatives for the presidency and Sind I think that the number of members for a district or city should depend upon the population figures I have given an idea of what I think will be adequate representation With these words, I support this resolution

Rao Bahadur G K CHITALE (Ahmednagar District) Mr President, this resolution was moved and discussed partly by the honourable mover during the last session at Poona What he said then appears to have been forgotten by many of the members of this House Much water has flown under the bridges since then It appears to have been surmised that the resolution is intended to express only pious wishes I am afraid that the real motive behind the resolution is not clearly understood and properly appreciated I believe I will not be far wrong if I suggest that the motive uppermost in the mind of the honourable mover is to put forcibly the case of the rural people in connection with the framing of the constitution that is going shortly to be put on the statute book He wants to emphasize the point that the number of seats should be increased so that the object of proper

[Rao Bahadur G K Chitale]

representation of rural interests may be achieved It is no doubt a fact, and a fact to be regretted, that in the appointment of the Franchise Committee which has been sitting, this House was not taken into confidence This House as a House had no voice None of its members has gone before the Committee and given evidence on behalf of the House on the points which are under enquiry From my point of view, that is a matter to be regretted It is to be regretted the more, because the House was not only not taken into confidence, but so far as I remember, even the questionnaire was not sent to any of the members of this Council as M L Cs I think I ought to bring this point to the notice of this House, and I will be perfectly within my limits in making a grievance of it This House at present is the representative of all the interests and possesses the powers of legislation The first step in the long strides that are being taken now is that of franchise Now, this House has been functioning for the last 10 years on the existing franchise Therefore, it is only members of this House who are competent to say how and in what measure the people have been enfranchised, how polling stations are run, what difficulties are experienced both by the candidate and by the voters, and so on Two or three members of this House would have been very valuable witnesses and would have stood the cross-examination of the Committee very well, in fact better than the witnesses that have been so far called

Mr C W A TURNER On a point of explanation, Sir The questionnaire of the Franchise Committee was published by the Director of Information asking anybody who wished to submit their views to the Committee to do so It was open to any member of this House, therefore, to ask for a copy of the questionnaire and a copy of the questionnaire would at once have been supplied to him. His reply would, of course, have been considered by the Provincial Franchise Committee and in all probability forwarded to the All-India Franchise Committee

The Honourable the PRESIDENT That is not the question raised by the honourable member He does not deny that it was published In fact some honourable members have received the questionnaire and have sent in their replies and probably have been called as witnesses, but not in their capacity as members of this House—not as its representatives What the honourable member is making a grievance of is that this Council, as a Council representing the Presidency, should have been honoured or invited and that the questionnaire should have been sent officially to the House, calling upon it as a body to tender views That is the point he is making

Rao Bahadur G K CHITALE Exactly, that is my point What I do say is this that this House has been treated with very scant courtesy, scant courtesy in this way, that on a matter of such importance as the widening of franchise, the wishes of this House as a House are not before the Franchise Committee, either the local committee or the

[Rao Bahadur G K Chitale]

Central Committee I believe it is a mistake which Government themselves will feel later on when they find that proper material which this House would have liked to put impartially before the Committee, is not in the possession of the Committee Let me say that such opportunities are very rare and if the Government do not give this House an opportunity of saying what it wants to say on a matter concerning its own vital interests, I do not know what impression the acceptance of this resolution will make on the mind of Government It is therefore necessary to speak rather at some length on the points involved in this resolution, because it is necessary that our views should be placed before the Committee, and I think that instead of withdrawing this resolution, the honourable mover will do well to persist in taking it to a division The position is this I do not wish to emphasize the interests of rural vs urban constituencies I do not wish to emphasize the difficulties of representing the rural interests which deserve to be represented in the future Council I do not wish to state the reasons They are all well-known But I must say that so far as this Presidency is concerned, it is one of the most prominent Governor's provinces We have a special claim not only for better treatment, but for more liberal treatment and that liberal treatment must be shown on this question of franchise It is understood, Sir, that the minimum enfranchisement of the people would be on the basis of a representative for one lakh of people I think the Government and this House will do well in having that ideal before them The ideal is 1 lakh of people to be represented by one member. As the present population, according to the 1931 census, is found to be 21,800,000, it might be agreed that the recommendation on this point should be that the Council should consist of not less than 220 members representing the people, apart from special interests That is the view which I wish to put forward, namely, that our ideal should be to have a Council of 220 members representing the people—urban and rural—as contra-distinguished from special interests such as the University, trade, millowners, and so on Including the representatives of those interests and such other interests that the Government might wish to represent in the Council, the strength of the future Council should then not be less than 250 That will be an ideal Council, representing all the interests in the Presidency I am putting forward this view, because Government is trying to suggest as low a number as possible and I think that this Presidency will not be satisfied with a smaller number than the one I have suggested. If that is the deliberate opinion of this House, it will do well to pronounce it now I do not wish to be quite emphatic about it, but that is one of the views which ought to be put before Government

If that position is accepted, as it has been accepted by the National Congress, then the next question to be decided is what should be the first step in the enfranchisement of the people ? As far as we know from the deliberations of the Committee, it is intended to enfranchise the people to the extent of 10 per cent. of the total population The

[Rao Bahadur G K Chitale]

question is whether this House will be satisfied with the 10 per cent enfranchisement ' In order that I may not get the same rebuke from my honourable friend Rao Bahadur Asavale that I am going back on my ideal of adult franchise, let me tell him that I do stand for the ideal of adult franchise That is the only logical method resorted to by all civilised nations in framing their constitutions It is no use telling us in the 20th century that other countries like England have taken at least 80 years to attain that ideal The world has gone far ahead The world has moved so rapidly that it is impossible to argue that this particular step should not be taken because India is a backward country and that there should be a period of 100 years before she can reach that standard Let me say at once that if it is intended to wait for 100 years before adopting adult franchise, I have no patience Adult franchise is the only logical evolution if you do not want any revolution And adult franchise must be adopted without communal electorates You may say that the present times are not suitable But the House will certainly be right and within its power in saying that that is the ideal which this House would adopt Now, Sir, it might be said that there are many administrative difficulties, that the path is beset with so many dangers, that it is not possible to undertake this step now I do not for a moment subscribe to that argument I do not for a moment agree that the problem is insoluble For a government as efficient and as strong as ours is, in measuring every bit of land and recording it in the record of rights register, with all the changes that are made from time to time, to come forward and say that there are administrative difficulties in maintaining a register under adult franchise is a huge joke I should think there is no real will I know, after the Record of Rights Act was passed, with what strength Government officers worked and with what will they tried their best to prepare it from time to time, and I do not think for a moment that Government is so powerless or that its machinery is so weak that it cannot manage administratively the question of adult franchise What is there after all in adult franchise ? What about the census returns ? How are they prepared ? There were three counts and before the very last count came on everything was ready, and all that was to be put up on that particular night and the result was that the tables were all ready How did Government manage to get up these tables showing the caste, creed, the religion and what not of each and every member of each family ? If such a feat is possible and feasible, with what face can Government say that they cannot manage administratively the adult franchise machine ? Can they say so honestly ? I believe not I know what our Government is, I know how efficient it is How many times have we been told that our Governmental machinery is so perfect that nothing is impossible for this Government if only they will it For all these reasons, I say that given the will, the question of adult franchise need not be shelved so far as the Bombay Presidency is concerned

[Rao Bahadur G K Chitale]

What are the difficulties in adult franchise ? Unmanageability Then, if they think that it is difficult, and if I were a member of the committee, I should order an experiment to be done in one district before they pronounce on the impossibility or unwieldiness of the adult franchise If only Government had sent out orders twelve months ago as they did in the case of the census that my district should have adult franchise and if only adequate means or ways had been provided for, I am sure that Government would by this time have had very satisfactory results I therefore say that if that is the ideal, there can be no insuperable difficulty I can understand certain limitations Do not go away with the notion that we have got 218 crores to deal with At most, if I remember rightly, I believe under adult franchise only 51 per cent of the population being adult population would be enfranchised This fact alone solves our difficulty After all you are prepared to give franchise to 10 per cent , just go a step further and enfranchise 50 or 51 per cent The whole point is whether that would be unmanageable If you were to lay down an age limit, you would still cut down the percentage As in England, you might enfranchise women of 30 and over Similarly, in the case of young men, people under 30 need not be enfranchised As for old people, I have not much faith in their being given the vote after a certain age, say over 70 years

The adult franchise solves many communal difficulties A man feels that he is a man because he has a vote What business has one man to say to the other " Because you do not possess property, you should have no vote ? " I say that it is wrong, illogical and inhuman. Why should not a man have a vote when that vote is going to give him the power of benefiting or harming—rather benefiting than harming—his fellow human beings ? The power of vote should be entrusted to as many people as possible, otherwise there would be no object in transferring power as is at present intended to do It would not be either logical or proper These limitations of property that a man should pay so much by way of a tax either to Government or to a local body are a pure innovation brought into being only to take away the rights of others I am really surprised how the representatives of the depressed classes or the backward classes are enamoured of these property qualifications They should stand abreast, take courage in both their hands and go ahead

This resolution is a very timely one The other points I shall leave other honourable members to develop, as I do not desire to monopolise either the time or the reasons in support of the resolution

As regards the next point, namely, the increase of the constituencies, I am of the opinion that in order that the minority interests should be safeguarded, there must be multiple constituencies, not single member constituencies. That is a point which ought to be made on the floor of this House. Single member constituencies for minorities will not do, and therefore, whatever the evidence before the Franchise Committee may be, I should think that our representatives will be well advised in having as

[Rao Bahadur G K Chitale]

large a number as possible I do mean to say that if ten seats are allotted, that all those ten seats, or reasonably a smaller number should have a cumulative vote in favour of one or the other If it is possible in a district to have minority interests properly safeguarded, that should be done If not, there may be a smaller number in larger cities I am afraid my time is up and I shall therefore resume my seat

Mr A B ACHREKAR (Satara District) Sir, I rise to support this resolution———

The Honourable the PRESIDENT I may inform the honourable member that the time limit is 15 minutes

Mr A B ACHREKAR As regards the words which appear in the resolution, namely, " due provision be made for adequate representation of the rural areas ", and which have been misunderstood, I will try to explain according to my lights what the honourable mover means by using these words and tabling such a resolution I say that there is a general disparity between the urban constituencies and the rural constituencies As the honourable member for Poona has stated, there is one honourable member for the City of Poona alone with a population of 2 lakhs but for the rest of the district with a population of 9 lakhs, there are only two seats reserved for it You will therefore agree with me, Sir, when I say that the urban population is being treated more liberally than the rural population According to that proportion, the district of Poona, that is the rural population should have more than 3 members Also, there is a disparity between the rural voter and the urban voter For example, in the City of Satara, which has a population of only 20,000, a man paying Rs 3 rent per month is entitled to vote, while the farmer or cultivator is entitled to vote only if he pays Rs 32 assessment So, there is a disparity between the voter in the rural area and the voter in the urban area In the cities there is a sort of cheap voting In the district a man having property paying an assessment of Rs 32 can only vote Really speaking, this disparity ought to be removed and the honourable mover wishes to remove it by this resolution

Again, in the districts it is a plural seat constituency and not a single seat constituency For example, in the cases of Satara and Poona districts, a candidate has to move over an area of 100 miles in length and 100 miles in breadth But in a city a man can move among his voters within a day if he takes a motor, while in the districts he cannot see his supporters and return to his headquarters in less than 10 days He has to spend something like 30 days to see his voters This is a great disparity, and I would request the House to vote for this resolution, because this disparity has to be removed

The honourable member for Ahmednagar (Rao Bahadur Chitale) spoke against single seat constituencies But I say, when he is advocating single seat constituencies for cities, why should there not be single seat constituencies in the districts also ? I think, if there are single seat

[Mr A B Achrekar]

constituencies in the districts, the candidate will have to travel over an area of 10 miles by 10 miles for seeing his voters, while as a matter of fact at present he has to make tours over an area 100 miles by 100 miles This extensive and unnecessary touring ought to be done away with

Sir, the honourable mover is also asking for increased number of seats for rural areas I find that at present there is numerically no real representation of the districts in this Council I can vouch for it that the City of Bombay and other big cities dominate these Councils The honourable member the Finance Secretary told us the other day that out of Rs 46-6-0 the cities pay to the provincial administration only 6 annas while the districts bear the rest of the expenditure I attribute this to the fact that the rural interests are not being watched because the number of rural members in the Council is very small I therefore request honourable members to support this resolution, as the honourable mover by bringing this resolution before this House seeks to remove the real difficulties of the rural constituencies, as they have not got due representation in proportion to their population The honourable member for Ahmednagar requested Government that there should be one seat allotted for one lakh of the population I entirely agree with his proposal

The honourable member for the Millowners' Association said that there must be a literacy test for the voters If this test is followed in enfranchising the population, it will not bring in the proper proportion of the representation from the districts and from the rural constituencies It is no fault of the districts that the people there are illiterate It is perhaps the fault of Government as they have been paying more attention to the educational needs of the cities than to those of the districts I do say that the districts are backward in education, but it is not the fault of the districts We have seen that the grant for primary education has been reduced by more than 18 lakhs That means there will be a further decrease in the percentage of literacy in the districts I say therefore that there should be a property qualification as at present, and literacy should not be made the only factor in deciding the franchise With these words, I support the resolution

Mr M M KARBHARI (Thana and Bombay Suburban Districts) Sir, I would be failing in my duty if I did not support the resolution moved by the honourable member Rao Bahadur Patil I believe the present franchise does not give adequate representation to the rural areas The rural areas are the areas where the agriculturists chiefly reside Speaking from my own experience, a rural voter is quite at the mercy of the urban voter My constituency is now connected with the Bombay Suburban district In the future franchise even supposing that the Thana district is separated from the Bombay suburban area the representation for the rural area will not be quite adequate The district is to be divided into two portions, the taluka towns where the sowcars, the traders and the commercial community live, and the taluka

[Mr M M Karbhari]

villages where really the agriculturist lives and where agriculture takes place We have always found that the man who lives in the town has always the advantage over a man who lives in the taluka villages Even then the disparity in the franchise is very great Whereas in the town a man paying a rent of Rs 3 per month is entitled to vote, the man in the country or in the villages is entitled to vote only if he owns land or cultivates lands paying an assessment of Rs 32 This in itself is a great disadvantage to the rural areas to accumulate their votes So far as Thana district is conerned, at least three-fourths of the total number of voters come from taluka towns and one-fourth come from the villages That in itself shows that though Thana is supposed to elect a member who represents the rural area, it is doubtful whether the representative of Thana has at heart the real interests of the rural areas because he will be a man of the town, connected with trade or commerce, having the greatest influence in the town Therefore, the meaning underlying the resolution to my mind is that in the future representation, the district representation should be so arranged that the taluka towns may have representation of their own, and the rural villages where the real agriculturists live must have separate representation of their own

Sir, I cannot quite see why my honourable friend from Poona (Mr Gokhale) suggested that property qualification should be the qualification for a voter I quite fail to see the argument that he advanced I do not know why a poor tenant who is cultivating the land of the sowcar should not have representation Did the honourable member mean that only property holders should have representation in this Council and the real agriculturist should have no representation ? If that is what he means, I think he is thoroughly mistaken I would therefore request this honourable House to pass the resolution moved by my honourable friend Rao Bahadur Patil and give it their wholehearted support, so that this fact may be brought to the notice of Government and adequate provision be made by Government for the representation of the rural areas

Mr J G MORE (Sholapur District) Sir, I rise to support the resolution In doing so, I wish to correct my honourable friend Mr Achrekar He has advocated single member constituency for the districts That is not the view of the backward classes The view of the backward classes is that there ought to be a plural constituency Unfortunately, I am told that Mr B V Jadhav was examined by the Franchise Committee and that he advocated single seat constituency That is not the view of the non-Brahmin communities at large It was discussed by the members of the non-Brahmin communities here and the honourable member the Deputy President of this House (Mr Navle) was to be examined before the Franchise Committee Unfortunately, his name was cancelled from the list of witnesses and even before the date fixed for the examination of the honourable member Mr Navle, Mr B V Jadhav managed to get himself examined It was not as a representative of the Maratha and allied classes that he (Mr B V Jadhav) gave that

[Mr J G More]

view The view of the Maratha and allied classes is that there should be plural member constituency If the single member constituency is introduced, it will be harmful to the interests of the backward communities A well-to-do and moneyed man may move in one or two talukas easily, bribe the voters and get their votes If there is a plural member constituency, it will be in the interests of the backward communities, and they can get their representation in the Council With that view, I support the resolution moved by the honourable member Rao Bahadur Patil

Rao Bahadur D R PATIL (East Khandesh District) Mr President, I am thankful to those honourable members who have supported my resolution My honourable friend Rao Bahadur Chitale and the honourable member Mr Gokhale said that my resolution was vague, because I did not definitely state in my resolution what "due provision" and "adequate representation" meant I submit that, if we consider the deliberations of the Round Table Conference, the interests of the agriculturists were not touched to the extent to which we expected Unfortunately, the Government were not kind enough to send sufficient representatives of the agriculturists to the Round Table Conference Therefore, Sir, I thought it proper to table a resolution in this honourable House that at least the British Parliament should know that some persons reside in rural areas, namely, the agriculturist class, whose interests should not be neglected I am very sorry to say that the interests of the agriculturists were not safeguarded there even by Mr Jadhav I am very sorry to make that remark I do maintain that way If I am wrong, the Honourable the Leader of the House who was present at the Round Table Conference will correct me I shall be glad to be corrected if I am wrong If we look to the deliberations of the Round Table Conference, we find that various interests represented their cases I do not grudge that But I am sorry to say that as the interests of the agriculturists were not represented at all and as there was no sufficient representation of the agriculturists at the Round Table Conference, I was bound to table this resolution Everybody knows that the agriculturists form the greatest portion of the population Not only that, they pay very large revenue to the Government coffers We know that there is a saying "No representation without taxation" If the agriculturists pay sufficient tax and if they are really the pillars of the country, I think they must have adequate representation in the new constitution

Sir, I am asked "What do you mean by 'adequate representation'?" Had I used expressly what I wanted to say, a great controversy would have arisen I wanted to bring to the notice of the Parliament "Look to this fact that agriculturists pay large revenue to Government, look to their population also and protect the agriculturists by giving them such adequate representation as their importance demands" That was my only object That was the object which inclined me to table this resolution

[Rao Bahadur D R Patil]

Sir, many things have been said about the widening of the franchise and about the single and plural member constituencies I may submit that in the interest of the rural areas it is quite necessary, as observed by the honourable member Mr More, that they must have plural member constituencies and he has given sufficient reasons for that As regards the widening of the franchise, my honourable friend Rao Bahadur Asavale will, I am sure, do his best to protect the interests of the agriculturists, because he is a representative of theirs In short, I have tabled my resolution in such a mild form that no unnecessary controversies will arise I would like to repeat that I want to bring to the notice of the Parliament that "there is a class known as the agriculturist class living in villages, remember their importance and give them adequate representation"

The Honourable Sir GHULAM HUSSAIN Sir, I find from the speeches of various honourable members that they are inclined to support this resolution In order to respect their wishes, this Government will forward the proceedings of this debate to the proper quarters

Question put, and agreed to

The Honourable the PRESIDENT The honourable member Rao Bahadur Chitale may move his resolution formally and begin his speech to-morrow

Rao Bahadur G K CHITALE (Ahmednagar District) Sir, I beg to move the following resolution which stands in my name

"This Council recommends to the Governor in Council that the civil administration of Aden should not be transferred to the Government of India"

The Honourable the PRESIDENT The House is now adjourned to 2 o'clock to-morrow, Tuesday, the 15th March 1932

BOMBAY PRINTED AT THE GOVERNMENT CENTRAL PRESS

Tuesday, the 15th March 1932

The Council re-assembled at the Council Hall, Bombay, on Tuesday, the 15th March 1932, at 2 p m, the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt, Bar-at-Law, presiding

Present

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr A B
ADVANI, Mr P B
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S N
ASAVALE, Rao Bahadur R S
BALOCH, Mr HAJI MIR MAHOMED
BANGI, Mr A K J
BELL, Mr R D
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S K
BOWERS, Mr P L
BRANDER, Mr J P
BULLOCKE, Mr A GREVILLE
CHITALE, Rao Bahadur G K
CLAYTON, Mr H B
COLLACO, Dr J A
COOPER, Khan Bahadur D B
DAVIS, Mr G
DESAI, Rao Saheb B G
DESAI, Mr H R
DHALUMAL LILARAM, Mr
DIXIT, Dr M K
D'SOUZA, Dr J ALBAN
FREKE, Mr C G
GANGOLI, Mr G S
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr M D
GOKHALE, Mr L R
GOVER RORA, Mr
HADDOW, Mr R R
HUDSON, the Honourable Mr W F
HUMPHREY, Mr JOHN
JITEKAR, Mr HAJI IBRAHIM
JOG, Mr V N
KADRI, Mr J S

KALBHOR, Mr G M
KALE, Rao Bahadur R R
KAMAT, Mr B S
KAMBLI, the Honourable Dewan Bahadur S T
KARBHARI, Mr M M
KHUHRO, Khan Bahadur M A
KULKARNI, Rao Saheb P D
LANE, Mr C M
MACLACHLAN, Mr D
MATCHESWALLA, Mr G E
MCELHINNY, Mr G W
MEHERBAKSH, Mr S
MEHTA, Mr M H
MITCHELL, Mr H C B
MODAK, Rev R S
MODI, Sardar Davar T K
MONTEATH, Mr J
MORE, Mr J G
NAIK, Rao Bahadur B R
NAVLE, Mr N E
OWEN, Mr A C
PARULEKAR, Rao Bahadur L V
PATEL, Khan Bahadur A E
PATIL, Rao Bahadur D R
PATIL, Mr N N
PATIL, Mr V N
PERRY, Mr E W
PETIT, Mr J B
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G V
PRATER, Mr S H
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr HOOSENALLY M
RESALDAR, Mr A K
ROOSE, Mr F O J
SHAIKH ABDUL AZIZ, Mr
SHAIKH ABDUL MAJID, Mr
SHINDE, Mr R B
SINDHA, Mr MADHAVSANG JORBHAI
SOLANKI, Dr P G
SPENCE, Sir REGINALD
SURVE, Mr A N
SURVE, Mr V A
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr G A
TOLANI, Mr. S. S.

TURNER, Mr C W A
VAISHAMPAYAN, Dr V G
VAKIL, Mr PESTANSHAH N
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R V
WADKE, Mr B P
WILES, Mr G
WINTERBOTHAM, Mr G L

TRANSFER OF ADEN TO GOVERNMENT OF INDIA.

Rao Bahadur G K CHITALE (Ahmednagar District) Sir, yesterday evening I had the privilege of moving the following resolution

"This Council recommends to the Governor in Council that the civil administration of Aden should not be transferred to the Government of India."

The Honourable Sir GHULAM HUSSAIN It has already been decided to be transferred

Rao Bahadur G K CHITALE Then I may have to move an adjournment motion

There is a long history behind this question, and yesterday, as there was an indication that this resolution would be suddenly reached, I indulged myself rather more freely on another resolution, as I had not studied this question with the care with which I should have done it But to-day I have studied the question from the beginning to the end of it I have read several speeches, and I have brought my information up to date almost If it is true, as the Honourable the Leader of the House states, that it has been actually transferred to the Government of India, still I am going to speak in the wilderness Fortunately for me, I find that, for the first time, we have an Administration Report of Aden for the year ending 31st March 1931 So, we are now in a position to place facts before the House In order that those facts may be properly appreciated, I wish the House would see the map which is attached to the Administration Report We have a large territory, which has been attached to our Presidency for a long time, and I am now launching my suit in this House, that the claim should be decreed by this House, the defendants being the Government of Bombay, who have agreed or who are likely to agree to hand over Aden to the Government of India In the reply given last year by the present Leader of the House to a question by the honourable member Major Ellis Jones, the following was stated

"The question of the transfer has been mooted and is under discussion with the Government of India. While no decision has been arrived at regarding it, the Government of Bombay consider that from the point of view of the administration of Aden and of the finances of the Presidency the scheme has considerable advantages."

When this question was answered in August 1931, the negotiations between the Government of Bombay and the Government of India had reached a stage when, for reasons given, the Bombay Government considered that if the transfer was effected, it would be a considerable advantage to this Presidency In the answer to the question the reasons

[Rao Bahadur G K Chitale]

have been given, the most potent reason being that the change is necessary on account of administrative convenience No doubt, the Government of Bombay do recognise the sentimental reasons, they do recognise the trusteeship, that it has been part of the Presidency for a long time, and after administering this "Gateway of India" for so many years, they feel that it is better to let it go in the financial stress under which we are now labouring Then there were some questions regarding the administration of Aden put by my honourable friend Mr Surve, which were answered on Saturday last and on some previous day in this session. That brings the history of the question almost up to date, and now we have only to see on which side the weight of reasoning lies, whether on the side of the proposed transfer or on the side of its retention as a part of the Presidency After considering the pros and cons of the question, I have come to this conclusion, which I hope the House will accept, that it will be to the interest of this Presidency to keep on its appendage of Aden which, as I said, is the Gateway of India, where it will be possible for our future Governors to receive and hand over charges, it being the extreme end of the Presidency, much more easily and comfortably This facility might apply to the Executive Councillors also, but perhaps in the future Councils they might disappear But as far as H E the Governor is concerned, he might hand over charge there

Apart from that fact, however, I find from the Administration Report for 1930-31 that the question of administration is a bit complicated They say that some of the revenues come from Central sources, and some from Provincial sources. I was trying to have the whole question in a nutshell, and with that view I was trying to get hold of all the information available, as without it I would not have been able to make up my mind After some effort I got hold of this Administration Report, which is very handy for my purpose, and perhaps Government, on the ground of financial stringency, did not distribute it among the honourable members, as it could only be had in the Secretary's office But I have got it after all On page 2 is given the history of Aden It says that the settlement of Aden is about 75 square miles, and the population is 46,638, made up of about 1,145 Europeans, 29,820 Arabs, 3,935 Somalis, 7,287 Indians, 4,120 Jews, and 331 Miscellaneous I am mentioning these figures because the point appears to have been made that the total population of Indians is very small in comparison with the other population, viz of Arabs On page 3 of the report is given the financial position The Government of India maintain a treasury at the crater The total receipts during the year 1930-31 amounted to Rs 62,83,078-7-4 and the expenditure to Rs 62,52,690-11-3, so that there was a balance of some thousands of rupees, the closing balance being Rs 2,47,125-4-11 Now, there are several sources of revenue In the main, they are salt, excise, income tax and stamps, the same as we have There is one more point which I ought to make There is a good deal of argument and reasonableness in the fact that some of our officers are being absorbed by the Aden administration—in the Police Department, in the Judicial Department,

[Rao Bahadur G K Chitale]

in the Abkari Department, in the Educational Department and in the Excise Department If Aden is handed over to the Government of India, it is possible that we will have to find places for them in our own Presidency

The Honourable Sir GHULAM HUSSAIN Not at all

Rao Bahadur G K. CHITALE I say it is possible, because our Presidency will have absolutely no voice It will be administered, territory like the province of Coorg or the North-West Frontier Province, it will be run under a Chief Commissioner

The Honourable Sir GHULAM HUSSAIN They have told us that they will retain our officers

Rao Bahadur G. K CHITALE Let me make my point clear Suppose Aden is taken over by the Government of India Then the Government of India would certainly be right in having their own agent for administering it, just as they have in the North-West Frontier Province or in Coorg Not only that, but Aden will not get the privileges and rights which Bombay will obtain in the new constitution If it is an appendage of the Presidency, it will be counted as one more district We have at present 28 or 29 districts, and including Aden it will make 30 districts for the Presidency, but the point is that if Aden continues as a part of the Presidency, it will have the rights and privileges which this Presidency will get So, the loss to Aden consequent on its separation from the Presidency is a point which has to be considered Then, Sir, since 1840, when Aden was taken, the trade of Aden and everything that is worth having in Aden has been built up by Bombay capital and Bombay people That is a point which is not sentimental but practical In the map I showed you, you will find that there are several salt works which are called Hajibhoy Laljee & Co Ltd Salt Works, Joomabhoy Lalji Salt Works and some Italian salt works with which we are not concerned In the chapter on commerce we find that the trade which passed through Aden was used to be somewhere about 13 crores, in the year of this report It has now fallen by three crores and the total value of the seaborne trade at present is Rs 10½ crores The decrease in merchandise was in cotton, piecegoods, hides and skin, grain, pulse, coal, coffee, sugar, salt, tobacco and spices This fall in trade is due to abnormal fall in prices of commodities Then, the report says that all this trade is mostly from India So, it appears to me that we have so many things to look to It is one of our districts I may say in which our people have prospered, though they may be small in number in the proportion of 8 to 1 For the last 70 or 75 years they built up trade, salt works and other things I know as a matter of fact that my district sends to Aden several bags of jowari and bajri through the merchants over here It may be argued that it does not matter whoever governs Aden, whether it is the Government of India or the Bombay Government, because these facilities will remain there and you need not be afraid that the Government of India will do anything which will be in the nature of the restraint of any trade It is true But I may tell you that it is one thing to have another master, who may be a

[Rao Bahadur G K Chitale]

very kind man For all the purposes of our case, it may be good But it is entirely a different matter to be master in your own house I say so because I know how this presidency was treated not very far back when Sir Ernest Hotson introduced in this Council a Bill with respect to judicial reform in Aden The Bill was read for the first time here He was very anxious to get through the other stages of the Bill but for certain reasons which even the Bombay Government did not know—that was the complaint of Sir Ernest Hotson—the Bill had to be dropped, because certain other negotiations were then under consideration. On the analogy of that—I do not want to read out Sir Ernest's speech and the Honourable the Leader of the House also knows it—I think we must be masters in our own house

If it is to be said that it costs the provincial exchequer two lakhs of rupees a year which I do not find stated in the report, it may be true because the honourable member the Finance Secretary has made that statement, it should not be a reason for giving up a precious possession I know also that our Finance Department fought out a case for us and gained a small mercy from the Government of India for charges for armed police and so on It appears to me that this bugbear of loss of revenue should not be the proper reason If that is to be the reason, then I wish to ask what about the several districts in our presidency which are not self-supporting ? I can name many of them The neighbouring presidency is willing to absorb them Are we to part with our precious possessions acquired by our forefathers and hand these districts over to other presidencies though they may be administered as efficiently as by our administrators ? Because the Government of India are the masters, should this Government meekly submit to it ? When we come to the administrative reasons, the most predominant of them is the military or political one If that is so, then our claim is doomed If for military or political reasons, Aden must be handed over, certainly the Government of India is right and the Bombay Government is wrong But I find that a reasonable compromise has been reached years ago, inasmuch as the military and political factors of the administration have been taken over by the Secretary of State for the Colonies Even the Government of India have, if I remember right has absolutely no concern with the political and military administration of Aden I am told a funny thing that because the Government of Bombay is in a bankrupt condition and they are not able to give financial help in proper time as it happened a year back, the administration is being transferred to the Government of India So far as finances are concerned, the Government of India are not a whit better Unless Aden is going to be a favourite, which I am not quite sure, I doubt whether the Government of India will have a soft corner financially for Aden

Then, Sir, I find another advantage. While reading the history of the whole question, we have the education, the excise and other such subjects under our own administration I find that our popular

[Rao Bahadur G K Chitale]

Ministers have made progress in these departments, whenever complaints were made by the public, either departmentally or on the floor of the House I know Honourable Ministers have given relief There was a question as to what should be the medium of instruction It was ruled by the Honourable Minister that it should be Gujarati, Hindustani and Urdu in addition to Arabic The Honourable Minister for Excise (Mr Jadhav) issued orders that the shops should be open and a particular quantity should be sold and so on These are every day practical administrative subjects which are important from the public point of view

Then, it appears to me that there is only one reason In the year 1925 or 1926 a certain loan was asked of this Government for drainage or for water supply This Government asked the Government of India to give the loan Perhaps this gave offence to the Government of India and they want to be masters of Aden They may say that they can carry on the administration more efficiently Otherwise I think that no strong case has been made out as to why we shoud lose this possession

It has to be stated that the question has been hanging in the balance. It appears in the reply given by Mr Howell to the deputation led by Sir Chunilal Mehta on behalf of several trade associations that the apprehensions as regards the transfer of control of Aden to the colonial office had no substance He also stated that, if the transfer of Aden to His Majesty's Government should arise again, he would give a promise that the case would be considered on its own merits and that this presidency would be consulted Then, he assured the deputation that proposals were made lately for removing administrative inconveniences For my part I have not seen the other side of the picture of the administrative inconvenience. As we see in the report here, there is education, excise, water supply, municipal, port trust and other matters of every day administration I do not see any such insuperable administrative inconvenience It is possible that the whole authority is centered in the hands of the military officer who is the Agent there Perhaps it is his conviction that even the least delay will prove dangerous Even for small proposals he has to go to and fro He is referred to the Government of Bombay, to the Government of India and several officers He is not able to take a decision of his own without reference to all these bodies That is the only inconvenience which I have been able to trace The gentleman who is now administering on behalf of this Government is assisted by a judicial assistant and several other assistants who give him proper advice in all the departments That is the long and short of the whole question The question for the consideration of this House is the present situation We find from the pamphlets that have been circulated and the notices that have appeared in the press that the Governor General himself has promised to look into it and has given a hint which shows that the transfer is as good as a fact Under these circumstances, the resolution has been placed before the House to give its opinion Now, it is for the House to pass the resolution unanimously, apart from the official block which has only one voice and not two,

[Rao Bahadur G K Chitale]

representing as we do the several interests there, and decide that our first district, which I styled as the gateway of India, should remain under our presidency proper And I put it on a higher ground Under a system of provincial and central subjects it is possible that every day administration may be complicated and even small things cannot be done speedily But as provincial autonomy is almost as good as given to this presidency in the coming constitution and the central government will not interfere in the home affairs of this presidency, I think this complication will be reduced to a minimum And the complicated nature of the military administration having been set at rest by a subsidy of £150,000 paid by the Government of India to His Majesty's Government, I ask under what principles of reason or logic Aden can now be dismembered from our presidency and handed over to the Government of India I believe that this Government will be in a better position to administer it, as it is nearer to Aden than the Government at Delhi or Simla The administration of Aden by this Government will also be to the advantage of my honourable friends from Sind After the Lloyd Barrage materialises, trade with Aden in agricultural products will increase, and they will be within their rights in asking that a territory which has so long remained in the hands of the same administration as deals with their own affairs should remain so in the future I find also that there is a considerable population of Europeans, about 1,200 in number Leaving aside those who are officials, these Europeans must have trade relations with this presidency through the Indian merchants or others Therefore, from all points of view it is very convenient that Aden should remain with us

One more point before I resume my seat So far as the Bombay Government is concerned, I think we will only be strengthening their hands if we pass this resolution From that point of view also, it is desirable that we should pass this resolution

With these words I move the resolution, and I hope it will be acceptable to the House

Question proposed

The Honourable the PRESIDENT There is an amendment handed over just now by the honourable member Mr A N Surve With his experience he ought to know that this ought to have reached the Secretary at the latest by yesterday The Standing Order on that is explicit But looking to the change the amendment proposes to make, I am inclined to allow it It is this

Add at the end the following, namely "or any other authority, and should that question arise in future no step in that direction should be taken without first giving an opportunity to this House to express its opinion on the matter"

Rao Bahadur G K CHITALE I would accept it

Mr A N SURVE (Bombay City, North) Sir, I beg to move my amendment which reads thus

Add at the end of the resolution the following—" or any other authority, and should that question arise in future, then no step in that direction should be taken without first giving an opportunity to this House to express its opinion on the matter"

[Mr A N Surve]

Sir, I thank you for giving me this permission The reason for making this amendment is this Unfortunately our Government is in a helpless position The Honourable Leader of the House stated what the position in this matter is,—I am reading from Council Debates, Volume XXXII, page 526

'The honourable member ought to realise that it is not within the competence of this Government to decide the question of Aden"

He thereby gave us to understand that it is really in the hands of the Government of India, and we are quite subordinate to that power Then, there is the other fear also the Government of India is in its turn subordinate to the Secretary of State and the British Government No one knows whether the Colonial Office may not take up this question again Fortunately for us the Colonial Office at this moment is not in the field But that point may arise at any moment, and, therefore, it is prudent policy to make our position quite clear The resolution as it stands does not apply to any future attempts at transfer to any authority other than the Government of India For this reason I am moving this amendment

Now, Sir, though I have tabled this amendment I am quite in sympathy with the principal resolution I am of opinion that there are many weighty reasons why Aden should form a part of the territories of the Government of Bombay It has been stated that Aden came under our Government in the year 1839, and it has, therefore, a connection with this presidency extending over very nearly a century In that period the people from Bombay Presidency have made Aden what it is to-day I might just read a short extract from the statement which the Government of India have issued and which is printed in the Debates of the 9th March 1932 The deputation that waited on His Excellency the Viceroy made this claim—

"Aden as it is to day has been the creation largely of Bombay merchants and industrialists, and Bombay's trade and industries are even now the principal factors in the revenue of Aden."

That is one point

Another point is, as the honourable mover said, out of a population of 46 000, the Indians are over 7,000, and I daresay that most, if not all, of them are from Bombay Presidency

Then, Sir, the third point I would like to make is this The trade of the Bombay Presidency with Aden is very considerable, we are told that it was 13 crores last year— there may be a reduction this year—and this trade consists mostly in cotton goods and grain If we submit to a transfer of authority in Aden and if the future authority in Aden does not treat our people sympathetically and kindly, the consequence will be that our people will leave Aden and there will be loss of trade to this presidency That is a very important point Sir, during the present days of depression every Western nation is trying its utmost to extend its trade If we now consent to losing our trade in Aden, it will be a very unwise thing Whether the revenue goes to the Government

[Mr A N Surve]

of India or comes to the Government of Bombay is a secondary question, because it is the amount of trade that matters If there is trade, the people of this presidency will get employment and money Therefore, whether the tax revenue goes to the Government of India or comes to the Government of Bombay is of secondary importance.

I am very glad that the Government of India have given us an assurance that for the present the question of transfer to His Majesty's Government will not be taken up They say—

"If the question of transfer to His Majesty's Government should arise again in future it would have to be considered on its merits and would be rendered in no way either easier or more difficult by the change now proposed No one could say that the question would never be raised again, but the deputation was assured that the present transfer had not that end in view"

From this, Sir, it is clear that the Government of India has given us an assurance that for the present the question is not finally decided and that——

The Honourable Sir GHULAM HUSSAIN The honourable member should not mix up the two Governments The reference is to the transfer to the Colonial Government

Mr A N SURVE But even about the transfer to the Government they have made it perfectly clear, so far as this answer goes, that an opportunity would be given to this Presidency to express its opinion. I might also say that this question has been raised several times and promises had been given many times that the opinion of this Presidency would be taken into consideration When this question arose last year, these assurances were forgotten I will just read a small portion from the answer which the Leader of the deputation gave This is printed in the Debates of the 9th March 1932,

"In this connection he (the Leader of the deputation) referred to the speech of the Honourable Mr Pratt in the Council of State in September 1921 He complained of a recent disallowance at the instance of the Bombay Government of an adjournment motion regarding Aden He also read the speech of Sir Ernest Hotson in 1927 before the Bombay Council showing how a most important decision in regard to Aden was taken by the Government of India without even informing the Bombay Government He was anxious that this sort of thing should not happen again and that a real opportunity for discussion should be allowed if the problem of transfer to the Colonial Office arose"

You see, Sir, that though assurances were given on a number of occasions, when the question came up for a decision, we were never given an opportunity

The Honourable Sir GHULAM HUSSAIN You did not take an interest in the question. You put a question and asked no supplementary questions

Mr A N SURVE In this connection I might just mention what Mr Howell said He admitted that the assurances were given He says

"If the proposal to transfer to His Majesty's Government were raised again, Mr Howell made it clear that the Government of India were bound by past assurances that full opportunities for discussion would be given",

Notwithstanding past assurances, we found last year that even the Bombay Government was prepared to press for the transfer

[Mr. A. N. Surve]

Now, coming to the question of financial arrangements, it is a good thing that the Government of India made a declaration that the financial consideration is not the main point. But as we are to continue to administer Aden, perhaps to us that point is a vital one. I am happy to say that the position as shown in the answer given on the 1st August last and printed in Volume XXXI at page 676 is satisfactory. There the provincial and central receipts and expenditure are given for two years. I am giving the figures of average for these two years. So far as the Provincial Government is concerned, the receipts are Rs. 4,75,000 and the expenditure Rs. 4,67,000, showing a surplus of about Rs. 8,000. But I may just draw the attention of the House to the answers that are given to my questions which are printed in the Debates of the 12th instant. There I had asked two questions, one about the Chairman of the Aden Port Trust and the other about the Health Officer. From these questions and answers you will see that the establishment there is very costly. There are 8 or 10 officers, very senior officers, drawing large salaries. It has been elicited that those posts were held by officers subordinate in rank like Majors——

The Honourable Sir GHULAM HUSSAIN: Major is not a big officer in the military service.

Mr. A. N. SURVE: Majors had held the post of Health Officer thrice since 1889; and a Lieutenant-Colonel is not required for that post. He may be required according to you. According to us a Major can hold that charge. My submission is that on certain previous occasions a Major has discharged the duties of that office satisfactorily and there is no reason why a Lieutenant-Colonel should be entertained. In that way you can effect some saving. I can even go a little further and point out some addition to the revenue side. In the Bombay Presidency we have several salt pans. They are subject to land assessment. Perhaps the Honourable the Revenue Member would bear me out when I say that the salt pans in the Bombay Suburban District, in addition to the salt duty which goes to the Government of India pay a land assessment to the Government of Bombay. May I just ask the Honourable the Revenue Member whether the Aden salt pans will not bring in some revenue to us? I dare say that some addition could be made to our revenues in that way.

Another point that I would like to mention is that it is to the interest of the Bombay Government to see that all the services that Government are rendering are paid for. This question has a very long history. The Government of India has been paying the charges for various services and the benefit has been taken by the British Government. I would refer honourable members to page 675 of Volume XXXI of the Debates of this House where it is stated:

"Until 1900 the entire civil and military expenditure in connection with Aden was borne by India, although as early as 1886, the Government of India urged the propriety of the expense of Aden being divided between Great Britain and India."

Since this dispute arose, the British Government has been making some sort of contribution. Even that point has not been finally decided.

[Mr. A. N. Surve]

There are many things for which we are paying and the benefit is being enjoyed by the British Government. On this question I have submitted a number of questions, but the answers to many of them have not yet been given. In this way I have drawn the pointed attention of Government to certain factors which would help us to augment our revenues. I, therefore, think that the Government will be well advised in accepting the resolution. I request the House to accept my amendment.

Question proposed.

The Honourable Sir GHULAM HUSSAIN: Mr. President, I have heard the last two speakers, but am sorry to say that both of them tried to create confusion in the minds of honourable members of this House. The first ground that they have urged is that as our officers are lent for carrying on the administration of Aden, after its transfer they will come back and create some more unemployment in this Presidency. That is not so. The Government of India have agreed,—I should say requested us,—to retain officers from our presidency for carrying on the administration there. They have also agreed—I am speaking from memory—that Aden will continue to be under the High Court of Bombay. So I have disposed of the contention that officers belonging to this Presidency will suffer. They will continue to serve there, and the Government of India will recruit their officers from our services.

Another point which was made much of was that trade would suffer. I fail to realise how our trade is going to suffer by the transfer. Only a part of the administration is going to be transferred, not the whole. Whether it is transferred to the Government of India or remains with us, trade will go on there as before. We cannot interfere with the trade. On the contrary, the Government of India would like Aden to be prosperous because they will get all the income tax from Aden.

Then my honourable friend Mr. Surve said that the income from Aden is 62 lakhs and the expenditure a little less. I quite agree with him. But the income is mostly under heads which are central, and much of the income is therefore taken away by the Central Government. We are entitled to only a few lakhs from excise and stamps.

Mr. L. R. GOKHALE: What is the particular purpose of taking it away from Bombay?

The Honourable Sir GHULAM HUSSAIN: I am coming to that. Let me first reply to the objection of the honourable member Mr. Surve. The honourable member says that we should carry on the administration of Aden. I have said that almost the whole of the income of 62 lakhs goes to the Government of India. We are ourselves a deficit province. How are we going to provide for the nation-building services in Aden?

Rao Bahadur G. K. CHITALE: You are going to receive income tax.

The Honourable Sir GHULAM HUSSAIN: We may not get it. Where is the guarantee that we shall get it? We are already a deficit province. You want to add another deficit province, which will cost us more. As it is, the administration is not efficient there. I will show

[Sir Ghulam Hussain]

that by quoting some figures. Is this House prepared to spend 62 lakhs on Aden, when most of the income goes to the Government of India in the shape of salt duty and income tax ? We have no money to give to our transferred departments——

Mr. HAJI MIR MAHOMED BALOCH : How much loss ?

The Honourable Sir GHULAM HUSSAIN : We get only 4 or 5 lakhs. The honourable member Mr. Surve quoted some figures. They show that we get only 4 or 5 lakhs out of the whole income. Our annual revenue from there is four or five lakhs, and the total expenditure is 62 lakhs. Where are we going to bring so many lakhs from to make up that deficit ?

The honourable member who spoke last quoted certain figures of income and expenditure, and that was about 4 lakhs income, and the expenditure was in its vicinity. But how badly are we treating Aden in regard to the nation-building services ? What are we spending on education ? The big sum of Rs. 54.

Mr. B. S. KAMAT : Then why not have all the income transferred to the local Government and get the whole thing done ?

The Honourable Sir GHULAM HUSSAIN : You cannot do that unless you change the whole of the Government of India Act. We are spending in Aden Rs. 54 on education, on medical relief Rs. 48,371, on public health Rs. 9,258, Veterinary Department Rs. 40,733, etc., etc. This is the treatment we are giving Aden. If you want to keep Aden, you must find the money to give them better education, better health, better medical relief, better roads and so on. We cannot have it both ways : if we want to have the control, then we must pay for it.

These were the few points raised, and I do not want to take up the time of this honourable House, but I shall await a reply from the honourable member who has moved the resolution.

The Honourable the PRESIDENT : What is the present position ? Has Aden been already transferred to the Government of India ?

The Honourable Sir GHULAM HUSSAIN : The Honourable Sir Charles Watson has made a statement on this subject, and it is to this effect :

"The honourable member has no doubt seen the press note on the subject which was issued in December last. Since then the question has been further considered by the Government of India and they have, with the concurrence of His Majesty's Government, now decided to transfer the control of the civil administration of Aden to the Government of India, the intention being to effect the necessary change by the beginning of the next financial year."

I may further say, Sir, that the Government of India have already made a provision in their next year's budget for the administration of Aden. That clearly shows that they have definitely decided the question once and for all.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu) : Sir, I rise to lend my wholehearted support to the resolution moved by my honourable friend Rao Bahadur Chitale, who has placed before the House more facts and figures than I can give.

[Mr. Haji Mir Mahomed Baloch]

I see that the Honourable the General Member has pointed out that though the income from Aden is about 62 lakhs, most of it goes to the Government of India and that the Bombay Government gets only a very small portion although we have to spend so much on the Aden administration. In October we got from Government some information to the effect that there is a loss of 2½ lakhs per year, but Sir Chunilal Mehta, an ex-Finance Member of this Government and other merchants recently waited on His Excellency the Viceroy and pointed out by facts and figures that there was no financial loss to the Bombay Government.

The Honourable Sir GHULAM HUSSAIN: How can there be a loss when you spend only Rs. 54 on education?

Mr. HAJI MIR MAHOMED BALOCH: Sir Chunilal Mehta may be right or the Honourable the General Member may be right. Even if it means a loss, we should not look at this matter from the point of view of gain or loss. As you know, Sir, Bombay Government has spent about 4 crores of rupees on Aden during so many years past, at least 80 years. When Bombay took over Aden, the population of that place was 4,000 only and now it is about 50,000. The commerce between Bombay and Karachi on the one hand and Aden on the other has grown to the amount of 4 crores and all commodities go from Bombay or Karachi to Aden. The whole of this trade is in the hands of the Bombay Presidency merchants. Even if it involves the Bombay Government in a loss of two or three lakhs a year, Aden should not be transferred to the Government of India. Look at Japan which is fighting China just to get hold of Manchuria as an outlet for her population and commerce. In Europe too, we have seen nations fighting with each other in their hunt after land. Here you are giving away what is already in your hands. The people of Aden, Arabs, Parsis, Hindus, Indian Muslims and local Jews all want to be under the Bombay Government and are opposed to transfer to Government of India. Yet, you agree to its transfer. Now look at Sind. Lakhs and lakhs of Sindhis want separation from Bombay, and although Sind administration costs Bombay a crore of rupees over and above the income derived from Sind yet, you do not want to let it go out of your hands. Where people do not want separation, you agree to their separation, but where people want separation, you sit tight on them and disallow or oppose separation. I should have thought that the Bombay Government would have lodged the very strongest protest possible against transfer of Aden to Delhi, because you have spent crores over Aden and should not agree to hand it over to the Indian Government, as has been suggested by the honourable member Mr. A. N. Surve. I will ask one question namely, when 30 lakhs of Sindhis want and badly want separation of their province from the apron strings of Bombay, why do you put forward so much opposition to that demand when there is a deficit of one crore or 80 lakhs and when all of that amount can be saved by your constituting Sind into a province of its own?

[Mr. Haji Mir Mahomed Baloch]

Naturally, when Aden goes into the control of the Government of India, the merchants who are now dealing with Aden or the people of Aden will lose the opportunity—I may call the advantage—of being able to get into immediate touch with the Bombay Government or with the members of the Bombay Legislative Council. They will have to seek out M.L.A.'s who are too big to be approached with ease, and they will have to go to Delhi or Simla to place their grievances before the Central Government. Now, suppose, for instance, Great Britain wants to push her own goods into Aden in preference to Indian or other goods, what can the merchants interested in Indian goods do to influence the Central Government? It would be different if Aden were to continue under the Bombay Government for reasons which I need not specify. You will not agree to transfer Aden to Arabs or to others because you have invested 4 crores on building up Aden and you would like to keep it, but you cannot keep it, because you have agreed to its transfer to the Government of India.

The object with which Aden is being transferred is that the administration of military control and of foreign relations may be facilitated. Under existing conditions, the Government of Bombay, as mere agents of the Government of India, have to get orders from the Government of India before they can do anything in Aden in those two matters just as the Bengal Government or the Madras Government or the Punjab Government have to take orders from the Central Government. As the rights of Indians are to be in the hands of Indians, the control over this port, which is important from a military point of view, must also be in our own hands. Who knows that the Indian Government will not hand over the administration of the port to the Colonial Government. If handing over of Aden by Bombay Government to the Delhi Government is the beginning of giving Aden to Colonial Government, I strongly protest. We must keep the administration in our own hands, because India will get self-government in the near future. It is only a pretext to say that it is being transferred from the Government of Bombay to the Government of India. That is only the beginning of it; who knows what the end will be?

Sir, I do not want to say much more on this question. If my honourable friends the General Member and the Finance Member were on the non-official benches, I am sure they would have put up a very much stronger case against the transfer of Aden to the Government of India; but on account of their capacity, they have been transferred to the Government benches, and the loss is ours. The mercantile community of Bombay desire that the Bombay Government should not agree to the transfer; the portfolio is in the hands of the Honourable the General Member, who is an Indian, and I have every hope that he will respect the wishes of the mercantile community.

Khan Bahadur A. E. PATEL (Northern Division): Mr. President, I do not know what the effect of the discussion of this resolution will be, in view of the information supplied by the Honourable the General

[Khan Bahadur A. E. Patel]

Member to-day. But, Sir, it is all the more a stronger reason for us to pass this resolution in the nature of a protest that such a step should have been taken without consultation with the people concerned. We know, Sir, that the deputation which was headed by Sir Chunilal Mehta was assured that any final settlement would not be arrived at until the wishes of the people concerned were obtained and taken into consideration.

The Honourable Sir GHULAM HUSSAIN: May I ask the honourable member from where he is quoting? What he says is not correct. That assurance related to a transfer to the Colonial Government, and not to the Government of India.

Khan Bahadur A. E. PATEL: To convince the Honourable the General Member, I will quote from a booklet which I have just received, which will show that such an assurance was as a matter of fact given. I am quoting from page 16, paragraph 7 of the Booklet "The Aden Problem (No. IV)".

The Honourable Sir GHULAM HUSSAIN: The honourable member stated that in reply to Sir Chunilal this assurance was given.

Khan Bahadur A. E. PATEL: What I am reading from is the address presented to the Viceroy and the reply that was given; it is nothing more than that. It is stated here:

"After hearing the Foreign Secretary and His Excellency, the leader of the Deputation expressed his gratitude for the assurance given by His Excellency that the present transfer was not intended as a step to the Colonial Office."

The Honourable Sir GHULAM HUSSAIN: That is what I said.

Khan Bahadur A. E. PATEL: It goes on to say:

"And that should the question ever arise opportunities for consultation would be given."

The Honourable Sir GHULAM HUSSAIN: And that is what we say.

Khan Bahadur A. E. PATEL: A reference has been made by the leader of the deputation to the reply actually given by Mr. Howell on behalf of His Excellency——

The Honourable the PRESIDENT: The difference that the Honourable the Leader of the House is trying to make between his statement and the argument of the honourable member is that the assurance that was given was that the transfer to the Colonial Office would not be made until the people concerned were consulted, not that the transfer of Aden would not be made to the Government of India, without such a consultation.

Khan Bahadur A. E. PATEL: As a matter of principle, whether it is a transfer to the Colonial Office referred to here or to the Government of India, so far as we are concerned the principle underlying the assurance is the same and our protest remains. We say even in the matter of its transfer to the Government of India, our wishes should have been consulted before any final decision was taken. Therefore, I request the honourable members of this House to pass this resolution in the nature of a protest.

[Khan Bahadur A. E. Patel]

Sir, I have heard the Honourable the General Member saying that Aden has been a deficit province, and that therefore it is no longer advisable to continue our connection with such a deficit province. May I ask whether it is really a deficit province or whether it is made to be a deficit province by the special arrangements by which all the income from Income Tax and Customs goes to the Government of India ?

The Honourable Sir GHULAM HUSSAIN : I must again correct the honourable member. These are misstatements. The income from those sources must go to the Central Government ; not you, nor I, nor anybody else has made it a deficit province.

Khan Bahadur A. E. PATEL : I say it is by some arrangement, whether that arrangement is made by the Government of India or any other authority. Taking the total income and expenditure, there is no deficit. It is by certain arrangements that it is made to show a deficit. Therefore, if the Government of India are prepared to undertake charge of a deficit province, it can still be arranged that by some changes in the Meston Settlement, the amount of money which the Government of India are prepared to spend over Aden in order to balance the budget can be transferred to the Government of Bombay.

The Honourable Sir GHULAM HUSSAIN : You are not going to spend any money over it. If you want to have it, you must pay for it. That is the whole position.

Khan Bahadur A. E. PATEL : When the charge of Aden is taken over by the Government of India, they will bear the cost.

The Honourable Sir GHULAM HUSSAIN : Absolutely.

Khan Bahadur A. E. PATEL : If that is the position, why should not the Government of India contribute to the revenues of the Bombay Government by a re-arrangement of the Meston Settlement——

The Honourable Sir GHULAM HUSSAIN : How can they do it ?

Khan Bahadur A. E. PATEL : By some modification in the Meston Settlement, they can allow us to have Aden, which has been developed by the expenditure of crores of rupees by Bombay merchants ? Sir, it has been so many times repeated that every advanced country now wants to find out new centres of trade, and really Aden happens to be a most favourable trade port for the export trade of the Bombay Presidency. The Honourable the General Member said that in no case will trade suffer.

The Honourable Sir GHULAM HUSSAIN : Yes.

Khan Bahadur A. E. PATEL : I say, Sir, it will suffer.

The Honourabe Sir GHULAM HUSSAIN : How ?

Khan Bahadur A. E. PATEL : Trade activities depend more or less on the stability of the facilities which are given to the merchants, and if the merchants now trading in Aden think that it would be to their advantage, to their convenience, and to their facility to have connection with Bombay, then Aden should continue as a part of Bombay. It is not

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we who are to judge the facilities of the traders, but it is the traders themselves who can best understand their own position.

The Honourable Sir GHULAM HUSSAIN : Let them pay for it.

Khan Bahadur A. E. PATEL : They are actually paying ; whether the payment goes to the Bombay Government or to the Government of India is a different question. Almost the whole commercial community is unanimous in demanding that the connection of Aden with the Bombay Presidency should be continued.

Mr. C. W. A. TURNER : May I correct that ? Only the Indian commercial community is against it. The Arabs and the Europeans are all in favour of the transfer.

Khan Bahadur A. E. PATEL : It may be so. I am not in a position to contradict that statement of the honourable member Mr. Turner, but let me be clear. When I am on this point, I am concerned with the Indian community and its interests and the Indian community happens to be the majority community——

The Honourable Sir GHULAM HUSSAIN : Again, that is a misstatement of facts. The Indian community is a minority community there.

Khan Bahadur A. E. PATEL : I mean, Sir, in point of control of trade and commerce, they are a majority community, though not numerically. The Indian community commands the trade and commerce in a greater proportion, and therefore the sentiments of the Indian merchants ought to have been taken into consideration before they are forced to separate from their so to say mother-country, I mean the Bombay Presidency. Sir, it is after all not we who are the best judges of their convenience or the facilities they require, or the advantages to trade and commerce which they will secure by the retention of Aden as part of Bombay. It is they themselves who are the best judges as to what arrangements are in their own interests and in the interest of trade. If the Indian merchants have sunk crores of rupees merely on the understanding that commerce and trade would be stabilised and continue to receive support from the Government of Bombay ; if that was the understanding on which they started——

The Honourable Sir GHULAM HUSSAIN : There was no such understanding.

Khan Bahadur A. E. PATEL : I do not mean any express understanding with Government, but if that was their own implied sentiment that connection with Bombay would stabilise their trade interest in Aden, if that was the thing which led them to sink crores of rupees, then certainly I think they should not be deprived of that facility which they think is best in their own interest. Therefore, I think, from the point of view of the Indian merchants in Aden, it is advisable for Aden to continue its connection with the Bombay Presidency. Apart from the question of Indian merchants in Aden, I say it would be in the interest of the Bombay Presidency to continue the connection with Aden, which happens to be an advantageous port for the trade of the Presidency. Much of the

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export and import trade of the Bombay Presidency is connected with the trade of Aden, and Aden supplies a good port for extending our trade to Arabia, Abyssinia and Egypt. If all these advantages are to be denied to the Bombay Presidency, then the Presidency will necessarily suffer in the matter of trade.

Finally, I would repeat that our wishes have not been consulted in this matter, and therefore it is up to this House to pass this resolution as a matter of protest.

Mr. PESTANSHAH N. VAKIL: On a point of information from the Honourable the General Member. On page 3 of the Administration Report of Aden it is mentioned that the total receipts during the year 1930-31 amounted to Rs. 62,83,000 and the expenditure was Rs. 62,52,000. I heard the Honourable the General Member remark that in the event of Aden being allowed to remain part of the Bombay Presidency this Presidency will have to bear the whole of the expenditure of Rs. 62,83,000. Now this Rs. 62,83,000 is made up of three items; contribution from the Colonial Office, contribution from the Government of India, and the Bombay Government's local receipts. Are we to understand, or is it suggested that, in the event of Aden remaining part of the Bombay Presidency, the Colonial Office is going to discontinue its grant, as also the Government of India? How otherwise are we going to shoulder the whole responsibility for Rs. 62,00,000?

The Honourable Sir GHULAM HUSSAIN: That is our point. If you want to have the control, you must pay for it.

Rao Bahadur G. K. CHITALE: On page 676 (Vol. XXXI) of the Debates in your answer to the question by the honourable member Major Ellis Jones you have given us the figures for 1927-28 in which you say that the receipts under provincial are Rs. 4,29,900; expenditure Rs. 3,74,000. There was a surplus of Rs. 55,900. In the year 1929-30 there was a loss of Rs. 5,000. As regards receipts under central, the receipts are Rs. 3,16,600; expenditure Rs. 9,95,200 and the deficit was Rs. 6,78,600. That is to say, there was a loss of Rs. 6,78,600 to the Central Government. The rest of the amount required for military and political purposes was made up by the Secretary of State for the Colonies and the Government of India.

The Honourable Sir GHULAM HUSSAIN: Does not the honourable member see? You must take into consideration that it is only the provincial subjects we are dealing with. We give small sums for primary education and public health. If the Government of India or the Secretary of State tell us that if we want to retain Aden we must pay for the efficient administration of all the provincial subjects, we cannot tell *them* to pay and leave the control to us. We must be reasonable and not be carried away by sentiment or by anybody's ideas. If this House could spend the money for running the provincial subjects efficiently, there would be some force in the argument. But we have no money. We cannot meet our own expenses.

Rao Bahadur G. K. CHITALE: Will the Colonial Office continue their contribution ?

The Honourable Sir GHULAM HUSSAIN: Why should they ? You want to retain the control against their wishes.

Mr. PESTANSHAH N. VAKIL: All the same they do not object to the control being held by the Government of India ?

The Honourable Sir GHULAM HUSSAIN: They pay for primary education and for part of the police. As reasonable men, we ought to consider that when we are going to have the control, we must pay for all the services.

Sir REGINALD SPENCE (Bombay City): Sir, I visited Aden last December and I should like to give my opinion as one interested in the question of what the future of Aden is going to be. I met numerous friends among whom were many Indians and merchants from Bombay. The merchants from Bombay are very keen on the retention of Aden under the Government of Bombay, and as regards other people in Aden, they think that they will be handicapped should the administration be transferred to the Colonial Office as was once proposed, but they are now extremely keen on coming under the administration of the Government of India. The Resident at Aden, who had gone to the Government of India for consultation, returned whilst I was there with the decision that Aden should be transferred to the control of the Government of India and this gave pleasure to the majority as I would inform honourable members of this House that the majority in Aden consider Aden will have a better chance of progress under the Government of India. The honourable member Sir Ghulam Hussain has already stated that the Bombay Government had not the money to spend on what may be called nation-building departments. The Bombay merchants seem to fear that if the administration goes into the hands of the Government of India, they will not have that amount of control they have now. But other people who have settled in Aden and round about in Somaliland are anxious to come under the administration of the Government of India. We have to concern ourselves with what the public of Aden wants and not with what a section wants. What the public of Aden want is to go under the Government of India.

Mr. J. B. PETIT (Bombay Millowners' Association): Sir, I confess that this question is somewhat shrouded in the mist of mystery and doubt on account of the contradictory opinions that have been expressed upon it, both in and outside this House. Reading the reply given by H. E. the Viceroy to the deputation of the Indian Merchants that waited on him last year, it appears to me that they have made out a clear case against the transfer of Aden to the Central Government. If as is contended by the Honourable the Leader of the House, the retention of Aden by the Bombay Government is a very costly proposition and its continuance for any length of time is likely to tell adversely on the finances of the Presidency, I would like to know for what purpose and in whose interest the Government of India are so anxious to have it transferred to

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themselves. Strely it cannot be with the object of relieving the Government of Bombay of this burden. The Government of India are not a philanthropic institution; and, I find it difficult to believe that they have come forward so readily to take over this responsibility from the Government of Bombay merely out of charity. I am inclined to think, Sir, that there is some other purpose at the bottom, perhaps some military reason, and that the object of the transfer is, after all, not so simple as it appears on the surface. If the Government of India themselves were to take over the entire civil administration of Aden and retain it permanently in the interest of the country, it would be all right. But the fear of those who composed the deputation to H. E. the Viceroy, as of the honourable members of this House, is that it is only a stepping stone to its ultimate transfer to the Home Government, to be managed and administered by the Colonial Office. Primarily, of course, there was a very strong feeling in this Presidency against the transfer of control to anyone, merely because of the very legitimate sentiment that the Government of Bombay should continue to carry on the administration of Aden, in consequence of the fact that Bombay merchants and Bombay enterprise had very substantially contributed to the wealth and prosperity of the place, and had made it what it was. But in spite of this fact, it is possible to reconcile this feeling of pride, to its transfer to the Central Government, provided that an irrevocable assurance can be obtained both from the Imperial Government and the Government of India that it will not be transferred to the Colonial Office in due course, as is feared in this country.

The main objection to its retention, if I have been able to correctly understand the Honourable the Leader of the House, is that at present about 50 to 60 lakhs have got to be paid to them annually. But I wish to point out that the reply of the Government of India does not say anything of the kind.

The Honourable Sir GHULAM HUSSAIN: These figures were quoted by the honourable mover of the resolution.

Mr. J. B. PETIT: It is not quite clear what the Government of Bombay are spending on Aden. In one part of the representation which the deputation read out, it is stated that the net loss to the Government of Bombay is barely Rs. 2 or 3 lakhs a year.

The Honourable Sir GHULAM HUSSAIN: We are spending scarcely anything in fact on the sanitation, medical relief, education and so on in Aden; we are spending very small amounts. In the interests of the people, the Government of India want to have the administration transferred to them, because the Bombay Government cannot spare the money to spend on the nation-building services. That is the only issue. We should not be led away by the sentiments of merchants. Is the Bombay Government able to give the people there efficient education, public health, medical relief, civil works and so on?

Mr. J. B. PETIT: I would like to point out that in the representation which the Indian merchants made to the Viceroy, they say that there is a loss of about 3 lakhs a year.

The Honourable Sir GHULAM HUSSAIN: May I interrupt the honourable member for a minute? If we spend in proportion to the population we will require many more lakhs.

Mr. J. B. PETIT: I do not dispute that proposition in the abstract. But what are the present facts? We are at present losing only Rs. 3 lakhs a year and nothing more. On the present basis, the removal of the control of Aden from the Government of Bombay to the Government of India will save 2 to 3 lakhs at the most to the Government of Bombay. That statement was deliberately made by the deputation; and as far as I know, it has not been challenged either by the Government of India or by the Government of Bombay. The military contribution that is being made by the Imperial Government at present, will continue in any case; and that question cannot affect the merits of the point under discussion. Whether Aden ever wanted more grants from this Government for its civil administration and other wants, is a question of which this House is absolutely ignorant. But whether such demands, if at all made, were ever refused, is a matter on which this House is able to give an emphatic reply in the negative. I have been a member of this House for the last 9 years, and I do not remember a single occasion on which a grant was demanded by the Government on behalf of Aden, which was ever refused by this House. If my impression is correct, as I believe it is, then I submit, with all respect to the Leader of the House, that the question of the alleged refusal of this Presidency to satisfy the legitimate needs of Aden, does not arise; and is irrelevant, even if it did. Assuming however for argument's sake that this was so, I cannot believe that the Government of India, whose financial condition is no better than our own, would be willing to spend on a much larger scale for the benefit of Aden, merely out of altruistic motives. That the Government of India are ready to undertake this liability out of love for the inhabitants of Aden, is a proposition, to which, I am afraid, the members of this honourable House,—knowing the Government of India as well as we all do—will not be prepared to subscribe. I need hardly add that it is not at all a convincing argument for the transfer of Aden from the Government of Bombay to the Government of India. I am inclined to think that there is something more at the bottom; and we ought to know what it is.

The honourable member for the European community (Sir Reginald Spence) told us a little while ago, that he knew it as a matter of fact, that the people of Aden definitely wanted the place to be transferred to the Government of India. This is news to me. I had no knowledge of this circumstance before. Indeed, my own impression was in the opposite direction, for I had been authoritatively informed that there was a very strong feeling in Aden against the proposed transfer to the Government of India. But I am prepared to grant that I was misinformed and that my honourable friend is correct. On this assumption, I am willing to admit that this House has no case; and I for one am prepared to bow to the wishes of the people of Aden in this respect. But I would like to make assurance doubly sure. I would like to know whether a plebiscite was taken and if a consensus of opinion was found to be in favour of the

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transfer of Aden to the Government of India. If not, it is essential to know how the wishes of the people of Aden were ascertained. I have a very clear impression of having read somewhere that the people were very strongly against this transfer, and particularly the natives of the place. But my main objection to the transfer is that no case has been made out for it. If it is costly for the Government of Bombay, it is bound to be equally costly for the Government of India. And we are afraid that this transfer, if agreed to now, will be only a stepping stone to its final delivery to the Colonial Office! It is therefore, Sir, that I wish to support this proposition.

Incidentally, Sir, I think this House is justified in putting on record its most emphatic disapproval of the method employed by the Government of India in taking this important step over the head of the Government of Bombay without giving to this House even an indirect opportunity of discussing it. I think even the Government of Bombay have been very badly treated in this matter as is evident from an extract quoted by the deputation from a speech delivered by Sir Ernest Hotson in 1927 before the Bombay Council, showing among other things, how such an important decision in regard to Aden, had been taken by the Government of India, not only without consulting but even without informing the Government of Bombay.

For all these reasons, Sir, I support the resolution. But I wish to do so with the proviso that if at any future date it is ever proved that the people of Aden are in favour of the transfer to the Government of India, then I for one will be prepared to support their attitude. But at the present moment, on the facts and figures that are before us, the loss that we are incurring in the expenditure on Aden is only a small sum of between two and three lakhs of rupees, which cannot be called a prohibitive figure for the Government of Bombay to bear, as the price of the retention of Aden. I do not think that a case has been made out for its transfer to the Government of India, and I accordingly ask the House to support this resolution, at any rate in order to enable the Government of Bombay to make a comprehensive statement thereon, thereby clarifying the issue and explaining all the facts connected therewith.

Mr. C. W. A. TURNER: Sir, as I have been concerned with the administration of Aden as Secretary in the Political Department for about three years altogether, including the period when I have acted for other officers, I will try and put before the House what the difficulties are in the present system of the administration of Aden, and I trust that I shall convince the honourable House that the difficulties really are serious and the time has come when the connection between Bombay and Aden should come to an end. The Government of Bombay is now practically nothing more than the agent of the Government of India. It is true that theoretically the Bombay Government is responsible for local self-government, medical relief, education and unarmed police force, but in practice the Government of India have hitherto supplied the bulk of the funds which are expended on these departments, except

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the unarmed police. This is against the terms of the Government of India Act, except in the case of the police, as medical relief, education and public health are all transferred subjects and central revenues cannot be expended on such subjects. They have got over the difficulty by calling these charges which they have accepted—for education, etc.—political charges. And they were ready to go on doing that so long as they had money to spare, but about two or three years ago, when their own finances were becoming difficult, they turned to the Government of Bombay and said: "Now, look here! We have been bearing these charges as political charges hitherto, but we must remind you that they are your charges and the time has come when we must call upon you to bear them." Well, the Government of Bombay were then immediately faced with the fact that they would have to face a serious deficit in the Aden budget, and the only way of getting out of that position was to consider the transfer of Aden to the Government of India. The Government of India said: "We are ready to take over full responsibility and to pay for it, but we cannot go on bearing charges which under the law we are not allowed to bear." That was the position and is the position to-day.

Then, apart from this legal difficulty, the system of administration at Aden is becoming more and more cumbrous and difficult every day. The Resident at Aden has to serve three masters. He has to serve the Government of India at Delhi or Simla; he has to serve the Colonial Secretary in England; and he has to serve the Governor of Bombay. No administration can go on satisfactorily when the administrator has to serve three masters who are at opposite ends of the world.

Mr. J. B. PETIT: On a point of information, Sir; may I know how and why he is responsible to the Colonial Secretary?

Mr. C. W. A. TURNER: He is responsible to the Colonial Secretary for all the political agency work in the Aden Protected Area. The Resident is also the Commander-in-Chief of Aden and he is responsible to the Colonial Office for all his duties in that connection. He is also responsible to the Colonial Office for the administration of the armed police, part of the cost of which is borne by the Colonial Office and part by the Government of India. He is thus intimately connected with the Colonial Secretary, and the intervention of the Colonial Office has complicated the administration of Aden very considerably.

Mr. PESTANSHAH N. VAKIL: Will the honourable member enlighten us on the amount spent by the Government of India as political charges?

Mr. C. W. A. TURNER: I think the figure is Rs. 3,88,000 per annum. The police charges are borne in part by the Government of Bombay, in part by the Government of India and in part by the Colonial Office. Now, I leave it to the honourable members to consider the difficulties which must arise when any charge concerning the armed police comes up. I will only quote one instance. I think it came up at least twelve months ago, or it may be more. The

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Commandant of the Police applied for permission to purchase a typewriter. The cost of that typewriter was about £ 20. He had to get the sanction of the Government of Bombay, the Government of India and the Colonial Office, because the cost of that typewriter was to be shared between the three Governments. And I do not think he has got that typewriter yet. That is a petty case, but it is typical of what is going on every day in Aden. It must be heart-breaking to any officer who holds the position of Resident at Aden, and I know how he feels it.

Then, another point which I can never understand is, why the Indian business men of Aden are so terrified of going over to the Government of India. The whole of the business of Aden is really controlled by the Government of India. Salt, customs and income-tax are the main things in which the business men of Aden are concerned. The Government of Bombay can be of no earthly use to them in any matters concerning salt, income-tax and customs. As I say, I have been in this office for three years, and never once in those three years has an Aden merchant come to my office to discuss any commercial matter or any trade matter. The obvious reason is that he knows that he cannot get anything out of me or the Government of Bombay. If he has got any matter to discuss, he must go and discuss it with the Foreign Secretary or some other Secretary of the Government of India. I never can understand why they should think that the Government of Bombay will be of any assistance to them and they should be afraid of going to the Government of India. India is their country, and the Government of India is the government of the whole country. Why should it be inclined to treat the Aden merchants with unfairness?

Another point has been made that there is general opposition amongst the population of Aden. My honourable friend Sir Reginald Spence has pointed out that that is not true of the other communities. It is true, I admit, of Indians. But we know that the Arabs generally are not keen on the connection with India at all, but if that connection remained they would prefer to be under the Government of India than under the Government of Bombay. We know that the Port Trust and the Executive Committee of the local self-governing body there have both declared in favour of the transfer to the Government of India. As for the Indians, I admit their preference to Bombay, but it appears to me that that preference is purely sentimental. The general feeling in Aden, as Sir Reginald Spence pointed out, is in favour of the transfer.

Mr. J. S. KADRI (Northern Division): Sir, I should like to say a few words in connection with Aden, where I was on special duty for over a year and of which I have personal experience and knowledge. In 1916, when I was there, the Great War was going on, and it was at that time that the question of the transfer of military control was considered, and it was in 1917 that the military control of Aden was actually transferred to the War Office. The question of the transfer of the civil administration of Aden to the Colonial Office was also then being mooted,

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and I knew from my direct contact with the citizens of Aden in those days that they were very much opposed to the idea of being transferred to the Colonial Office.

The Honourable Sir GHULAM HUSSAIN: That is a fact.

Mr. J. S. KADRI: But subsequently circumstances changed a good deal, and in the matter of civil administration under dual control, the people were feeling aggrieved in many respects. I was on special duty in connection with the reorganisation of the Educational Department of the Aden Settlement and I had to submit my report to the Government of India through the Government of Bombay. It was then found that on every important matter involving any additional expense, the Government of Bombay had to refer to the Government of India for final orders. Owing to financial handicaps, many urgent reforms were delayed, and it was felt by the people of Aden that they suffered a great deal on account of the dual control. The result was that their nation-building departments were very much starved, and particularly, the Educational Department was in a very bad condition. There was not sufficient money to develop Government institutions and to aid the private institutions, which were managed by foreign agencies like Spanish, Italian and Danish missions. The indigenous institutions also suffered seriously, as they were not properly and adequately aided by Government, since there were not sufficient funds to aid them. All these difficulties were brought to the notice of the Government in my report and they were to a very great extent remedied and rectified by the Government. But still the people felt that they were not being fairly treated in the matter of their medical, educational and municipal needs. This will go to show that the arguments urged in favour of the transfer of civil control to the Government of India are not unfounded. But at the same time, it should be remembered that the people of Aden in general, including the Europeans, with whom I was in touch, and particularly the Indians who form about 15 per cent. of the total population of Aden were very much in favour of having their political as well as commercial relations maintained with the Bombay Presidency, because there were obvious facilities and advantages for the people to remain in direct contact with the Bombay Government which is not only nearer to them than the India Government but which has played an important part in shaping and stabilising the civil administration of Aden during its century-old connection with the Bombay Presidency. Aden owes its material prosperity chiefly to Indians. The Mahomedans and Hindus of Kathiawar who are very many in Aden carry on roaring business, not only in Aden but in other parts of Arbia viz., Yemen, Hodeida, etc., and also in coast towns of Africa like Port Suakin and Port Sudan, places which I happened to visit while I was in Aden. They were all very much interested in keeping up their relations with the Bombay Government, not only on the score of administrative convenience but also on the score of old business connections with the merchants here. Even now, so far as I can gather from my correspondence with the people of Aden, they

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are very anxious that they should remain attached to the Bombay presidency, because after all, the India Government is far off, while their close personal and commercial relations with the people of Bombay and Kathiawar necessitate their direct contact with the Government of Bombay. As Aden is an emporium of trade and the gateway of the Red Sea, it occupies a very important position from a strategic point of view, and I think the Government of India was justified in transferring its military control to the War Office. But as regards the civil control, I think, the Bombay Government will be well advised to try their best to retain Aden under their own control. Bombay will be a gainer in good many respects thereby. In the first place it will gain a great deal commercially, because a large amount of business is being carried on between Bombay and Aden. I will just cite the instance of some Bombay firms. The well known firms of Laljees and of Sir Hormusji Cowasji (called Messrs. Cowasji Dinshaw & Co.) are from Bombay. Of course, they are naturally anxious to remain in touch with Bombay. I think, these people have contributed a lion's share in building up the prosperity of Aden and they are justified in expecting the Bombay Government to safeguard their business interests and retain the civil administration of Aden in their own hands. After all, they have large vested interests in Aden. It is the Bombay people who have really made Aden what it is. After 1916, since I left Aden, there has been a tremendous change in the general condition of Aden and there is a very bright future in store for it, if it remains under the Bombay Government. I understand that the Government of India is going to balance the budget of Aden without incurring any expense from its own funds. I think I am not wrong in saying that it is likely to make a profit of a lakh or two in the Aden budget. Under such circumstances, there is no reason why the Government of India should not come to the rescue of the Bombay Government by subsidising it for the various nation-building departments of Aden, with the object of bringing them up to a high level and thereby satisfying the needs of the people. If the Government of India is going to shoulder the extra burden of improving the various departments of Aden, it can as well assist the Bombay Government in putting Aden on a higher level, in so far as educational, medical and other civil amenities are concerned. From my personal experience, I can say that the public of Aden and the commercial interests of the Bombay Presidency are very much concerned about the transfer of civil control to the Government of India, because they are very much afraid, as pointed out by my honourable friend Mr. Petit, that this is simply the first stage in the transitional career of Aden, which is likely to go under the sway of the Colonial Office sooner or later. Aden is not only a very important place, from the strategic point of view, but it holds a unique position from other points of view also. It is a place of international importance and the British Government would certainly like to have it under their own direct control, if not now, a few years hence. In conclusion, I would urge this part of the House to accept this resolution, in order to give expression to our clear and

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emphatic opinion on this matter and let the Government of India know that the Bombay Presidency is not at all inclined to sever its connection with Aden, which is of permanent and paramount importance to its commerce and trade. With these words, I support the resolution of my honourable friend Rao Bahadur Chitale.

Mr. L. R. GOKHALE (Poona City): Sir, in a very able and lengthy speech the honourable member Mr. Kadri has put before the House in a clear way the important issue that is before us for consideration. The question as it arises is this: should Aden be first transferred from Bombay to the Government of India, so that, in course of time, it may be wrenched from the hands of the Government of India ultimately and transferred to some other Government? Let it be the Colonial or some other Government. That is the only issue before us now worth consideration. The question about the cost of maintaining Aden, at any rate so far as its nation-building departments are concerned, is a secondary question. I do not think it is a primary question. We have spent crores of rupees over the Development Department in Bombay City in anticipation of return. We have spent on Sind crores of rupees in anticipation of return, of which we are almost certain. Can we not then spend some amount in the same way on the improvement of Aden, if we anticipate any return from it? We have been borrowing. The Government of Bombay has been a borrower for the last many years. It has spent money wherever it thought necessary in the interests of the Presidency by borrowing. Is it really a wrong argument to say that to-day, because Aden does not pay us anything, therefore, we should be ready to give it up? That is, I think, the question that should be considered. A question was asked just now why it is that the Bombay traders and merchants should be so keen in trying to keep Aden under the Bombay Government. I believe self-interest is the only answer. Are they fools, or are they wise men, business men to see that they are losing their interests in Aden by reason of its transfer from the Presidency. I believe that if any argument is necessary to convince us that Aden should not be taken away from us, it is this argument. Those who have built up their trade in Aden, those who have spent their lives in Aden, those who have spent their money——[*Interruption.*] The argument is that of self-interest of the traders of Bombay, and the interest of traders of Bombay is the interest of the Presidency of Bombay, and the interest of the Presidency of Bombay ought to be the interest of the Government of Bombay. Unless the Government of Bombay is prepared to sacrifice its own interests, there is no go out of the position. The merchants of Bombay really know what is to their advantage.

The only argument that has been advanced against the retention is that we cannot satisfy the needs of the Aden people as regards nation-building departments. I believe that we have to sow before we can reap. The Government of Bombay has never come before this House and asked for money to invest in Aden in order to improve the condition there. If that has been done, I would like to know when. So far as I can see, such a proposal has never been put forth before this House.

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The Honourable Sir GHULAM HUSSAIN: Where is the money?

Mr. L. R. GOKHALE: We have been borrowing. A wise borrower is he who utilises the borrowings for a good purpose. We do not say you should borrow money and spend it unnecessarily.

The second question raised was about the triple character of the control. I believe the double character of the control is known to us in many places. For instance, there is military control in Kirkee cantonment and civil control in Kirkee town. The Government of Bombay is certainly not controlling the military operations of these cantonments. They are directly under the control of the Government of India——

The Honourable Sir GHULAM HUSSAIN: The Cantonment Authorities do not carry on correspondence with the Civil Authorities.

Mr. L. R. GOKHALE: I quite see the force of the argument. All that is required is to adjust the methods of correspondence, to decide through what channels the correspondence should go. If really the Government of Bombay desire to keep Aden for the people of Bombay, they can certainly see their way to do it. They are a mighty Government; they are a very ingenious Government. They have got the resources; but they must have the will to do it.

Another important question raised was that of the adjustment of the finances between the Central and Provincial Governments. Has the Government of Bombay not represented the case about the income tax to the Government of India? When we ask for a large subsidy from them, is that simply a present to us? Is it not true that they receive a very large and substantial contribution out of the income tax receipts from Aden? Is it not our right to claim part of it? I am sure that when the Honourable the Finance Secretary was recently in Delhi, he must have put forward the case of the Bombay Government in regard to the income tax receipts from Aden along with those from the Presidency. It is no argument to say that the Government of India take away the income tax and we get very little by way of other taxes and that therefore we cannot keep up the nation-building departments. I believe it is our right to claim our share of the income tax, it is our privilege.

One more point that strikes me is this: this resolution was tabled by my honourable friend from Ahmednagar (Rao Bahadur Chitale) some time in January or perhaps in December. I put it to the Government of Bombay: have they made a representation to the Government of India asking them to hold up their decision until this House has had an opportunity to express an opinion on it? I hope they have done it, and if they have not done it, I would like to be enlightened as to what has been done in the matter. At the present moment, when this particular resolution was before the House, it was necessary and desirable that the Government of Bombay should have asked the Government of India to wait until this House expressed its opinion

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on this point. It is not a new question. It is a ticklish question. It was raised in 1910, 1920 and in 1923. Since then this question has been repeatedly brought forward. The Government of Bombay has been trying occasionally to become warm and sometimes lukewarm, while the Government of India have been trying their best to take away Aden from us. I believe the Government of India is sufficiently far-sighted. We can presume and see why they want to take it away from Bombay. It is a strategic point. Undoubtedly it is a key in many respects. If Aden goes away to the Colonial Office, India loses and the Colonial Office gains. There is no doubt about that. I think there is no doubt about that position. As the keepers of the fortunes of the Bombay people, what is the position of the Government of Bombay who are the trustees of the people of Bombay? Should they, as trustees, look to the interests of those whom they represent or should they look to the interests of those beyond the seas? It has been very clearly told to us by my honourable friend Mr. Kadri that a majority of the Asiatic people living in Aden are very keen about continuing under the Bombay Government——

The Honourable Sir GHULAM HUSSAIN: No, no. Indians he said, not Arabs.

Mr. L. R. GOKHALE: Very well, I accept that correction. The Arabs owned Aden at first. India is not the country of the Britishers. India was not the country of the Aryans who came to India, India belonged to the aborigines. That is no argument, Sir. In the part of *Desh* to which I belong I am a foreigner, but nobody can drive me out of it. Aden may have been originally in the possession of Arabs, but an Arab is welcomed in India and similarly should not an Indian be welcomed in Aden? What is in this argument? I fail to see anything in that argument. What is our duty as the representatives of the interests of India? Before we are philanthropists, we must be generous and just to our own people who have built up Aden to its present thriving position. Where shall we look? Shall we look at what the Arabs want or shall we see what the Colonial Office wants or shall we see ten years ahead when India may become a free country what she will want? I do not mean to suggest that the question is being hurried up on account of the coming reforms—it may be so or it may not be so, perhaps it may be, but the question now is this namely, if India is to be under a new constitution a Dominion—I will not go for the present beyond that—within the Empire, what would be the strategic position of Aden so far as India is concerned? I ask you, the Honourable Sir Ghulam Hussain, as the mouthpiece of Government because you ought to know it better than I or anybody else, and if you do not, I will ask you to go and represent our cause and pump the Government of India out to our advantage. That is the duty which you owe to all of us. I would put it thus, you wish to remove Aden from our hands in such a hurried way because no complications should arise after the new constitution comes in——

Mr. C. W. A. TURNER: May I inform the honourable member that these negotiations have been going on for the last five years? It is not being done in a hurry.

Mr. L. R. GOKHALE: I know they have been going on for the last five years, but the question of the reforms and the new Council and separated India is going on for more than 10 years. Which is anterior in time? I believe the Government of India is farsighted enough, but I want the Government of Bombay to be equally farsighted. I want them as trustees of this Presidency not to allow Aden to be wrenched away from us. They must put our case so strongly before the Government of India that Aden will continue to remain with us. That is exactly what I want to say. I of course expect that the reply will probably be that the Government of Bombay have taken all necessary steps to put the case properly before the Government of India and I also expect that we shall be told in reply by the Government of the steps which the Government of Bombay have taken as regards putting forth our claims. But, I am afraid, I am inclined to believe that both the Honourable the Leader of the House and the honourable member the Political Secretary appear to me to be inclined to take a more sympathetic view of the Colonial Office than of the people for whom or to whom or for whose interest they are responsible. It may be that to-day it may not be to our advantage to keep Aden, but I ask how much money has been already buried in Aden by the people of this country? Has that been calculated? From a desert almost to a thriving city Aden has risen. Many of us have visited that port and we have seen during the last ten, twenty or thirty years what difference it has made. Was not India a partner in doing that? I would like to know exactly whether the Government of Bombay has calculated the amount of money buried in improving Aden by the merchants of Bombay. It is, Sir, now very easy to say "Transfer that thriving city to us now, transfer that strategic point to us now when it is a prosperous town, when there are foreigners, Greeks, Arabs, Europeans all working in that place and it has become a small thriving colony. Why don't you hand it over to us?" But the question arises, when the colony has come to its present position, who are the persons who are primarily entitled to the benefit of it? I will put this question on the basis of pounds, shillings and pence, as that is the argument put before us, but I say that that argument of pounds, shillings and pence should be subordinated for some time to the argument of sentiment and vested interests, and our interests require this very Aden to be with us. The Government of Bombay as our trustees and as our guide and as controllers of our destinies ought to think with us and not against us, they ought to think in the way in which the people of Aden and we, their representatives, like them to think. Let them put themselves in the position of these merchants who have spent the greater part of their lives and money in developing Aden to its present prosperous condition, I mean the people of Bombay. Then only will the Government realise why the people of Bombay want Aden to continue under the Bombay Government. The people of Bombay have spent their money, their energies and their skill in improving Aden and improving Aden's

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commerce and trade. If it is necessary to do so, Government may come forward with a proposal of a certain subsidy, and this House will certainly be very glad to contribute it. For all these and other reasons, I think we should not be a party to the transfer of Aden from Bombay to Delhi. Aden is and will be a strategic point to the India of the future. That point must be preserved for us and should not be parted with.

Of course, I do not want to take further time of this House but I do think that Indian interest, Indian Colonial interest, is to be considered, not Indian provincial interest. India of to-day may have provincial interest only but the India of to-morrow will have colonial interest and will have foreign interest. Are they not to be preserved ? Let us think for a moment that we are a self-governing dominion under the Empire sitting here in this House and we believe that Aden is a strategic point. We know our kith and kin are there. Let us then see what shall be our mentality ? Shall we then consider whether we should spend a little more or a little less or shall we not think that the strategic point of Aden should be with a self-governing India ? That is how we should all look at this question. That is the way I would ask the Bombay Government to put forth the claim of this presidency in the adjustment to be made between the Bombay Government and the Government of India as regards the income which the latter Government receives from Aden for and on behalf of the Local Government and the people of Bombay. If that income is considered, I believe the Government of India gives us an inadequate contribution. The Government of India gets a large amount of money from Aden. I shall be very glad to be enlightened as to the proportion they spend out of that large income over the people of Aden in return for that income. That proportion I am sure is not very large, rather is not even proper. If that is so, why should we lose Aden to the Indian Government ?

I was certainly very much amused at the reasons which were put forward by the Honourable the Leader of the House in support of the transfer of Aden to the Government of India. The reasons, Sir, are not very sound reasons. The Honourable the Leader said there was triple control and that it has not been possible for the Bombay Government to spend much on the nation-building departments in Aden and that therefore Aden must go to the Government of India. If there is triple control, why not have dual control, or if circumstances do not permit it now, why not wait for some time until the control can be made unilateral or dual, but let us not be in a hurry to lose that place now, because it will be said afterwards that on the verge of India becoming a self-governing dominion, the Government of Bombay, with the help of the honourable member the Political Secretary and the Executive Councillors, managed to part with that strategic point namely, Aden, in favour of the British Colonial Office so that they may make use of it in their own way——

The Honourable Sir GHULAM HUSSAIN : In favour of India.

Mr. L. R. GOKHALE : I quite agree, in favour of India for the present only. I say, why not wait for a couple of years when the new constitution is coming into force ? I do not see the point of all this hurry and scurry. The Government of India should have said "Let us hold our hands for a while." The Government of India knew that the time was not opportune, that they could wait for a year or two or even three years, that the people chiefly concerned opposed the idea of a transfer from Bombay Government to the Government of India or for the matter of that to any other Government. They should have said "Let us wait and see for a while."

With these remarks, I strongly support the arguments put forward by my honourable friend from Ahmednagar. In fact, I would go so far as to say that the resolution should be taken to a division and we should very clearly tell the Government of Bombay and the Government of India that this honourable House does not want to part with Aden even if it means a sacrifice on our part in keeping it under our control. Those who have gone before us in this Council have spoken over and over again on this question. There are so many speeches on record. Sir Dinshaw Wacha has pleaded strongly in favour of the retention of Aden under the Bombay Government, and many others have on several occasions discussed this important question, and I believe that this is just the time when we must make it perfectly clear to Government that we are opposed to this partition of Aden and that we refuse to consent to let Aden be dragged away or snatched away from our hands and handed over to the Government of India or any other Government.

Mr. SHAIKH ABDUL AZIZ (Central Division) : Sir, the Honourable the Leader of the House told us that one of the reasons why Government were in favour of transferring Aden to the Government of India was that we had spent so little on education and other nation-building departments in Aden and that if Aden is transferred to that Government, they will be in a position to take proper care of the needs of the people in Aden, i.e., education, health, etc. May I point out that in his reply to the Deputation led by Sir Chunilal Mehta His Excellency the Viceroy did not say a word about education or any other nation-building department in Aden but the reason given was that the present proposals were made solely with the view to remove administrative inconvenience.

I shall now remind the Honourable the Leader of the House of what is being done in Baluchistan for the education of the people of Baluchistan by the Government of India which is now administering that province. In Volume I of the Indian Statutory Commission Report, it has been stated that very little education has been given to a population of 8 lakhs in Baluchistan. I need not go further into this argument of Government. I am fully in favour of the resolution to the effect that Aden should not be transferred to the Government of India.

(*After recess.*)

Mr. PESTANSHAH N. VAKIL (Ahmedabad City) : Sir, if the financial consideration is the crux of the whole question,—as a matter of fact, it is not, as is apparent from the reply given to the deputation that

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waited on His Excellency the Viceroy, and also from the replies to interpellations both in this Council as well as in the Assembly—but assuming for the sake of argument that financial reasons played the principal part in the determination of this question—and the Honourable the Leader of the House has reared his whole structure on the foundation of financial reasons, inasmuch as he trotted out the bogey of financial responsibility for the efficient administration of Aden—then, I submit, it was all the more incumbent both upon the Honourable the Leader of the House as well as on the Political Secretary to have attempted to convince this part of the House by adducing facts and figures. The Honourable the Leader of the House gave us to understand, at least we have understood him to mean, that this Presidency will have to shoulder the whole burden, viz., Rs. 62,00,000 for the civil administration of Aden. It was for this reason, Sir, that I rose on a point of information, whether the Colonial Office was going to discontinue its contribution, because, as I pointed out, this Rs. 62,00,000 was made up by the contributions from, firstly, the Colonial Office, then the Government of India and lastly the Bombay Government. Now, this point has not been cleared at all, and, with great respect, I beg to state that the Honourable the Leader of the House appeared to me to be fencing with the question instead of going straight to the answer. That shows that the financial bogey has no substance at all. Further, the Political Secretary told us that certain charges, which ought legitimately to have been borne by the Bombay Government, were as a matter of fact borne by the Government of India, and there was a legal difficulty about it, which, as he very well pointed out, was got over by debiting those charges under the name of "political charges." These charges come to Rs. 3,88,000. Therefore, if I have understood both these honourable gentlemen aright, the extra burden which this Presidency may have to shoulder will be something like 4 or 5 lakhs of rupees, because the major part of the expenses is defrayed by the revenues obtained locally as well as by the contribution of the Colonial Office.

Now, Sir, I know the Honourable the Leader of the House was perfectly right in telling this House that most of the revenues derived from Aden fall under the head of Imperial Revenues, that is to say, revenues properly creditable to the Government of India, for instance, Income Tax which comes to about Rs. 3,00,000 and revenue from Salt Rs. 75,000, and so forth. As my honourable friend Mr. Gokhale argued, this is a special case, and although legally, i.e. under the Government of India Act, that Government are entitled to all that revenue, it can very properly be urged that, under the special circumstances, the Government of India may be requested to forgo these heads of revenue in Aden in order to enable the Bombay Government to bear the entire burden of the civil administration of Aden. To my mind the financial difficulties are not really very serious; at any rate, we have not been thoroughly convinced that the difficulties presented are insuperable. I hold the Administration Report of Aden in my hand—it is bound to be an authentic publication—and the figures given there are exactly

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as I have stated them a minute ago; and from that it is apparent that, unless the Colonial Office is going to discontinue their contribution in *toto*, the financial situation for us will not be as embarrassing and hopeless as it has been made out to be.

But, Sir, we are labouring the point to no purpose. The answer given to the deputation is very clear that it is for administrative purposes that the separation is going to be effected. As the Political Secretary pointed out, at present there is triple control in Aden, not only dual. But, as has been rightly pointed out, the administration even in India is dual. There are a number of questions which have got to be referred to the Government of India. For instance, suppose an industry which is carrying on its operations in the Bombay Presidency wants protection, it has to go to the Government of India for it. As a matter of fact, I know of several industries the management of which had had to deal directly with the India Government. Similarly, on a great many other questions. Only yesterday we passed a resolution regarding franchise in rural areas and the Honourable the Leader of the House assured us that he would forward the notes of the debate to the Government of India. That means that at present even here, i.e. in India itself, in certain matters there is dual control. The only question is why there should be triple control. Well, that is a different matter altogether, and if anybody is responsible for it, it is the Government of India or the Bombay Government for having allowed the Colonial Office to obtain control over the administration of Aden at all. But that is a larger question to which we need not refer on the present occasion.

But, Sir, the real motive behind this move seems to be political. I am not one of those who see the cloven hoof of malign Government interest in every step that is taken. At the same time, I have a shrewd suspicion that the real motive is political. There has been or is shortly going to be a change in the orientation of the Near East politics by the admission of Iraq to the League of Nations. The whole outlook of Near Eastern politics is going to be shifted and Aden is on the eve of obtaining increasing importance in the near future. It is not only the entrance to the Red Sea, but is also a very big emporium, as has been graphically pointed out by my honourable friend Mr. Kadri, for the vast hinterland round about Aden. Then, Sir, it is the principal port of export for the produce of India and Arabia to the East African seaboard. So, Aden, both commercially and politically, because of the recent changes in the Near Eastern politics, is going to have very great importance in the near future; and, as was pointed out by my honourable friend Mr. Petit, all this movement may be only a stepping-stone to the transfer of Aden from the Government of India to the Colonial Office. That is, we suspect, how the matter stands. Sir, it has also been pointed out that even under the existing arrangement the merchants of Aden have to deal with the Government of India, and that they do not therefore stand to lose anything by the transfer. I ask this House, do they not? With the instances of Nairobi, East Africa, and of the Transvaal, where

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we know how the Indians have fared, at least is it not quite on the cards that the interests of Indian merchants will go by the board when Aden is severed absolutely from India ?

The Honourable Sir GHULAM HUSSAIN : It is not going to be severed from India.

Mr. PESTANSHAH N. VAKIL : I am talking of the distant future. As I said before, we suspect that it may merely be the precursor of its absolute severance from the Indian continent. Aden, territorially and geographically, belongs to Arabia, and it may then be urged, " What has India got to do with Aden ? It was only when India was a dependency that Aden was allowed to be kept in administrative connection with India." At that time the interests of the Indian merchants, who have built up the trade of Aden largely by their own enterprise and initiative, will be absolutely jettisoned. Why, Sir ? What has happened in East Africa ? They will be elbowed out by the more virile and more influential settlers from England and other places. By settlement, I do not mean to say that the climate of Aden is so inviting that those European foreigners, with all the modern amenities and the improvement in material comforts, will go and permanently reside there. But they will build up large interests, there will be vested interests, and then who is going to listen to the protest of the Indians ? So, there are suspicions, but they are very well founded.

Regarding the wishes of the residents of Aden, here I admit, Sir, there has been some lack of clear thinking ; I will not say there is confusion of thought, but there has been lack of clear thinking. If there is going to be anything like self-determination, and if a clear-cut issue is placed before the residents of Aden in the shape of a referendum, I am quite sure the residents of Aden, the Arabs—the Somalis do not count, because they are merely workers in the port—who form the bulk of the population will, I am sure, plump solidly for self-government ; and not, I fear, for connection with India or connection with the Colonial Office, but for self-government pure and simple. But it may be argued that the people of Aden have not reached politically that stage where they can take an independent line of action. At any rate when capital is sought to be made out of this argument anent the wishes of the people of Aden, I put it to my honourable friend the Leader of the House whether the issue has been presented to them in that clear-cut form, that is, whether they desire to be with the Government of India or with the Bombay Government. If it is put in that form, if it is held up in front of them in that shape, I for one have no doubt that they will vote for connection with Bombay rather than for connection with the Government of India. I submit, Sir, if there is going to be anything like self-determination, their interests, i.e. of the people of Aden, should count first and foremost, and I am entirely in agreement with what the honourable member Mr. Petit stated that their political interests should be consulted first. Otherwise we shall lay ourselves open to the same kind of reproach that we level against the British people, viz. that they came over here,

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established themselves in our land and are unwilling to hand over power to us. A similar reproach may rightly be laid at our door that we Indians who do not belong to Arabia,—not one foot of the Arabian land rightly belongs to us,—want to have control over their destinies.

Aden, Sir, is in a transitional stage, both commercially and politically. Nobody knows what is going to happen in the near future, much less what is going to happen in the distant future. As matters stand, the question is whether we are going to submit to a developed territory, which, though geographically not ours, politically and administratively belongs to Bombay, being handed over to the Government of India, as has been actually done, without consulting us, behind our back. And, Sir, I do not know why the Honourable the Leader of the House should have taken up the cudgels on behalf of the Government of India. It is our duty to see that Aden is not transferred to that Government, and before it becomes an accomplished fact, we should express ourselves unequivocally on this question. We have often expressed our gratitude to the Honourable the Leader of the House for his valuable services to this Presidency, and we expect that he will take a saner view of things, and rightly interpret the wishes of this House. With these words I have great pleasure in supporting the resolution.

Dr. M. K. DIXIT (Surat District): Sir, we have been discussing this important subject for some hours and therefore I do not wish to detain the House by making a long speech. I wish to make one or two points. The first is with regard to the eliciting of public opinion. The Leader of the House has read out a few lines from the Government *communique* and told us that the Government of India had decided to take over the control of Aden from the beginning of the next official year. We have yet 16 days more. If he takes the trouble of representing the views of this side of the House, I think he will be discharging the duty he owes to this side of the House. We have been told that no assurance was given by Government to elicit public opinion on this side. But, Sir, I shall read the reply of the Foreign Secretary, Mr. Howell, which appears on page 13, paragraph 2 of the Book entitled "The Aden Problem":

> "He strongly refuted the belief that the Government of India had made up their minds on the question of transfer without consulting public opinion. The main object of the statements made recently on the floor of the Bombay Legislative Council and the Legislative Assembly was to elicit public opinion, and the Government of India had at present under consideration a number of memorials on the subject."

The only chance that this House had of expressing its considered opinion has occurred only to-day. It is only taken advantage of to-day. The statements made on the floor of this House did not give rise to any debate on this particular point. It is only when a non-official member on this side of the House brought forward a resolution and when debate is raised on it, the non-official members had a chance of expressing their views. It is very unfortunate that the Government of Bombay should have consented to hand over Aden to the Government of India. It is a misfortune, because of the present constitution. If the Government of Bombay, particularly the Members of the Executive Council, were responsible to the House, I think they would not have hurriedly consented

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to part with Aden. But, now Reforms are going to come and we expect that the whole Government will consist of Ministers responsible to this House. Then they will not part with Aden. It is yet possible for the Bombay Government to see that Aden is not separated from us and transferred to the Government of India, who may later on transfer it to the Colonial Office. That is one point which I wanted to suggest.

Another point which I want to ask the Leader of the House is this. He has repeatedly told us that the administration of Aden costs something like 62 to 64 lakhs of rupees.

The Honourable Sir GHULAM HUSSAIN: I never said that. The honourable mover has quoted those figures.

Dr. M. K. DIXIT: The Honourable Member did not dispute that. At any rate a pretty large amount is spent, if not exactly 64 lakhs. May I know from him what is the exact amount of expenditure on civil administration of Aden? I think a major portion of this expenditure is spent on military and political administration. But for the civil administration a few lakhs—6 to 7 lakhs—are spent. That is my information. I still maintain that a major portion of this expenditure is incurred on political and military aspects of the administration. For civil administration a very small amount is spent. Now, I ask if the Bombay Government is responsible for the expenditure that is incurred for military and political purposes. I do not think so. If that were taken into consideration, the Bombay presidency itself will cost more than 15 crores of rupees. We are spending a large amount on military and other affairs. So, I submit that the question of expenditure is of very small importance. It does not deserve any consideration at our hands. If the Bombay Government is out of pocket to the extent of one or two lakhs, we can easily afford to give that, if the Government ask for it. We must admit that, if demands had been made, we would certainly have sanctioned the amount. I do not think during my tenure of membership for the last eight years in this House, there was no demand for any amount for the civil administration of Aden, which was refused by this House. In fact no extra demand was ever made for the civil administration of Aden.

The Honourable Sir GHULAM HUSSAIN: The Government of India used to pay for it.

Dr. M. K. DIXIT: That is because the Government of India take away all the income from Aden. The chief revenues from Aden are customs, salt and income-tax. If all the revenues are taken away by them, they are bound to pay for the military expenditure as well as for the civil administration also. In the very near future, we are going to get a revision of the Meston settlement, when the new Government is coming. So, that difficulty will be easily obviated. When the revision of the settlement is made, I suppose we will be getting a larger share even from the revenues of Aden. We will get a share of the income-tax also.

Mr. C. W. A. TURNER: Aden will get its own income-tax for its own purposes.

Dr. M. K. DIXIT: That is, when separated. If it is kept——

Mr. C. W. A. TURNER: The Bombay Presidency will take it and spend it in Bombay.

Dr. M. K. DIXIT: Why should we imagine that the income-tax taken from Aden would be mixed up with the general revenues of this Presidency and spent here? We do not say that income-tax from Bombay——

Mr. C. W. A. TURNER: The honourable member does not speak from the point of view of Aden. He is speaking entirely from the point of view of the Bombay Presidency.

Dr. M. K. DIXIT: We want to keep it as our own child.

Mr. C. W. A. TURNER: It is a very unhappy child.

Dr. M. K. DIXIT: I suspect that the hurry in handing over Aden and separating it from the Bombay Presidency is only due to the fact that in the very near future the question of self-determination will be considered and settled. Therefore the hurry is made. I appeal to the Honourable the Leader of the House that if within 16 days it is possible to represent the views of this House as emphatically as possible, the Government of India will reconsider the question.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Mr. President, there is a great deal to be said in reply. Let me clear the ground. It appears from the question and answers given on 1st of August 1931, we have got two tables given on page 676. The provincial and central revenues I have quoted. Below that what is stated is:

"The expenditure charged under 'central' includes at present certain heads such as Education, Medical, Public Health and General Administration. These items are being booked under the head '29-Political'. The amount involved in these items varied approximately from Rs. 2,26,000 to Rs. 3,65,000 during the years 1927-28 to 1930-31. The propriety of debiting to the Central Government items of expenditure which are really 'Provincial' in nature is under consideration, and the adjustments which may become necessary will convert the small precarious Provincial surplus to a substantial deficit varying from 2 to 3 lakhs or more."

Supposing Aden is taken over, this Presidency will have to bear an additional expenditure of 2 to 3 lakhs. Keep that in mind prominently. It is a question of spending 2 to 3 lakhs on a scale which the Government of India itself kept under that particular head.

Let me point out one more question. Aden is a very valuable property. It was "a barren rock" years back, and was tacked on to the Government of Bombay. Why do the Government of India want it back now? In this published report on page 4, it will be found:

"A dredging scheme estimated to cost about 38 lakhs was sanctioned by Government in May 1928. The work of deepening and extending the harbour and approach channel which was commenced on the 27th December 1928 was completed on the 24th December 1930 at a cost of Rs. 35,57,986. The minimum depth of water at low tide now available in the Approach Channel and Inner Mooring Basin except the 4 feet deep water berths, is 32'-6"...."

That means to say that the port is much improved and a cost of something like 35 lakhs incurred, and the port is now a first class port.

Mr. C. W. A. TURNER: May I point out, Sir, that it was so badly silted that there was a risk that the mail steamers might not be able to call there?

Rao Bahadur G. K. CHITALE: It reads on:

"There are four oil berths connected to the land installation by submarine pipe lines, two of which berths have been dredged to a minimum depth of 35 feet at L.W.; there are two other berths dredged to a similar depth available for the supply of bunker coal and for general purposes."

The point I am making is that in 1930 the port was greatly developed and made suitable for very large steamers. I do not like this hush-hush policy. It appears, Sir, that Sir Denys Bray stated in a demi-official letter, dated the 2nd July 1929, which he wrote to Sir Purshotamdas Thakurdas:

"Please refer to your personal letter of 22nd June. It is true, as you surmise, that the question of the transfer of control of the civil administration of Aden from the Government of Bombay to the Government of India has lately been mooted. But the matter has not got beyond the stage of sounding opinions, and you may rest assured that there is no intention of taking any decisive step without first fully ascertaining the views of merchants and others whose interests would be directly affected. *Prima facie* there is much to be said on both sides."

This was the history of the question up to July 1929. Then, I find that the question did not come to the surface for a long time. Then, a question was asked in this Council by the honourable members Mr. Surve and Major Ellis Jones, and after some delay a lengthy reply was given to them on the 1st August 1931. Then, on the 7th October 1931, that is to say, before the decision of the Government of India materialised, an attempt was made in this Council by the honourable member for the University to move an adjournment motion in order to get some information on this particular question. The House will see that the Honourable the Leader of the House then took shelter under the plea that the question was one pertaining to the Government of India and therefore no adjournment motion could be moved. Technically the defence was perfectly right and was really effective. But whether that reply was effective or not is no matter. But I wish to point out that no less a person than the Foreign Secretary of the Government of India had promised that people would be allowed an opportunity to plead their case and that the merchants would be taken into confidence. Whether secret negotiations were going on between the Bombay Government and the Government of India, I do not know. An effort was made in October 1931, when orders had come to this Government, to get some substantial information from the Government benches. The answers given on that occasion deserve perusal. The Honourable the Leader of the House stated that when in August 1931 answers were given to questions on the point, no supplementary questions were put and therefore he took it that this House did not care about it. I should think that my honourable friend the Honourable Leader of the House, who has experience of this House, ought not to have taken advantage of our want of diligence. It is not always that we are diligent, but sometimes it does happen also that we do not pay much attention

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to questions which are not at that particular stage mature. The Honourable the Leader said—

"We had given full replies, and I was surprised that no honourable member took any interest in the question, and I cannot say why they are doing it now."

That question had been elaborately answered, and no supplementary questions were put. That reply runs into a few pages of print. It must take some time to digest it before an intelligent supplementary question can be put. The Honourable the Leader's defence is—

"So much time elapsed, but not a single question was sent, and I am afraid the honourable member opposite (Mr. A. N. Surve) also sent his questions very late; I got them yesterday myself, and I understand from my Secretary that the questions were received by him only one or two days back, and when we have to give replies, the whole Cabinet has to consider the matter."

He wound up by saying—

"I understand, Sir, that the papers have not yet reached His Excellency the Governor, and it is his subject."

The complaint that this House has a right to make is this. This House was anxious to have this question threshed out on the floor of this House when a decision on the question was pending. Even as early as 1929 promises were given that the people concerned would be consulted, and those promises ought to have been kept. Now, what do we find? This resolution was sent in, because an adjournment motion could not be moved in October. We had only a two days' session in November in which no non-official day was given, and therefore the resolution could not be taken up then. When the date of this session was announced, notice was given of this resolution. The Honourable the Leader of the House says: "Oh, this is a central matter; what is the use of your crying? We will weep with you; we will sympathise with you; but nothing can come out of it; let us all shed tears together. It is a settled fact now." I know that in politics they do unsettle many settled facts. Many settled facts get unsettled not only on account of agitation, but also because Government themselves sometimes think it necessary and proper that they should be unsettled. The Government of Bombay have not as yet handed over Aden. That was the cryptic reply given by the Honourable the Leader of the House. Shall I say how we are fooled? When the deputation waited on His Excellency the Viceroy, the Governor General through the Foreign Secretary gave a reply from which they understood that no decision would be taken unless all the people were consulted. The Honourable the Leader of the House is correct in interpreting that that promise was given only with reference to the handing over of Aden to the Colonial Office.

The Honourable Sir GHULAM HUSSAIN: That was the reply.

Rao Bahadur G. K. CHITALE: That is the reply. But having regard to the whole history of this question, the reply of the Foreign Secretary that the Governor-General was in possession of several memorials which were under consideration naturally led this House, at least some of the members of this House, to understand that this was being considered. I do not, therefore, think that it will be proper for this House to allow

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this opportunity to pass by. If we do not take this resolution to a division now, the Honourable the Leader of the House may say: "You have acquiesced in what was done." The House must, therefore, clearly understand the position. Whether it is an accomplished fact or not, this House is entitled to express an opinion on the transfer. This House was not given an opportunity to express its opinion, although it is the only representative body which can express an opinion in favour or against. In these circumstances, I think that this resolution must be taken to a division.

Before I conclude, I wish to answer some of the points raised by the Honourable the Leader. The Honourable the Leader lays stress on the fact of want of finance. Now, Sir, if he will see paragraph 2 of the reply given during this session to an unstarred question by Mr. A. N. Surve, it is authoritatively stated—

"His Excellency's willingness to receive the deputation showed the Government of India's readiness to hear the other side before reaching a final decision. The Government of India repudiated the suggestion that they had made the financial consideration the main one."

That shows that the question of £.sh.d. ought not to enter into this question. I believe that the Honourable the Leader will recognise that on such a question like this, tons of money are spent on mere rock, which does not produce anything. Who knows that this Aden may not be worth tons of money in future years? Therefore, the Honourable the Leader of the House ought not to make want of finance a grievance. The cost is not more than two or three lakhs. We want Aden to remain with us. It was stated in reply to the deputation—

"He instanced the existing difficulties of procuring sanction from three different authorities for certain classes of expenditure, for example, Police, and assured the deputation that the present proposals were made solely with a view to removing administrative inconveniences."

That is to say, so far as the Government of India is concerned, it is not a question of money, but only a question of administrative convenience. They do not want to say that the Government of Bombay have neglected Aden; they say that the Bombay Government has done its best. Therefore, on that point the Honourable the Leader was not right.

Now, what are the administrative inconveniences? So far as the departments of education, medical relief, public health and general administration are concerned, I have told the House what amounts were spent from 1927-28 to 1930-31. As I have stated, they vary from two to three lakhs. That was the only amount necessary. Then, Sir, what are the administrative difficulties? The honourable member the Political Secretary, for whom I have the greatest respect, stated that the purchase of a typewriter took a very long time. But these are the defects in the administrative machine which can be removed; these defects are not inherent in the system itself. I know that certain officers do make the purchases first and then go in for *pro forma* sanction later on. No matter what you spend, nobody questions you if only you produce the voucher.

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These are absolutely small matters. There must be more weighty administrative inconveniences to justify a transfer. Moreover, these inconveniences will disappear with the growth of political power in this House, when the Bombay Government will have larger powers as we hope, if they are going to give us the substance of provincial autonomy and not the shadow of it. Then, we will be masters in our own house and it will lie with us to remove these small administrative inconveniences which occur in everyday administration. Therefore, the case for Government is not at all strong. They have not answered our questions. They have not treated this House with due respect. They have treated it rather contemptuously. I should think this House will be well advised in asserting its own power and going to a division and giving as large a vote as possible in favour of the resolution. I hope the whole House will help me.

The Honourable Sir GHULAM HUSSAIN: Sir, all the arguments that I have heard in favour of the resolution are based on mere suspicion and sentiment. The honourable mover appealed to the House to vote for this resolution not on its merits, but on mere sentiment. Sir, I wish they had taken the same interest in the question as they have now taken when I had replied to a question on the subject. I had placed on the table a statement regarding this question, and there was not a single member who cared to put a supplementary question. That shows that they have for the first time awakened to their interest in the transfer of Aden now. Had they such a keen interest in the question, surely one at least of the elected members would have put a supplementary question at the time. Everything passed off smoothly. And yet my honourable friend complains that Government have not been treating this House properly. We actually placed a printed statement on the table containing a detailed reply to the question. We could not do better than that. Honourable members at that time were lacking the interest that they are now showing in the question.

Now, Sir, my honourable friend the mover of the resolution sought to show that only on financial grounds we were in favour of the transfer of Aden to the Government of India. It is not only on financial grounds, but also on administrative grounds, and according to the wishes of the people themselves that we are transferring Aden to the Government of India. The thousands of Arabs and Somalis in the place have not a single representative of theirs in this House; and in the absence of their representatives, you are advocating the cause of the city of Bombay and its merchants. It is hardly fair to those people. More than one honourable member has placed before this House the view that they do not want to be with Bombay——

Rao Bahadur G. K. CHITALE: What is the proof?

The Honourable Sir GHULAM HUSSAIN: Two resolutions have been passed, one by the Executive Committee and the other by the Port Trust——

Rao Bahadur G. K. CHITALE: They are all nominated.

The Honourable Sir GHULAM HUSSAIN: Whatever they are, they are the representatives of the people there. The honourable member Mr. Kadri told you—he is an elected member of this House—that the original inhabitants of the place do not want to continue under Bombay, because Bombay cannot afford to give them more money for their nation-building services. Is it fair for any honourable member here to oppose their wishes? I appeal to honourable members not to deny the inhabitants of the place self-determination because of your own interests. It is not fair.

Now, I come to the question of administrative inconvenience. The administration in Aden is under three authorities, the Government of Bombay, the Government of India and the Home Government. Every paper, however routine, passes through the hands of these various authorities. It is not once in a way that the papers pass through the hands of all these authorities, as made out by the honourable member Mr. Vakil. If that was the case, we could have overcome the difficulty. But every routine matter has to pass through the three authorities.

Then, even if we spend three lakhs more on the nation-building services in Aden, that amount will not be sufficient to meet the requirements of Aden. The Health Department there is in a very bad condition. There is no proper medical relief. Civil works are in a bad condition. Their education is even in a worse condition. As the honourable member Mr. Kadri told you, the people of the place do not want to continue under the Bombay Government at all.

Rao Bahadur G. K. CHITALE: We do not believe that.

The Honourable Sir GHULAM HUSSAIN: It is not for us to sit in judgment on those people. It is hardly fair.

Mr. J. S. KADRI: May I correct the Honourable the Leader of the House, Sir? They do not want the control to be transferred to the Colonial Government.

Mr. L. R. GOKHALE *rose*.

The Honourable Sir GHULAM HUSSAIN: Honourable members will thus see that there are administrative difficulties in the way of our retaining Aden. We are faced with deficit budgets every year. Even if we can afford to spend two or three lakhs on Aden, that amount is not sufficient to meet their requirements. The people there want more money to be spent on their nation-building services. We tell them that we cannot afford it, and yet we want to keep them with our Presidency. Honourable members may shake their heads, but it is a fact all the same.

Now, I come to the bogey of loss of trade. I have been in charge of this Department for a long time, and the honourable member the Secretary has told the honourable House that not a single merchant has come and told Government that trade will be affected. Besides, we have nothing to

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do with trade. Trade, customs, and everything is in charge of the Central Government, and not with the Provincial Government at all.

As regards the appointment of officers, the Government of India have hitherto recruited them from Bombay, and they will continue to do so. Aden will be under the jurisdiction of the Bombay High Court hereafter also.

Now, honourable members are suspicious about this transfer, and think that it is the thin end of the wedge—that the administration of Aden is now going to be transferred to the Government of India, and hereafter it might be transferred to the Colonial Government. But His Excellency the Viceroy, in reply to the address from a deputation, has already assured them that if at any time the Government of India think of transferring Aden to the Colonial Government, they will ascertain the wishes of all concerned. I think that assurance ought to satisfy the honourable members of this House.

To sum up, honourable members on the opposite side do not want to give the people of that place the right of self-determination. They do not want to give them enough money for their nation-building services, such as health, education, sanitation, and so on. On mere grounds of sentiment, they are opposing the transfer of Aden to the Government of India. I do not agree with the views of the honourable members on the opposite side. However, as I find that they are very keen about it, I will communicate their wishes to the Government of India, though I find, from the reply that the latter have given and from their budget, that they have already decided to transfer Aden to themselves. I think this assurance of mine, that we will communicate the wishes of honourable members to the Government of India, will satisfy this honourable House.

Mr. J. S. KADRI: On a point of information, Sir. What about education? Will it be transferred also?

The Honourable Sir GHULAM HUSSAIN: Yes; everything will go to the Government of India.

Mr. G. S. GANGOLI: In the White Book at page 146, we have an item of 2 lakhs and odd for police in Aden for the coming year.

The Honourable Sir GHULAM HUSSAIN: We will save all that money hereafter.

Mr. G. S. GANGOLI: Then why an entry in the budget, and swell the expenditure?

The Honourable the PRESIDENT: Order, order. I shall first put the amendment of the honourable member Mr. Surve to the House.

Question put, and agreed to.

Resolution, as amended, put, and agreed to.

BILL No. XL OF 1931 (A BILL FURTHER TO AMEND THE BOMBAY LAND REVENUE CODE, 1879).

The Honourable the PRESIDENT: The House had been waiting for the honourable member Rao Bahadur Patil to move the third reading. When his name was called out he was absent, and if the discussion on the resolution had gone on longer, he would probably have lost his chance, as to-day is the last day for private business.

Third reading.

Rao Bahadur D. R. PATIL (East Khandesh District): Sir, I move that Bill No. XL of 1931 (A Bill further to amend the Bombay Land Revenue Code, 1879) be read a third time and passed.

Question proposed.

Mr. G. DAVIS: Sir, I shall move three small drafting amendments. The first amendment relates to the heading. The present heading reads "A Bill further to amend Bombay Act No. V of 1879." I move:

"For the title in the heading, substitute 'A Bill further to amend the Bombay Land Revenue Code, 1879'."

Question put, and agreed to.

Mr. G. DAVIS: The preamble, as it at present stands, reads "Whereas it is expedient further to amend Bombay Act No. V of 1879 known as the Bombay Land Revenue Code, in manner hereinafter appearing:" I move the following amendment:

"In the preamble, omit the words 'Bombay Act V of 1879 known as,' and after the word 'Code', insert the figures, '1879'."

Question put, and agreed to.

Mr. G. DAVIS: Sir, clause 1, as it stands at present, reads "This Act may be called the Bombay Land Revenue Code (Amendment) Act, 1931." I propose to bring it up-to-date by substituting the figures "1932" for the figures "1931." I move:

"In clause 1, for the figures '1931' substitute the figures '1932'."

Question put, and agreed to.

Bill read a third time.

Question, "That the Bill, as amended, be read a third time," put, and agreed to.

The Honourable the PRESIDENT: The Bill is read a third time and passed into law.

BILL No. XXV OF 1931 (A BILL FURTHER TO AMEND THE BOMBAY CITY MUNICIPAL ACT No. III OF 1888).

Rao Bahadur S. K. BOLE: Sir, I beg to withdraw Bill No. XXV of 1931 (A Bill further to amend the Bombay City Municipal Act No. III of 1888).

Bill withdrawn.

Mr. A. N. SURVE (Bombay City, North): Sir, I beg to move the following resolution which stands in my name:

"This Council recommends to Government to take steps to institute a Government Hospital Lottery or to license a private lottery for the purpose of supplementing the funds required for re-opening the beds in the hospitals which are closed for financial reasons."

Sir, this is a resolution which relates to medical relief in the city of Bombay and incidentally to outside areas. Before I refer to my resolution, I beg to preface my remarks with the conditions that prevailed in this city before the year 1925. At that time medical relief was very deficient, so deficient that many patients in the J. J. group of hospitals were actually accommodated on the ground and to that attention was drawn by a medical committee. At that time Sir Leslie Wilson was the Governor of this Presidency and he was considerably touched with the state that prevailed as regards the medical relief. This bad state had many bad effects. First of all, the students did not get sufficient clinical material on account of there being a deficiency in the hospital, not that there was a deficient number of patients but there was deficient accommodation. The number of students was increasing and the result was that the standard prescribed by the University of Bombay had to be lowered, and as the University lowered the standard of medical education, the British Medical authorities complained. They said "We will not recognise the University degree of Bombay because the students were not fully trained." Another bad effect was that our own students were turned out in an incompetent condition, so that the people in this presidency also suffered. To meet all these difficulties, the last Governor inaugurated a fund which was called Sir Leslie Wilson Hospital Fund. Its name was later on changed and it is known now as the Governor's Hospital Fund. Under this Fund the arrangement was that the Government, the Bombay Municipality and the public were to contribute. The Government and the Municipality undertook to share half and half the recurring expenses but the non-recurring expenses were to be met half and half by Government and the Municipality on the one side and the public which was represented by the Hospital Fund on the other. Under that Fund about 16 lakhs of rupees have been collected and large building operations were undertaken and completed and also the number of beds in the hospitals was increased. In this way the people who subscribed to the Hospital Fund have done their part of the duty, the Municipality has done its part of the duty, but unfortunately the Government of Bombay, on account of its financial stringency, has, if not exactly backed out, at least has curtailed a greater portion of the undertaking which it had assumed. It had assumed certain responsibilities and those responsibilities are now practically not fulfilled as will be seen from a note in the Blue Book at page 65 in which it is stated that there is "a reduction in expenditure on the establishments and contingencies on account of closure in 1931-32 of 142 beds in Bombay hospitals." So, Sir, you will see that at present in the Bombay hospitals accommodation of 142 beds has been discontinued. The net result of that is that many deserving patients are refused admission and that is a very serious matter. Those people who go to the hospitals are

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really poor people and if they are refused admission, it means that they practically get no medical relief. On that account I have been obliged to move this resolution which at other times I would not have moved, because the resolution tries to recommend to our Government to move the Government of India to obtain the sanction for maintaining a lottery.

In this connection, I must point out that a lottery on moral grounds is certainly objectionable, but taking human nature as it is, I think that situated as we are we cannot escape adopting that course. In to-day's papers, Sir, prominence is given to the Irish Hospitals Sweep stake, in Ireland a lottery is run and even in our Bombay city, if you go to any of the *pan-supari* shops or any other grocer's shop, you will find, Sir, that tickets of Goa lotteries are openly sold. I am told that in Goa there are three or four lotteries, each run by a hospital. How much of that money is used for really medical purposes, I do not know, but if we see that people from Bombay and all parts of the Presidency and outside send out their own money for the relief of people in Goa, I at least, with all my qualms of conscience, cannot see my way why that money should not be similarly made available for the medical relief of our own people. Sir, human nature is weak, it wants to make easy money and if we do not make it, some one else makes use of that device and carries away our money. In that case I think we shall be justified in adopting the same remedy used for our purposes.

In consequence of this Governor's Hospital Fund, I may state to this House that the hospital accommodation that was brought into use was largely availed of by the patients. I might just read from a press note issued by the Director of Information in the year 1927. Its number be 39, and there we are told:

"The demand for medical relief at public institutions grows year by year and the statistics of attendance are striking. The number of people treated in hospitals during the triennium increased by over 2¼ lakhs, the figures for the year 1925 being nearly 2,836,000 as compared with 2,561,000 in 1923. Moreover, the average number for the three years 1923, 1924 and 1925 was 8½ per cent. more than the average for the three years 1921, 1922 and 1923. Both in-patients and out-patients contributed to the increase, the former numbered nearly 81,000 in 1925 as compared with just over 73,000 in 1923. Out-patients numbered 2,755,000 as compared with 2,488,000 in 1923. The daily average attendance of in-patients and out-patients for the triennium——"

The Honourable the PRESIDENT: What is the object of the honourable member in reading all that?

Mr. A. N. SURVE: I am not going to read the whole of it——

The Honourable the PRESIDENT: All that is admitted. The necessity of some means of collecting money is admitted. Why waste time? As the honourable member wishes that his resolution be concluded by this evening, it is to his advantage to save time.

Mr. A. N. SURVE: What I wanted to say was only this, that by giving facilities to the people, the rate of total mortality has decreased. The press-note proceeds:

"The ratio of deaths per thousand to the total treated was 8·3 as compared with 9 for the previous triennium."

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So in three years we have a reduction of 7 per thousand in a short time. What I mean to say is that if the hospital accommodation is there, it means a saving of human life, and as the matter at present stands, when we have reduced 142 beds, to that extent the death ratio will increase. Sir, I will not pursue that point further.

When that Fund was in progress, everybody took it for granted that that arrangement would run on and that every party to that agreement would carry out its undertaking and on that belief the Bombay Municipality has contributed to the extent of Rs. 42,52,000, and as compared with that, the Government amount was only Rs. 23,17,000. The Municipality has not backed out of its obligation which it undertook, whereas as I have disclosed above in the discontinuance of 142 beds in Bombay hospitals the Government has shirked the responsibility which it undertook.

This curtailment of medical relief has been in force for the past three or four years. First of all, there was a cutting down of diets and thereby Government tried to save some money. But that process was continued till the middle of last year, and then the Government issued orders, the result of which was that the Superintendents of the Sassoon Hospital, Poona, and the Goculdas Tejpal Hospital, Bombay, had to put advertisements in the papers, calling for help from the public for medical diets, or something like that. I am subject to correction; perhaps the Honourable Minister will correct me. But I am saying from memory that there have been notices inserted, and also there have been comments in the press that people were asked to provide their own diets—unless the patient undertook to have his own diet, he was refused admission to the hospital. Such was the case, especially in the Sassoon Hospital in Poona. Then, after that, came the appointment of a committee. Government found that their financial position was going from bad to worse, and therefore they appointed a committee, consisting of several medical and other persons. That committee came into existence by Government Press Note No. P. 130, dated the 22nd April 1931. Now, Sir, that committee has come to certain decisions, and I am reading a few of its decisions. The first decision was that "the joint committee should make efforts to raise funds from the public to meet the recurring expenditure of hospitals in Bombay city in order to supplement the funds at present available." The third decision was that the net receipts should be distributed in equal moieties between Government and the Corporation, and should be primarily devoted to maintaining hospital facilities in the city on a scale not lower than that obtaining on 1st January 1931.

Now, as regards the first decision, viz., raising additional funds, I am very thankful to our Honourable Minister in charge for the mighty efforts that he has been putting forth. I may say that he has been doing his best. He has devised certain means. Among those means are the holding of charitable performances of cinemas and dramas and the holding of exhibitions and extra race meetings. During the course of the last month or so, there have been two or three cinema shows held

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for the purpose, and there was also an extra race meeting on last Saturday. Then the holding of an exhibition or show is under consideration. But, Sir, these remedies, though good in themselves, have their limitations. These remedies alone will not be able to meet the want that is felt. Take, for instance, a cinema show. A cinema show will not be able to bring in more than a few hundred rupees. Or, take an extra race meeting. I do not know what the proceeds of an extra race meeting are. They may be several thousands of rupees, but whether the Turf Club will consent to give its extra meetings every time is a consideration, because, after all, the Turf Club has a limited number of days for its meetings, and even if the Turf Club is induced to give the proceeds of an extra meeting for charity, they will have to approach Government to sanction one extra day, if it is possible under the Race Courses Licensing Act. So, these are our difficulties. Then I come to exhibitions. Exhibitions cannot be held annually. We have past experience of it. Sir, in 1928 we had the 5-H fete, and in that 5-H fete were collected about Rs. 1,70,000. But His Excellency, while opening that fete, observed that it was impossible to think that such an effort could be an annual one. He said, moreover, that he realised that other very deserving funds were suffering. So, the difficulty about these exhibitions or shows is that they cannot be held annually, and there is the other difficulty. The last 5-H fete was successful only because several ladies and gentlemen worked for a number of days. You cannot expect to have these philanthropic and voluntary workers every year. There is the other difficulty that a hospital fund is not the only charitable fund to which we could ask the public to contribute. That method, therefore, has its limitations.

Then, Sir, I come to the only alternative method, viz., a lottery. About that I have already said that whether it is right or wrong, I am not sitting here in judgment on the morality of the people in that respect. The point is this, that people want to make easy money. Even if we in Bombay do not make use of that device, there are a number of people elsewhere who actually do it. There are so many State lotteries which sell their tickets in Bombay. I have also mentioned the case of Goa. If all this money is being taken away from Bombay and our Presidency by the managers of these lotteries, why should we hesitate to employ that same device for the continuance of charity? At present, Sir, we see that on account of the scarcity of money our own people are suffering. For that reason, I submit that this resolution may be accepted by the Government and also by this House. The difficulty which we find at present in regard to medical relief should be removed at as early a date as possible.

Sir, I have only one more word to add, and it is this. I think, so far as the Government of Bombay are concerned, they are in favour of accepting my resolution. The only difficulty is about the Government of India. But I submit that if this House accepts this resolution and it goes to the Government of India with the seal of approval of this

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House, perhaps the Government of India may be induced to grant our request. With these remarks, I move my resolution.

Question proposed.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Sir, I have much pleasure in supporting this resolution, which no doubt would be a help to Government in providing the necessary funds for medical relief to the people of this city and of the Presidency. Sir, we know very well that at present Government are not in a position to support this measure, only because the holding of a lottery is in the nature of gambling, but when we allow outsiders to carry away the money of this Presidency to their countries by the sale of their lottery tickets in our province, I do not think Government should take any objection to such a measure, or to the taking of steps whereby they themselves could start a lottery. Sir, by introducing this measure, I am quite sure we will provide a big sum in respect of medical aid to our presidency. We know very well, as has been pointed out by the honourable mover of the resolution, that the Goa Government is taking away a lot of money from the city of Bombay in aid of hospitals in the Goa territory. In the same way, we know that there is the Irish Sweep Stake which takes away from 25 to 30 lakhs every year from our presidency. If we introduce lottery in aid of hospitals, not only the rich but also the poor will bear their quota at least in the hope of getting something in return and aiding a good cause also. Government should support this resolution and take the initiative in the matter.

As regards the grievances made by the honourable mover that there is a reduction of beds in the hospitals, there is no doubt that it has been admitted by Government themselves. But we forget one thing. Charitable people have given us big sums in order to construct buildings for the poor patients in the Bombay city. Such buildings costing 15 and 20 lakhs are lying idle without a single bed. We have spent such large amounts on mortar and chunam and still we are not able to provide beds in them for the poor patients. I hope Government will see its way to introduce the necessary measures to remedy the grievances of the people of this city and the presidency in regard to medical aid.

Dr. J. A. COLLACO (Bombay City, South): Sir, I beg to support the resolution of my honourable friend Mr. Surve. We are well aware that we are short of funds and the question is from where to get money. When times change and when we have to face hard times, we have to do things which we could never have dreamt of at ordinary times. We should have no qualms of conscience for getting money from a lottery which we badly need now for a very good cause, for if the money from a lottery is tainted money, I submit the money we got from the races is also tainted. A lot of money is being spent everyday on races, cotton figures and so on. So, we can well organise this lottery and get the money in order to alleviate the sufferings of humanity. The Irishman is not a fool. He knows how best to get money. The Irish Sweep

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Stake tickets are sold in Bombay like hot cakes. We may take the lead from the Irishman but at the same time we must also imitate the Scotchman.

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Sir, the object of this resolution is laudable. But I think that it would be legally difficult to get the sanction of the Government of India for this lottery proposed in the resolution. If it is possible to get such a sanction, so much the better. In the event of such a sanction not being obtained, I shall simply throw out a suggestion to this honourable House how to leaven their bread. My suggestion is that the Government of Bombay should issue ten rupee worth medical relief bonds to the public, paying 3 per cent. as interest to the bond-holders which will be lower than the rate of interest that is paid by the Government of Bombay to the Central Government. The money thus contributed should be utilised for reducing the borrowings of the Government of Bombay from the Government of India and out of the savings thus effected by means of the difference in the rates of interest over such bonds subscribed. Government should after utilizing 80 per cent. of this savings for medical relief, should set apart 20 per cent. for giving alluring prizes for certain per cent. of Bond holders and thus liquidate the Bonds after a certain period of years.

The Honourable the PRESIDENT: Perhaps, this is another scheme. But that is not the resolution.

Mr. M. M. KARBHARI: I thought that a legal difficulty would arise in getting the sanction of the Government of India in regard to the proposal in the resolution. If the scheme contained in the resolution does materialise it is all right. I did not want the honourable House to vote for my scheme. It is for the benefit of Government I threw in this suggestion, if they are willing to take steps in this direction to meet their present difficulties.

The Honourable Sir RAFIUDDIN AHMAD: Sir, I have not much to say on the merits of the case. I may congratulate the honourable mover of the resolution on the dawn of common sense that has now come on him. He has been opposing such innocent measures as a grant of licence for liquors at the 2nd enclosure of the Race Course. He was pleased to nick-name the income therefrom as "Tainted Money." He would not now weigh any motions in the scale of morality. I hope on future occasions when money bills are brought forward he would give up his former attitude.

Mr. PESTANSHAH N. VAKIL (Ahmedabad City): Sir, I was expecting some such taunt as has emanated from the Honourable Minister to be showered on the devoted head of the honourable mover. I could distinctly see my honourable friend Mr. Humphrey listening with amused bewilderment when the honourable mover was developing his arguments. The honourable member was wondering whether it could be the same Mr. Surve who inveighed violently against the Bookies Bill when it was discussed some time ago on the floor of this House whom he

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was now listening to. But, Sir, adversity acquaints a man with strange bed-fellows. In these hard times, it may be permissible for a man to change his views to suit the changing circumstances. I do not think that should be made a matter for taunt.

Regarding the lottery, I am afraid, a Britisher is a very conservative being, and, whether it is the Government of India or the Bombay Government, there is no chance that they will entertain this request. I remember to have read in the papers that even the British Post Office was officially forbidden to handle the Irish Sweepstake Ticket books issued by the Irish Hospitals. If conservatism is allowed to go to that extent, it is not to be supposed, unless I am very much mistaken, that the honourable member Mr. Surve will find a ready response from the Government of India to his appeal for action.

Hospitals in London are all supported by voluntary contributions and the Britisher makes it a matter of great pride, so much so that His Royal Highness the Prince of Wales a little while ago openly gave expression to this view. These hospitals are some of the finest institutions of their kind in the world, and they are all supported by voluntary contributions. Peers and Peeresses have made it a business of their life to collect funds in aid of them. Only recently we read in the papers of the death of a noble Lord—I forget his name—was it Lord Kylsant ?

An Honourable MEMBER : Lord Kylsant is in jail.

Mr. PESTANSHAH N. VAKIL : Then, it must be another man. He was called the Prince of Beggars, to such good purpose did he exert himself in the cause of hospital philanthropy.

I beg to suggest that the honourable member Mr. Surve should move in another direction. Each hospital in Bombay should be allowed to run a lottery of its own. I think that might be permissible. The public lotteries are prohibited under the Prevention of Gambling Act or some such Act. But I do not think there will be objection to the hospitals running their own lotteries.

As to the propriety of Government's going in for this kind of business, I have my serious doubts. They have always resisted the temptation of doing so both here and in England. The Government of Goa we know have been doing it, but whether our Government will look favourably on such a proposal, I have very great misgivings.

Mr. A. N. SURVE (Bombay City, North) : Sir, the last speaker has alluded to the difficulty of Government carrying on the lottery. But if he will look to the wording of the resolution, he will find that I do not say that Government themselves should do it. They can authorize a private lottery which may be run by anyone. So, I need not speak further on that point. I have only to emphasize the fact that lottery is the only thing which can permanently bring in adequate supplies. All other remedies will fail. There is no difficulty in continuing it from year to year. As a matter of fact, the Goa lotteries are continued from month to month. Every month the lottery results are declared.

[Mr. A. N. Surve]

Then, Sir, the other point is that there is absolutely no burden laid on voluntary workers : that is a great advantage. Then, the third point is that that no burden is promiscuously placed upon the people. In the case of taxes we actually know the persons and put pressure upon them. In this case, it is only willing buyers that will go in and purchase the lottery tickets. After all, I myself am not much enamoured of this device, but situated as we are, what else can we do ? The Government of Bombay themselves has initiated us into this kind of work. Let me remind the Honourable Minister for Excise that when the auction system for excise was introduced in the year 1917 or 1918, Government fixed a limit to that revenue and all revenue accruing beyond that limit was to be employed for the aid of primary education, and medical relief. So, our Government itself has initiated us into this kind of work. So, I think that the authorization of a lottery will not be objected to, especially in view of the fact that it has been adopted by the Irish people and other Western nations. With these remarks I leave my resolution in the hands of this House.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL: Sir, I had no intention of speaking on this motion, but I thought a brief explanation as regards the prospect and progress of this kind of State lottery might help the House to appreciate the position in its correct perspective. The resolution moved by my honourable friend Mr. Surve is intended to convey to Government the recommendation of this Council to take steps to institute a Government lottery, and, failing that, to license a private lottery for the purpose of supplementing the funds. I may inform this honourable House that long before Government came to know of this resolution, they had moved in the matter and had addressed the Government of India explaining the financial difficulties with which the Bombay Government were faced and which had resulted in the curtailment of medical facilities, and requesting them for those reasons to allow us to institute a State lottery. That was done in June 1931 ; that means, about nine months ago. But I am sorry to say that our request was not sanctioned by the Government of India. Then I had a letter from the Chairman of the Hospitals' Maintenance Funds Committee making a similar request. That was in October last. At my request Government again addressed the Government of India on the subject, and again the Government of India turned down the proposal, presumably on the ground that the matter would have to be referred to His Majesty's Government and the recent declarations by members of His Majesty's Government on the subject of the Irish Free State lotteries might make it almost certain that the sanction of the Secretary of State would not be forthcoming. From this it appears that the Government of India did not think it wise to refer the matter to the Secretary of State. Sir, I can assure this honourable House that there is nobody here who has more concern than myself at the necessity of having to reduce hospital facilities in the city of Bombay, and I think it was hardly necessary for my honourable friend Mr. Surve to draw the attention of this House to the hardships caused by the withdrawal

[Sirdar Sir Rustom Jehangir Vakil]

of facilities which the hospitals used to enjoy hitherto. In the light of the reply received from the Government of India, Government would not like to take part in this discussion. But if this honourable House is able to pass this resolution, the Government of Bombay will convey the sense of the House to the Government of India in the hope that they may perhaps be induced to revise their decision and see whether it is possible to get the sanction of the Secretary of State, which it appears the Government of India consider necessary.

Question put, and agreed to.

The Honourable the PRESIDENT: The next resolution stands in the name of the honourable member Mr. Shaikh Abdul Majid. I understand that he has asked that it may be allowed to be moved by the honourable member Syed Miran Mahomed Shah. But there are only fifteen minutes.

SYED MIRAN MAHOMED SHAH: I will take only ten minutes.

The Honourable the PRESIDENT: But what will happen to the resolution? The honourable member will hardly be able to move it and it will drop.

SYED MIRAN MAHOMED SHAH: It can go over to the next session.

The Honourable the PRESIDENT: If an honourable member rises and moves that consideration of the resolution be postponed to the next session, and if the House accepts it, then alone can it go over to the next session. Otherwise it will have to be talked out in the short time that is at our disposal. I leave it to the honourable member to do what he likes.

SYED MIRAN MAHOMED SHAH (Hyderabad District): I am going to move the resolution first and then going to appeal to the House to allow further consideration to be postponed to the next session. Sir, I beg to move:

"This Council recommends to Government that they be pleased to so amend the Primary Education Rules as to maintain all the rights and privileges in Government service of those Government officers of the Education Department whose services were lent to Local Authorities on the transfer of control and who are acting as Administrative Officers of various School Boards, unless the services of such officers are permanently taken over by the Local Authorities concerned on conditions settled between the said officers and their employers."

This is the resolution I beg to move and I beg to appeal to the House kindly to consent to its consideration being postponed to the next session. If you will permit me, Sir, I will briefly explain what is meant by the resolution.

Mr. G. L. WINTERBOTHAM: If its consideration is to be postponed we shall hear the explanation at the next session. We don't want to hear it twice.

The Honourable the PRESIDENT: I shall first put the resolution to the House, and if some honourable member moves that the consideration of the resolution be postponed to the next session, I shall put that motion next.

Question proposed.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Sir, I beg to move:

"That the consideration of this resolution be postponed to the next session."

Question proposed.

Mr. J. B. PETIT: On a point of order, Sir. I would like to know whether in the event of this resolution being postponed to the next session, it will take the first place among the non-official resolutions at that session.

The Honourable the PRESIDENT: That is a point of information. The resolution will take the first place among the non-official resolutions. It is for this House to consider whether to give it priority during the next session by postponing its consideration now.

Question, "That the consideration of the resolution be postponed to the next session," put, and agreed to.

BUSINESS OF THE HOUSE.

The Honourable Sir GHULAM HUSSAIN: Sir, to-morrow, we shall proceed with the consideration of the Finance Bill.

Honourable MEMBERS: Which Finance Bill?

The Honourable the PRESIDENT: There is only one Finance Bill which passed the first reading and was referred to select committee, whose report is out. That will be taken up to-morrow.

The House is now adjourned to 2 o'clock to-morrow, Wednesday, the 16th March 1932.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Wednesday, the 16th March 1932.

The Council re-assembled at the Council Hall, Bombay, on Wednesday, the 16th March 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
HADDOW, Mr. R. R.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.

KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACLACHLAN, Mr. D.
MATCHESWALLA, Mr. G. E.
MCELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.

TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WADKE, Mr. B. P.
WILES, Mr. G.
WINTERBOTHAM, Mr. G. L.

STARRED QUESTIONS AND ANSWERS

CROP FAILURES: KARACHI TALUKA.

*Mr. HAJI MIR MAHOMED BALOCH (Karachi City): Will Government be pleased to state—

(*a*) whether they are aware that on account of failure of crops the people of Karachi Taluka have undergone heavy losses and debts;

(*b*) the total amount of debts of the Malir Co-operative Society;

(*c*) whether there is any irrigation scheme for the area under consideration of Government at present;

(*d*) if not, what steps do Government propose to take in the matter in the near future?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) There are three societies in Malir and the total outstandings for each of the three societies are as follows:—

	Rs.	a.	p.
Malir Credit Society	1,37,825	4	5
Malir Seed Society	54,077	12	11
Malir Sale Society	9,902	13	0
Total ..	2,01,805	14	4

(*c*) and (*d*) Irrigation of the Malir tract of the Karachi taluka is a physical impossibility except by wells. No scheme for the irrigation of this area is before Government.

Mr. HAJI MIR MAHOMED BALOCH (*In Urdu*): Sir, the Karachi Municipality is getting water from the upper reaches of the river. Cannot irrigation water be provided for the Karachi taluka as a part of that scheme?

The Honourable Dewan Bahadur S. T. KAMBLI: It is a new question entirely, and it does not arise out of this question.

The Honourable the PRESIDENT: What does the last sentence of the reply "No scheme for the irrigation of this area is before Government" refer to?

The Honourable Dewan Bahadur S. T. KAMBLI: That is in answer to (*c*) "whether there is any irrigation scheme for the area under consideration of Government at present?"

LIQUOR SHOPS: SITES.

*Rao Saheb B. G. DESAI (Kaira District): (1) Are Government aware that it is very difficult for liquor contractors to secure suitable sites and houses for the location of their shops in these times because of active propaganda for prohibition and picketing of liquor shops?

(2) (*a*) Do Government intend to undertake any scheme for providing suitable sites and constructing necessary buildings thereon for the location of liquor shops?

(*b*) If so, what is the scheme and when do Government propose to bring it into effect?

(*c*) Has any provision been made in the budget for the current year for financing the scheme?

(*d*) If not, how do Government propose to finance it?

The Honourable Sir RAFIUDDIN AHMAD: (1) Yes, for some.

(2) (*a*) No.

(*b*), (*c*) and (*d*) Do not arise.

Dr. M. K. DIXIT: May I know whether this difficulty was experienced all over the presidency or only in particular places?

The Honourable Sir RAFIUDDIN AHMAD: If the honourable member will give me notice, I would give him the names of other places.

Dr. M. K. DIXIT: The Honourable Minister has stated that difficulty has been experienced. May I ask where it has been experienced; is it only in Kaira district or outside also?

The Honourable Sir RAFIUDDIN AHMAD: I cannot say off-hand. If the honourable member will give me notice, I will find out in how many districts it has arisen.

RETRENCHMENT COMMITTEE.

*Mr. G. S. GANGOLI (Kanara District): Will Government be pleased to state—

(*a*) whether it is a fact that a retrenchment committee with Sir Frederic Gauntlett as the Chairman has been appointed;

(*b*) if so, who are its members;

(*c*) the terms of reference of the Committee;

(*d*) the emoluments proposed to be given to the members on the Committee;

(*e*) whether members of the Legislative Council will have an opportunity to co-operate with the proposed Committee?

The Honourable Sir GOVINDRAO PRADHAN: The honourable member is referred to my budget speech. Government are not at present able to give any further information, but will do so as soon as a decision is arrived at.

RETRENCHMENT COMMITTEE: SUGGESTIONS.

*Mr. L. R. GOKHALE (Poona City): Will Government be pleased to state—

(1) whether they have considered the suggestion made by the Retrenchment Committee about an inquiry into the possibilities of retrenchment in the Secretariat; if so, with what result;

(2) whether they have examined the Retrenchment Committee's suggestion that a scrutiny of the educational expenditure of this presidency be made; if so, what is their decision on the point;

(3) whether a decision regarding the reduction in the strength of the Bombay Cabinet as recommended by the Retrenchment Committee has been arrived at; if so, will they place a copy of their decision on the Council table?

The Honourable Sir GOVINDRAO PRADHAN: (1) A reduction of 10 per cent. in the cost of non-gazetted establishments has been ordered. The matter will also be referred to the Expert Enquiry.

(2) The honourable member is requested to put a separate question to the Honourable Minister of Education.

(3) No decision has been arrived at.

Mr. L. R. GOKHALE: It is stated "A reduction of 10 per cent. in the cost of non-gazetted establishments has been ordered." I would like to enquire why it has not been ordered in the case of the gazetted establishment.

The Honourable Sir GOVINDRAO PRADHAN: Even as regards gazetted establishments, those posts which are not required are being retrenched, and there is a ten per cent. cut all round.

Mr. L. R. GOKHALE: The answer is: "A reduction of 10 per cent. in the cost of non-gazetted establishments has been ordered." Does that mean that the ten per cent. cut has not been ordered in the case of the gazetted services?

The Honourable Sir GOVINDRAO PRADHAN: I see that even deputy collectors and treasury officers are now made mamlatdars. Retrenchment is going on everywhere. Further, there is the reply "The matter will also be referred to the Expert Enquiry."

Mr. L. R. GOKHALE: The answer deals only with the non-gazetted services; it does not refer to the gazetted services. So, I would like to know if the gazetted establishment is being dealt with or not.

The Honourable Sir GOVINDRAO PRADHAN: The gazetted establishment in the Secretariat is hardly superfluous.

Mr. L. R. GOKHALE: As regards (3), the answer is that no decision has been arrived at regarding the reduction in the strength of the Cabinet. I would like to know whether after this reply was printed any decision has been arrived at.

The Honourable Sir GOVINDRAO PRADHAN: There has been no decision up to now.

PRISONERS IN JAIL: RELIGIOUS INSTRUCTION: HINDU MAHASABHA.

*Rao Saheb P. D. KULKARNI (Poona District): Will Government be pleased to state—

(*a*) the number of

(*i*) Central Prisons,

(*ii*) Presidency Jails,

(*iii*) District Jails,
(*iv*) Temporary Prisons, and
(*v*) Sub-Jails
in the Bombay Presidency;

(*b*) their names and the number of prisoners in each, according to their religion, during each of the years 1929, 1930 and 1931;

(*c*) the number of the Christian, Mahomedan and Hindu lecturers admitted to give religious teaching to the prisoners in each of the Jails during the period and the names of the organisation or body which each represented;

(*d*) whether it is a fact that the Poona branch of the Hindu Mahasabha is debarred from sending its own members to give religious instruction to its co-religionist prisoners in the Jails?

The Honourable Mr. G. A. THOMAS: (*a*) As regards permanent prisons and sub-jails, the attention of the Honourable Member is invited to rules 4–8 of the Bombay Jail Manual, Part I.

There are two temporary prisons at present.

(*b*) The attention of the Honourable Member is invited to paragraphs 8 and 10 of the Jail Administration Reports for 1929 and 1930, respectively, and to the statement No. II at page 36 of the Reports. The information for 1931 will be included in the Report for that year which will be published in due course.

(*c*) The attention of the Honourable Member is invited to paragraphs 66 and 68 of the Jail Administration Reports for 1929 and 1930, respectively.

(*d*) Yes.

Rao Saheb P. D. KULKARNI: Will the Honourable the Home Member be pleased to give the grounds on which the Hindu Mahasabha representatives are not allowed to give religious teachings to the prisoners in Yeravda Jail?

The Honourable the PRESIDENT: To which part of the reply is it supplementary?

Rao Saheb P. D. KULKARNI: Part (*d*).

The Honourable Mr. G. A. THOMAS: Because of the political activities of that body.

Rao Saheb P. D. KULKARNI: Is it not a fact that they suggested two of the representatives about whom no objection can be taken, one of whom was a lawyer and the other a professor in a recognised college, and both of whom were loyal to the Crown? What was the objection to allowing them?

The Honourable Mr. G. A. THOMAS: Neither of them was very loyal.

Rao Saheb P. D. KULKARNI: Is there any record of their disloyalty?

The Honourable Mr. G. A. THOMAS: I should not have said that unless there was a record of their disloyalty. But perhaps we are at cross purposes. What are the names of the gentlemen he refers to?

Rao Saheb P. D. KULKARNI: The persons I referred to are Professor Dandekar and Mr. Deshmukh, a pleader. Are they not more efficient than others already approved?

The Honourable Mr. G. A. THOMAS: When I said that there was a record of their disloyalty, I was not referring to those gentlemen. I do not know whether they are loyal or not. The Hindu Mahasabha were not allowed to send representatives because of their political tendencies. Government appointed last year one Mr. Balshastri Upasani as a Hindu representative, after consulting various Hindu bodies in Poona, including the Mahasabha.

Rao Saheb P. D. KULKARNI: He is a Government servant; is he not?

The Honourable Mr. G. A. THOMAS: He is an ex-Government servant.

Rao Saheb P. D. KULKARNI: Even if an independent and loyal man is nominated by the Mahasabha, will Government refuse permission on the ground that he is sent by the Mahasabha?

The Honourable Mr. G. A. THOMAS: I think that is rather hypothetical. If the Mahasabha sends names for the approval of Government, then I will consider it.

Rao Saheb P. D. KULKARNI: They have already sent three names, and no reason for disallowing them is given.

GOVERNMENT SECURITIES: INVESTMENTS BY MUSLIM SINDHIS WITHOUT INTEREST: USE OF UNCLAIMED INTEREST FOR EDUCATION.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will Government be pleased to state—

(*a*) whether their attention has been drawn to the statement in writing as well as to the oral evidence given by Mr. Hatim A. Alavi before the Banking Enquiry Committee, as published at pages 54 and 55 of Volume IV of the Bombay Provincial Banking Enquiry Committee's Report, 1929-30, to the effect that there are hundreds of Muslim Sindhis who have invested in Government Securities and are not earning interest thereon and that this money should be utilised for educational purpose;

(*b*) whether the statement made by him is correct; if so,

(*i*) what is the total amount invested by Sindhi Muslims in Government Securities without interest;

(*ii*) what is the interest due on their investments;

(*iii*) what are the names of those Mussalmans and how much amount is invested by each;

(*c*) whether it is a fact that the unclaimed interest was once given to a Christian Mission as is recorded in his evidence on page 55 of the Volume IV of the Report of the Bombay Banking Enquiry Committee;

(*d*) whether they intend to utilise the unclaimed interest, if any, for the educational purposes?

The Honourable Sir GOVINDRAO PRADHAN: (*a*) Yes.

(*b*) As 'Government Securities' is a Central subject, Government are not in a position to answer.

(*i*), (*ii*) and (*iii*) accordingly do not arise.

(*c*) and (*d*) Same as (*b*).

Mr. SHAIKH ABDUL MAJID: Is it too much to expect of the Bombay Government that they would ascertain from the Government of India the names of these Mussalmans who have invested in Government securities not charging any interest?

The Honourable Sir GOVINDRAO PRADHAN: They are not bound to supply the information to the Bombay Government. If the honourable member is interested he can ask some member of the Legislative Assembly to put a question in the Assembly.

CULTIVATION IN KARACHI TALUKA.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will Government be pleased to state—

(*a*) whether it is a fact that the lands in Karachi taluka are dependent for cultivation partly on rain water and partly on water drawn from wells;

(*b*) whether it is a fact that land revenue assessment is recovered from the zamindars for Barani lands (lands cultivated on rain water) even when there is no rainfall in time;

(*c*) whether it is a fact that Fallow Rules are still applicable to lands in Karachi taluka and Shah Bunder Division;

(*d*) whether it is a fact that it has been found to be not possible for a khatedar in Karachi taluka to cultivate all his lands within the meaning of the Fallow Rules from the limited supply of well water;

(*e*) whether it is a fact that the fall in prices has affected khatedars belonging to the Karachi taluka and to other talukas in the province equally;

(*f*) whether it is a fact that no remission has been granted to the khatedars of the Karachi taluka on account of the fall in prices?

The Honourable Mr. W. F. HUDSON: (*a*) Yes.

(*b*) Yes.

(*c*) Yes, but only to some lands.

(*d*) Yes, in a few dehs where owing to the Karachi Municipality's excavations for the improvement of its water supply for the Karachi city the water in wells has diminished.

(*e*) Yes.

(*f*) Yes.

Mr. SHAIKH ABDUL MAJID: Sir, with regard to (*e*) and (*f*), it is admitted in (*e*) that the fall in prices has affected khatedars belonging to the Karachi taluka and to other talukas in the province equally, and in (*f*) it is stated that no remission has been granted to the khatedars of the Karachi taluka as was granted to khatedars in other places. Is there any reason for that? May I know whether the claims of the poor

khatedars of Karachi taluka will be considered in the same manner as the claims of other zamindars have been considered ?

The Honourable Mr. W. F. HUDSON: They will certainly be considered. But I do not want to give the honourable member the impression that they are likely to get the remission for this reason, that the assessments in the Karachi taluka are so remarkably low that no remission is necessary. For this reason we did not think it necessary to give any remission last year.

Mr. SHAIKH ABDUL MAJID: Is it or is it not a fact that these khatedars have been suffering for the last five years on account of scarcity of rain water ?

The Honourable Mr. W. F. HUDSON: A certain number of khatedars have been suffering owing to the fact that the Karachi municipality takes a certain portion of their water.

Mr. SHAIKH ABDUL MAJID: Do they not deserve sympathy at the hands of Government ? Is it advisable to charge them beyond their capacity to pay ?

The Honourable Mr. W. F. HUDSON: That is a matter of opinion, As I have already told the honourable member, we shall of course consider their case just as the case of everybody else in Sind when the Commissioner's report is received.

Mr. SHAIKH ABDUL MAJID: Sir, I understood the Honourable the Revenue Member to say that the rates of assessment were so low in Karachi taluka that it was not necessary to give any remissions in their case on account of reduction in prices.

The Honourable Mr. W. F. HUDSON: I did not follow the honourable member.

The Honourable the PRESIDENT: Next question.

DEATHS OF CATTLE IN SIND: ASSISTANCE TO MALDARS.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will Government be pleased to state—

(*a*) whether it is a fact that very large numbers of cattle died in Sind during the last year as a result of a certain disease ;

(*b*) if so, what is their approximate number ;

(*c*) whether any measures were taken by the Veterinary Department to combat the disease ;

(*d*) whether they intend to render any assistance to the Maldars who have lost their cattle ?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) The total mortality reported was 13,375.

(*c*) Preventive inoculations were carried out by the Veterinary Department.

(*d*) No.

Mr. SHAIKH ABDUL MAJID: With regard to (*c*), will the Honourable Minister state in how many places the preventive inoculations were carried out by the Veterinary Department ?

The Honourable Dewan Bahadur S. T. KAMBLI: I want notice.

Mr. SHAIKH ABDUL MAJID: Then, with regard to (*d*), is the Honourable Minister aware that the Cattle Inquiry Committee have recommended that cattle owners should be encouraged by means of free grant of lands to rear cattle? The cattle lost as a result of the disease last year was 13,375. In spite of the recommendation of the Cattle Inquiry Committee, the Minister's reply is that Government do not intend to render any assistance to the Maldars.

The Honourable Dewan Bahadur S. T. KAMBLI: The answer is clear, Sir.

Mr. SHAIKH ABDUL MAJID: What is clear?

The Honourable Dewan Bahadur S. T. KAMBLI: That Government do not intend to render any assistance.

Mr. SHAIKH ABDUL MAJID: In view of the recommendation made by the Cattle Inquiry Committee, which had been appointed by Government themselves, is it fair to say that Government do not intend to render any assistance? These Maldars have lost a large number of cattle in one year alone.

The Honourable the PRESIDENT: I suppose the question simply is, why was assistance not given to them?

The Honourable Dewan Bahadur S. T. KAMBLI: Government thought it unnecessary to give any assistance.

BILL No. I OF 1932 (A BILL TO PROVIDE FOR THE LEVY OF A DUTY ON CONSUMPTION OF ELECTRICAL ENERGY IN THE PRESIDENCY OF BOMBAY AND TO AMEND THE COURT-FEES ACT, 1870, AND THE INDIAN STAMPS ACT, 1899, IN THEIR APPLICATION TO THE SAID PRESIDENCY).

The Honourable Sir GOVINDRAO PRADHAN: Sir, I present the report* of the Select Committee on Bill No. I of 1932 (a Bill to provide for the levy of a duty on consumption of electrical energy in the Presidency of Bombay and to amend the Court-fees Act, 1870, and the Indian Stamp Act, 1899, in their application to the said Presidency).

The Honourable the PRESIDENT: The report of the Select Committee on Bill No. I of 1932 (a Bill to provide for the levy of a duty on consumption of electrical energy in the Presidency of Bombay and to amend the Court-fees Act, 1870, and the Indian Stamp Act, 1899, in their application to the said Presidency) is presented.

Second reading.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I beg to move that Bill No. I of 1932 be read a second time.

The changes that have been made have been mentioned in the report of the Select Committee, but I will recapitulate only a few important changes which the Select Committee has made. Persons consuming electrical energy up to 10 units are exempted from the levy of the surcharge. It has been made clear that this surcharge will be levied on

* Appendix 18.

[Sir Govindrao Pradhan]

consumption of energy for lights and fans. In the exemption clause, only hospitals and dispensaries which are not run for private gain are included and the words "charitable institutions" have been omitted. The clause giving the power of granting exemptions to Government has been omitted from the body of the Bill. Under that clause, Government were empowered to declare any persons or bodies as exempt from the levy of this surcharge. The Select Committee has added a new schedule showing the exemptions. These are the main changes which have been made in the Electricity Bill.

As regards the Court-fees Act, a minimum stamp duty of Rs. 15 was sought to be applied in respect of all items viz. (*a*), (*b*), (*c*), (*d*) and (*e*) of section 7 (*iv*) of the Act. Now, it is sought to be applied only in respect of item (*c*). As regards the suits for possession of land, according to the Draft Bill, amounts 10 times and 20 times the assessments were to be taken as the basis for the payment of Court-fees. The Select Committee have thought it right to bring down that limit to 7½ times and 15 times, that is, the limit which is in force now.

Then, as regards applications or petitions (Schedule II, article 1 (*a*), the fee has been brought down to 2 annas from 4 annas. As regards articles (*aa*), (*bb*) and (*cc*), which refer to applications under the Land Revenue Code, the duty has been reduced to one-half of what was proposed in the Bill. The duty which is levied for bottomry bonds was sought to be made the basis for the levy of duty on conveyances. The Select Committee thought that that was not right and so the duty for bottomry bonds has been reduced. The duty on bonds up to Rs. 200 has been left unchanged.

These are the main changes which have been made in the draft Bill. As regards probate and other things, the Select Committee has left the duties as proposed in the original Bill. I submit that the Bill has been made absolutely innocuous and I request this honourable House to pass the second reading.

Another remark which I forgot to make is that the stamp duties on forward transactions have been omitted, because of certain difficulties which were noticed after the expert witnesses were examined.

Question proposed.

Rao Bahadur B. R. NAIK: On a point of information, Sir. It appears from the report of the Select Committee that the Bill and the report are to be translated only in Marathi and Sindhi. Why should it not be translated in Gujarati?

The Honourable Sir GOVINDRAO PRADHAN: That is what the Select Committee decided.

Rao Bahadur B. R. NAIK: Is the decision of the Select Committee binding?

The Honourable Sir GOVINDRAO PRADHAN: Yes.

Rao Bahadur B. R. NAIK: I want to know why the Gujarati vernacular has been eliminated by the Select Committee and it has been decided to translate the report and the Bill only in Marathi and Sindhi.

The Honourable Sir GOVINDRAO PRADHAN: As the Gujarati members know English, it was thought that it was not necessary to translate it in Gujarati and we are to abide by the decision of the Select Committee. The Select Committee ordered that the report and the Bill should be translated only in two languages. There are so many dialects in the Presidency that if the report is to be translated in all those dialects, it will take about 15 days or a month for the translations to be ready.

Mr. V. A. SURVE (in Marathi): Sir, as we have not yet received the Marathi translation, I beg to move that further consideration of the Bill be postponed till we get the translation.

The Honourable the PRESIDENT: I understand that the translation has been ordered and probably it will be in the hands of honourable members during the course of the day; but that cannot be said with certainty. However, the main object of the honourable member is to impede the progress of the Bill. That cannot be allowed. The progress of the Bill need not be stopped. I sympathise with the honourable member, however.

Mr. V. A. SURVE (in Marathi): How can we study the Bill and be prepared to discuss it until we get the translation? This is not the first time that that sort of thing has happened. As you, Sir, have the power in this matter, I have placed my difficulty before you.

The Honourable the PRESIDENT: I understand the difficulty of the honourable member, but I cannot stay the progress of the Bill.

Mr. A. N. SURVE (Bombay City, North): Sir, I move:

"That the consideration of Bill No. I of 1932 be adjourned in order to ascertain whether the subject matter of the Bill does or does not relate to a provincial subject, and pending such adjournment, the decision of the Governor General in Council be obtained under rule 4 of the Devolution Rules framed under sections 45-A and 129-A of the Government of India Act."

You will find that rule on page 97 of the Council Manual. Rule 4 reads:

"Where any doubt arises as to whether a particular matter does or does not relate to a provincial subject, the Governor-General in Council shall decide whether the matter does or does not so relate, and his decision shall be final."

My submission is that the Bill, as presented to this House, infringes certain provisions of the Government of India Act, and I specifically mention three points in favour of my argument.

The first point I wish to refer to is this: on page 110 of the Council Manual, there are certain central subjects mentioned. Article 18 on that page is "Trading companies and other associations." Now, Sir, if you refer to clause 6 of the Bill, you will find that it imposes a duty on the licensee to collect and pay to Government the electricity duty. The first sentence in clause 6 is:

"Every licensee shall collect and pay to the Government, at the time and in the manner prescribed.....etc."

So a definite duty is imposed on the licensee—to take a concrete instance, B. E. S. T. Company in the Bombay City. Now, that company is incorporated under the Indian Companies Act. It has certain objects of its own and they are incorporated in its Articles of Association and Memorandum of Association. The objects that are enumerated in

[Mr. A. N. Surve]

those two documents do not include the collection of this surcharge on behalf of Government. All the transactions are regulated by the Indian Companies Act, and if you refer to section 10 of that Act (which I shall presently read) you will find that the Articles of Association and Memorandum of Association cannot be altered except in the way described there.

The Honourable the PRESIDENT: That is a point of order rather than a motion.

Mr. A. N. SURVE: I will explain——

The Honourable the PRESIDENT: The honourable member has three points and to elaborate those three points, he would like to go into so many books and sections and references. That would take the time of the House. If I have understood the honourable member, and taking the first instance as the gist of his point of order, I might point out to him that there is a difference between a duty imposed on a company and the objects of that company which are mentioned in the Articles of Association. The second point is, this is a central subject. The sanction of the Governor-General was therefore asked for. The Bill having been placed before him in all its details, the Governor-General must be presumed to have gone through each detail before he gave the necessary sanction. When the sanction has been granted, this Council has every right and privilege to proceed with the Bill. The powers are, as a matter of fact, concurrent, except that in central subjects the previous sanction of the Governor-General has to be obtained. That sanction has been obtained in this case. It is mentioned there in the preamble of the Bill. I do not see what the point of order is.

Rao Bahadur G. V. PRADHAN: Can this point of order be raised at this stage, Sir? This point should have been taken at the first reading.

Mr. A. N. SURVE: I admit that the sanction of the Government of India has been obtained to this Bill. That the Government of India must have gone through each detail appears to me to be an assumption. Therefore, in order to make it quite clear, I was simply developing my argument and showing how the duties imposed by this Bill are in conflict with the Government of India Act——

The Honourable the PRESIDENT: That is just what I wish to prevent. As I have said—and I repeat it now—the Bill was submitted to the Governor-General in all its details and having gone into all those details, he has given the sanction. That is quite sufficient for our purposes.

Mr. A. N. SURVE: My point was this, namely, that as our power is limited, if we were to introduce this Bill into this House——

The Honourable Mr. G. A. THOMAS: May I rise to a point of order? As the Chair has given a ruling, is it in order for the honourable member to dispute that ruling of the Chair?

The Honourable the PRESIDENT: I have not said in so many words that the honourable member Mr. Surve's point of order does not stand, but I do so now. He cannot proceed.

Mr. A. N. SURVE: Sir, under Standing Order 8 (2) (*b*), I move that the Bill, as reported, be recommitted to the Select Committee with instruction to the select committee to make additional provision in the Bill on the following points, namely:

(1) That sub-consumers may obtain the benefit of the exemption of 10 units prescribed in second schedule, (7)——

The Honourable Sir GHULAM HUSSAIN: I rise to a point of order, Sir. If the honourable member wanted that, he could have moved an amendment.

Mr. A. N. SURVE: The second point is that protection may be given to the consumer as against the sub-consumer as it is given to the licensee by proviso to clause 6 (1).

The third point is that provision may be made for preventing the evasion of the surcharge duty by theatres and cinemas and other places of amusement by generating their own supply of electricity with an oil engine and dynamo. These are the three points on which I move that the report and the Bill be recommitted to the select committee to make additional provision as indicated by me.

Here, the first point is that under the Bill it is only the consumer that is exempted, but I have made it definitely clear in my speech on the first reading of the Bill that in the city of Bombay the conditions are different. In a big chawl there may be a hundred rooms but there is only one meter. The landlord does not reside on the premises. He only charges——

The Honourable the PRESIDENT: I really cannot allow all that. It will take the honourable member one hour to go through those three points. I am only conserving the time of the House. The honourable member says that the Bill should be recommitted to the select committee to go into further details. He can make a brief statement regarding that and wait for a reply or any opposition from the opposite side or any other member of the House.

Mr. A. N. SURVE: I will try to be as brief as possible. I see that one of the members of the select committee, Mr. Hoosenally M. Rahimtoola, has written a dissenting minute stating the point which I have urged that sub-consumers may get the benefit which the select committee is anxious that the poor consumer should get. I am reading——

The Honourable the PRESIDENT: Everybody has read the select committee's report. Has the honourable member followed that little point of order raised by the Honourable the Leader of the House? The remedy is still in the hands of the House. In the second reading the House can move an amendment to remedy the defect. There is an amendment to that effect tabled by the honourable member Mr. Hoosenally Rahimtoola and any defects that may exist in the Bill can be remedied in the second reading.

Mr. A. N. SURVE: So far there has been no amendment bringing out the point to which I have referred, namely, that theatres and other places of amusement—

The Honourable the PRESIDENT: Why has no amendment been moved? The honourable member himself could have moved it.

Mr. A. N. SURVE: Please take into consideration the fact that the report was submitted to us only yesterday at about 2 o'clock. We got it when we were engaged here all day, especially I was engaged here, all the same I tried my best to note a few points which I am placing before the House now, but, Sir, we are rushed through at such a rapid speed that it is humanly impossible for me to submit amendments——

The Honourable the PRESIDENT: Evidently the honourable member has carefully read the select committee's report and put down all those points. He could have given all that time to amendments.

The Honourable Mr. G. A. THOMAS: Might I point out, Sir, that when the Honourable the Finance Member expressly asked whether the House had any objection to the select committee submitting its report on the 14th instead of on the 10th as was originally intended, no objection was raised, and, therefore, it is too late now to raise an objection? I think the honourable member is estopped from doing that.

Mr. A. N. SURVE: The second point which I was making is this that it is the wish of the select committee that theatres, cinemas and other places of entertainment should not be given exemption and yet no provision has been made in the Bill with the result that they are not prevented from generating their own supply of electricity. In that way I say that the Bill is materially defective and it only encourages the evasion of payment.

The third point is that the consumer, who is the special object of compassion with the select committee is not protected, and so far as I can see no amendment to protect him on the lines contained in proviso to clause 6 (1) has been tabled.

An Honourable MEMBER: Five amendments have been proposed.

Mr. A. N. SURVE: I therefore want that the select committee's report and the Bill should be sent back to that committee.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I oppose this amendment. All those points were considered by the select committee. If any point remains, there are amendments already tabled. As regards generating private energy, it is not such a thing as would cost less expense, in fact it would be more costly for a person to generate electric power because he would have to buy all the plant, to put it in position and to work it. This Bill is intended to be in operation only for one year, and we do not know whether it will be extended or not by this honourable House. All these points were considered by the select committee and there is no reason why the select committee's report with the Bill should go back to that committee again.

The Honourable the PRESIDENT: I have not put the motion to the House. Does the honourable mover insist upon my doing so?

Mr. A. N. SURVE: I think it should be put so that it will form part of the record.

Question put, and negatived.

Bill read a second time.

Question, "That the Bill be read a second time," put, and agreed to.

Bill read clause by clause.

Clause 1 (*Short title*) ordered to stand part of the Bill.

Clause 2 (*Extent and commencement and duration*) :

(*1*) Except where it is otherwise provided in this Act, this Act extends to the whole of the Presidency of Bombay.

(*2*) It shall come into force on the 1st day of April 1932.

(*3*) This section and sections 3 to 15 containing Parts II, III and IV shall remain in operation for one year from the date on which this Act comes into force.

Mr. A. N. SURVE (Bombay City, North) : Sir, I move :

"Clause 2 (*3*), lines 3-4. Substitute the clause "up to 31st March 1933" instead of "for one year from the date on which this Act comes into force".

You will see, Sir, that under sub-clause (*2*) the Act comes into operation on the first day of April 1932 and it is to remain in force for one year. Therefore it is but proper to use the words "up to 31st March 1933", as otherwise I fear that if the Act does not come into force on the first day of April, some difficulties will arise should the Act actually come into operation, say, on the 10th April or 15th April. In that case, if it is to remain in force for one year, I am afraid this Act will go beyond the one year's period which was intended. My fear is——

The Honourable the PRESIDENT : How can it remain in force beyond one year's period ? The one year will be counted from the date it comes into operation.

Mr. A. N. SURVE : Sir, if it comes into force on the 10th April because it will have to be submitted to the Governor-General for his assent, and a Bill becomes an Act and comes into operation only after the Governor-General's assent is received and not before.

The Honourable the PRESIDENT : Under that clause it will come into operation on the first day of April.

Mr. A. N. SURVE : No, Sir. It will come into force on the date on which it receives the assent. The difficulty will be that the Bill will have to be sent on to the Governor-General for the requisite assent before it can acquire the force of law. In that case the actual date on which it will come into force will depend on the date of publication after it receives the Governor-General's assent and if it is received after 1st April, the duration of the Bill may go beyond the 1st day of April 1933 and therefore the date of its expiration may go beyond the one year intended by this Bill.

The Honourable Mr. W. F. HUDSON : The honourable member does not seem to understand the procedure. I suppose he suggests that His Excellency the Governor-General's sanction may not be received till the 3rd or the 4th of April. That makes no difference to the operation of the Bill. The Bill will have come into force on the first day of April, and I really do suggest that the honourable member be not allowed to waste the time of the House with such purely frivolous objections.

Mr. A. N. SURVE : If the Honourable the Revenue Member takes up that attitude, I should be protected, Sir. I come here to discharge my duty to the public, and I am doing that to the best of my ability.

The Honourable Mr. W. F. HUDSON : The honourable member should make himself acquainted with the ordinary procedure.

Mr. A. N. SURVE: I claim your protection, Sir. The attitude which the Honourable the Revenue Member has taken up comes, I think, within the Chair's jurisdiction, and I claim your protection because I am interrupted while placing my views before the House to which I am entitled by reason of my being its member. I submit, Sir, the provisions of the Government of India Act, Section 81 (3) is sufficient authority for me for the statements I am making.

The Honourable the PRESIDENT: It is a matter of commonsense that the Bill, if it comes into force on the first day of April next, will last for one year. The honourable member Mr. Surve imagines a number of difficulties. He has been told that even if the sanction came later, the Bill would have its operation from the 1st of April.

Mr. A. N. SURVE: I have no more remarks to offer, Sir.

The Honourable the PRESIDENT: The honourable member does not move his amendment, I understand?

Mr. A. N. SURVE: I have pointed out my difficulties, Sir.

The Honourable the PRESIDENT: Is the honourable member not moving it then?

Mr. A. N. SURVE: I have said what I had to say. If it does not appeal to the House, I cannot do anything more.

The Honourable the PRESIDENT: I am afraid it does not appeal to the House, but is the honourable member going to move it?

Mr. A. N. SURVE: I have already moved it.

Amendment put, and negatived.

Clause 2 ordered to stand part of the Bill.

Clause 3 (*Extent of Part II*) ordered to stand part of the Bill.

Clause 4 (*Definitions*) ordered to stand part of the Bill.

Clause 5 (*Duty on units of energy consumed*) ordered to stand part of the Bill.

Clause 6 (*Payment of electricity duty*) ordered to stand part of the Bill.

Clause 7 (*Licensee to keep books of account and submit returns*) ordered to stand part of the Bill.

Clause 8 (*Inspecting Officers*) ordered to stand part of the Bill.

Clause 9 (*Recoveries*):

Any sum due on account of electricity duty, if not paid at the time and in the manner prescribed, shall be recoverable, at the discretion of Government, either from the consumer, or, subject to the proviso to section 6 (*1*), from the licensee, and either through a civil court or as an arrear of land revenue.

Mr. A. N. SURVE (Bombay City, North): Sir, I move that:

"In clause 9, lines 6 to 7, omit the words 'and either' in line 6 and 'or as an arrear of land revenue' in lines 6 and 7."

I beg to submit that a great difficulty is likely to arise in the administration of this section. The procedure followed in reading the meters in Bombay is that they are not read exactly after a month. Sometimes, they are read after four or five days. If a meter is read exactly after a month, there may be less than 10 units. The meters in Bombay are read four or five days after a month. In that case, if the meter is read two or three days after the completion of the month, and if the reading

[Mr. A. N. Surve]

will show 11 units, the consumer is placed at a disadvantage. If the meter had to be read exactly after a month, he could have claimed exemption. As the meters are read 4 or 5 days after the completion of the month, the consumer cannot claim exemption and he has to pay surcharge duty.

If this duty is to be collected as arrears of revenue, the consumer will be at a disadvantage and he will not be able to clear up the point. On these points only a civil court is the competent authority to settle these doubtful points. For that purpose I move this amendment.

Question proposed.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I oppose the amendment. The procedure ordinarily prescribed is that the licensee will recover the amount and pay it to Government. If in any case Government collect the amount from the consumer, a simpler procedure is laid down. I know that all the meters cannot be read on the same day. If they are not read on the same identical date, they are read on approximately the same date. The units consumed are there and the consumer can claim exemption. Can we get over the difficulty by the remedy suggested by the honourable member? Are we to go to the civil court for the recovery of the amount? A simpler procedure is laid down that the amount should be recovered as arrears of revenue.

Question put and negatived.

Clause 9 ordered to stand part of the Bill.

Clause 10 (*Penalties*) ordered to stand part of the Bill.

Clause 11 (*Power to make rules*) ordered to stand part of the Bill.

FIRST SCHEDULE.

(See Section 5.)

For lights and fans.

(*a*) In respect of all premises not falling under clause (*b*) and not exempted under section 5 and second schedule.	Six pies for each unit of energy consumed.
(*b*) When flat rates are charged by the licensee:—	
For a 20 Watt light	.. Two annas per mensem.
For a 30 Watt light	.. Three annas per mensem.
For a 40 Watt light	.. Four annas per mensem.
For a 60 Watt light	.. Six annas per mensem.

Explanation.—In calculating the rate of duty under clause (*b*) each 20 Watt light shall be presumed to have consumed three units during a month.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, I move:

"In Part II in the first schedule in clause (*a*) instead of 'six pies' substitute the words 'four pies'."

[Rao Bahadur G. V. Pradhan]

I have moved this amendment for a particular reason. When the representatives of the electric companies were examined before the select committee, it was brought to the notice of the committee, rather late—I mean the difficulty that has been raised by the honourable member Mr. Surve—that the month cannot be properly calculated. The first reading of the meter may be taken on the 4th January in one month and in the second month the reading may be taken on the 5th of February; and on the third month on the 10th and so on. Then, it leads to difficulty as regards the exemptions. In the second schedule, paragraph 7 says:

"any consumer using not more than ten units in any one month."

It is quite possible, as the readings are not taken and cannot be taken from month to month on the same date—this duty of reading meters every 30 days cannot be imposed upon the electric supply company—that the consumer cannot claim the exemption provided in clause (7) even when in 30 days he may have consumed less than 10 units.

The second difficulty that has been pointed out by the representatives of the electric supply companies is that the six pies is so large a surcharge in the case of big consumers, like the theatres, which my honourable friend quoted, or the Taj Mahal Hotel, that these companies would rather produce electricity at their own cost, than paying to the company and in addition a surcharge. Those companies are at present paying a little less than one anna per unit. If the tax is levied, they will have to pay this one anna per unit and 6 pies surcharge. We also ascertained what would be the maximum charge that they would be able to pay without having resort to an independent installation. We came to the conclusion that it is a little more than one anna and a little less than 1¼ anna. This reduction from 6 pies to 4 pies will effectively stop them from resorting to any other course and the electric companies will not lose these customers. The difficulty in Bills like this is that it is only nominally going to be in force for one year. In future years, a Bill in this form or in a modified form is sure to be presented to this House. So, the surcharge should be such as not to allow the total bill of the consumer to exceed the cost that will be incurred by the consumer by the installation of the oil engine and so on, the initial cost being distributed over a certain number of years. For this purpose this suggestion of reducing the surcharge from 6 to 4 pies is made.

There is a third difficulty. This is as regards the holders of small tenements. We have been told that in Bombay and Ahmedabad one-roomed and two-roomed tenements have got electric lights, for which the owner of these tenements has a common meter. The owner recovers this charge from the tenants in addition to rent. So, if there are 10 one-roomed tenements, each room will have a light. Inasmuch as a separate meter cannot be had for each room on account of the prohibitive rent of meters there will be one meter for the ten rooms. These ten tenements together may consume 40 to 50 units in a month. The lower middle class people who are the occupants of these rooms cannot get exemption though their individual consumption will work

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out at 4 to 5 units. This is why I say that the exemption clause as it stands at present would serve no useful purpose. If on the contrary the rate is reduced, all these tenements will be benefited and then we can as well forgo the exemptions. I understood from Government when the Bill was introduced that they expected to get about 12 lakhs revenue from this source. Over and above this 12 lakhs, the select committee has given them much more by taxing the theatres and illuminated signs, which will be charged not at the originally proposed rate of 3 pies but at the rate of 6 pies per unit. The detailed figures as to how much would be consumed in a city like Bombay, for example by these illuminated signs and theatres were tried to be ascertained from the representatives of the electric companies that came before the select committee, but they were not ready with those figures, and so they cannot be ascertained. One fact, however, is true, and it is that the total revenue to be collected from this electricity duty would be more than 12 lakhs, and inasmuch as the illuminated signs and theatres are now to be charged at a higher rate than the one proposed originally, I think it would be about 13 or 14 lakhs.

The Honourable Sir GOVINDRAO PRADHAN: No, no.

Rao Bahadur G. V. PRADHAN: I have not got the figures; if the figures are provided, I will correct myself. I am trying to discuss the position as to what would be the position if no exemptions are given. We have been told that if persons consuming 10 units and less are given an exemption, the amount lost by the exemptions would be something like Rs. 70,000, but if, on the contrary, the exemption limit is extended up to 15 units, then the amount would be something like Rs. 2,00,000, or a little more or less. We know that there are amendments on the notice paper to raise the limit of exemption from 10 units to 15 units, and in order to satisfy all these requirements and to cut short the matter as well, it is far better to reduce the tax to 4 pies to all the people, without giving any exemptions to anybody. Ultimately, it would be more profitable to Government. Otherwise, there are likely to be so many difficulties to the consumers for no fault of theirs with which Government will be faced. It may or may not be the fault of the company if they do not arrange for the reading of the meter every month, but if the meter is not read in any one month, the difficulty to the consumer would be enhanced as the reading of the meter may be for two months. I am further told that in Bombay the minimum charge is fixed not per month but for every three months. If that is so, the company would not at all be blamed if they do not take meter readings once every month, but take them once in three months. I therefore hope that the amendment that I have proposed will be adopted.

Question proposed.

Mr. G. WILES: Sir, the honourable member, in order to escape certain technical difficulties, is proposing to cut down the receipts from this tax from the estimated 12 lakhs to something under 8 lakhs. Let me go through, one by one, the reasons which he has given for this reduction by 4 lakhs. The first is that there is some difficulty in reading the

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meters of small consumers who may be on the marginal line of about 10 units. I submit, Sir, that is a matter of detail which, I think, can be satisfactorily arranged with the companies. There cannot be a very large number of consumers on the marginal line of 10 units, and it should be a comparatively simple matter for the company to arrange that the meters of such consumers shall be read on the same day in each month. There is nothing in the Act which says that a month shall run from the 1st to the 31st. The exemption is for any consumer using not more than 10 units in any one month.

Now, with regard to the difficulty of chawls, surely it is better to deal with this in a specific manner rather than cut the Gordian knot, thereby losing 4 lakhs. There is a specific amendment dealing with this particular difficulty tabled by my honourable friend Mr. Hoosenally Rahimtoola. It seems to me a much more satisfactory way of dealing with it.

The third point is that there is considerable objection on the part of some honourable members to fixing the limit of exemption at 10 units only, instead of some higher figure. Well, 10 units was fixed for very definite reasons, which were given to us by the experts. There are considerable difficulties about raising it to as high as 15 units, partly because it will discourage the use of electric current, through the efforts to get down to 15 units. We were told it was much easier to get down to 15 than to 10. But the difference in the cost of exemption of 10 units and the exemption of 15 units is out of all proportion. It is half a lakh in one case and a lakh and a half in the other; the difference is one lakh. But why should we run the risk of losing 4 lakhs in order to remove this difficulty which, at the most, will cost one lakh?

The honourable member has exaggerated greatly the effect of the recommendation of the select committee to raise the rate from 3 pies to 6 pies on theatres and illuminated signs. He talks in lakhs; whereas, he should talk in thousands. There is not the least probability that the 4 lakhs which he is cutting off is going to be got back by his amendment. I am told by my honourable friend on my right that it is much more likely to be Rs. 10,000 than 4 lakhs.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Sir, as I have tabled an amendment in the same form in which it has been proposed by my honourable friend Rao Bahadur Pradhan, I rise to support it on that ground. But, as has been stated by the Finance Secretary and if Government are going to accept the amendment of which notice has been given by my honourable friend Mr. Hoosenally M. Rahimtoola, I would rather——

The Honourable the PRESIDENT: How can Government accept an amendment which has not yet been moved? Possibly the honourable member concerned may not move it.

Rao Bahadur R. S. ASAVALE: Then, Sir, the points which have been made by the honourable the mover in support of his amendment are quite correct. It would be very difficult for people living in one-room or two room tenements to get the benefit from the exemption which

[Rao Bahadur R. S. Asavale]

the select committee has proposed, viz., up to 10 units. Also the small shopkeepers and small traders such as grocers, bidi shopkeepers, etc., who always are obliged to use one or two lights will generally have to consume more than 10 units, and it would therefore be that there is no exemption whatsoever given to such people of the city of Bombay. Also, the figures are not before us as to how many tenements are consuming 10 units and under. As far as my information goes, in the city of Bombay, the small traders and shopkeepers do consume more than 10 units. Coming to the one-room or two room tenements in the chawls occupied by the lower—middle and poorer classes, unless these chawls are exempted, the occupants of such tenements will get no exemption. That means that we are taxing actually the poorer more than the richer classes. The taxation would fall actually on the poorer classes, and not, as promised by the Government when the Bill was introduced, on the richer classes. The Honourable the Finance Member then said that this tax is not to fall on the poorer and the labouring classes, but it is not so. It will fall on the poorer classes the most because the landlord gives the lights on his own behalf to his tenants, and the energy consumed is recorded on the one meter of the landlord, and he is charged by the electric company for the units consumed by all his tenants in single or double-room tenements in his chawl. And the landlord charges one rupee or so for any energy consumed by his tenant per month. If exemption is confined to 10 units only and under, then these tenants will not get the benefit of it at all, but they will have to pay something more than what they pay at present to their landlord. In the same way the small traders and shopkeepers who have separate meters will have no exemption. We know the present difficulty of the traders, that on account of the present depression they are not in a position to carry on their business smoothly. So, it means that even in these times of depression they are to be taxed more. We have also got a further Bill of taxation, viz., the Tobacco Duty Bill, imposing an extra tax on the consumers of tobacco in the city of Bombay which is also to fall on the poorer labouring classes in the city. It means that we are going to burden the poorer classes instead of burdening the richer classes with taxes.

Then, Sir, the Honourable the Finance Member has given exemptions to certain bodies. Of course, religious and other similar bodies should be exempted and I have my full support to such a proposal, but I would not agree to the exemptions proposed to be given to certain companies mentioned in the Bill. If any exemption is to be given at all, it must be given to small traders and poor class tenants.

I hope that the House will accept the proposal that the rate should be reduced to 4 pies instead of keeping it at 6 pies as proposed in the Bill.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I think I should intervene at this stage to point out for the information of the House as to how many persons are exempted under this limit of 10 units. I may also assure honourable members that, when the Finance Secretary pointed out that there is an amendment tabled by the honourable member

[Sir Govindrao Pradhan]

Mr. Hoosenally Rahimtoola and also the honourable member Mr. Kadri, for exempting small consumers the idea of Government was that persons consuming less than 10 units should be exempted, and if a way is found for it, that exemption will be given. But Government certainly are not prepared to reduce the rate from 6 pies to 4 pies, which means a direct loss of 4 lakhs. The honourable member Rao Bahadur Asavale said that in the city of Bombay we are not exempting anybody. The total number of consumers of energy from the Bombay Electric Supply and Tramways Company in Bombay city is 49,971, and the number of those who consume less than 10 units is 12,701, which is more than 25 per cent. of the total. We have also the total number of consumers of energy from all the 24 or 26 electric supply companies in all the cities of the Presidency; they are 74,137, of whom 20,514 consume less than 10 units. How far can we possibly go? The Finance Secretary has told us that the moment you reduce the rate from 6 pies to 4 pies, there is a loss of something like 4 lakhs of rupees. Now, Sir, this is a Finance Bill. We brought it up because we are hard up. We want the amount for wiping out only a part of our deficit. If you cut down revenue like this, where is the good of bringing up such a Bill at all?

Therefore, I particularly emphasise the point that we are exempting even at present more than one-fourth and a little less than one-third of the total number of consumers, and we are proposing to exempt the persons in these small tenements, because there is an amendment tabled to that effect. With this assurance, I submit that the House would be well advised in rejecting this amendment.

Mr. L. R. GOKHALE: If the Honourable the Finance Member can give an assurance that—

Rao Bahadur G. V. PRADHAN: Can this amendment not be held over till the amendment of the honourable member Mr. Rahimtoola is reached?

The Honourable the PRESIDENT: This amendment is to the Schedule.

The Honourable Sir GOVINDRAO PRADHAN: I can give an assurance that a way will be found for giving exemption to tenants of one-room tenements. We will provide that the number of units should be divided by the number of occupied tenements, and if it comes to less than 10 units, it will be exempted. The object of Government is to give exemption to consumers of 10 units and under. A way will be found out for incorporating this in the Bill. That is the wish of Government, and they are not going behind it.

Mr. PESTANSHAH N. VAKIL: Sir, I want to know why the marginal line is fixed at ten units, considering the fact that the minimum charged by the Bombay Electricity Company is Rs. 3. It was mentioned in the circular letter addressed by the 35 electric companies that the minimum bill payable in Bombay was Rs. 3, i.e. for 12 units. Those who have independent installations are not, therefore, going to get any

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benefit at all. Ten units as the minimum has absolutely no meaning, unless I am mistaken.

The Honourable Sir GOVINDRAO PRADHAN: Even where the rate is 4 annas per unit, ten units will give Rs. 2-8-0, and the meter charge being eight annas, the total will be Rs. 3. When the rate is higher, the total will be more than Rs. 3.

Mr. L. R. GOKHALE (Poona City): Sir, our position is this. The first question for consideration is whether the revenue to be raised from this duty should be 12 lakhs or whether it should be reduced from 12 lakhs to 8 lakhs. Government propose to have an additional revenue of 12 lakhs by the Electricity Bill. The reduction proposed from six pies to four pies per unit will bring down that revenue not by 4 lakhs, but by 3 or 3¼ lakhs, because there are two classes of rates in the schedule, one charged per unit and the other on the scale laid down in sub-clause (*b*), when flat rates are charged. As the amendment refers only to the charge per unit, the other is not included. Therefore, the figure of 4 lakhs is not quite accurate.

Secondly, if we keep the charge at six pies per unit, the advantage to those who are using electricity to a limited extent will be taken away. There are many tenements where there is only a single light, and one light burnt for one month at the rate of 5 hours per day will bring the total consumption just near the present limit of 10 units. Therefore, unless we make up our minds to increase the exemption limit to 15 units, I do not think this charge of six pies should be accepted. I quite see the assurance that has been made to us, and probably Government may accept an amendment to sub-clause (7) of Exemptions to increase 10 units to 15 units—

The Honourable Sir GOVINDRAO PRADHAN: I never said that. I never said that I would accept an amendment to increase the limit from ten units to fifteen units. I said that a way would be found to give reasonable facilities for exempting poor people.

Mr. L. R. GOKHALE: I never said that Government said that. What I said was that possibly Government may accept an amendment to increase the 10 units to 15 units. I find that the Honourable the Finance Member sticks to 10 units. From his point of view, the rate of six pies should not be maintained and then the exemption limit should also be maintained at 10 units. Generally speaking, Sir, 10 units are hardly sufficient for one light. If a tenant burns only one light for one month for more than six hours a day, he will exceed the limit of 10 units.

The Honourable Sir GOVINDRAO PRADHAN: And yet 25 per cent. of the users are to-day using less than that.

Mr. L. R. GOKHALE: I think there is agreement on this that if one light is burnt more than six hours a day for one month, the exemption limit of 10 units will be useless. It will not benefit the poor consumer. Government have made it clear that they will not agree to increase the

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limit from 10 units to 15 units. So, the position is that no person using electricity will benefit by the exemption.

Mr. G. WILES: Will the honourable member read the explanation to the first schedule?

Mr. L. R. GOKHALE: I have read the first schedule, the second schedule, section 5—the whole bill. The explanation is:

"In calculating the rate of duty under clause (*b*) each 20 Watt light shall be presumed to have consumed three units during a month."

Now, this presumption is one that is liable to be—

The Honourable Sir GOVINDRAO PRADHAN: The wording is "shall be presumed".

Mr. L. R. GOKHALE: Whether that quantity of energy is burnt or not, it will be taken to be 3 units. Three such lights will bring it up to 10 units. If it is more than three such lights, there will be no exemption. What I want to point out is that this exemption is very limited and is practically useless. If we are really honest in our intention to benefit poor tenants from this duty, either we must reduce the charges per unit from 6 pies to 4 pies or increase the exemption limit from 10 units to 15 units. Unless either one of the two courses is followed, there will not be any relief to the poor tenant. That is how I want to put the case. We have an assurance from Government that they are not inclined to increase the exemption limit from 10 units to 15 units. Therefore, the only course for this honourable House is to reduce the charge per unit from six pies to four pies, and thus reduce the charges to the poor man for using God's light.

I am told that this limit of 10 units has been come to, calculating that a light will be burnt five hours a day, three hours from sunset and two hours before sunrise. But I think there are many people who do have to burn the light for more than seven hours a day, from 6 to 11-30 at night and 4 to 7 in the morning. The millhands have to get ready for their work in the morning; their women-folk have to get up and do the cooking; they have also to take their bath. That means three hours' burning of the light in the early morning. They will have to burn the light five hours from sunset, because after they come back from the mill tired, they naturally want some relaxation, such as card-playing. That means, seven or eight hours' burning of the light. And therefore they will be charged under this Act. Therefore, my appeal to the House is that as we cannot get an increase of the limit from 10 units to 15 units, let us have the unit charge reduced from six pies to four pies. If they have a large number of lights, the number of units consumed may even go up to more than 15 units and the exemption limit will not be useful to them. With a view to help the poor people this amendment should be accepted. I am sure the honourable members of this House will help the honourable mover of the amendment by accepting the amendment to reduce the charge from six pies to four pies.

Mr. PESTANSHAH N. VAKIL (Ahmedabad City): Sir, if the object of the Electricity Bill is to provide further sources of revenue in these

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times of difficulty, I am afraid the amendment which seeks to cut down the revenue by fully 30 per cent. should not be acceptable to the House. But I am absolutely at one with my honourable friend (Mr. Gokhale) in proposing that the marginal limit should be raised. I am not at all convinced by the explanation which was tendered by the Honourable the Finance Member. My difficulty, Sir, is this. I am not aware of the conditions obtaining in Bombay. The system of having one common meter for a chawl is one peculiar to Bombay. I come from a different city. Bombay is only one of the forty odd townships which are electrically lighted. Even supposing that fixing the limit at ten units is likely to give relief to the poor of the city of Bombay, I cannot for the life of me understand why the poor of the remaining forty cities are to be excluded from this boon. I know the minimum charge in Ahmedabad is Rs. 4, the meter charge of 8 annas being extra. I am open to correction. I was just corrected by the Honourable the Finance Member that the minimum in Bombay is not Rs. 3, but Rs. 2-8-0 *plus* eight annas for the meter. I do not know: that was not what was explained to us by the expert of the Tata Company who came here to enlighten the honourable members on the intricacies of the problem. In Ahmedabad at any rate the minimum charge is Rs. 4-8-0, Rs. 4 for energy and eight annas for the meter. The charge for 10 units at the rate of six annas per unit comes to Rs. 3-12-0, just short of the minimum chargeable by the supply company, because the lowest bill for electricity is Rs. 4; anything less than Rs. 4 is not considered by the company at all. There are individual installations in the city of Ahmedabad. Similar perhaps is the case with the other cities also. Where is then the boon to the poor? But supposing the people in Bombay for some reason take it into their heads to have individual installations, unless the company is prepared to submit bills of Rs. 2-8-0—I am not considering the meter charges—there will be absolutely no advantage to the poor by the limit being fixed at 10 units. As I have pointed out, the relief to the poor of the mofussil is likewise nil. I therefore submit that the limit should be raised; that is to say, instead of ten units it should be raised to 12 units at the lowest. If there is any amendment to that effect we shall have to support that amendment.

I personally am not inclined to support the amendment to reduce the present rates of duty, because we are told it will reduce the income by 4 lakhs. The object of the Finance Bill is to vote supplies to the Government in these times of difficulty. I am absolutely for giving relief to the poor people, provided it could be done in another way. This amendment may have a very laudable object, viz. giving relief to the poor. But you are thereby reducing the revenue to a great extent and giving relief, I cannot say to the poor alone, but to the rich as well, who are very well able to bear the burden. Personally, Sir, I am of opinion that the Finance Department is to be congratulated on finding out this new source of revenue. For years past the charge has been levelled at them for sticking to the stereotyped methods of taxation, the same sources of revenue, e.g. land-revenue, court-fees and so on. But when once in

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a way they strike out a line for themselves, it is hardly fair to blame them for the tax not being a perfect tax. I have yet to know of a tax which is absolutely faultless.

I am inclined to quote here McCulloch's adaptation of Pope:

"Whoever hopes a faultless tax to see,
Hopes what ne'er was, or is, or e'er shall be."

So it is clearly a case of expecting the Finance Department to invent a tax which will be accepted with open arms as soon as it is announced. The fact of the matter is that taxation is not liked by any section of the community. That is certain. Sir, the opposition to this tax has been engineered by powerful electrical corporations backed by the weight of an influential daily of Bombay. But the tax itself, to my mind, is not so very objectionable, provided the poor people are really given the relief which it is the intention of the framers of the Bill to give. But as matters stand, the members of the Select Committee have not given that relief by fixing the limit at 10 units. I beg to submit that the Honourable the Finance Member should raise the limit to at least 12, if it could be done, or accept the amendment to raise it to 15, if there is no other way open to him.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Mr. President, it is said that Columbus discovered America centuries ago; and the Finance Department discovered this tax only in the Grace year 1931—

The Honourable the PRESIDENT: I do not think old men like Pope and Columbus need be trotted out on the floor of this House. [*Laughter.*]

Rao Bahadur G. K. CHITALE: The point is that we start from the presumption that Government have mismanaged the finances and do not deserve to be given the slightest chance of getting any more taxes. I start from that. This House, at the time of the first reading, wanted to throw out the Bill altogether. Now that we have entered the second reading stage, I do not wish to congratulate the Government on the modified form in which the Bill has been presented to us. I say so, because the Finance Department, or for the matter of that, the whole Government, has not taken courage in both hands; they do not want to balance the budget. I make a grievance of it. What is the use of not balancing the budget, if you are prepared to borrow——

The Honourable the PRESIDENT: I am very sorry to interrupt the honourable member, but while putting the second reading to the House I did ask honourable members if they desired to speak on the second reading by way of raising an objection. Now I am taking the Bill clause by clause and we must confine ourselves to the amendment which is before the House.

Rao Bahadur G. K. CHITALE: I am very thankful to you, Sir. Perhaps I was absent then. However, the position now is this: we want to give Government as little as we can, and I support the amendment only with that view.

[Rao Bahadur G. K. Chitale]

The Honourable the Finance Member is not prepared to unfold his views at present and state up to what limit he would be pleased to go in the matter of exemption. There is really no question of pleasure. I am really surprised at the way in which prayers are made to Government benches. Why should they be "pleased"? The House must be pleased. Have we not got our own strength to bend the Government? Government will not be bent so long as we ourselves do not follow one method of thinking.

I am not a believer in the assurances given across the benches; sometimes capital is made of the fact that no supplementary questions are asked. Perhaps we will not get the slightest relief after the imposition of this tax, if the limit of exemption is not raised. I say this is the thin end of the wedge. People are really in distress owing to various causes. If the tax, which is always unpopular, is to be popularised in these days, let us do so on the lines of least resistance. If it appeals to this House and they accept the taxation proposal at the rate of 4 pies per unit, Government, I think, should feel obliged, if that part of the amendment is passed unanimously. What is the use of bringing the official *bloc* always for the purpose of passing finance Bills and taking revenue from an unwilling House? The calculations on which that particular amount of revenue is based are not yet quite clear to us. Very few of us understand this "watt" measure. The people in the mofussil do not yet know what is a "20 watt" light. All that they know is that the company's man comes and presents his bill for a particular amount. They do not care even if the meter is wrong. Add to that this arbitrary measure, that a 20 watt light means 3 units, and the calculation of the rate at 6 pies per unit when there is a variation in the rates charged by different companies. I should think Government ought to be pleased if we are prepared to give them 4 pies per unit. They have not based their calculations on correct figures. Sometimes we find that their figure is not accurate. Who knows whether the exemption will be enjoyed to the extent of 25 or 30 per cent.? The estimate may prove wrong in practice. In these circumstances, this House will be well advised in accepting the lower rate of 4 pies per unit.

Rao Bahadur S. N. ANGADI (Belgaum District): Mr. President, you know, Sir, that I yield to none in this House in sympathies for the poor, but so far as this amendment is concerned, I am afraid I cannot support it, for the simple reason that in the name of the poor, we are really making the rich people escape the tax. I do understand that there ought to be sufficient sympathy for the poor and there ought to be some relief to them. I do not know how far the exemption of 10 units will go towards giving relief to the poor. We are told that in the case of the city of Bombay there is a special difficulty. The system of a common meter is a peculiar feature which is not to be found in other cities where they use electricity. But so far as that aspect of the question is concerned, I think the Honourable the Finance Member made it clear that a way will be found by which it will be possible to give the necessary relief to those who live in tenements. If that is done our object will

[Rao Bahadur S. N. Angadi]

be achieved. After all, we are concerned to see that poor people are not hit hard. That is the concern of every honourable member here. Only, the dispute is about the method. I do not know whether the object of those who advocate a uniform rate of 4 pies is to benefit the poor classes, but I am afraid a large class of people who are able to pay will escape being taxed and thereby our object will not be achieved. Our object is merely to give relief to the poor. The Honourable the Finance Member has assured us that he will see to it that a way is found by which the poor people living in Bombay will get the necessary relief. I do not know whether that can be done by raising the limit of exemption from 10 to 12 or in some other way. I am not sure of that. But certainly I hope Government will devise a method by which they will be able to give relief to the poor. For this reason, I oppose the reduction of rate per unit from 6 to 4 pies.

Khan Bahadur M. A. KHUHRO (Larkana District): Sir, I am sorry I have to oppose the amendment moved by my honourable friend Rao Bahadur Pradhan, because I do not believe in the argument that if we reduce the rate of taxation from 6 pies to 4 pies, the poor people will be benefited. On the contrary, as has been suggested, if people who consume 10 or 15 units or whatever the limit fixed, are exempted, it will go a long way towards achieving the object which we all have in view. In the alternative, if we reduce the rate, as proposed by the honourable mover of the amendment, and do not exempt entirely a certain number of units, the result will be that those who can afford to pay the tax will benefit to a certain extent. Since we have accepted the principle of the electricity duty, we must make it worth the while of Government. If you reduce the rate, it takes away a great portion of the tax that Government expect to get. In that case, it is no use supporting the Bill at all. Therefore, my opinion is that it is much better to exempt consumers up to a certain number of units, say 10 or 15, or whatever is decided upon, than bring down the rate of the tax. I therefore oppose the amendment.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu): Mr. President, I rise to support the amendment moved by my honourable friend Rao Bahadur Pradhan. We have been given to understand that if the rate is reduced to 4 pies as proposed, the revenue will be reduced by about 1 lakh of rupees. The budget has been passed by this honourable House without a single pie being reduced from it.

The honourable member Rao Bahadur Angadi does not seem to have seen big cities. He seems to have confined his experience only to small towns with 20,000, 25,000 or 30,000 population where no electricity is used, and so he says there is no meter except in Bombay. In every city where electricity is used, meters are there. Time will come when every village will have electricity for all domestic purposes, such as lights, fan, cooking, heating and for various other uses.

Rao Bahadur S. N. ANGADI: I think the honourable member misunderstands me. I referred to a common meter system which was

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pointed out by the honourable member Mr. Gokhale and which obtains in a big city like Bombay where in big chawls there is only one meter for the whole building. The honourable member Mr. Baloch thinks I have not seen cities where there is electricity.

Mr. HAJI MIR MAHOMED BALOCH: I do not say that. I want to show to the two honourable members that in big cities like Bombay, Karachi and so on, there are innumerable buildings in which there are 6 or 7 or 8 or more tenants who are provided one or two lamps in their rooms and pay fixed sum to the landlords monthly for lights. If I am their landlord or if anybody else is their landlord, he will of course recover the extra charge from his tenants the moment his consumption of electrical energy goes beyond the ten units which are exempted; so how will these poor tenants be exempted from this extra charge?

My honourable friend Khan Bahadur Khuhro says there should be separate meters. Does he not know that separate meters are charged one rupee extra every month? Does he want all this extra money to go into the coffers of the electric company which supplies the energy? Who will bear that extra rupee? I am really surprised how these honourable members have come forward to agree to this fresh taxation when all of us know that the taxable capacity of the people has been reached long ago. What my honourable friend Rao Bahadur Chitale said is right, that we, the honourable members of this House, have this right of saying to Government "No, we shall not allow you to levy any more taxes on the over-burdened people". If we do not exercise that right and if we do not throw out this Finance Bill, we shall have to thank ourselves for it. Now you find that only big cities and towns like Bombay, Karachi, Hyderabad and Ahmedabad have electric supply. But in course of time it will extend to every small town and village.

Khan Bahadur M. A. KHUHRO: You have it at Larkana and Sukkur.

Mr. HAJI MIR MAHOMED BALOCH: No, my friend, you do not recognise the elephant's eating teeth from his other tusks which are merely for show. Be sure that in due time the whole countryside will have electric lighting and then where will your poor people be? Will they not be saddled with this extra charge?

With these remarks, I support the amendment moved by my honourable friend that the charge should be reduced from six pies to four pies.

Rao Bahadur G. V. PRADHAN: I have nothing more to say, Sir.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I have not been able to understand the reasoning of the honourable members who propose that this should be reduced from six pies to four pies on the ground that it will afford some relief to the poor. You are going to give relief to the rich also by reducing it from six pies to four because the argument of the honourable member who moved that motion is that all exemptions should be taken away and that the charge be reduced from six pies to four and that all, rich or poor, should be charged alike. If you want to charge alike, how will that bring relief to the poor?

Mr. L. R. GOKHALE: Keep the exemption at 10 units as it now is.

The Honourable Sir GOVINDRAO PRADHAN: I could not understand what the honourable member Mr. Gokhale from Poona was arguing. The explanation in the schedule is as clear as A B C, namely, that if you use a lamp of 20 Watt and if you burn it for 12 hours or 24 hours a day, the presumption shall be that that lamp consumes only three units during a month. Does a millhand require more than three lights? Does any poor man require more than this? This argument that the charge of six pies will work a hardship is an argument which I do not understand and which I cannot accept. Even in the island of Bombay 25 per cent. of the people are being exempted under the 10 units rule. I oppose the motion to reduce the charge from six pies to four pies.

Question put. The House divided. Ayes, 29; Noes, 53.

Division No. 4.

Ayes.

ACHREKAR, Mr. A. B.	MEHTA, Mr. M. H.
BALOCH, Mr. HAJI MIR MAHOMED	MORE, Mr. J. G.
CHITALE, Rao Bahadur G. K.	NAMDEORAO BUDHAJIRAO, Mr.
COLLACO, Dr. J. A.	NAVLE, Mr. N. E.
DESAI, Mr. H. R.	PARULEKAR, Rao Bahadur L. V.
DHALUMAL LILARAM, Mr.	PATIL, Rao Saheb V. S.
DIXIT, Dr. M. K.	PRADHAN, Rao Bahadur G. V.
GILDER, Dr. M. D.	PRATER, Mr. S. H.
GOKHALE, Mr. L. R.	RESALDAR, Mr. A. K.
GOVER RORA, Mr.	SINDHA, Mr. MADHAVSANG JORBHAI
HUMPHREY, Mr. JOHN	SURVE, Mr. A. N.
JOG, Mr. V. N.	SURVE, Mr. V. A.
KALE, Rao Bahadur R. R.	TOLANI, Mr. S. S.
KAMAT, Mr. B. S.	VAISHAMPAYAN, Dr. V. G.
KULKARNI, Rao Saheb P. D.	

Tellers for the Ayes: Mr. M. M. KARBHARI and Rao Saheb R. V. VANDEKAR.

Noes.

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur	LANE, Mr. C. M.
ADVANI, Mr. P. B.	MACLACHLAN, Mr. D.
ANGADI, Rao Bahadur S. N.	MATCHESWALLA, Mr. G. E.
BANGI, Mr. A. K. J.	MCELHINNY, Mr. G. W.
BELL, Mr. R. D.	MEHERBAKSH, Mr. S.
BHUTTO, Sir SHAH NAWAZ	MITCHELL, Mr. H. C. B.
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN	MODAK, Rev. R. S.
BOLE, Rao Bahadur S. K.	MODI, Sardar Davar T. K.
BOWERS, Mr. P. L.	MONTEATH, Mr. J.
CLAYTON, Mr. H. B.	OWEN, Mr. A. C.
COOPER, Khan Bahadur D. B.	PATEL, Khan Bahadur A. E.
DAVIS, Mr. G.	PATIL, Rao Bahadur D. R.
DESAI, Rao Saheb B. G.	PERRY, Mr. E. W.
FREKE, Mr. C. G.	PRADHAN, the Honourable Sir GOVINDRAO
GHULAM HUSSAIN, the Honourable Sir	RAFIUDDIN AHMAD, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur	RAHIMTOOLA, Mr. HOOSENALLY M.
HUDSON, the Honourable Mr. W. F.	ROOSE, Mr. F. O. J.
JONES, Major W. ELLIS	SHAIKH ABDUL AZIZ, Mr.
KADRI, Mr. J. S.	SOLANKI, Dr. P. G.
KALBHOR, Mr. G. M.	SPENCE, Sir REGINALD
KAMBLI, the Honourable Dewan Bahadur S. T.	SYED MIRAN MAHOMED SHAH
KARBHARI, Mr. M. M.	SYED MUNAWAR, Mr.
KHUHRO, Khan Bahadur M. A.	TALPUR, MIR BANDEH ALI KHAN
	THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
	THOMAS, the Honourable Mr. G. A.

Noes—contd.

TURNER, Mr. C. W. A.	VANDEKAR, Rao Saheb R. V.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR	WILES, Mr. G.
	WINTERBOTHAM, Mr. G. L.

Tellers for the Noes : Mr. S. H. PRATER and Mr. P. B. ADVANI.

Mr. G. L. WINTERBOTHAM (Bombay Chamber of Commerce) : Mr. President, Sir, with your permission, I desire to make a slight alteration in the wording of the amendment of which notice has been given by me. The amendment will read as follows :

"In part II, First Schedule, *after* the words 'six pies for each unit of energy consumed' *add* the words 'up to a maximum of 25 per cent. of the sum payable by the consumer for the energy consumed by him in any one month'."

The purpose of my amendment is to provide that the incidence of the taxation should not fall unduly harshly on those people who, for one reason or another, pay less than 4 annas per unit for the energy they have consumed. There are certain people who, by reason of the large amount of current they consume, secure from the licensees rates lower than those secured by an ordinary consumer. There is at least one consumer I know who gets current at the rate of one anna. If the surcharge of six pies is applied without any qualification to that consumer, the tax falls on him to the tune of 50 per cent. [*An Honourable Member :* Simply because he is getting cheap ?] In the mofussil, the consumers will pay a surcharge of 8⅓ per cent. In this city an ordinary consumer will pay a surcharge of 12½ per cent.

I should like to make it perfectly clear to the House that I am not in the remotest way connected with any consumer who gets current cheaply. It is not with that motive I move this amendment. My two motives in bringing forward this amendment are, firstly, that it should not be said that this House passed taxation which bears unduly harshly on any particular consumer and, secondly, that those consumers who get their current cheaply may, if nothing is done to qualify this charge of six pies, be driven to generate their own electricity. Honourable members, I am perfectly certain, will say that those people who get energy at a cheap rate are rich and they must pay. That is not a genuine argument. The House should bear in mind that this proposed tax will bear harshly on those who pay less than 4 annas per unit. The effect of my amendment will be that, if anybody pays less than 4 annas per unit for his energy, he will either pay the charge of 6 pies or 25 per cent. of his monthly bill, whichever is higher, that is to say, supposing there is a consumer who gets his energy at the rate of one anna per unit he will be charged 25 per cent. of his monthly bill, or, expressed as percentage, double the percentage which a consumer who pays 4 annas per unit will pay. My object is, as I have said, only to remove the inequality in the incidence of taxation in connection with those consumers who for reasons of large consumption pay less than the standard rate to the licensees. I hope the House will see the justice of this and support the amendment.

Question proposed.

Rao Bahadur S. N. ANGADI (Belgaum District): Sir, I am afraid I should oppose this amendment also. My honourable friend Mr. Winterbotham told us that in bringing forward this amendment he was actuated by two motives: one was that the incidence of taxation should not unduly harshly fall upon certain persons who have been getting their electric energy rather cheap. That is to say, there are certain consumers of electricity who are getting energy at a tremendously cheap rate of one anna per unit. He compared this with the rate in the mofussil which is 6 annas per unit. Those in the mofussil will have to pay 6 pies surcharge per unit, i.e. 6 pies for 6 annas, while some of those in Bombay will pay 6 pies for one anna. I wish I were in the position of those consumers. It was pointed out that, because they were getting at the rate of one anna, if they pay six pies, the percentage would work out at 50 per cent. I may go further and state that if they get for no payment to the licencee then the percentage will be much higher. My honourable friend is a business man and he has made very shrewd calculations indeed. What I say is that they have been enormously benefitted by the fact that they are getting electric energy very cheap. I do not know why such people should grumble to pay 6 pies surcharge, while others paying 6 times this rate per unit pay the surcharge of 6 pies. If those people who pay a higher rate per unit are willing to pay, why should these people make a grievance of it?

Secondly, it was pointed out that if the rate is kept as it is, there is a fear that these people who are getting electric current very cheap may try to generate electric current themselves. I do not know that. I have not much experience of Bombay. I do not know whether there are any people who would undergo the luxury of installing a special machinery, when they could get electric light at a cheap rate of one anna per unit.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, we are not told as to how many consumers there are approximately at least who are likely to be affected by this tax to more than 25 per cent. It is only those cases which could be considered or which will have to be considered under the present proposal. The honourable member Mr. Winterbotham has given us only one instance. Probably he is thinking of the Taj Mahal Hotel which was mentioned to us by the representatives of the electric companies. So far as the Taj Mahal Hotel is concerned, the electric energy they get is at the rate of ·9 annas or in other words a little less than an anna. If the Taj Mahal Hotel is to be charged subject to a maximum of something like 25 per cent of the electric bill, the tax in their case will be less than quarter of an anna per unit. When I proposed that it should be four pies for all, my honourable colleague Mr. Winterbotham opposed it, inasmuch as he feared that along with the Taj Mahal Hotel other poorer people will also get the benefit. He says now that it should be reduced to less than 3 pies for concerns like the Taj Mahal Hotel. This is not for the benefit of the ordinary consumer and the middle class. This is only for big consumers who take thousands of units per month. I and my party would certainly oppose it.

Sardar BHASAHEB RAISINHJI (THAKOR OF KERWADA) (Gujarat Sardars and Inamdars): Sir, I am sorry to say that I cannot agree with the proposal of my honourable friend Mr. Winterbotham. It comes to this. The sum total of the amendment, if it is given effect to, is that those who, by some special arrangement, get power at a cheaper rate than the ordinary persons should be given a further concession by charging them a lesser rate of tax. I think there must be very few cases in which the parties concerned have made a direct contract with the company, and those persons cannot be classed as poor. They are extremely rich people; they are people like the owners of the Taj Mahal Hotel and other people of a similar character who are making a large profit. I do not think the House would be well advised in charging a lower rate to these people, simply because the House has agreed to give an exemption to the poorer people. These rich people can very well afford to pay this tax. If they get a concession from the company by some private arrangement, we have nothing to do with it. They should be charged according to the number of units consumed by them.

Mr. J. HUMPHREY (Karachi Chamber of Commerce): Sir, I have much pleasure in supporting this amendment. When I spoke on the first reading of the Bill, I described it as a tax on progress; my honourable friend the mover of the amendment has suggested a way by which the tax can be ameliorated. The excessive charge to the heavy consumer as provided for in the Bill would result in accentuating the bar to progress. I believe the electricity supply companies, in order to encourage the consumption of electricity, charge on a sliding scale, the larger the consumption of energy the lesser the unit charge. That is to say, up to a certain point the company will charge so much per unit; then from that point up to a certain higher figure they will charge so much less, and so on. If that is what the electricity supply companies are doing, I consider that Government should have the same consideration and that the tax should also be imposed on a similar basis, because the large consumers want encouraging, not discouraging. I therefore support the amendment.

Mr. G. L. WINTERBOTHAM (Bombay Chamber of Commerce): Sir, I have nothing to add except that I should make it clear that it is not a question of this House giving a concession. It is a question of this House seeing that the taxation which it imposes falls fairly on all classes of consumers.

The Honourable Sir GOVINDRAO PRADHAN: I submit, Sir, that on the percentage basis it looks equitable that the charge should be reduced, but as the tax is based on units, I cannot accept the amendment.

Amendment put, and negatived.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I move the following amendment:

In clause (*b*) in the first Schedule, before the word "when" the following words shall be inserted, namely:—

"In respect of premises not exempted under the proviso to section 5 and the second Schedule."

Question proposed.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, I will explain my position with regard to this amendment. Clause (*b*) of Schedule I gives us a flat rate, but the idea is that this flat rate also should be subject to clause 7 of second schedule, or rather, all the other clauses under the exemption either under section 5 or second schedule. That is not so clear in clause (*b*) as it stands at present. So, I tabled my amendment after a little discussion. There are some further difficulties. I say, there is a difficulty as regards the drafting. For a 20 watt light the charge is 2 annas. What is the charge for a 15 watt light? It is nothing according to the present table. Then for a 60 watt light, the charge is 6 annas. What is the charge for a 100 watt light? It is nothing according to the present table. We have gone into this difficulty, because that position has not been explained. Therefore, I suggest that the whole of clause (*b*) will have to be redrafted.

The Honourable the PRESIDENT: Has the honourable member tabled his amendment with that object in view?

Rao Bahadur G. V. PRADHAN: Yes, Sir.

The Honourable the PRESIDENT: Then the honourable member may move it as an amendment to this amendment.

Rao Bahadur G. V. PRADHAN: In both the amendments that paragraph will be common.

The Honourable Sir GOVINDRAO PRADHAN: As a matter of fact, it works out at the same rate.

Mr. L. R. GOKHALE: I wish to point out that in clause (*b*) for a 20 watt lamp the rate is 2 annas, but the point is, what is the charge for a light which is 25 watts? The clause provides the charges for a 20 watt, a 30 watt, a 40 watt, and a 60 watt light, but there is no provision made for a 25 watt, a 35 watt, or a 45 watt light.

The Honourable the PRESIDENT: Honourable members would like to know if there are lights of that power.

The Honourable Sir GOVINDRAO PRADHAN: There are no such lamps.

Rao Bahadur G. V. PRADHAN: I have got in my own house 15 and 25 watt lights.

The Honourable Sir GOVINDRAO PRADHAN: They are on the meter. There is no flat rate for them.

Mr. F. O. J. ROOSE: Lamps on flat rates which do not come on meters are usually 20 watt, 30 watt, 40 watt and 60 watt lamps. Anything bigger than 60 say, 75 watt, or 100 watt, or 200 watt, or 300 watt or 500 watt lamps are usually on meter.

Rao Bahadur G. V. PRADHAN: Why not make provision for it? It is entirely on the sweet will of the companies to give flat rates for any kind of lamp. It is not also in the interest of the Government to say that no flat rate should be charged on 50 watt, or 100 watt lights, and so on.

The Honourable the PRESIDENT: There should be no loophole left.

(After recess)

The Honourable Sir GOVINDRAO PRADHAN: Sir, I beg permission to withdraw my amendment. The honourable member the Legal Remembrancer will move another amendment which will satisfy the opposite benches.

Amendment, by leave, withdrawn.

Mr. G. DAVIS: Sir, I have a draft amendment which I hope will meet the objections of the honourable members. It reads as follows:

For sub-clause (*b*) in the first schedule, substitute the following:—

"(*b*) In respect of all premises not exempted under the proviso to section 5 and the second schedule, when flat rates are charged by the licensee,

for every light of less than 30 watts	.. two annas per mensem;
for every light of 30 watts or more but not exceeding 40	.. three annas per mensem;
for every light of 40 watts or more but not exceeding 60	.. four annas per mensem;
for every light of 60 watts or more but not exceeding 100	.. six annas per mensem;
and for every additional 15 watts light or its equivalent in excess of 100 in any light	.. one anna per mensem.

Rao Bahadur G. V. PRADHAN: Sir, my amendment seeks to change the schedule as well as the explanation.

The Honourable Sir GOVINDRAO PRADHAN: We have not come to the explanation yet.

Rao Bahadur G. V. PRADHAN: When we are speaking in terms of watts in this schedule we must do the same in the exemption also. That is my idea.

The Honourable the PRESIDENT: I wish the Honourable the Finance Member or the Legal Remembrancer will understand the position and meet it if possible.

Mr. G. DAVIS: Will the honourable member tell us what his idea is?

The Honourable the PRESIDENT: The honourable member's amendment is—

In Part II, first schedule (*b*), after the words "by the licensee" add the following words:

For every ten watt or its fraction, if not exempted under section 5 and the second schedule	.. one anna per mensem.

Well, that is met by the amendment of the honourable member the Legal Remembrancer. But further he says:

"And delete the table mentioned under (*b*) and the explanation, and in second schedule, exemption (7), after the word 'units' add the following words:—

'or 70 watts in cases where flat rates are charged.'"

The Honourable Sir GOVINDRAO PRADHAN: That is only a question of calculation.

Rao Bahadur G. V. PRADHAN: In the explanation as it stands at present, we have fixed the units only for 20 watts; we have not stated what the basis of calculation will be for the others.

The Honourable Sir GOVINDRAO PRADHAN: You want a calculation made for the higher watts also?

Rao Bahadur G. V. PRADHAN: If you only amend clause (7) of the Exemptions, so as to make it read "any consumer not using more than 10 units, or 70 watts in cases where flat rates are charged" that will be all right.

Mr. G. DAVIS: Perhaps this will meet the honourable member's case:

"*Explanation.*—In calculating the rate of duty under clause (*b*) every 10 watts shall be presumed to consume one and a half units during a month.".

The Honourable the PRESIDENT: So, the explanation also will stand amended.

Mr. G. DAVIS: Yes, Sir.

Rao Bahadur G. V. PRADHAN: I would now not propose my amendment.

The Honourable Mr. G. A. THOMAS: The word "Watt" has been spelt with a capital "w" in one place and with a small "w" in another. Which is correct?

The Honourable Sir GOVINDRAO PRADHAN: It should be small.

The Honourable the PRESIDENT: I shall read the whole amendment again, so that it may be quite clear to the House:

"In the first Schedule, for clause (*b*), substitute the following:

'(*b*) In respect of all premises not exempted under the proviso to section 5 and the second Schedule, when flat rates are charged by the licensee, for

every light of less than 30 watts	.. two annas per mensem;
every light of 30 watts or more but not exceeding 40	.. three annas per mensem;
every light of 40 watts or more but not exceeding 60	.. four annas per mensem;
every light of 60 watts or more but not exceeding 100	.. six annas per mensem;
and for every additional 15 watts light or its equivalent in excess of 100 in any light	.. one anna per mensem.

Explanation.—In calculating the rate of duty under clause (*b*) every 10 watts shall be presumed to consume one and a half units during a month.'"

Rao Bahadur G. V. PRADHAN: Sir, we are of course drafting it in a hurry, but there is still one difficulty which the honourable member the Legal Remembrancer might look into. In the second item "every light of 30 watts or more but not exceeding 40 watts . . . three annas per mensem" and in the third "every light of 40 watts or more but not exceeding 60." So, is consumption of 40 watts to be charged 3 annas or 4 annas?

The Honourable the PRESIDENT: There must be some change there.

The Honourable Sir GOVINDRAO PRADHAN: We shall change that into "not exceeding 39," "not exceeding 59," and so on.

The Honourable the PRESIDENT: Now I will put the corrected amendment to the House:

"In the first Schedule, for clause (*b*), substitute the following:

'(*b*) In respect of all premises not exempted under the proviso to section 5 and the second Schedule, when flat rates are charged by the licensee, for

every light of less than 30 watts	.. two annas per mensem;
every light of 30 watts or more but not exceeding 39	.. three annas per mensem;
every light of 40 watts or more but not exceeding 59	.. four annas per mensem;
every light of 60 watts or more but not exceeding 100	.. six annas per mensem;
and for every additional 15 watts light or its equivalent in excess of 100 in any light	.. one anna per mensem.

Explanation.—In calculating the rate of duty under clause (*b*) every 10 watts shall be presumed to consume one and a half units during a month.'"

Question put, and agreed to.

[The President]

Schedule I, as amended, ordered to stand part of the Bill.

"SECOND SCHEDULE.

(See section 5, proviso.)

EXEMPTIONS.

(1) Government, save in respect of premises used for residential purposes;
(2) a railway administration as defined in clause (6) of section 3 of the Indian Railways Act, 1890, save in respect of premises used for residential purposes;
(3) a local authority, save in respect of premises used for residential purposes;
(4) a tramway company, save in respect of premises used for residential and office purposes;
(5) an industrial undertaking, save in respect of premises used for residential and office purposes;
(6) a hospital or dispensary which is not maintained for private gain;
(7) any consumer using not more than ten units in any one month.

Explanation.—For the purpose of this Schedule,

(*a*) 'industrial undertaking' means all buildings or premises wherein or within the precincts of which the manufacturing process is carried on; and

(*b*) 'manufacturing process' has the meaning assigned to it by section 2 (4) of the Indian Factories Act, 1911."

Rao Bahadur R. S. ASAVALE: Sir, I request that my amendment to this Schedule may be held over till the amendment of the honourable member Mr. Hoosenally Rahimtoola is reached.

The Honourable the PRESIDENT: The amendment in the names of the honourable members Mr. Gokhale and Rao Bahadur Pradhan, viz., "In clauses (1) and (2) add 'and office'" is not covered by the sanction of the Governor General.

Mr. SHAIKH ABDUL AZIZ: Sir, the honourable member Syed Miran Mahomed Shah has authorised me to move his amendment.

The Honourable the PRESIDENT: That cannot be allowed.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, I move:

"In the second Schedule of Part II, clause (7), substitute the word 'fifteen' for the word 'ten'."

Sir, the basic idea in moving this amendment is that small consumers of electrical energy should be exempted from this surcharge. This limit of 15 units has been calculated on a certain basis. The minimum charge levied by certain companies is Rs. 3, at any rate in Ahmedabad and certain other places. The rate in some places is 4 annas per unit and in some others 6 annas per unit. So, even if we exempt consumption up to 10 units, the consumer will have to pay more, as the cost of 10 units will not cover the minimum rate levied by the company. If that is so, the exemption of 10 units will not give any relief to the small consumer. In order that that relief should be given to the poor classes and lower middle classes, I move this amendment.

Question proposed.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Sir, I have an amendment in the same form, but I would like to know if Government are prepared to accept "twelve" instead of "fifteen" as the limit of exemption. If that is accepted, I shall withdraw my amendment.

Rao Bahadur S. N. ANGADI: Sir, I move an amendment to the amendment of the honourable member Rao Bahadur Pradhan:

"For the word 'fifteen', substitute the word 'twelve'."

The Honourable the PRESIDENT: Order, order. Honourable members seem to have got into a talking mood to-day. There is an amendment by the honourable member Rao Bahadur Angadi to the one moved by the honourable member Rao Bahadur Pradhan. I put that amendment to the amendment to the House.

Question proposed.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I accept it.

Question put. The House divided. Ayes, 41; Noes, 34.

Division No. 5.

Ayes.

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ADVANI, Mr. P. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BELL, Mr. R. D.
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
CLAYTON, Mr. H. B.
DAVIS, Mr. G.
FREKE, Mr. C. G.
GHULAM HUSSAIN, the Honourable Sir
HUDSON, the Honourable Mr. W. F.
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
LANE, Mr. C. M.
MACLACHLAN, Mr. D.
MCELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MONTEATH, Mr. J.
OWEN, Mr. A. C.
PATIL, Rao Bahadur D. R.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PRADHAN, the Honourable Sir GOVINDRAO
RAFIUDDIN AHMAD, the Honourable Sir
ROOSE, Mr. F. O. J.
SHINDE, Mr. R. B.
THOMAS, the Honourable Mr. G. A.
TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WILES, Mr. G.

Tellers for the Ayes: Dr. V. G. VAISHAMPAYAN and Mr. M. M. KARBHARI.

Noes.

BALOCH, Mr. HAJI MIR MAHOMED
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
CHITALE, Rao Bahadur G. K.
COLLACO, Dr. J. A.
DESAI, Rao Saheb B. G.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
GANGOLI, Mr. G. S.
GHULAM NABI SHAH, Khan Bahadur
GOVER RORA, Mr.
HADDOW, Mr. R. R.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
KULKARNI, Rao Saheb P. D.
MODI, Sardar Davar T. K.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
SHAIKH ABDUL AZIZ, Mr.
SINDHA, Mr. MADHAVSANG JORBHAI
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI.
TOLANI, Mr. S. S.
VAISHAMPAYAN, Dr. V. G.
WADKE, Mr. B. P.

Tellers for the Noes: Mr. S. H. PRATER and Mr. P. B. ADVANI.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, I move:

"In the second Schedule of Part II after clause (7) add the following:

(8) consumer who has taken electric power *for the first time* on or after the 1st April 1931."

My object in moving this amendment is that it has been represented by electric companies that the number of consumers is increasing year by year and that if the surcharge is placed upon such consumers, there is likelihood of an appreciable decrease in the number of people going in for electric energy. Moreover, when a person takes electric connections into his house, he has to lay out a considerable sum of money on the fittings etc. and this amount cannot be recouped in one year. The net result is that for the first year, he will have to bear the initial charges plus the charges for the electrical supply and also the surcharge. I therefore seek by this amendment to exempt those people who for the first time since the 1st April 1931 go in for electric energy.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I oppose this amendment.

Mr. L. R. GOKHALE (Poona City): Sir, I too oppose this amendment. The reason advanced by my honourable friend Rao Bahadur Pradhan is neither sound nor convincing. In fact I am afraid he is not serious about his amendment.

Rao Bahadur G. V. PRADHAN: Sir, I beg leave to withdraw the amendment.

Amendment, by leave, withdrawn.

The Honourable Sir GOVINDRAO PRADHAN: So far as I have been able to see, Sir, all the subsequent amendments are for one special object. So, if the honourable member Mr. Hoosenally Rahimtoola moves his amendment in the amended form, the other amendments will become unnecessary.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Sir, whatever is the best form may be allowed to be moved and the others may not be moved.

The Honourable Sir GOVINDRAO PRADHAN: Exactly.

Mr. HOOSENALLY M. RAHIMTOOLA: Sir, I move:

"In second Schedule of Part II, after clause (7), insert:

'Consumer' shall be deemed to include a landlord who shall supply electrical energy to one or two roomed tenements in any one building in respect of any one of which tenements not more than twelve units of energy shall have been consumed during any one month.

Explanation.—Whether more than twelve units shall have been used by or in respect of any one tenement during any one month shall be determined by dividing the number of units used by the number of tenements in that building."

The object of this amendment is what I have stated in my minute of dissent to the Select Committee's Report, namely, to give the benefit of exemption to private individuals and to one or two room tenements where the meter stands in the name of one man and the energy is consumed by a number of people. The total consumption will exceed 12 units but the consumption of each individual will be less than 12 units. So, to

[Mr. Hoosenally M. Rahimtoola]

give the benefit of exemption to each individual consumer I have moved this amendment.

Question proposed.

The Honourable Sir GOVINDRAO PRADHAN: The word "Explanation" should come first and there must be the two paragraphs.

Mr. HOOSENALLY M. RAHIMTOOLA: I have used the word "landlord." There are cases where a number of tenants join together and take a meter. If you will allow me I will use the word "a person" instead of "a landlord," which will cover such cases too.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Sir, I rise to support the amendment. I have also tabled an amendment that single-room tenement chawls should be exempted.

The Honourable Sir GOVINDRAO PRADHAN: I have said that I am going to accept the amendment.

Rao Bahadur R. S. ASAVALE: With these few remarks I congratulate the Honourable the Finance Member on having accepted our amendment.

The Honourable Sir GOVINDRAO PRADHAN: The wording should be "a landlord or a person." I accept the amendment.

The Honourable the PRESIDENT: I shall put the amendment which runs as follows:

"*Explanation.*—'Consumer' shall be deemed to include a landlord or a person who shall supply electrical energy to one- or two-roomed tenements in any one building in respect of any one of which tenements not more than twelve units of energy shall have been consumed during any one month.

Whether more than twelve units shall have been used by or in respect of any one tenement during any one month shall be determined by dividing the number of units used by the number of tenements in that building."

Question put, and agreed to.

Second Schedule, as amended, ordered to stand part of the Bill.

Clause 12 (*Amendment of section 7 of VII of 1870*):

In section 7 of the Court-fees Act, 1870, in its application to the Presidency of Bombay, in this Part referred to as the said Act,—

(*a*) to clause (*d*) of paragraph (*iv*) the words "or other consequential relief" shall be added;

(*b*) after the word "appeal" in paragraph (*iv*) the words "with a minimum fee of rupees fifteen in the case of suits falling under clause (*c*)" shall be inserted; and

(*c*) in clauses (1), (2) and (3) of the proviso to paragraph (*v*) for the words "five," "ten" and "ten" the words "seven and a half," "fifteen" and "fifteen" shall, respectively, be substituted.

Mr. L. R. GOKHALE (Poona City): Sir, I move the following amendment:

"In clause 12, sub-clause (*b*) shall be omitted."

It is now proposed under the Bill to add the words—

"with a minimum fee of rupees fifteen in the case of suits falling under clause (*c*)."

I want to retain the clause as in the original Act.

The clause as it stands at present says:

"to obtain a declaratory decree or order, where consequential relief is prayed, according to the amount at which the relief sought is valued in the plaint or memorandum of appeal."

[Mr. L. R. Gokhale]

My object is that the additional fee now proposed should not be levied and the provision should stand as it is. The cases falling under clause (*c*) are to obtain a declaratory decree or order where consequential relief is prayed. As at present the claim is valued according to the desire of the party, say 6 annas or Rs. 10. If the provision as in the Bill is accepted, a minimum fee of Rs. 15 will have to be paid. Suppose an injunction is asked for for stopping a water course, the party will have to pay Rs. 15, irrespective of the value of the claim or the nature of the relief asked for. There is no question of possession that is to be considered under clause (*c*). It is a question of declaratory decree or order, where a consequential relief is prayed. If possession is asked for, there are other clauses which apply in that case. That is the change sought to be made by my amendment.

Question proposed.

Rao Bahadur D. R. PATIL (East Khandesh District): Sir, I support the amendment. As the law stands, if any person wants a declaratory decree or order with a consequential relief he has to pay six annas as court-fee. That is the present law. Now, the fee from 6 annas is to be raised to Rs. 15. It is a very high figure indeed. It might be argued by the Honourable the Finance Member that certain parties try to ask for consequential relief, though they really want declaratory decrees. If that is so, there is the taxing officer in the civil court who can bring this matter to the notice of the court and the court can say to the parties concerned: Your real object is to get a declaratory decree and you must pay the necessary court-fee which is now Rs. 15 for that relief!! As a safeguard against such a position that may be adopted either by the lawyers or the parties, there is the taxing officer and the court. In that way the interests of Government in the matter of the court-fee will be thus protected. I may submit that Government have been kind enough to accede to the wishes of the House to the extent of 95 per cent. I think they can accede to the wishes of the House to the extent of the remaining five per cent. by accepting the amendment and give full satisfaction to the House. The Honourable the Finance Member said that he would never go against the wishes of the select committee. The select committee has decided that the *status quo* should be maintained. I do not think that it would be proper for the Government to refuse to accept this amendment, which would be against the declared aim of the Honourable the Finance Member.

The Honourable the PRESIDENT: The select committee has decided that the rate should remain as it is in the Bill now before the House.

Rao Bahadur D. R. PATIL: I beg to correct myself. The original duty was 6 annas, and the select committee decided by a majority that it should be raised to Rs. 15. I would like to correct myself in that respect.

Sir, a relief under sub-section (c) of section 7 of the court-fees act is generally asked for by agriculturists, and my honourable friends Mr. Gokhale and Rao Bahadur Chitale will bear me out in this respect,

[Rao Bahadur D. R. Patil]

as they have been practising for a long time. That being the case, if the duty is raised, the agriculturists will suffer. It is the object of Government that taxation should fall on broad shoulders. In the interests of the agriculturists I think Government will come forward to accept this amendment. So far as the electricity duty is concerned, we know very well that it will fall upon broad shoulders, and therefore we supported it. Now, it is in the fitness of things that Government should be inclined to accede to the wishes of the members on this side, so far as this amendment is concerned.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I am sorry I cannot accept this amendment. If you will refer to page 38 of the Court-fees Act, to obtain a declaratory decree or order where no consequential relief is sought, the stamp is Rs. 15. Now, here is a suit which not only seeks for a declaration but also asks for further relief, and advantage is taken of this. Every practising pleader knows that the suit can be so worded that some consequential relief is added by way of injunction or some such thing, and to get over the difficulty of Rs. 15, a six-anna stamp is fixed. These are the suits which trouble the courts most. If you want a declaration of your title, you also want an injunction, and a suit of this kind is fought over for three months and sometimes 6 months. In the Bill as originally drafted the minimum fee was Rs. 15 in all cases. When it was pointed out to me that in some cases it may work as a hardship, I said "All right; it does look as if in some cases it will work a hardship" and I deleted all that from the original Bill, and only added this to clause (*c*). I submit that it is a proper amendment which the select committee has made.

Rao Bahadur D. R. PATIL (East Khandesh District): Sir, the Honourable the Finance Member stated that in some cases under clause (*c*), sometimes complicated questions arise, and the court has to deal with them, and it takes a long time. But suppose a man brings a suit on a promissory note of Rs. 10,000, why is he made to pay a high court fee on Rs. 10,000, though the court disposes of the suit in a very short time? What about that?

The Honourable Sir GOVINDRAO PRADHAN: I do not want to add anything to what I have already said.

Question put. The House divided. Ayes, 22; Noes, 47

Division No. 6.

Ayes.

ANGADI, Rao Bahadur S. N.	MORE, Mr. J. G.
ASAVALE, Rao Bahadur R. S.	NAIK, Rao Bahadur B. R.
BALOCH, Mr. HAJI MIR MAHOMED	NAVLE, Mr. N. E.
CHITALE, Rao Bahadur G. K.	PATEL, Khan Bahadur A. E.
DHALUMAL LILARAM, Mr.	PATIL, Rao Bahadur D. R.
DIXIT, Dr. M. K.	PRADHAN, Rao Bahadur G. V.
GOKHALE, Mr. L. R.	SHAIKH ABDUL AZIZ, Mr.
GOVER RORA, Mr.	SINDHA, Mr. MADHAVSANG JORBHAI
JITEKAR, Mr. HAJI IBRAHIM	SURVE, Mr. V. A.
JOG, Mr. V. N.	TOLANI, Mr. S. S.
KULKARNI, Rao Saheb P. D.	VAISHAMPAYAN, Dr. V. G.

Tellers for the Ayes: Mr. M. M. KARBHARI and Dr. V. G. VAISHAMPAYAN.

Noes.

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ADVANI, Mr. P. B.
ALLAHBAKSH, Khan Bahadur
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
LANE, Mr. C. M.
MACLACHLAN, Mr. D.
MCELHINNY, Mr. G. W.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MODI, Sardar DAVAR T. K.
MONTEATH, Mr. J.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
ROOSE, Mr. F. O. J.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI.
THOMAS, the Honourable Mr. G. A.
TURNER, Mr. C. W. A.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR.
WADKE, Mr. B. P.
WILES, Mr. G.
WINTERBOTHAM, Mr. G. L.

Tellers for the Noes: Mr. P. B. ADVANI and Mr. HOOSENALLY M. RAHIMTOOLA.

Khan Bahadur M. A. KHUHRO: Sir, I beg to move the following amendment:

In clause 12 (*b*), for the word "fifteen" substitute the word "five."

I move this amendment by way of a compromise. I agree with the view that 6 annas is ridiculously low. Several times, these suits are very contested and they take up much of the time of the court. As explained by the Honourable the Finance Member, it is really very hard that these cases should take up so much time of the court and the parties concerned get off cheaply by the payment of a fee of only 6 annas. On the other hand, I submit it is not fair that from 6 annas Government should at once jump up to Rs. 15 straightway. In some cases it will really work adversely, because sometimes there are suits, of course very rarely, when the value of the property is very small. In that case if the rate is fixed at Rs. 15 it will operate very harshly on the people concerned. Under these circumstances, Sir, I think, as a *via media*, this figure of Rs. 5 would be fair for both sides. I do hope that Government as well as this House will accept my amendment. Five rupees is very reasonable by way of compromise. I hope it will be supported unanimously.

The Honourable the PRESIDENT: The amendment practically amounts to substituting the word "five" for "fifteen".

Question proposed.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I accept it.

Question put, and agreed to.

Clause 12, as amended, ordered to stand part of the Bill.

The Honourable the PRESIDENT: Before we proceed to the next clause, I may point out to the House that canvassing is not allowed within the precincts of this House. I had occasion to give this warning a few sessions back and honourable members abided by that. There is every facility for canvassing outside this hall in the lobby. I hope there will not be many divisions hereafter, but, if there are, honourable members, if they wish to canvass, should do it in the lobby. At the same time, I may suggest that divisions should not be asked for on questions which do not signify the assertion of a principle.

Clause 13 (Amendment of Schedule I to VII of 1870.)

For articles 1, 8, 11, 12 and 12-A of, and the Table of rates of *ad valorem* fees in Schedule I to the said Act the following shall be substituted, namely :—

SCHEDULE I.

Ad Valorem Fees.

Number.	———	Proper fee.
1. Plaint, written statement pleading a set off or counterclaim or memorandum of appeal (not otherwise provided for in this Act) or of cross-objection presented to any Civil or Revenue Court except those mentioned in section 3.	When the amount or value of the subject-matter in dispute does not exceed five rupees.	Six annas.
	When such amount or value exceeds five rupees, for every five rupees, or part thereof, in excess of five rupees, up to one hundred rupees.	Six annas.
	When such amount or value exceeds one hundred rupees, for every ten rupees, or part thereof, in excess of one hundred rupees, up to one thousand rupees.	Twelve annas.
	When such amount or value exceeds one thousand rupees, for every one hundred rupees, or part thereof, in excess of one thousand rupees, up to five thousand rupees.	Five rupees.
	When such amount or value exceeds five thousand rupees, for every two hundred and fifty rupees, or part thereof, in excess of five thousand rupees, up to ten thousand rupees.	Twelve rupees and eight annas.
	When such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of ten thousand rupees, up to twenty thousand rupees.	Twenty-two rupees and eight annas.
	When such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part thereof, in excess of twenty thousand rupees, up to thirty thousand rupees.	Thirty rupees.

Number.		Proper fee.
	When such amount or value exceeds thirty thousand rupees, for every two thousand rupees, or part thereof, in excess of thirty thousand rupees, up to fifty thousand rupees.	Thirty rupees.
	When such amount or value exceeds fifty thousand rupees, for every five thousand rupees, or part thereof, in excess of fifty thousand rupees.	Thirty rupees.
	Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be ten thousand rupees.	
8. Copy of any document liable to stamp-duty under the Indian Stamp Act, 1899, when left by any party to a suit or proceeding in place of the original withdrawn. II of 1899.	(*a*) When the stamp-duty chargeable on the original does not exceed one rupee.	The amount of the duty chargeable on the original.
	(*b*) In any other case ..	One rupee.
11. Probate of a will or letters of administration with or without will annexed.	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand rupees, on the part of the amount or value in excess of one thousand rupees, up to five thousand rupees.	Two per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds five thousand rupees, on the part of the amount or value in excess of five thousand rupees, up to ten thousand rupees.	Two and a half per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds ten thousand rupees, on the part of the amount or value in excess of ten thousand rupees, up to fifty thousand rupees.	Three per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds fifty thousand rupees, on the part of the amount or value in excess of fifty thousand rupees, up to one lakh of rupees.	Three and a half per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one lakh of rupees, on the part of the amount or value in excess of one lakh of rupees, up to one lakh and fifty thousand rupees.	Four per centum.

Number.	——	Proper fee.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one lakh and fifty thousand rupees, on the part of the amount or value in excess of one lakh and fifty thousand rupees, up to two lakhs of rupees.	Four and a half per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds two lakhs of rupees, on the part of the amount or value in excess of two lakhs of rupees, up to two lakhs and fifty thousand rupees.	Five per centum
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds two lakhs and fifty thousand rupees, on the part of the amount or value in excess of two lakhs and fifty thousand rupees, up to three lakhs of rupees.	Five and a half per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds three lakhs of rupees, on the part of the amount or value in excess of three lakhs of rupees up to four lakhs of rupees.	Six per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds four lakhs of rupees, on the part of the amount or value in excess of four lakhs of rupees, up to five lakhs of rupees.	Six and a half per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds five lakhs of rupees, on the part of the amount or value in excess of five lakhs of rupees:	Seven per centum.

Number.	——	Proper fee.
XXXIX of 1925.	Provided that when, after the grant of a certificate under Part X of the Indian Succession Act, 1925, or under Bombay Regulation VIII of 1827, in respect of any property included in an estate, a grant of probate or letters of administration is made in respect of the same estate, the fee payable in respect of the latter grant shall be reduced by the amount of the fee paid in respect of the former grant.	
12. Certificate under Part X of the Indian Succession Act, 1925. XXXIX of 1925.		The fee leviable in the case of a probate (article 11) on the amount or value of any debt or security specified in the certificate under section 374 of the Act, and one and a half times this fee on the amount or value of any debt or security to which the certificate is extended under section 376 of the Act. *Note.*—(*1*) The amount of a debt is its amount, including interest on the day on which the inclusion of the debt in the certificate is applied for, so far as such amount can be ascertained. (*2*) Whether or not any power with respect to a security specified in a certificate has been conferred under the Act; and where such a power has been so conferred, whether the power is for the receiving of interest or dividends on, or for the negotiation or transfer of the security, or for both purposes, the value of the security is its market-value on the day on which the inclusion of the security in the certificate is applied for, so far as such value can be ascertained.
12-A. Certificate under Bombay Regulation VIII of 1827.		The fee leviable in the case of a probate (article 11) on the amount or value of the property in respect of which the certificate is granted.

Table of rates of ad valorem fees leviable on the institution of suits.

When the amount or value of the subject matter exceeds—	But does not exceed—	Proper fee.	When the amount or value of the subject matter exceeds—	But does not exceed—	Proper fee.
Rs.	Rs.	Rs. a.	Rs.	Rs.	Rs. a.
	5	0 6	510	520	39 0
5	10	0 12	520	530	39 12
10	15	1 2	530	540	40 8
15	20	1 8	540	550	41 4
20	25	1 14	550	560	42 0
25	30	2 4	560	570	42 12
30	35	2 10	570	580	43 8
35	40	3 0	580	590	44 4
40	45	3 6	590	600	45 0
45	50	3 12	600	610	45 12
50	55	4 2	610	620	46 8
55	60	4 8	620	630	47 4
60	65	4 14	630	640	48 0
65	70	5 4	640	650	48 12
70	75	5 10	650	660	49 8
75	80	6 0	660	670	50 4
80	85	6 6	670	680	51 0
85	90	6 12	680	690	51 12
90	95	7 2	690	700	52 8
95	100	7 8	700	710	53 4
100	110	8 4	710	720	54 0
110	120	9 0	720	730	54 12
120	130	9 12	730	740	55 8
130	140	10 8	740	750	56 4
140	150	11 4	750	760	57 0
150	160	12 0	760	770	57 12
160	170	12 12	770	780	58 8
170	180	13 8	780	790	59 4
180	190	14 4	790	800	60 0
190	200	15 0	800	810	60 12
200	210	15 12	810	820	61 8
210	220	16 8	820	830	62 4
220	230	17 4	830	840	63 0
230	240	18 0	840	850	63 12
240	250	18 12	850	860	64 8
250	260	19 8	860	870	65 4
260	270	20 4	870	880	66 0
270	280	21 0	880	890	66 12
280	290	21 12	890	900	67 8
290	300	22 8	900	910	68 4
300	310	23 4	910	920	69 0
310	320	24 0	920	930	69 12
320	330	24 12	930	940	70 8
330	340	25 8	940	950	71 4
340	350	26 4	950	960	72 0
350	360	27 0	960	970	72 12
360	370	27 12	970	980	73 8
370	380	28 8	980	990	74 4
380	390	29 4	990	1,000	75 0
390	400	30 0	1,000	1,100	80 0
400	410	30 12	1,100	1,200	85 0
410	420	31 8	1,200	1,300	90 0
420	430	32 4	1,300	1,400	95 0
430	440	33 0	1,400	1,500	100 0
440	450	33 12	1,500	1,600	105 0
450	460	34 8	1,600	1,700	110 0
460	470	35 4	1,700	1,800	115 0
470	480	36 0			
480	490	36 12			
490	500	37 8			
500	510	38 4			

When the amount or value of the subject matter exceeds—	But does not exceed—	Proper fee.	When the amount or value of the subject matter exceeds—	But does not exceed—	Proper fee.
Rs.	Rs.	Rs. a.	Rs.	Rs.	Rs. a.
1,800	1,900	120 0	8,500	8,750	462 8
1,900	2,000	125 0	8,750	9,000	475 0
2,000	2,100	130 0	9,000	9,250	487 8
2,100	2,200	135 0	9,250	9,500	500 0
2,200	2,300	140 0	9,500	9,750	512 8
2,300	2,400	145 0	9,750	10,000	525 0
2,400	2,500	150 0	10,000	10,500	547 8
2,500	2,600	155 0	10,500	11,000	570 0
2,600	2,700	160 0	11,000	11,500	592 8
2,700	2,800	165 0	11,500	12,000	615 0
2,800	2,900	170 0	12,000	12,500	637 8
2,900	3,000	175 0	12,500	13,000	660 0
3,000	3,100	180 0	13,000	13,500	682 8
3,100	3,200	185 0	13,500	14,000	705 0
3,200	3,300	190 0	14,000	14,500	727 8
3,300	3,400	195 0	14,500	15,000	750 0
3,400	3,500	200 0	15,000	15,500	772 8
3,500	3,600	205 0	15,500	16,000	795 0
3,600	3,700	210 0	16,000	16,500	817 8
3,700	3,800	215 0	16,500	17,000	840 0
3,800	3,900	220 0	17,000	17,500	862 8
3,900	4,000	225 0	17,500	18,000	885 0
4,000	4,100	230 0	18,000	18,500	907 8
4,100	4,200	235 0	18,500	19,000	930 0
4,200	4,300	240 0	19,000	19,500	952 8
4,300	4,400	245 0	19,500	20,000	975 0
4,400	4,500	250 0	20,000	21,000	1,005 0
4,500	4,600	255 0	21,000	22,000	1,035 0
4,600	4,700	260 0	22,000	23,000	1,065 0
4,700	4,800	265 0	23,000	24,000	1,095 0
4,800	4,900	270 0	24,000	25,000	1,125 0
4,900	5,000	275 0	25,000	26,000	1,155 0
5,000	5,250	287 8	26,000	27,000	1,185 0
5,250	5,500	300 0	27,000	28,000	1,215 0
5,500	5,750	312 8	28,000	29,000	1,245 0
5,750	6,000	325 0	29,000	30,000	1,275 0
6,000	6,250	337 8	30,000	32,000	1,305 0
6,250	6,500	350 0	32,000	34,000	1,335 0
6,500	6,750	362 8	34,000	36,000	1,365 0
6,750	7,000	375 0	36,000	38,000	1,395 0
7,000	7,250	387 8	38,000	40,000	1,425 0
7,250	7,500	400 0	40,000	42,000	1,455 0
7,500	7,750	412 8	42,000	44,000	1,485 0
7,750	8,000	425 0	44,000	46,000	1,515 0
8,000	8,250	437 8	46,000	48,000	1,545 0
8,250	8,500	450 0	48,000	50,000	1,575 0

and the fee increases at the rate of thirty rupees for every five thousand rupees, or part thereof, up to a maximum of ten thousand rupees, for example—

Rs.	Rs. a.	Rs.	Rs. a.
1,00,000	1,875 0	9,00,000	6,675 0
2,00,000	2,475 0	10,00,000	7,275 0
3,00,000	3,075 0	11,00,000	7,875 0
4,00,000	3,675 0	12,00,000	8,475 0
5,00,000	4,275 0	13,00,000	9,075 0
6,00,000	4,875 0	14,00,000	9,675 0
7,00,000	5,475 0	15,00,000	10,000 0
8,00,000	6,075 0		

The Honourable Sir GOVINDRAO PRADHAN: Sir, I have an amendment to that clause.

The Honourable the PRESIDENT: Two amendments.

The Honourable Sir GOVINDRAO PRADHAN: The amendment to the schedule is consequential. I move—

"In Part III, clause 13, schedule I, for the words 'Twelve rupees and eight annas' occurring in column 3 against article 1, substitute the words 'Fifteen rupees'."

In the original Bill, it was as follows—

"When such amount or value exceeds five thousand rupees, for every two hundred and fifty rupees, or part thereof, in excess of five thousand rupees, up to ten thousand rupees .. .. Fifteen rupees."

The select committee has put in "Twelve rupees and eight annas" in place of "Fifteen rupees." Now, my reasons for seeking to restore "Fifteen rupees" are these. The Bill, as it was drafted, wanted to raise the *ad valorem* fees for suits above Rs. 1,000. The select committee has omitted all changes made up to Rs. 10,000. My submission to the honourable House is, if any change is to be made, it has to be made in the interests of the poor and lower middle classes. How many poor persons are there who are sued for amounts of more than Rs. 5,000? You are aware, Sir, that uptil very recently Rs. 5,000 was the limit for a second class subjudge's jurisdiction, and suits above Rs. 5,000 were suits of special jurisdiction. So, by making this change, we are only making a change in the fees payable on suits of special jurisdiction. You will notice from the amendments made to the schedule, that no attempt is made to restore the fees fixed in the original Bill. It is only above Rs. 5,000 that a corresponding change is made. Whereas in the original Bill the fee for Rs. 5,250 was Rs. 390, under this amendment it will be only Rs. 290, and in place of Rs. 405 in the original Bill, it will be Rs. 305 under the amendment. Every Rs. 250 above Rs. 5,000 is sought to be charged at Rs. 15 instead of Rs. 12-8-0. I urge that the honourable House should accept this change. We have given up all changes from Rs. 1,000 to Rs. 5,000. There is no reason why people who are well-to-do and are involved in suits of special jurisdiction should not pay this small enhancement.

This amendment and the amendment to the table of rates of *ad valorem* fees will probably go together, because the one follows the other. If my amendment is accepted, then the schedule should be corrected.

Question proposed.

The Honourable Sir GOVINDRAO PRADHAN: The other amendment to the table of rates of *ad valorem* fees may also be put as a consequential amendment. If this is accepted, the second one is accepted automatically.

The Honourable the PRESIDENT: I would wait for that.

Mr. L. R. GOKHALE (Poona City): Sir, it will be seen that the Select Committee has reduced the rate from Rs. 15 to Rs. 12-8-0. Now, the Honourable the Finance Member wants to go back on what the Select Committee has done and wants to increase the amount from Rs. 12-8-0 to Rs. 15. The court-fees are being increased from year

[Mr. L. R. Gokhale]

to year. In fact, in the original Court-fees Act it was Rs. 10. Subsequently, from Rs. 10 it was increased to Rs. 12-8-0. Government again wanted to increase it to Rs. 15, but the Select Committee wanted to stick to the amount of Rs. 12-8-0 and that is what they have done. The argument which the honourable member Rao Bahadur Patil advanced as regards the opinion of the Select Committee applies in this case very well. The Select Committee is a select committee. It is well selected, and the views of all persons are before the Select Committee. The Select Committee consists of members selected by the Honourable the Finance Member and nobody else——

The Honourable Sir GOVINDRAO PRADHAN: By the House.

Mr. L. R. GOKHALE: By the House at the instance of the Honourable the Finance Member, and his voice is paramount in this matter. It is his own selection. And that Select Committee has stated that the fee should be Rs. 12-8-0. Is it fair that that amount should be increased again?

There is one more point that I ought to mention. No doubt the jurisdiction of second class sub-judges was at one time Rs. 5,000 and now it has been increased because the value of money has decreased. What was Rs. 5,000 is less than Rs. 5,000 now in terms of money. It was for this reason that the jurisdiction of second class sub-judges was increased, and it is for this reason also, I think that the Select Committee has selected this figure of Rs. 12-8-0.

There is another point. It is not true that only rich men are concerned in suits of Rs. 10,000 and over. In very many cases agriculturists who grow sugarcane are concerned in these suits. In the majority of cases in the mofussil, so far as I know, the litigants are agriculturists with lands and crops on those lands. The crops sometimes are valued at Rs. 10,000 and the land is valued at Rs. 2,000. It is such cases which generally come under the jurisdiction of Rs. 10,000. I do not think it will be fair to say that it is only the rich man who is to be affected. If the Honourable the Finance Member had said that agriculturists were to be excluded from this levy, that would have been something. But he has not tried to make any distinction. The principle is there. Therefore this increase will affect the agriculturists. As has been said in this House often, whoever pays the court-fee in the first instance, ultimately in cases of bonds, promissory notes and such other claims, the decree is in favour of the creditor and invariably against the debtor. The Court, in passing the decree, generally awards costs from the defendant. So the Government wants to fill its coffers from the poor purse of the agriculturist who is the debtor. It has not been laid down that the agriculturist is to be exempted from the payment of court-fee. Of course the creditor is always ready to pay whatever amount is demanded, whether it be Rs. 15 or Rs. 12-8-0, because he knows that he will recover it ultimately from his debtor. That is why this affects the agriculturists. I do not think the times are such as to justify an increase of taxation by leaps and bounds. These are times of depression. I do not think

[Mr. L. R. Gokhale]

the prices have increased and the people are happy. Therefore, Government will do well to adopt the rate recommended by the Select Committee.

As regards the subsequent items, after Rs. 10,000, the fee is Rs. 22-8-0. Nobody has complained about that increase. Therefore, looking to the commonsense view which the House has taken in regard to greater amounts, I hope Government will be pleased to accept the recommendation of the Select Committee.

Rao Bahadur D. R. PATIL (East Khandesh District): Sir, I oppose the amendment before the House for the simple reason that the members of the Select Committee belonging to the various parties have carefully considered and come to the conclusion that the Court-fees on amounts up to Rs. 10,000 should not be raised at all as that would affect the interests of the poor agriculturists. The Honourable the Finance Member says that the agriculturists are not affected when suits of such high value are brought. There are certain honourable members who belong to legal profession here and I am sure that I shall be corroborated by them when I say that in the mofussil—I am not talking of the High Court—in the mofussil courts in the cases referred to above the majority of defendants are agriculturists. In recent years the jurisdiction of some of the sub-judges has been increased from Rs. 5,000 to Rs. 7,500. In these Courts too the majority of the defendants are agriculturists. The first class subordinate Judges try cases above Rs. 5,000 or Rs. 7,500. I do not want to help the rich people but the poor people. So far as the agriculturists are concerned, I think their interests ought to be safeguarded, and as the honourable member Mr. Gokhale has also said that in the majority of cases suits up to Rs. 10,000 affect the agriculturists as defendants. That is the opinion of the practising pleaders, and I am certain I shall be supported by the other honourable members who belong to the legal profession. If that is the real state of affairs, I think Government is not justified in raising the Court-fees. I may say that when the Court-fees were raised last time, the people complained about it, and I actually found that the agriculturists suffered very much on account of the increase. Those increased fees have been still increased. We are in favour of the *status quo* being maintained, and that is the view of an overwhelming majority of the Select Committee. In these circumstances, it will be quite proper on the part of Government to respect the wishes of the members of the Select Committee. I request the Honourable the Finance Member to withdraw his amendment.

Mr. V. N. JOG (Dharwar District): Sir, with regard to this amendment, I submit that there is no reason why particularly people who come to courts with suits of Rs. 5,000 up to Rs. 10,000 should bear an additional burden. I shall be more clear. You will be pleased to see, Sir, that in the Schedule all other rates are retained as they were and only the rate of duty for suits of Rs. 5,000 up to Rs. 10,000 is changed and raised. I cannot understand why the same principle has not been followed. Formerly, when the Act of 1870 was in force, only Rs. 10 was charged as duty for these suits. But in the Act of 1926 the duty

[Mr. V. N. Jog]

was raised to Rs. 12-8-0. The principle as observed in fixing the fees is to begin with the highest rate and to come down. It is 7·8 per hundred as the schedule shows. Now, you will see that when the amount or value of the plaint, etc., exceeds one thousand rupees, for every one hundred rupees, or part thereof, in excess of one thousand rupees, up to five thousand rupees, the duty is reduced and brought down to Rs. 5. It was intended to be raised to Rs. 7-8-0 but the Select Committee reduced it to Rs. 5. By the amendment the same ascending scale has been sought to be maintained, namely for every two hundred and fifty rupees, or part thereof, in excess of Rs. 5,000, the duty is Rs. 12-8-0 because as you go down, you will find when such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of ten thousand rupees, up to twenty thousand rupees Rs. 22-8-0 is fixed. It will be about Rs. 4-8-0 per hundred. Thus we find that instead of the scale of fees going up as the amount goes up, the scale comes down in all other items but between 5,000-6,000, the scale is raised only in the middle to 6 per cent. having once come down to 5. I therefore say that no principle has been followed in drafting this schedule. I cannot understand why the people who are involved in suits of Rs. 5,000 up to Rs. 10,000 should be made to pay higher. I therefore submit that the rate should be brought down to Rs. 12-8-0 as proposed by the Select Committee and then there would be a uniform principle. With these remarks, I oppose the amendment.

Mr. G. WILES: Sir, I wish to bring back the discussion to the point at which we started, that this is a Finance Bill, designed to bring in money. Honourable members seem to have forgotten what the amendments already made in the Finance Bill have cost us. I estimate that the changes which have been made hitherto in the House and by the select committee have cost us no less than ten lakhs already out of the estimate put before you. An estimate of the loss we shall suffer from this recommendation of the select committee to exclude suits between Rs. 1,000 and Rs. 10,000 is no less than five lakhs. The amendment which the Honourable the Finance Member has now proposed to you will save something out of that.

It is not quite true, as my honourable friend Mr. Jog said, that no principle has been followed in making these recommendations. He has overlooked the fact that in the year 1926 suits of Rs. 10,000 and above were raised but that suits of Rs. 5,000 and below were not touched, so that the fees which are now proposed by the select committee are the fees which have been in existence for about 50 years.

I would also just draw attention to the fact that even under the Act of 1922, which was in force for four years till it was superseded by the Act of 1926, the rates throughout were far higher than the rates which have been proposed in the original Bill. Whereas on Rs. 5,000, the institution fees were Rs. 275 under the Act of 1926 and were proposed to be raised to Rs. 375 in the original Bill, they were no less than Rs. 394 under the Act of 1922 which was in force for four years. The fees on suits of Rs. 10,000 during the years 1922 to 1926 were Rs. 694. They

[Mr. G. Wiles]

have now been reduced to Rs. 525, and it was proposed to raise them to Rs. 675, considerably less than the figure at which they stood during the four years.

I trust that the honourable House will not, by refusing to accept this amendment, whittle down yet further the estimates which we expected to get from this Finance Bill.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, I do not accept the argument that this Finance Bill should be accepted in a way other than that which has been accepted by the select committee. The select committee, which is a small committee of this House and which is accepted by the Honourable the Finance Member, looks into all questions, the *pros* and *cons*, and there a regular debate goes on, with the result that certain compromises are reached. If in the select committee there was a give and take on certain other matters also, I do not think it is fair for the Honourable the Finance Member, after pocketing the taxation bill of this kind, to come forward against the wishes of the select committee and ask for something more than what has been accepted by that committee. But apart from that question, I am looking at it from a detached point of view and it is this, is the contention of the Honourable the Finance Member right that the litigation for suits of Rs. 5,000 and Rs. 10,000 really causes more trouble and occupies more time of the judicial officers? From my experience, which is pretty large, for the last 35 years of all the suits, whether they are tried by the First Class Subordinate Judge or the Second Class Subordinate Judge—after all jurisdiction does not much matter—the least trouble which the judicial courts feel is about these suits for higher and higher amounts. There the points of contention are very few indeed because they are usually written in documents which are usually registered. After the registration of documents, the defendants, poor fellows, are bound by the recitals and always and usually the burden is on them to show that the contents of those documents are not real—usually they do not succeed—and therefore if Government is to be paid for the labour which their officers bestow on those particular kinds of suits as the Honourable the Finance Member said as regards the cases of easements and declaratory suits (which contention and which suits require a lot of labour and energy), if that is so, if that principle is sound, I say in such suits if that principle is taken into consideration, there is no case whatsoever as to why a higher fee should be paid. The honourable member the Finance Secretary's argument is that somehow we want money. Let it be said bluntly, let no attempt be made to put it on the higher basis of equity or reasonableness. I can understand the argument "It does not matter how we take it, we want to take it as meekly as possible but if you do not pay it, we will take it by force and if this taxation bill is not given, we will bring in another, a third and a fourth." As that is not possible, usually the Government of course brings in these bills in rather a bloated form. They know that the House is not likely to swallow these pills though sugar-coated in that particular manner. So, always they put the taxation at a higher pitch, knowing that some concessions will have

[Rao Bahadur G. K. Chitale]

to be made either in the select committee or in the open House. So, the argument of the honourable member the Finance Secretary that "we really wanted so much and you have not given us that" does not appeal to me. They knew when they brought forward this taxation proposal that even with the greatest hopes, the Bills would not be passed in the form or shape in which they brought them. They knew it perfectly well. What concessions to make is a point of practical politics and as practical politicians, they have taken whatever they could in the select committee and the select committee has stood them in good stead—they should thank their own stars that the select committee has been able to give them at least so much with contentment—and therefore, Sir, the point that I am making is that really a large bulk of litigation which comes between suits for Rs. 5,000 and Rs. 10,000 affects the poorer classes. It affects the poorer classes as I tell you from my own experience in the districts that out of the suits which are not very many—may be about 100—90 per cent. you might take it are against agriculturists or people who are in very bad circumstances. You will find, Sir, as the result of the depression for the last four years, these people have been passing promissory notes not exceeding Rs. 5,000. It is not to the interest also of the sowkars to bring in suits all at once because they have to pay the court-fee. Naturally, therefore, the sowkars are satisfied if their debtors give them some security and also a bond, so that they will be bound down hand and foot in a court of law. So then they wait and meanwhile the interest is of course added. After that, when the decree is passed, surely the costs will fall as a matter of course on the debtors. How is it that they can escape, how can it be argued for a moment that however exorbitant the costs may be in the form of additional court-fee, that they would be paid in the first instance by the creditors and in the last instance—which matters most as it comes out of the pockets of the poor man who is sued and who stands as the defendant. There is therefore no substance in the argument "Oh, these people are fat, these people are rich people and therefore this fee is proper, equitable or reasonable". Therefore, I should think that the fee which has been now accepted by the select committee should stand at that figure and the amendment should be thrown out.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu): Mr. President, the members of the select committee appointed by this House have already raised the fee by 12½ per cent. Now, the Honourable the Finance Member wants that it should be further increased to 15 per cent. The cost of litigation is getting very heavy and the parties are put to a great deal of expenditure. Some suits drag on for three years. The party concerned has to leave his legitimate occupation and devote his time to the several stages of litigation in the different courts, thus losing the income from his occupation. Over and above this, he has to pay the lawyer's fees, court-fees, fees for the copies of documents and much other expenditure he has to incur. The cost of litigation should be as low as possible, so that justice may be within the easy reach of the poor. If we offered to co-operate with Government

[Mr. Haji Mir Mahomed Baloch]

at the present crisis for finding the necessary money it does not mean that we should be asked to vote any proposal that the Honourable the Finance Member may bring. Our co-operation must be confined to reasonable limits. That the tax will fall on the rich and will not affect the poor is no convincing argument. I hope the Honourable the Finance Member will withdraw his amendment and accept the proposal of the select committee.

The Honourable Sir GOVINDRAO PRADHAN: Sir, honourable members went on referring to the proceedings of the select committee and gave to the House what took place there. As a reference has already been made, I may also refer to it. My honourable friend Mr. Jog was in the select committee. He was for raising the fees for claims over Rs. 5,000.

Rao Bahadur G. V. PRADHAN: Sir, no reference was made in this House as to what a particular member did in the select committee, and reference to such details should be prohibited.

The Honourable Sir GOVINDRAO PRADHAN: I have got the proceedings of the select committee in my hands.

Mr. V. N. JOG: No. I suggested the same fees as before as a compromise up to Rs. 5,000. See the voting. I voted in favour of the reduction. I said: "You begin with the highest and come below——

The Honourable the PRESIDENT: That is not proper. The select committee proceedings should not be brought before the House.

The Honourable Sir GOVINDRAO PRADHAN: I bow to your ruling, Sir. Honourable members seem to think that this is a very great change. What is the net effect? According to the Bill as it was originally introduced, the fee was Rs. 390 for a claim of Rs. 5,250 and now it has been reduced to Rs. 290. There is a reduction of Rs. 100. If the House carefully looks into the schedule I have given, they will find that there is a decrease not only up to Rs. 10,000 but right up to the highest amount. We are seeking to raise Rs. 2-8-0 for every Rs. 250 above Rs. 5,000. It is urged by honourable members that it is a very heavy increase. The honourable member the Finance Secretary has already pointed out that far higher fees were in existence, with the sanction of the House, from 1922 to 1926. The Bill as framed was diluted and considerably more so by the amendment. I have reduced it actually by Rs. 100. I hope this House will be well advised in accepting my amendment.

Question put. The House divided. Ayes, 32; Noes, 30.

Division No. 7.

Ayes.

ADVANI, Mr. P. B.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
DAVIS, Mr. G.
FREKE, Mr. C. G.
GHULAM HUSSAIN, the Honourable Sir
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN

Ayes—contd.

KAMBLI, the Honourable Dewan Bahadur S. T.	RAHIMTOOLA, Mr. HOOSENALLY M.
KARBHARI, Mr. M. M.	ROOSE, Mr. F. O. J.
LANE, Mr. C. M.	SYED MIRAN MAHOMED SHAH
MACLACHLAN, Mr. D.	SYED MUNAWAR, Mr.
MCELHINNY, Mr. G. W.	THOMAS, the Honourable Mr. G. A.
MITCHELL, Mr. H. C. B.	TURNER, Mr. C. W. A.
MODAK, Rev. R. S.	VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
MONTEATH, Mr. J.	WILES, Mr. G.
PERRY, Mr. E. W.	WINTERBOTHAM, Mr. G. L.
PRADHAN, the Honourable Sir GOVINDRAO	

Tellers for the Ayes : Mr. J. HUMPHREY and Mr. P. B. ADVANI.

Noes.

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur	KALBHOR, Mr. G. M.
ALLAHBAKSH, Khan Bahadur	KHUHRO, Khan Bahadur M. A.
ANGADI, Rao Bahadur S. N.	KULKARNI, Rao Saheb P. D.
ASAVALE, Rao Bahadur R. S.	MORE, Mr. J. G.
BALOCH, Mr. HAJI MIR MAHOMED	NAVLE, Mr. N. E.
BANGI, Mr. A. K. J.	PATEL, Khan Bahadur A. E.
CHITALE, Rao Bahadur G. K.	PATIL, Rao Bahadur D. R.
DHALUMAL LILARAM, Mr.	PETIT, Mr. J. B.
DIXIT, Dr. M. K.	PRADHAN, Rao Bahadur G. V.
GANGOLI, Mr. G. S.	SHAIKH ABDUL AZIZ, Mr.
GHULAM NABI SHAH, Khan Bahadur	SHINDE, Mr. R. B.
GOKHALE, Mr. L. R.	SINDHA, Mr. MADHAVSANG JORBHAI
JITEKAR, Mr. HAJI IBRAHIM	SURVE, Mr. A. N.
JOG, Mr. V. N.	SURVE, Mr. V. A.
KADRI, Mr. J. S.	VAISHAMPAYAN, Dr. V. G.

Tellers for the Noes : Rao Bahadur D. R. PATIL and Mr. J. G. MORE.

The Honourable the PRESIDENT : The House is now adjourned to 2 o'clock to-morrow, Thursday, the 17th March 1932.

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Thursday, the 17th March 1932.

The Council re-assembled at the Council Hall, Bombay, on Thursday, the 17th March 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ADVANI, Mr. P. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
HADDOW, Mr. R. R.
HUDSON, the Honourable Mr. W. F.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.

KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MACLACHLAN, Mr. D.
MATCHESWALLA, Mr. G. E.
MCELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.

TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R. V.
WILES, Mr. G.
WINTERBOTHAM, Mr. G. L.

DISCUSSION ON THE FINANCE BILL—*resumed.*

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, I move:

"In Part III, Schedule I, clause 11, second column, 1st paragraph, *substitute* 'ten thousand' and *omit* 2nd paragraph in the second and third column."

If we refer to page 55, we find that under the Bill as it has emerged from the select committee, the rate for probate on properties worth Rs. 1,000 to Rs. 5,000 is 2 per cent.; from Rs. 5,000 to Rs. 10,000 2½ per cent. Previously the rate for properties worth Rs. 1,000 to Rs. 10,000 was 2 per cent. I do not know why the rate for properties worth from Rs. 5,000 to Rs. 10,000 has been increased. In spite of the assurance given to us by the honourable member the Finance Secretary and the Honourable the Finance Member that this is a *Finance Bill* which will introduce sources which will give more taxation, there is not the least idea of reducing the present tax. But we find in paragraph 11, there are several items where the duty has actually been reduced. It is only for properties from Rs. 5,000 to Rs. 10,000 that the duty has been increased. If probate is to be taken on a property worth two lakhs of rupees before the 31st of March 1932, a man will have to pay Rs. 1,050 more. But if he takes out a probate on the same property after the 31st of March 1932 he will save Rs. 1,050. May I ask if this is meant by a finance bill? On the contrary, if a man takes out a probate on a property worth Rs. 10,000 before the 31st of March he will have to pay Rs. 180. If he takes out a probate on the 1st of April, he will have to pay Rs. 205. As far as the smaller properties are concerned, the bill seeks to increase the tax by approximately 13 per cent. As for the bigger properties like the one mentioned above the duty has been reduced by 17 per cent. I do not understand why a taxation Bill has been introduced with these details. We have been often told that taxation should fall on broad shoulders. In this particular case it has fallen on weak and imperfect shoulders. I do not know whether there was any representation to Government that the duty on big properties should be reduced. At any rate, this side of the House is not aware of any such representation. The position is clear. I for one think that the Bill must have been drafted by some one whose property is worth lakhs and lakhs of rupees. He seeks to reduce tax on his property and is probably prepared to tax poorer people to make up deficit caused by this reduction. That must be the only reason. Perhaps he wishes that the duty on big properties should be reduced and the burden shoved on poor shoulders. I do not blame anyone for that. The draftsman of the Bill must have thought of the principle that "charity begins at home."

[Rao Bahadur G. V. Pradhan]

It might be stated that the probate and letters of administration duties will affect only the presidency town. That may be stated over and over again. That is not correct. As a matter of fact probate and letters of administration are absolutely necessary in Bombay; whereas in the mofussil they are not necessary for certain communities. We shall be presented with a Bill No. 2 of 1932 which will make it necessary in the mofussil also. So far as the probate and letters of administration duties are concerned the elected portion of the House must remember that only last December, we threw out a bill of a similar nature as not being applicable to the mofussil. The Government failed and every time they fail they will bring it again and again. The schedule that will be fixed to-day may apply automatically to the villages and towns later on. So, the duties that will fall on the poor shoulders must not be allowed to increase. I feel certain that this House will help me in carrying through this amendment.

Question proposed.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I will explain at this stage why the changes have been made. I will put before the House, if they want to go back to the original duties, what further changes must be made.

Rao Bahadur G. V. PRADHAN: I have also given notice of an amendment that the original schedule should be brought into force.

The Honourable Sir GOVINDRAO PRADHAN: When the changes were made, the original duties were 3 per cent., 4 per cent. and 5 per cent. When it was changed into 3½, 4½ and 5½, naturally the amounts had to be split up. It is not a question of the man who drafted the Bill having a large property. It is a question of equitable arrangement as regards the levying of duty. If it is the desire of the honourable House that the duty of 2 per cent. should be restored up to Rs. 10,000, I request them to restore the old rate up to one lakh of rupees. Government should not be hit both ways. If the House wants that 2 per cent. should be maintained up to Rs. 10,000, then the duty from Rs. 10,000 to Rs. 50,000 should be 3 per cent. and from Rs. 50,000 to Rs. 1,00,000 should be 4 per cent. Above that the changes will remain. But I may inform the House that we have now arranged the duties in an equitable way. If it is the desire of the honourable House, I will move an amendment to this amendment. It will be as follows: Up to Rs. 10,000 the duty will be 2 per cent.; the second paragraph will go; the third paragraph will remain; in the fourth paragraph in the last column, it will be 4 per cent. instead of 3½ per cent.; the fifth paragraph will go; and from one lakh to two lakhs the duty will be 4½ per cent. The other changes will remain. If that is acceptable to the House, I have no objection.

The Honourable the PRESIDENT: Under the amendment proposed to the amendment,—

(1) the first item will be amended as proposed in the amendment;
(2) the second item will be omitted;
(3) the third item will remain as it is;

[The President]

(4) the fourth item will remain, with a change in the third column from "three and a half" into "four";

(5) the fifth item will be omitted;

(6) and the sixth item will read thus:—

"When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one lakh of rupees, on the part of the amount or value in excess of one lakh, up to two lakhs of rupees....Four and a half per centum."

Amendment to the amendment put, and agreed to.

Amendment, as amended, put, and agreed to.

The Honourable Sir GOVINDRAO PRADHAN: Sir, honourable members are aware that yesterday my amendment to clause 13 was accepted by the House. So a consequential amendment has got to be made in the figures. To effect that, I move—

Part III, Clause 13, Schedule I .. In the table of rates of *ad valorem* fees leviable on the institution of suits, for the figures mentioned in column 1 below substitute the figures respectively shown against each in column 2:—

Column 1.		Column 2.	
Rs.	a.	Rs.	a.
287	8	290	0
300	0	305	0
312	8	320	0
325	0	335	0
337	8	350	0
350	0	365	0
362	8	380	0
375	0	395	0
387	8	410	0
400	0	425	0
412	8	440	0
425	0	455	0
437	8	470	0
450	0	485	0
462	8	500	0
470	0	515	0
487	8	530	0
500	0	545	0
512	8	560	0
525	0	575	0
547	8	597	8
570	0	620	0
592	8	642	8
615	0	665	0
637	8	687	8
660	0	710	0
682	8	732	8

[Sir Govindrao Pradhan]

Column 1.		Column 2.	
Rs.	a.	Rs.	a.
705	0	755	0
727	8	777	8
750	0	800	0
772	8	822	8
795	0	845	0
817	8	867	8
840	0	890	0
862	8	912	8
885	0	935	0
907	8	957	8
930	0	980	0
952	8	1,002	8
975	0	1,025	0
1,005	0	1,055	0
1,035	0	1,085	0
1,065	0	1,115	0
1,095	0	1,145	0
1,125	0	1,175	0
1,155	0	1,205	0
1,185	0	1,235	0
1,215	0	1,265	0
1,245	0	1,295	0
1,275	0	1,325	0
1,305	0	1,355	0
1,335	0	1,385	0
1,365	0	1,415	0
1,395	0	1,445	0
1,425	0	1,475	0
1,455	0	1,505	0
1,485	0	1,535	0
1,515	0	1,565	0
1,545	0	1,595	0
1,575	0	1,625	0
1,875	0	1,925	0
2,475	0	2,525	0
3,075	0	3,125	0
3,675	0	3,725	0
4,275	0	4,325	0
4,875	0	4,925	0
5,475	0	5,525	0
6,075	0	6,125	0
6,675	0	6,725	0
7,275	0	7,325	0
7,875	0	7,925	0
8,475	0	8,525	0
9,075	0	9,125	0
9,675	0	9,725	0
10,000	0	10,000	0

Question put, and agreed to.

Clause 13, as amended, ordered to stand part of the Bill.

Clause 14 (*Amendment of Schedules II to VII of 1870*) :—

For Articles 1, 6, 7, 12, 14, 17, 18, 19, 20 and 21 of schedule II to the said Act the following shall be substituted, namely :—

SCHEDULE II.

Fixed Fees.

Number.		Proper fee.
1. Application or petition	(*a*) When presented to any officer of the Customs or Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject-matter of such application relates exclusively to those dealings: or when presented to any officer of land-revenue by any person holding temporarily settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively to such engagement: or when presented to any Municipal Commissioner under any Act for the time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such conservancy or improvement: or when presented to any Civil Court other than a principal Civil Court of original jurisdiction, or to any Court of Small Causes constituted under the Provincial Small Causes Courts Act, 1887, or to a Collector or other officer of revenue in relation to any suit or case in which the amount or value of the subject-matter is less than fifty rupees, not being an application for assistance under section 86 of the Bombay Land Revenue Code, 1879: or when presented to any Civil, Criminal or Revenue Court, or to any Board or executive officer for the purpose of obtaining a copy or translation of any judgment, decree or order passed by such Court, Board or officer, or of any other document on record in such Court or office.	Two annas.
	(*aa*) When presented to a Collector or other officer of revenue for assistance under section 86 of the Bombay Land Revenue Code, 1879, in relation to any case in which the amount or	Four annas.

IX of 1887.

Bom. V of 1879.

Bom. V of 1879.

Number.		Proper fee.
	value of the subject-matter is less than fifty rupees.	
	(*b*) When containing a complaint or charge of any offence other than an offence for which police officers may, under the Criminal Procedure Code, 1898, arrest without warrant, and presented to any Criminal Court; or when presented to a Civil, Criminal or Revenue Court, or to a Collector, or any Revenue officer having jurisdiction equal or subordinate to a Collector, or to any Magistrate in his executive capacity and not otherwise provided for by this Act: or to deposit in Court revenue or rent; or for determination by a Court of the amount of compensation to be paid by a landlord to his tenant.	Eight annas.
V of 1898.		
	(*bb*) When presented to a Collector or other officer of revenue for assistance under section 86 of the Bombay Land Revenue Code, 1879, in relation to any case in which the amount or value of the subject-matter is or exceeds fifty rupees but is less than one hundred rupees.	Eight annas.
Bom. V of 1879.		
	(*c*) When presented to a Chief Commissioner or other Chief Controlling Revenue or Executive Authority, or to a Commissioner of Revenue or Circuit, or to any chief officer charged with the executive administration of a division and not otherwise provided for by this Act.	Two rupees.
	(*cc*) When presented to a Collector or other officer of revenue for assistance under section 86 of the Bombay Land Revenue Code, 1879, in relation to any case in which the amount or value of the subject-matter is or exceeds one hundred rupees.	One rupee.
Bom. V of 1879.		
	(*d*) When presented to a High Court.	Four rupees.
	6. Bail-bond or other instrument of obligation given in pursuance of an order made by a Court Magistrate under any section of the Code of Criminal Procedure, 1898, or the Code of Civil Procedure, 1908, and not otherwise provided for by this Act.	One rupee.
V of 1898. V of 1908.		

Number.		Proper fee.	
7. Undertaking under section 49 of the Indian Divorce Act, 1869.		One rupee.	
12. Caveat ..	When the amount or value of the property involved does not exceed two thousand rupees.	Five rupees.	IV of 1869.
	When the amount or value of the property involved exceeds two thousand rupees.	Ten rupees.	
14. Petition in a suit under the Native Converts' Marriage Dissolution Act, 1866.	....	Ten rupees.	XXI of 1866.
17. Plaint or memorandum of appeal in each of the following suits :—			
(*i*) to alter or set aside a summary decision or order of any of the Civil Courts not established by Letters Patent or of any Revenue Court;	When the amount or value of the property involved does not exceed five hundred rupees.	Ten rupees.	
(*ii*) to alter or cancel any entry in a register of the names of proprietors of revenue paying estates; and	When the amount or value of the property involved exceeds five hundred rupees.	Fifteen rupees	
(*iii*) to obtain a declaratory decree or order, where no consequential relief is prayed;	....	Fifteen rupees	
(*iv*) to set aside alienation;	....	Fifteen rupees	
(*v*) to set aside a decree or award;	When the amount or value of the property involved does not exceed five hundred rupees.	Ten rupees.	
	When the amount or value of the property involved exceeds five hundred rupees.	Fifteen rupees	
(*vi*) to set aside an adoption; and		Fifteen rupees	
(*vii*) any other suit where it is not possible to estimate at a money value the subject-matter in dispute, and which is not otherwise provided for by this Act.		Fifteen rupees	
18. Application—			
(*a*) under paragraph 17 of the Second Schedule to the Code of Civil Procedure, 1908;		Ten rupees.	V of 1908.

	Number.	—	Proper fee.
XXXIX of 1925.	(*b*) for probate or letters of administration or for revocation thereof under the Indian Succession Act, 1925.	When the amount or value of the Estate does not exceed two thousand rupees.	Two rupees.
		When it exceeds two thousand rupees, but does not exceed five thousand rupees.	Five rupees.
XXXIX of 1925.	(*c*) for a certificate under Part X of the Indian Succession Act, 1925, or Bombay Regulation VIII of 1827;	When it exceeds five thousand rupees.	Ten rupees.
II of 1882.	(*d*) for opinion or advice or for discharge from a Trust, or for appointment of new Trustees, under section 34, 72, 73 or 74 of the Indian Trusts Act, 1882;	....	Ten rupees.
VII of 1913.	(*e*) for the winding up of a Company, under section 166 of the Indian Companies Act, 1913;	....	Ten rupees.
V of 1908.	(*f*) under rule 58 of Order XXI of the Code of Civil Procedure, 1908, regarding a claim to attached property.	When the amount or value of the property exceeds five hundred rupees.	Ten rupees.
V of 1908.	19. Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure, 1908.	....	Twenty rupees
IV of 1869.	20. Every petition under the Indian Divorce Act, 1869, except petitions under section 44 of that Act and every memorandum of appeal under section 55 of that Act.	....	Thirty rupees.
XV of 1865.	21. Plaint or memorandum of appeal under the Parsi Marriage and Divorce Act, 1865.	....	Thirty rupees."

Rao Bahadur D. R. PATIL (East Khandesh District): Sir, I beg to move:

"In Schedule II, sub-clauses (*aa*), (*bb*) and (*cc*) shall be omitted."

Sir, in the original Bill the stamp duties on these were eight annas, one rupee and two rupees respectively. The select committee have reduced these to four annas, eight annas, and one rupee. But I beg to submit that under section 86 of the Land Revenue Code suits are brought by landlords against the tenants who cultivate their lands, that is to say, against agriculturists. If I am right, formerly there was no stamp duty on petitions or applications to the Collector under the Land Revenue Code. These are new additions. If I am wrong, the Honourable the Finance Member will correct me. They are altogether new additions. Landlords file suits against their tenants as I have said, and the amounts do not usually exceed Rs. 300 or Rs. 400. In such cases

[Rao Bahadur D. R. Patil]

there was no duty before. I hope the Honourable the Finance Member will be kind enough to see that no additional burden is put upon poor shoulders. In cases under section 86 of the Land Revenue Code, it is poor tenants who are involved. They find it very difficult to pay their rents to the landlords. It will therefore be a great hardship on these poor people if any additional burden is imposed on them. That is my submission and thus I move the amendment.

Question proposed.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I do not think the honourable member is correct in saying that no stamp was affixed on these applications or petitions. There was a one anna stamp to be paid, and afterwards when the schedule was revised it was two annas stamp. I think they must be affixing a stamp of two annas now. No doubt, clauses (*aa*), (*bb*) and (*cc*) are being newly introduced, in order to make it clear that applications or petitions presented to revenue courts should have stamps affixed to them. At the same time, I admit that this duty does fall upon the tenants, because ultimately the tenants have to pay the cost. However, I am not prepared to omit the duty altogether. If the honourable member thinks that eight annas and one rupee are too much, I am prepared to have four annas in the case of all.

Rao Bahadur D. R. PATIL: I accept it, Sir.

The Honourable Sir GOVINDRAO PRADHAN: I beg to move:

To the amendment proposed, the following be substituted—

"In clause 14, Schedule II, paragraph (*aa*), omit the words 'in relation to any case in which the amount or value of the subject matter is less than fifty rupees,' and omit paragraphs (*bb*) and (*cc*) with the figures shown in column 3 against each of these paragraphs."

Rao Bahadur G. V. PRADHAN: I have not filed any suits of this type in the revenue courts. But will it be ascertained by the Honourable the Finance Member?

The Honourable the PRESIDENT: Ascertain what?

Rao Bahadur G. V. PRADHAN: What duty is paid at present. I am told at present it is eight annas on these applications.

Rao Bahadur B. R. NAIK: It may be at Nasik; in other places it is only two annas.

The Honourable Sir GOVINDRAO PRADHAN: So far as I know, the stamp for an application to a revenue officer was at one time one anna and it was raised to two annas. After all, these suits take some time of the court, and four annas is very reasonable.

The Honourable the PRESIDENT: The point raised by the honourable member Rao Bahadur Pradhan is that it is eight annas now, and the amendment will reduce it to four annas.

Rao Bahadur D. R. PATIL: That is not so: it is not eight annas now.

Amendment to the amendment put, and agreed to.

Amendment, as amended, put, and agreed to.

Clause 14, as amended, ordered to stand part of the Bill.

Clause 15 (*Amendment of II of 1899*) :

PART IV—*Stamp Duties.*

In the Indian Stamp Act, 1899, in its application to the Presidency of Bombay, the following amendments shall be made, namely :— II of 1899.

Amendment of sections 4 and 6 of II of 1899.

(*1*) In sub-section (*1*) of section 4, and in the proviso to section 6, for the words "one rupee" the words "two rupees" shall be substituted.

Amendment of sections 11, 32, 35, 40, 41, 69 and 74 of II of 1899.

(*2*) In clause (*a*) of section 11, proviso (*c*) to section 32, proviso (*a*) to section 35 sub-section (*1*) of section 40, section 41, clause (*b*) of section 69 and the proviso to section 74 before the words "one anna" the words "two annas" shall be inserted.

New section 19A of II of 1889.

(*3*) After section 19, the following section shall be inserted, namely :—

Payment of duty on certain instruments liable to increased duty in Bombay Presidency.

"*19A.*—Where any instrument of the nature described in any article in Schedule I and relating to any property situate or to any matter or thing done or to be done in the Presidency of Bombay is executed out of the said Presidency and subsequently received in the said Presidency—

(*a*) the amount of duty chargeable on such instrument shall be the amount of duty chargeable under Schedule I on a document of the like description executed in the Presidency of Bombay less the amount of duty, if any, already paid on such instrument in British India.

(*b*) and in addition to the stamps, if any, already affixed thereto, such instrument shall be stamped with the stamps necessary for the payment of the duty chargeable on it under clause (*a*) of this section, in the same manner and at the same time and by the same persons as though such instrument were an instrument received in British India for the first time at the time when it became chargeable with the higher duty, and

(*c*) the provisions contained in clause (*b*) of the proviso to sub-section (*3*) of section 32 shall apply to such instrument as if such were an instrument executed or first executed out of British India and first received in British India when it became chargeable to the higher duty aforesaid, but the provisions contained in clause (*a*) of the said proviso shall not apply thereto."

Amendment of section 28 of II of 1899.

(*4*) For the proviso to sub-section (*4*) of section 28 the following shall be substituted, namely :—

"Provided that notwithstanding anything contained in article 23 of Schedule I the duty on such last mentioned conveyance shall in no case be less than two rupees."

Amendment of Schedule I of II of 1899.

(*5*) In Schedule I—

(*a*) in column 1 of article 12 clauses (*a*) and (*b*) shall be repealed ;

(*b*) for the entries in column 2 of the said Schedule relating to Articles 2 (*b*), 3, 4, 8 (*b*), 9, 12, 14, 15, 18, 20, 22, 23, 24, 25 (*b*), 26 (*b*), 29, 30 (*b*), 39, 40 (*c*), 41, 42, 44, 46, 48, 50, 51, 54 (*a*), 55 (*b*), 57 (*b*), 62 (*c*) (*ii*) and 65 and shown in column 2 of the Schedule to this Part the entries shown in column 3 of the latter Schedule shall be substituted ;

(*c*) for articles 5 and 43, the following shall, respectively, be substituted, namely :—

"5. Agreement or Memorandum of an Agreement—

(*a*) if relating to the sale of a bill of exchange ;	Four annas.
(*aa*) if relating to the sale of a Government security ;	Subject to a maximum of twenty rupees, two annas for every Rs. 10,000 or part thereof of the value of the security.
(*b*) if relating to the sale of a share in an incorporated company or other body corporate ;	*Two annas for every Rs. 5,000* or part thereof of the value of the share.
(*c*) if not otherwise provided for	One rupee.

Exemptions.

Agreement or Memorandum of agreement,—

(*a*) for or relating to the sale of goods or merchandise exclusively, not being a Note or Memorandum chargeable under No. 43; — Four annas.

(*b*) made in the form of tenders to the Government of India for or relating to any loan;

(*c*) made under the European Vagrancy Act, 1874, section 17. IX of 1874.

"43. Note or Memorandum sent by a Broker or Agent to his principal intimating the purchase or sale on account of such principal,—

(*a*) of any goods exceeding in value twenty rupees; — Four annas.

(*b*) of any stock or marketable security exceeding in value twenty rupees, not being a Government security; — Two annas for every Rs. 5,000 or part thereof of the value of the stock or security.

(*bb*) of a Government security — Subject to a maximum of twenty rupees two annas for every 10,000 rupees or part thereof of the value of the security.

and

(*d*) for Articles 7 and 10 the following shall, respectively, be substituted, namely:—

"7. Appointment in execution of a power, where made by any writing not being a will—

(*a*) of trustees .. .. Fifteen rupees.

(*b*) of property, moveable or immoveable. Thirty rupees.

"10. Articles of Association of a Company—

(*a*) where the company has no share capital or the nominal share capital does not exceed Rs. 2,500; — Twenty-five rupees.

(*b*) where the nominal share capital exceeds Rs. 2,500 but does not exceed Rs. 1,00,000. — Fifty rupees.

(*c*) where the nominal share capital exceeds Rs. 1,00,000. — One hundred rupees.

Exemption.

Articles of any Association not formed for profit and registered under section 26 of the Indian Companies Act, 1913. VII of 1913.

See also Memorandum of Association of a Company (No. 39)."

(*e*) in clause (*a*) in column (1) of Article 25 for the words "one rupee" the words "two rupees" shall be substituted; and

(*f*) in provisos (*a*) and (*c*) in column 2 of Article 45, for the words "eight annas" the words "one rupee" shall be substituted.

SCHEDULE.

[*See section 15 (5).*]

1	2	3
2. Administration Bond— (*b*) in any other case	.. Five rupees	.. Ten rupees.
3. Adoption Deed ..	.. Ten rupees	.. Twenty rupees.
4. Affidavit ..	.. One rupee	.. Two rupees.
8. Appraisement, etc.— (*b*) in any other case	.. Five rupees	.. Ten rupees.
9. Apprenticeship-Deed	.. Five rupees	.. Ten rupees.

12. Award	The same duty as a Bond (No. 15) for such amount. Five rupees ..	The same duty as a Bond (No. 15) for the amount or value of the property to which the award relates as set forth in such award subject to a maximum of twenty rupees.
14. Bill of Lading	Four annas .. *N.B.*—If a bill of lading is drawn in parts, the proper stamp therefor must be borne by each one of the set.	Eight annas. *N.B.*—If a bill of lading is drawn in parts, the proper stamp therefor must be borne by each one of the set.
15. Bond—		
where it exceeds Rs. 200 and does not exceed Rs. 300.	One rupee eight annas.	Two rupees four annas.
where it exceeds Rs. 300 and does not exceed Rs. 400.	Two rupees ..	Three rupees.
where it exceeds Rs. 400 and does not exceed Rs. 500.	Two rupees eight annas.	Three rupees twelve annas.
where it exceeds Rs. 500 and does not exceed Rs. 600.	Three rupees ..	Four rupees eight annas.
where it exceeds Rs. 600 and does not exceed Rs. 700.	Three rupees eight annas.	Five rupees four annas.
where it exceeds Rs. 700 and does not exceed Rs. 800.	Four rupees ..	Six rupees.
where it exceeds Rs. 800 and does not exceed Rs. 900.	Four rupees eight annas.	Six rupees twelve annas.
where it exceeds Rs. 900 and does not exceed Rs. 1,000.	Five rupees ..	Seven rupees eight annas.
and for every Rs. 500 or part thereof in excess of Rs. 1,000.	Two rupees eight annas.	Three rupees twelve annas.
18. Certificate of Sale—		
(*a*) where the purchase-money does not exceed Rs. 10.	Two annas ..	Four annas.
(*b*) where the purchase-money exceeds Rs. 10 but does not exceed Rs. 25.	Four annas ..	Eight annas.
(*c*) in any other case	The same duty as a conveyance (No. 23) for a consideration equal to the amount of the purchase-money only.	The same duty as a conveyance (No. 23) for a consideration equal to the amount of the purchase-money only.
20. Charter-Party	One rupee ..	Two rupees.
22. Composition-Deed	Ten rupees ..	Twenty rupees.
23. Conveyance—		
where the amount or value of the consideration for such conveyance as set forth therein.		
exceeds Rs. 200 but does not exceed Rs. 300.	Three rupees ..	Four rupees eight annas.
exceeds Rs. 300 but does not exceed Rs. 400.	Four rupees ..	Six rupees.
where it exceeds Rs. 400 but does not exceed Rs. 500.	Five rupees ..	Seven rupees eight annas.
where it exceeds Rs. 500 but does not exceed Rs. 600.	Six rupees ..	Nine rupees.
where it exceeds Rs. 600 but does not exceed Rs. 700.	Seven rupees ..	Ten rupees eight annas.
where it exceeds Rs. 700 but does not exceed Rs. 800.	Eight rupees ..	Twelve rupees.

where it exceeds Rs. 800 but does not exceed Rs. 900.	Nine rupees	..	Thirteen rupees eight annas.
where it exceeds Rs. 900 but does not exceed Rs. 1,000.	Ten rupees	..	Fifteen rupees.
and for every Rs. 500 or part thereof in excess of Rs. 1,000.	Five rupees	..	Seven rupees eight annas.
24. Copy or Extract—			
(i) if the original was not chargeable with duty or if the duty with which it was chargeable does not exceed one rupee.	Eight annas	..	One rupee.
(ii) in any other case ..	One rupee	..	Two rupees.
25. Counterpart or Duplicate—			
(b) in any other case ..	One rupee	..	Two rupees.
26. Customs Bond—			
(b) in any other case ..	Five rupees	..	Ten rupees.
29. Divorce	One rupee	..	Five rupees.
30. Entry as an Advocate, Vakil or Attorney on the roll of any High Court—			
(b) in the case of an Attorney ..	Two hundred and fifty rupees.	..	Five hundred rupees.
39. Memorandum of Association of a Company—			
(a) if accompanied by articles of association under section 17 of the Indian Companies Act, 1913.	Fifteen rupees	..	Thirty rupees.
(b) if not so accompanied ..	Forty rupees	..	Eighty rupees.
40. Mortgage-Deed—			
(c) when a collateral or auxiliary or additional or substituted security or by way of further assurance for the abovementioned purpose where the principal or primary security is duly stamped—			
for every sum secured not exceeding Rs. 1,000;	Eight annas.	..	One rupee.
and for every Rs. 1,000 or part thereof secured in excess of Rs. 1,000.	Eight annas	..	One rupee.
41. Mortgage of a crop—			
(a) when the loan is repayable not more than three months from the date of the instrument for every sum secured not extending Rs. 200,	One anna	..	Two annas.
and for every Rs. 200 or part thereof secured in excess of Rs. 200;	One anna	..	Two annas.
(b) when the loan is repayable more than three months, but not more than eighteen months, from the date of the instrument—			
for every sum secured not exceeding Rs. 100,	Two annas	..	Four annas.
and for every Rs. 100 or part thereof secured in excess of Rs. 100.	Two annas	..	Four annas.
42. Notarial Act	One rupee	..	Two rupees.
44. Note of protest by the Master of a Ship.	Eight annas	..	One rupee.
46. Partnership—			
(A) Instrument of—			
(a) where the capital of the partnership does not exceed Rs. 500;	Two rupees eight annas.	..	Five rupees.
(b) in other cases	Ten rupees	..	Twenty rupees
(B) Dissolution of	Five rupees	..	Ten rupees.

VII of 1913.

48.	Power of Attorney—		
	(*a*) when executed for the sole purpose of procuring the registration of one or more documents in relation to a single transaction or for admitting execution of one or more such documents.	Eight annas	.. One rupee.
	(*b*) when required in suits or proceeding under the Presidency Small Cause Courts Act, 1882.	Eight annas	.. One rupee.
XV of 1882.	(*c*) when authorising one person or more to act in a single transaction other than the case mentioned in clause (*a*).	One rupee	.. Two rupees.
	(*d*) when authorising not more than five persons to act jointly and severally in more than one transaction or generally.	Five rupees	.. Ten rupees.
	(*e*) when authorising more than five but not more than ten persons to act jointly and severally in more than one transaction or generally.	Ten rupees	.. Twenty rupees.
	(*f*) when given for consideration and authorising the attorney to sell any immoveable property.	The same duty as a Conveyance (No. 23) for the amount of the consideration.	The same duty Conveyance (No for the amou the consideratio
	(*g*) in any other case	.. One rupee for each person authorised.	Two rupees for person authori
			N.B.—The "registration includes every operation incidental to registration under the Indian Registration Act, 1908.
XVI of 1908.			
50.	Protest of Bill or Note	.. One rupee	.. Two rupees.
51.	Protest by the Master of a Ship.	One rupee	.. Two rupees.
54.	Reconveyance of Mortgaged Property—		
	(*a*) if the consideration for which the property was mortgaged does not exceed Rs. 1,000;	The same duty as a Conveyance (No. 23) for the amount of such consideration as set forth in the Reconveyance.	The same duty as a Bond (No. 15) for the amount of such consideration as set forth in the Reconveyance.
55.	Release—		
	(*b*) in any other case	.. Five rupees	.. Ten rupees.
57.	Security Bond or Mortgage Deed—		
	(*b*) in any other case	.. Five rupees	.. Ten rupees.
62.	Transfer—		
	(*c*) of any interest secured by a bond, mortgage-deed or policy of insurance—		
	(*ii*) in any other case	.. Five rupees	.. Ten rupees.
65.	Warrant for Goods	.. Four annas	.. Eight annas.

The Honourable the PRESIDENT: There are amendments to this clause standing in the name of Rao Bahadur Patil. I do not know if he is moving the first.

The Honourable Sir GOVINDRAO PRADHAN: I beg to submit, Sir, that we have made no change whatever.

Rao Bahadur D. R. PATIL: I am not moving the first, Sir. But I move the amendment relating to "Divorce."

"In clause 15, article 29 of the Schedule, for 'Five rupees', 'One rupee' shall be substituted."

Perhaps the Honourable the Finance Member does not know that in the mofussil, especially among the backward classes such as Kunbis, Muhammadans, Depressed Classes and other people, unfortunately, the custom of divorce exists. And sometimes it so happens, as everybody knows, that the husband and wife do not pull on well together and have to separate. We find this generally among the lower classes. And we know that among the classes amongst whom this custom prevails, the people are very poor! The duty formerly was Re. 1. That is sought to be increased to Rs. 5.

The Honourable Sir GOVINDRAO PRADHAN: It was Rs. 2 and not Re. 1.

Rao Bahadur D. R. PATIL: All right, let us have a duty of Rs. 2. I do not mind, because, Sir, it is our object to see that the taxation does not fall harshly upon poor shoulders.

The Honourable the PRESIDENT: The old rate was Re. 1 and not Rs. 2.

The Honourable Sir GOVINDRAO PRADHAN: I have got the Stamp Act. The duty is Rs. 2.

Rao Bahadur D. R. PATIL: Sir, divorce deeds are excluded in the mofussil and I am sure that I shall be supported in this view by those honourable members who belong to the mofussil.

Rao Bahadur G. K. CHITALE: I will not support you.

Rao Bahadur D. R. PATIL: Of course divorce is not permissible among the class to which my honourable friend Rao Bahadur Chitale belongs, so he does not care whether the fee is increased or decreased. That is perhaps the ground on which he is going to oppose my amendment. Whatever that may be, the point is that the tax should not fall on poor shoulders. We find that among Bhils, Kolis, Malis, Wadars and others who are poor people this custom of divorce exists. The honourable member Rao Bahadur Chitale does not know about that. I hope that the Honourable the Finance Member will be pleased to accept my amendment, and if he is not prepared to accept the rate which I have proposed, viz. Re. 1, let him at least be kind enough to retain the old rate.

The Honourable the PRESIDENT: The honourable member can put his amendment in that form. I give him the necessary permission.

Rao Bahadur D. R. PATIL: All right, Sir. I shall amend it as required. In view of the fact that we have been reasonable in accepting the taxation proposals of the Finance Member and have thus co-operated with Government, I hope the Finance Member will accept my amendment and co-operate with us, in this item which is the last.

The Honourable the PRESIDENT: The amendment moved is:

"In Clause 15 of the Schedule, article 29, for 'five rupees', 'two rupees' shall be substituted."

The Honourable Sir GOVINDRAO PRADHAN: I may bring to the notice of this House the fact that in the Punjab, United Provinces,

[Sir Govindrao Pradhan]

Bengal, Madras, Assam and everywhere it is Rs. 5. A person who wishes to have the luxury of discarding one wife and marrying another should, I think, be made to pay Rs. 5. He is prepared to spend on his second marriage. He wants to get rid of one wife; so let him pay Rs. 5. It is not a very unreasonable demand.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Mr. President, I oppose the motion of my honourable friend on the ground that amongst a large number of people no divorce is allowed. It is a very good rule no doubt. Even amongst the higher Marathas and other classes, divorce is usually not allowed. It is only amongst a few classes who are not governed by our laws. This is the case among the wild tribes and others for whom my friend is feeling. They do not recognise our laws regarding stamp duty. They can divorce their wives as freely and they can take new ones as freely as they like.

I do not agree that poor people indulge in divorce. It is rather the richer people amongst the poor classes who indulge in this luxury of divorcing one wife and taking another, and they must be penalised. I would agree to the duty being even Rs. 50. They spend on liquor parties and other luxuries on the occasions of marriage to an enormous extent. In these circumstances, I must co-operate with Government at least once, and I think the provision made by Government quite proper.

Mr. G. S. GANGOLI (Kanara District): Sir, I oppose the amendment moved by the honourable member Rao Bahadur Patil. The honourable member in his anxiety to co-operate encourages a married couple to non-co-operate with each other. We are opposed to the encouragement of such a thing.

Mr. HAJI MIR MAHOMED BALOCH (in Urdu): On a point of information, Sir. May I know whether this duty is compulsory in the case of Muhammadans?

The Honourable the PRESIDENT: It is not compulsory. But if they wish to rely on the divorce record in a court of law, it will be necessary.

Mr. HAJI MIR MAHOMED BALOCH (in Urdu): Some time after if a divorce case goes to a court, will the payment of this fee be compulsory?

The Honourable Sir GOVINDRAO PRADHAN: No.

Rao Bahadur S. N. ANGADI (Belgaum District): Mr. President, I beg to support the amendment of the honourable member Rao Bahadur Dongarsing Patil, because he is speaking for a very large number of people amongst whom this custom of divorce prevails. It is true, as was pointed out, that there are people who want to indulge in the luxury of marrying a new wife and discarding the old one. That sort of thing must be punished, but all the same, since my honourable friend is very anxious about a very large section of people amongst whom this custom prevails, I think the duty ought to be restored to Rs. 2. If not, it should not be raised to more than Rs. 3.

Rao Bahadur D. R. PATIL: I am sorry, Sir, to see that this matter is being treated very lightly by some of the honourable members———

The Honourable the PRESIDENT: The honourable member himself gave it that start. [*Laughter.*]

Rao Bahadur D. R. PATIL: If the Chair takes that view, I am really sorry. I may tell this honourable House that so far as my community is concerned, there is no custom of divorce amongst us, so I do not mind if the duty is increased to any amount. But there is a class of persons which is really a poor class and the custom of divorce prevails in that class. Those people do not divorce for the sake of pleasure, as my honourable friend Rao Bahadur Chitale made out. I do not know whether he knows about this pleasure personally, but so far as the poorer classes are concerned, they resort to divorce not for the sake of pleasure, but they do so by force of circumstances. Nobody would like to part with his wife unless he is compelled to do so———

The Honourable the PRESIDENT: How is all this relevant—as to why a man resorts to a divorce? There might be one hundred and one reasons, and the honourable member is repeating the argument which he has already placed before the House.

Rao Bahadur D. R. PATIL: I am not repeating the argument, Sir. I am replying to what the honourable member Rao Bahadur Chitale said. I never said what I said just now. So there is no question of repetition. The question is, when there is such a custom prevalent and when the people who want divorce have to execute these documents, we are to see whether they belong to the rich class or the poor class. If the Honourable the Finance Member thinks that the class which will be affected by this high duty will be the rich class, then I don't mind. But my experience is that in the mofussil the people among whom the custom of divorce prevails are very poor and require relief in the stamp duty. Take the case of the Wadar or Mahar who earns 4 annas per day. Whenever he has to get a divorce a deed of divorce is executed in many a case, though of course it is not quite compulsory. When such is the case, the duty will act very harshly on such poor people. With the object of giving these people some relief, I move the amendment.

The Honourable Sir GOVINDRAO PRADHAN: I have nothing more to add, Sir.

Question put, and negatived.

Clause 15 ordered to stand part of the Bill.

Clause 16 (*Extent of Part V*):

This Part extends to the cities of Bombay, Ahmedabad, Poona and Karachi only.

The Honourable the PRESIDENT: The honourable member Mr. Baloch's 3 amendments seeking to delete clauses 16, 17 and 18 altogether are out of order. The honourable member may speak on the clauses and oppose them, but the amendments seeking to delete the clauses are not in order. Clause 16 is now before the House. That clause seeks to extend Part V (stamp duties on certain instruments) to the cities of Bombay, Ahmedabad, Poona and Karachi only. That was a matter of principle. The honourable member may now oppose it when it is before the House.

Mr. HAJI MIR MAHOMED BALOCH: I oppose it.

The Honourable the PRESIDENT: When it is put to the House he can oppose it. What is it that the honourable member wishes to say?

Mr. HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu): I rise to oppose this clause which seeks to extend these

[Mr. Haji Mir Mahomed Baloch]

special duties to only four cities in the Presidency. They have taken in Bombay, Karachi, Ahmedabad and Poona. In due course, other cities also will be roped in. So, the representatives of others cities need not be under the impression that they will escape this taxation. In Sind, Hyderabad, Larkana, Mirpurkhas or Sukkur will all have this duty increased for the simple reason that the Government is going from bad to worse every year in the matter of finances and unfortunately they cannot and do not think of any other source of raising revenue except fresh taxation, fresh taxation and fresh taxation. The people in Bombay Presidency already pay taxes to the Government of India in the shape of income tax, other taxes to the Bombay Government, municipal taxes and it looks as if these people earn money only to pay it over into the coffers of Government, never mind if their wives and children have to starve. For all these reasons I think I should oppose this amendment and I hope the whole non-official side of this House will join hands in throwing out this proposal.

Mr. L. R. GOKHALE (Poona City): Clauses 16, 17 and 18 go together, and you know, Sir, amendments have been put in to clause 18. So, I will not deal with that at this stage.

Sir, the scheme of this part V is somewhat peculiar. In this part the cities of Bombay, Ahmedabad, Poona and Karachi are given special treatment; the rest of the presidency is divided and only four towns or cities are selected for special treatment and that treatment pertains to three things namely, (1) Conveyances, (2) Settlement and (3) Transfers of Leases.

At this stage I rise only to draw the attention of the honourable members of this House who do not belong to these four towns to consider the situation so far as these four towns are concerned. What is done now is that the duty which will be leviable on a conveyance or a settlement or a lease transfer will be less than what it will be in these four towns. So, probably it may be thought by those honourable members who do not belong to these four towns that they have no concern with this part V or with this amendment of this Bill. I want them not to take that view, Sir. It has been suggested by the honourable member Mr. Baloch that it is a thin end of the wedge and once the Government sees that these four towns have quietly, or at least this honourable House has, accepted the increased duty in these four cities, the next question will be, what is there to distinguish Poona from Sholapur and Surat from Ahmedabad or Belgaum from Poona or Surat. In this way, Sir, probably every town in the presidency will be covered in due course of time by this increase of duty. That increase of duty is tremendous, beyond all proportion. I will not go into the details now because when we deal with clause 18, we shall have to compare the different increases in duties, but I may say without fear of contradiction that the duty increase is abnormal, Sir. I do not find really such a heavy duty levied in any other province in India. India is making progress and Bombay is going to make that progress faster than any other province as regards taxation. I do not really see what has induced the Bombay

[Mr. L. R. Gokhale]

Government to take this exceptional step and to increase this taxation abnormally. So my submission to this House is that if we oppose this clause, then the other clauses—clause 18 and sub-clauses—will not be before us. If we throw out by a vote this Part V, which extends to Bombay, Poona, Ahmedabad and Karachi, then there is no extension to these four cities and consequently there is no fear of any extension so far as we are now concerned to any other part of the presidency. That will be the natural consequence. My honourable friend Rao Bahadur Pradhan tells me I am wrong. I hope I am not wrong. I know I am not wrong. If we throw out clause 16, then we can similarly deal with clause 17 and clause 18. I want the honourable House to oppose all these three clauses one after another so that it will not be necessary to distinguish and to create a sort of a division. I do not want to say that in making this special provision for these four towns there is a policy of divide and rule as they say. It is nothing of the sort I know. It is the same rule. It is a policy of strong commonsense and taking people in in a peculiar way. As I said it is aiming to take from us more than double, in some cases, the tax that we are paying now. How heavy that tax will be we shall later on think about, but at this stage I oppose this clause 16 and I request all the honourable members of this House to join with me and the honourable member Mr. Baloch in opposing this clause 16.

Mr. J. S. KADRI (Northern Division): Sir, I join my voice in opposing this part of the Finance Bill, which aims at levying enhanced stamp duties on certain instruments in the city of Bombay, as well as in the cities of Ahmedabad, Poona and Karachi. Bombay is already paying this duty, but the conditions prevailing in Bombay are not the same as those obtaining in the cities of Ahmedabad, Poona and Karachi, and there is, therefore, no good ground to saddle these cities with the high duties paid by Bombay. It is not advisable to approve of this new departure in the matter of fresh taxation on account of stamp duties for these three cities.

I endorse fully the arguments advanced by my honourable friend Mr. Gokhale in opposing these duties as it is almost certain that once they are made applicable to these cities, the next year, other cities will surely come in for their share and the result will be that those people who do not feel much concerned to-day in connection with this clause or with Part V of this Bill will find themselves in a serious predicament. I disapprove of the unfair discrimination made against these three cities and I hope the House will put in a united front and throw out this part of the Bill altogether.

Mr. PESTANSHAH N. VAKIL: What is the situation at present with regard to Bombay? Is not Bombay at present paying a higher duty on certain transactions?

The Honourable Sir GOVINDRAO PRADHAN: Yes, Bombay pays a higher duty on article 23, conveyances.

Mr. PESTANSHAH N. VAKIL: What will be the position if the clause is thrown out?

The Honourable Sir GOVINDRAO PRADHAN: The Bombay duties will remain. Clause 19 will also have to be omitted. Clause 19 repeals the Indian Stamp (Bombay Amendment) Act of 1926. If this goes, then that also goes, otherwise that Act will lapse. Clause 19 will also have to go.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, I was just looking up the old discussion when this was put in in the year 1926. My impression is that when this duty was put in for the first time in 1926 it was understood that the conditions of Bombay were peculiar and were such that this duty would bear lightly on the people who were likely to be hit by it. Now this particular measure is brought in as a finance measure, but I am not quite sure whether the conditions then obtaining, as far as the population of Bombay is concerned when compared with the population either of Karachi, Ahmedabad or Poona is concerned, are the same. May I say, Sir, that in these days especially these conveyances or transfers of leases and other transactions concern people who are, to say bluntly, really in very bad circumstances in the year 1932 owing very largely to factors which are not under their control. The Government does realise that owing to the world-wide trade depression, the profits of these people have gone down immensely. Naturally therefore it follows that there would be a larger number of transfers which are now sought to be brought in. Under these circumstances I am not sure what revenue is intended to be brought by this measure of catching more districts, but I should think, Sir, that it ought not to be extended this year. It ought not to be extended this year because as regards clause 18 we shall have our say with respect to the pitch of assessment. I should think, Sir, that no case is made out by the Honourable the Finance Member except a case of "We want money and we want to put our hands into your pockets in these cities." I should think this is their attitude but I do not see that there is any logical reason why the same Act should not be extended to Sholapur, Belgaum or Surat. Those cities are also as well or as bad as the other cities and there should be no such distinction. Very probably, after this pill is swallowed by this House, next year we will have the three other cities brought in and perhaps more and more cities and towns in the same way. This House will therefore be well advised in throwing out this motion.

The Honourable Sir GHULAM HUSSAIN: Sir, I have heard with great interest the last speaker. Up to now he has been advocating the cause of the poor agriculturists and the poor, but to-day for the first time I find him pleading the cause of the rich——

Rao Bahadur G. K. CHITALE: No, no.

The Honourable Sir GHULAM HUSSAIN: The honourable member says that if this Act is extended to big cities now, it will be made applicable to smaller cities later on. I assure him that that is not the present intention of Government at all. You cannot get from the smaller cities a sufficiently large income from this provision of the Act. It is therefore proposed to apply it to the big cities. In Bombay this provision is already in force, and it is proposed that it should be applied to three other big cities.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I have nothing to add to what the Honourable the Leader of the House has said.

Mr. HAJI MIR MAHOMED BALOCH: Am I not entitled to a reply, Sir?

The Honourable the PRESIDENT: No. It was not an amendment that the honourable member has moved and spoken upon.

The Honourable Sir GHULAM HUSSAIN: May I point out to the House what will be the result if this clause is thrown out? The result will be that the old provision of the Act will be applicable to all the cities.

Mr. L. R. GOKHALE: Suppose the clause is thrown out, then the increased taxation will not apply to the 4 cities. Beyond that I do not see any other effect.

Question, "That clause 16 do stand part of the Bill," put. The House divided. Ayes, 46; Noes, 25.

Division No. 8.

Ayes.

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ADVANI, Mr. P. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
CLAYTON, Mr. H. B.
COOPER, Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
FREKE, Mr. C. G.
GHULAM NABI SHAH, Khan Bahadur
HUDSON, the Honourable Mr. W. F.
JONES, Major W. ELLIS
KAMBLI, the Honourable Dewan Bahadur S. T.
KHUHRO, Khan Bahadur M. A.
LANE, Mr. C. M.
MACLACHLAN, Mr. D.
MCELHINNY, Mr. G. W.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MONTEATH, Mr. J.
OWEN, Mr. A. C.
PATIL, Mr. N. N.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
ROOSE, Mr. F. O. J.
SPENCE, Sir REGINALD
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TURNER, Mr. C. W. A.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
WILES, Mr. G.
WINTERBOTHAM, Mr. G. L.

Tellers for the Ayes: Khan Bahadur D. B. COOPER and Mr. S. H. PRATER.

Noes.

BALOCH, Mr. HAJI MIR MAHOMED
CHITALE, Rao Bahadur G. K.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
GANGOLI, Mr. G. S.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
JOG, Mr. V. N.
KADRI, Mr. J. S.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KARBHARI, Mr. M. M.
KULKARNI, Rao Saheb P. D.
MEHTA, Mr. M. H.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
PATEL, Khan Bahadur A. E.
PRADHAN, Rao Bahadur G. V.
RESALDAR, Mr. A. K.
SHAIKH ABDUL AZIZ, Mr.
SINDHA, Mr. MADHAVSANG JORBHAI
SURVE, Mr. V. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.

Tellers for the Noes: Dr. V. G. VAISHAMPAYAN and Mr. N. N. PATIL.

Clause 16 ordered to stand part of the Bill.

Clause 17 (*Definitions*) ordered to stand part of the Bill.

Clause 18 (*Amendment of Schedule I to II of 1899*) :

Notwithstanding anything contained in Part IV, in Schedule I to the Indian Stamp Act, 1899, in its application to the cities of Bombay, Ahmedabad, Poona and Karachi, for the entries in columns 1 and 2 relating to Articles 6, 23, 58 and 63, the following entries shall, respectively, be substituted, namely :

23. Conveyance [as defined by section 2 (10)], not being a Transfer charged or exempted under No. 62—

	Rs.	a.	p.
Where the amount or value of the consideration for such conveyance as set forth therein, exceeds Rs. 200 but does not exceed Rs. 300 ..	8	8	0
Where it exceeds Rs. 300 but does not exceed Rs. 400 ..	12	0	0
Where it exceeds Rs. 400 but does not exceed Rs. 500 ..	15	8	0
Where it exceeds Rs. 500 but does not exceed Rs. 600 ..	19	0	0
Where it exceeds Rs. 600 but does not exceed Rs. 700 ..	22	8	0
Where it exceeds Rs. 700 but does not exceed Rs. 800 ..	26	0	0
Where it exceeds Rs. 800 but does not exceed Rs. 900 ..	29	8	0
Where it exceeds Rs. 900 but does not exceed Rs. 1,000 ..	33	0	0
and for every Rs. 500 or part thereof in excess of Rs. 1,000 ..	17	8	0

* * * * * * *

Mr. L. R. GOKHALE (Poona City) : Sir, I beg to move the following amendment :

"In clause 18 omit the whole of article 23."

Article 23 is "Conveyance (as defined by section 2 (10) not being a Transfer charged or exempted under No. 69". This is article 23. It deals with conveyances.

Sir, at present, with regard to article 23, there is a distinction as regards the rate prevailing for conveyance. Conveyance means the transfer of property by one person to another. It is distinguished from mortgage and other instruments. It is a complete transfer of property. On page 51 of the Indian Stamp Act in its application to the Presidency of Bombay, article 23 reads as follows :

"Conveyance (.....) not being a Transfer charged or exempted under No. 62—
where the amount or value of the consideration for such conveyance as set forth therein does not exceed Rs. 50 .. .. .. Eight annas.
Where it exceeds Rs. 50 but does not exceed Rs. 100 .. One rupee."

and so on. This is the scale of fees in certain cases. At present, as regards the Island of Bombay, there is a larger fee already charged.

"Conveyance, not being a Transfer charged or exempted under No. 62—where the amount or value of the consideration for such conveyance as set forth therein does not exceed Rs. 50. .. Eight annas.

Up to Rs. 200 the charges for conveyance are the same in the mofussil as well as in the presidency town. After that there is an increase for the Island of Bombay only. This is the state of law as it at present stands. By the amendment that is now proposed in the Bill, it will be seen that the increased rate of Bombay will be extended to Karachi, Poona and Ahmedabad. Up to now the higher rate was prevalent in Bombay only. In the mofussil the lower rate is prevalent. I do think that my amendment will go so far as even to affect the rates prevailing in the city of Bombay, which will be reduced to the level of the rates in the mofussil. I do not think that even for Bombay the higher rate should prevail. When there is a conveyance, say a sale deed, for Rs. 1,000, we have to

[Mr. L. R. Gokhale]

pay Rs. 33 for stamp and then other fees. For every Rs. 500, we have to pay Rs. 17-8-0. Look at the abnormal increase in the rate in Bombay, Ahmedabad, Karachi and Poona. Why have Sholapur and other equally important towns like Surat not been included? [*Interruption.*] I am for excluding Bombay also. Perhaps the object of Government is to secure the sympathy or disregard of those who are not concerned with these three cities. It looks like that. Otherwise, what is the difference between Sholapur and Poona? [*An Honourable Member:* "Money"] Mentality, not money. That is my explanation. Sholapur is a commercial town and has got more mills than Poona. It has got more money than Poona. If you take the income-tax returns, you will find the truth of what I say.

Dr. V. G. VAISHAMPAYAN: The revenue from income-tax is much more in Poona than in Sholapur.

Mr. L. R. GOKHALE: Because the population in Poona is more than in Sholapur. I wish to point out that you may place these three cities on a line with Sholapur. [*An Honourable Member:* "You say it is not money."] It is not money in my humble view. [*An Honourable Member:* "Never mind."] As I said, this is only the thin end of the wedge. Government want to continue the top-heavy administration and without money they cannot go on. So, the best way they have found is to select some people and bleed them white. I am positive that next year the other cities also will be included. I do not know how my honourable friends from Karachi look at the question. I do not know whether they have excluded themselves from the presidency proper because they are going to have a separate province. That point will come after the separation actually comes into force. But at the present stage we want their help and co-operation.

I have spoken about article 23. This article 23 has connection with article 63. Article 63 says "Transfer of lease by way of assignment and not by way of under lease." If we increase the duty under article 23, naturally the duty under article 63 will also be increased. In fact article 23 and article 63 are connected together. I am not able to find why the select committee has put its pen through article 63. I wish they had put their pen through article 23 also. Therefore, we come to this House and make this complaint.

One more point about this increase. The increase in conveyance governs all transfers. It should be noticed that if a mortgage property is sold or a mortgage on a house is sold, it becomes liable to a conveyance duty. That conveyance will be under the increased schedule. In order to remove the doubt about article 63, this Bill makes an increased provision there also. For this reason I wish this honourable House to accept my amendment.

Question proposed.

Rao Bahadur S. N. ANGADI (Belgaum District): I think, Sir, that my honourable friend Mr. Gokhale from Poona seems obviously to be labouring under some misapprehension. I do not know what procedure Government adopted in singling out these three cities for a little more

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tax than in the case of other cities. But I do not think that they have drawn lots as to which cities in the presidency should be singled out for this increase in the tax. I think they must have proceeded on a definite set of principles. If they have selected those three cities, it is because that they are more thriving and more prosperous. Obviously every honourable member ought to know that in this presidency, if there is wealth concentrated any where, it is in these four cities. The tax is therefore increased in the case of those cities. It was pointed out by the honourable mover that, if to-day these four cities come in for a little more increase in the tax, next year or year after the next other towns also would come in for further taxation. That is the philosophy of my honourable friend Mr. Gokhale.

Mr. L. R. GOKHALE: It is not philosophy. It is practical life.

Rao Bahadur S. N. ANGADI: That is the philosophy which my honourable friend Mr. Gokhale has trotted out on the floor of this House. I do find from my own experience that if Government have not travelled beyond the borders of these four cities, it must be for good reasons. If they ever attempted to go beyond the limits of these four cities, they would find nothing but mud. The whole object in levying the duty on those four cities is to have a substantial revenue. If that is the object, why should they pounce upon Belgaum and Dharwar. The honourable member Mr. Gokhale must know that the people there are very poor.

Mr. L. R. GOKHALE: Abnormal wealth in Dharwar.

Rao Bahadur S. N. ANGADI: It is a very serious mistake to suppose that Dharwar and Belgaum are as rich as Poona. If the honourable member Mr. Gokhale wants to be convinced as to the wealth of Belgaum and Dharwar, I will certainly at my own cost take him to Belgaum and Dharwar to let him have a view; then he will find that the average man there is much poorer than the average man in Poona. Poona is a big city, where commerce and industry have developed on a large scale. In regard to education, they have been extravagantly fed with facilities. They have got an engineering college and an agricultural college in their city. In that way all these facilities have added to the wealth of the city of Poona. It is for that reason Poona has been singled out. If my honourable friend Mr. Gokhale unfortunately has to live in the city of Poona, he must thank his own stars for that. If he wants to leave Poona in order to avoid the tax, he can go and settle with us. I oppose this amendment.

Mr. G. WILES: Sir, in proposing this amendment, the honourable member is making another attempt to throw out the whole of Part V. The effect of the amendment, if carried, will be to deprive the whole of Part V of any meaning—it is to omit the conveyance clause. I will explain to the honourable member the method by which these figures have been arrived at. I gather from his arguments that he has not understood why these figures are there. It would have been clear to him, if he had been able to study the debate when the Bombay Act was introduced. This Transfer of Property Act, as it is called, is adding 2 per cent. to the ordinary conveyance duty on conveyances in

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the town of Bombay. If he looks, he will see that the figures in our Bill are exactly 2 per cent. addition to conveyance duties laid down in article 23. It was pointed out when the Act was passed for Bombay that there is a similar transfer of property duty in Calcutta City of an extra 2 per cent. In Madras, there is an Act which enables the levying of an extra 2 per cent. I am not quite certain exactly what duty has been fixed, but the Madras Act provides for a duty of 2 per cent. in addition to the ordinary duty on conveyance. Now, in spite of what the honourable member says, I must maintain my point that it is money and not "mentality" which has selected these cities. As far as I know, there is no adverse mentality on the part of the front benches against Poona City. But from the figures which have been supplied to us by the Registration Department it was evident that we should get more revenue from these three cities than from any other cities which might be selected in the presidency. The revenue that may be derived from Poona is very much larger, strange as it may appear, than the revenue which would be derived from Sholapur from this tax. I am inclined, purely from the Finance Department's point of view, to agree with the honourable member that it would have been much better to extend this Bill to the whole of the presidency. However, that was not the policy of Government, and it is not for me to criticise it. But, obviously, from the point of view of revenue, it would have been much better to extend it.

As the Honourable Member said, the other portions and the other article are merely to extend the new duties on conveyances to transfers of leases. Transfers of leases already pay the same duty as conveyances, and by including that in this Bill transfers of leases will now pay the same duty as conveyances within the same area.

Rao Bahadur G. V. PRADHAN: Sir, I must confess that when I sent in the amendment, it was not quite clear to me whether Bombay was paying more than the rest of the presidency. Now, I find that it is so paying. Bombay is paying a duty on conveyance as laid down in this Bill, which other cities, Poona, Karachi and Ahmedabad are not paying. If that had been sufficiently clear to me, then my amendment would have been in a different form. The intention of the amendment was not that what Bombay is paying should be reduced; the intention really was that the other three cities should not be brought to the same level as Bombay by this Bill.

So far as this tax on conveyances is concerned, I have once drawn the attention of the House to the fact that the Taxation Enquiry Committee is very much against this tax. They say that the tax at present levied in India is one and a half times what it is in England and thrice what it is in the United States of America. They have, therefore, recommended that this tax should be reduced as early as possible. This being the recommendation of that committee, this House will be well advised at least not to increase the tax, if it cannot reduce it. It was from that point of view that the amendment was moved. I would again appeal to the Government benches to find some way, if necessary, by means of an

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amendment to this amendment, by which Bombay will pay the tax that it is paying now, and at the same time the tax will be reduced in the case of Poona, Ahmedabad and Karachi.

The Honourable Sir GOVINDRAO PRADHAN: That is not the proposal now.

Mr. PESTANSHAH N. VAKIL (Ahmedabad City): Sir, I am partly forestalled by the honourable member (Rao Bahadur Pradhan) in his reference to the Taxation Enquiry Committee. If I mistake not, the same authority has recommended that this form of tax should be reserved for "local authorities" i.e. mofussil municipalities and district local boards. With their slender resources those public bodies are not in a position to undertake improvement schemes. If I remember aright, one of the city municipalities did apply to Government for permission to allow it to impose this 2 per cent. extra duty on transfer of property. This and similar requests were invariably turned down by the Bombay Government. One by one we have been appropriating sources of revenue which really should belong to the mofussil municipalities. I may also add the instances of the entertainments tax and the tax on passengers. These are also not permitted to be levied. The Bombay Government have gradually been throwing out their tentacles in fields which mofussil municipalities may appropriately claim as their spheres of influence.

Sir, it will be news to many to hear that Poona is a thriving commercial city. That has fallen from the lips of my honourable friend Rao Bahadur Angadi. There is only one solitary mill there, which I am told is in a state of suspended animation. On the other hand there are about half a dozen mills in Sholapur which may be considered to be a thriving industrial town. Similarly, Sir, I do not think my honourable friend is acquainted with the conditions in Gujarat. Viramgam, for instance, and Surat, and such like places, though not very wealthy, are thriving industrial towns and are fairly well off. And the contention is perfectly justifiable that the Government will not stop short at these four cities as there is nothing to prevent them from throwing out their nets wider and wider in years to come. It is, therefore, up to the representatives of all cities, who represent the interests of the people of urban areas to consider very carefully the implications of this tax.

The Honourable the Leader of the House, if I mistake not, referred to the capacity of the payees; he thereby meant to convey that this tax would fall on the shoulders of the rich. Sir, by looking into the table I find that even conveyances of Rs. 300 are brought within the scope of the duty. Is it suggested that it is only the rich who are concerned with these transactions of Rs. 300, Rs. 400 or Rs. 500? It could hardly be so. I am sorry, Sir, the Government have all along been treating very lightly the contention of this side of the House that the taxable capacity of the people has been reached. With their unlimited resources in men and money, why do they not undertake an authoritative enquiry into the condition of the people? This sort of enquiry is not going to be a wild goose chase if its scope can be limited to certain selected areas, typical

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districts. The other day, my honourable friend Rao Bahadur Naik submitted certain figures regarding his own district and threw a flood of vivid light on the condition of the people in that locality. Government, I submit, should, to begin with, undertake an enquiry in that locality and refute the arguments urged by the honourable member that the taxable capacity of the people of his district has been reached." At present we really do not know whether it has in fact been reached or not. But surely it is up to Government, when they ask for sanction for increased taxation, to convince us that the taxable capacity has not been reached. I appeal to the Honourable the Finance Member to seriously consider this suggestion and set up an enquiry at an early date.

Mr. G. S. GANGOLI (Kanara District): Sir, I rise to support my honourable friend Rao Bahadur Pradhan. I submit that some way should be found out by the Government benches. The honourable member the Finance Secretary said that the increase is only two per cent. But when I compare the rate at page 71, "Four rupees eight annas," with the rate at page 80, "Rs. 8-8-0," I find that there is a difference of Rs. 4. When I first moved an amendment that this part also of the Bill should be for one year, I think some members on this side were rather negligent and they threw out my amendment. But this part alone happens to be the permanent portion of the Act.

I find also that there was no member in the select committee from Ahmedabad, Poona and Karachi. I really think that they have a grievance. The Government benches should remedy the evil if they can do so. If the Chair permits, I want to move an amendment. My amendment would be—

> Add the following proviso to article 23:
> "This article shall apply to the City of Bombay only."

Rao Bahadur B. R. NAIK (Surat District): Sir, I do not belong to any of the places which are going to be affected by the extension of stamp duty on conveyances and bringing them in line with Bombay, namely, Ahmedabad, Karachi or Poona. I rise to get some enlightenment from the Honourable the Finance Member. When the Stamp Act was revised in the year 1926 by this House, the values of property were higher than they are to-day and the people were in a more prosperous condition than at present. These three cities were not then thought fit to be brought under the rates applicable to Bombay. I would like to know from the Honourable the Finance Member why they are being brought under the enhanced rates to-day. It has been argued on the floor of this House times without number, and it has been admitted also by the Honourable the Finance Member, that owing to the trade depression, property values have gone down considerably. When values have depreciated, I do not understand how property can bear further taxation in the form of enhanced conveyance duties. People are not selling their properties for making profits. Most of the people on account of indebtedness have to convey their properties to the sowkars or money-lenders. Ultimately, therefore, this tax, whatever the increase may be, will fall on the debtors,

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that is, the poor people. I, therefore, think, Sir, that the time is not opportune for extending the enhanced duties to these three cities. I again say I would like to know why they were not brought into operation in 1926 when the act was revised and why they have been thought fit to be brought in line with Bombay. The commonsense viewpoint is that when the values of properties appreciate Government should get some advantage on the unearned increment, but when the values depreciate Government should try to reduce the conveyance charges.

The Honourable Sir GOVINDRAO PRADHAN: Sir, the present amendment seeks to omit article 23—Conveyances—from clause 18. At present in Bombay City we are having an increased duty on conveyances. The acceptance of this amendment will mean that the revenue which we are getting to-day will be lost. I cannot understand for a moment how, if the object of the honourable member is that there should be some differentiation between Bombay and other cities, such an amendment will serve that object. The effect of this amendment will be actually to put Government to a loss instead of giving them any revenue.

Mr. L. R. GOKHALE: Is there not a provision in the existing Act about the City of Bombay itself? There is an increased scale of taxation given in the Act as it now stands.

The Honourable Sir GOVINDRAO PRADHAN: Clause 19 of the Bill repeals it.

Mr. L. R. GOKHALE: So far as this clause is concerned, if that is changed, then the object will be served. That is why my honourable friend Rao Bahadur Pradhan or Mr. Gangoli is going to move an amendment. The object of the amendment is to keep the rates in Bombay City unchanged.

The Honourable the PRESIDENT: The position must be understood. Clause 19 says: "The Indian Stamp (Bombay Amendment) Act, 1926, is hereby repealed." So, if this amendment is carried and clause 19 is retained, Government would lose what they are now getting.

Mr. L. R. GOKHALE: In order to save Government from losing what they are now getting, an amendment seeking to delete clause 19 may be moved and accepted.

Rao Bahadur G. V. PRADHAN: That clause 19 will have to be struck out so that the Act of 1926 will not be repealed.

The Honourable the PRESIDENT: Yes; that would be the correct position.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I am not prepared to accept this position, namely, that these three cities should not pay anything in excess of what the mofussil cities are paying. These three cities which have been selected ought to pay something more for conveyances than the other cities are paying. Whether they should pay as much as Bombay City, is the only question.

Mr. PESTANSHAH N. VAKIL: Why should they pay?

The Honourable Sir GOVINDRAO PRADHAN: That is another matter. Because we want revenue, to be plain. There is an amendment that the rates for Bombay should be higher. There is an amendment that they should be 1½ times those prevailing in mofussil cities. That would be some reasonable proposition. But I am not prepared to concede the position that the same stamp duty for conveyances should be levied in these cities which is levied in mofussil towns.

Question put, and negatived.

The Honourable the PRESIDENT: The next amendment stands in the name of the honourable member Rao Bahadur Pradhan. He wishes to alter the figures in that amendment. I give him permission to do so. He will move the amendment as altered.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, I move:

"In Part V, clause 18, sub-clause 23, the rates mentioned in the Bill will be applicable to Bombay only, while for the remaining three cities, i.e. Poona, Ahmedabad and Karachi they shall be as follows:—

	Rs.	a.	p.
Where it exceeds Rs. 200 but does not exceed Rs. 300 ..	6	4	0
Where it exceeds Rs. 300 but does not exceed Rs. 400 ..	9	0	0
Where it exceeds Rs. 400 but does not exceed Rs. 500 ..	11	4	0
Where it exceeds Rs. 500 but does not exceed Rs. 600 ..	13	8	0
Where it exceeds Rs. 600 but does not exceed Rs. 700 ..	15	12	0
Where it exceeds Rs. 700 but does not exceed Rs. 800 ..	18	0	0
Where it exceeds Rs. 800 but does not exceed Rs. 900 ..	20	4	0
Where it exceeds Rs. 900 but does not exceed Rs. 1,000 ..	22	8	0
and for every Rs. 500 or part thereof above Rs. 1,000 ..	11	4	0"

The Honourable Sir GOVINDRAO PRADHAN: On what basis has the honourable member calculated the figures? We shall have to work them out. [*After an interval.*] May I make a suggestion, Sir? We shall have to work out the figures. We have now calculated the duty on this basis: the duty in the island of Bombay is 2 per cent. in excess of the duty charged in the mofussil. I said I am prepared to give a concession of 50 per cent.; that will be 1 per cent. more in the case of the three cities than the duty which is levied in the mofussil, and the Schedule can be worked out accordingly. The Bombay duty will remain the same. My Secretary is working out the figures.

Rao Bahadur G. V. PRADHAN: We can adjourn till 5 o'clock in that case, Sir.

The Honourable the PRESIDENT: The honourable member Rao Bahadur G. V. Pradhan may move his amendment now.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, I beg to move:

In Part V, in clause 18, in item 23, before the word "where," where it occurs for the first time insert the words "for the City of Bombay." After the words "and for every Rs. 500 or part thereof in excess of Rs. 1,000.....Rs. 17-8-0," add the words "for

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the cities of Ahmedabad, Poona and Karachi.'] Where the amount or value of the consideration for such conveyance as set forth therein

	Rs.	a.	p.
exceeds Rs. 200 but does not exceed Rs. 300	6	8	0
exceeds Rs. 300 but does not exceed Rs. 400	9	0	0
exceeds Rs. 400 but does not exceed Rs. 500	11	8	0
exceeds Rs. 500 but does not exceed Rs. 600	14	0	0
exceeds Rs. 600 but does not exceed Rs. 700	16	8	0
exceeds Rs. 700 but does not exceed Rs. 800	19	0	0
exceeds Rs. 800 but does not exceed Rs. 900	21	8	0
exceeds Rs. 900 but does not exceed Rs. 1,000	24	0	0
and for every Rs. 500 or part thereof in excess of Rs. 1,000	12	8	0

Question proposed.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I may tell the honourable House that there was an addition of 2 per cent. for all the towns, but if the desire of the House is that the same rate should be for Bombay as well as for the three towns, Government will be right glad to have them, but then as there was a feeling in the House that the three mofussil towns are getting an addition of 2 per cent. but that there should be an addition of only one per cent. and not two per cent., that is why those figures were worked out. But I plainly tell this House that Government do want more revenue, and if it is the desire of the House that the rates which are prevalent in Bombay which we are not prepared to reduce should be the rates for the three mofussil towns which are included in the Bill, Government will not accept this amendment.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Sir, I wish to move an amendment to the amendment that the rates for the City of Bombay also should be the same as have been proposed——

The Honourable the PRESIDENT: That will not be allowed as it will require the sanction of His Excellency the Governor.

Rao Bahadur R. S. ASAVALE: It is certainly strange that the honourable members representing the mofussil should come here and agree to increase of rates in Bombay and try to get lower rates for the mofussil——

The Honourable Sir GOVINDRAO PRADHAN: I rise to a point of order, Sir. If it is sought to lower the rates which are now prevalent in Bombay, the honourable member will have to obtain the sanction of the Governor under section 80C of the Government of India Act.

The Honourable the PRESIDENT: Yes, I have already told him that.

Rao Bahadur R. S. ASAVALE: I am not going to propose that, but I say, Sir, that the honourable members coming from the mofussil appear to be against the interests of the Bombay City——

Honourable MEMBERS: No, not at all.

Rao Bahadur R. S. ASAVALE: They are, because at present the increase in duty is to be 2 per cent. in the City of Bombay——

The Honourable Sir GHULAM HUSSAIN: It is already there.

Rao Bahadur R. S. ASAVALE: It is not existing, but it is——

The Honourable the PRESIDENT: That is not the position. The clause having been restricted to the mofussil, there is an amendment which is in order, and the Honourable the Finance Member is agreeable to accept the rates as proposed by the honourable mover of the amendment.

Mr. G. L. WINTERBOTHAM: If the House wants it.

Rao Bahadur R. S. ASAVALE: I beg your pardon, Sir. I do not wish to propose any amendment to the amendment.

Mr. G. L. WINTERBOTHAM: There is no amendment moved yet.

The Honourable the PRESIDENT: It has been moved and I have just read it out.

Mr. G. L. WINTERBOTHAM (Bombay Chamber of Commerce): Sir, I oppose this amendment, and I am also strongly opposed to the attitude of the Honourable the Finance Member in this matter, because there has been already a discussion in the select committee, and yet, without consulting anybody in the select committee, merely because three voices have been raised on the other side of the House, the Honourable the Finance Member gives away further revenue which is badly needed by Government. The principle of this Bill is bad to start with, but the principle as accepted by this House was to make the same rates applicable to the four cities alike. That principle is now being abandoned for no reason that I can understand. I entirely fail to understand the differentiation between Bombay and Ahmedabad, and as far as I can understand, the whole opposition is being engineered by my honourable friend from Poona who feels that his particular city is being hardly treated. I strongly protest against this and I hope every Bombay member will vote against the amendment. I also hope that all members of the select committee will protest against this attitude of Government in going beyond the considered recommendations of the select committee for no reason at all.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Sir, I would like to know from the Honourable the Finance Member the amount of revenue which will be lost if this amendment is accepted by the House.

The Honourable Sir GOVINDRAO PRADHAN: I think it will be about 2 lakhs.

Mr. HOOSENALLY M. RAHIMTOOLA: Yesterday, the Honourable the Finance Member fought tooth and nail when an amendment was moved to reduce the rate of electricity duty from 6 pies to 4 pies. He said Government could not afford to lose 2 lakhs of rupees. Now, I do not understand what has made him change his mind with regard to this amendment. I do not know whether it is because he comes from Thana. [*Laughter.*]

The Honourable Sir GOVINDRAO PRADHAN: Thana is not included.

Mr. HOOSENALLY M. RAHIMTOOLA: He wants to give away these 2 lakhs of rupees. Sir, whereas the electricity duty is going to fall on all people, rich, poor and middle class, this stamp duty is going to fall only on landlords and not on others. I do not therefore understand why this amount should be given up, and why this distinction should be made between Bombay and other cities in the Presidency.

Then, I would like to know further from you, Sir, as to why you say that an amendment to bring the duty for Bombay down to the same scale as is proposed for other cities in the Presidency would be out of order, because, if you are of opinion that the sanction of His Excellency the Governor is necessary, I beg to submit that in the past it has been ruled that any amendment for giving lesser revenue to Government does not require the sanction of His Excellency the Governor.

The Honourable the PRESIDENT: No, no.

Mr. HOOSENALLY M. RAHIMTOOLA: For increasing the revenue asked for by Government it requires the sanction of His Excellency the Governor.

The Honourable the PRESIDENT: The amendment to the amendment suggested was to reduce the existing revenue. By the Act a certain rate is levied. To reduce that requires the sanction of the Governor.

The point is this, and I am glad of getting this opportunity of explaining the position: If the honourable members remember, I think it was last year in the Budget session that the honourable member the Finance Secretary raised a point of order on the ground that the existing rate can neither be increased nor reduced without sanction. A ruling of my predecessor was referred to, and I gave a ruling that it could be done, holding the sanction given to the Bill as a comprehensive one. Afterwards, I came to modify my view after consulting various authorities on the point. The principle is this: By an Act on the Statute Book, revenue is already being raised up to a certain rate. That is the existing revenue. An amending Bill is brought up to raise it, say, by 50 per cent. An amendment to lower it from 50 per cent. to 40, 30, 15 or 1 per cent. would be in order. But if the amendment goes beyond that, and lowers the existing rate which is charged under the Act, that would be out of order.

Mr. HOOSENALLY M. RAHIMTOOLA: You, Sir, are now making a distinction between existing rates and the proposed rates in an amending Bill. That is the distinction you make. My impression is that, on former occasions your predecessor had ruled that, when Government bring in any Bill, the House is seized of it, and it can do what it likes with it, provided that in a Finance Bill it cannot raise the rates proposed by Government without the sanction of His Excellency the Governor, but in lowering the rate or in giving Government lesser revenue than they asked for, the House was entitled to do it without the sanction of His Excellency the Governor.

The Honourable the PRESIDENT: If it is an amendment to lower the revenue that is asked for in a Bill, that would be in order, but any

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amendment proposing to give to Government lesser revenue than the existing revenue would be out of order without the requisite sanction of the Governor. That is the ruling. The point of order raised by the Finance Secretary in the last budget session was perfectly correct.

Mr. HOOSENALLY M. RAHIMTOOLA: Then, I oppose this amendment.

Rao Bahadur G. K. CHITALE (Ahmednagar District): I am sorry, Sir, that the honourable member for the Chamber of Commerce (Mr. Winterbotham) was not in the House when it was remarked in the open House that none of the members from Poona, Ahmedabad or Karachi was on the select committee. Naturally, therefore, in the select committee the view which was wanted to be pressed on the attention of the whole of the committee went by default. When that point was made, it was pointed out that it was necessary to ascertain the views of those honourable members. It is not true, I may say, that the honourable member for Poona City (Mr. Gokhale) took the slightest part in this amendment; if any party is guilty, I plead guilty to the charge. I suggested yesterday that in order that we may have this taxation on the lines of least resistance, it is necessary to square up, as far as possible, the differences of opinion; and whatever the interests of Bombay and other mofussil towns may be, I believe the honourable member for the Bombay Chamber of Commerce or, for the matter of that, the honourable member representing the Bombay Mahomedans will not insist upon this distinction of Bombay *versus* the mofussil. I would appeal to them to take up their stand on higher ground, and that higher ground is certainly logical and very consistent. The Honourable the Finance Member rightly pointed out that this tax, which is considered to be a tax on the transfer of property, obtains in Calcutta, Madras and Bombay, but not in the mofussils of any of those Presidencies, and I may also say, speaking from memory, that even in Calcutta and Madras the pitch of the assessment is not 2 per cent. It is much lower. The Taxation Enquiry Committee examined this source of revenue, and in their report they have stated that this taxation differs so widely in all the civilised countries, because in America, which is perhaps the richest country on the face of the earth, this taxation is much less than 2 per cent.

Mr. G. WILES: It does not exist at all.

Rao Bahadur G. K. CHITALE: I am told it does not exist at all there. Therefore, we are on this ground of logic and consistency.

For the first time this House wants to see that the mofussil towns are touched by this taxation. In other Presidencies, this tax does not affect the mofussil areas at all. Therefore, in the Bombay Presidency, if they are to be touched, then they must be touched on the lines of least resistance. It was because of that that I tried to find out a *via media* between the Government benches and this side of the House, an office which is usually avoided, and I suggested to the honourable mover that, if the Honourable the Finance Member had no objection, to move it

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himself. It is under these circumstances that this amendment is being moved.

Now, Sir, we have to see whether on the merits we ought to support this amendment. You cannot support the Government proposal only on this ground, that because Bombay pays a higher rate, others also shall pay a higher rate. That will be too narrow a ground. That will stiffen the opposition of this side not only to this question but to all other questions. Of course, we on this side may think "Now that Government have got so much, we do not mind if they get this also. Let us be reconciled to our bad luck." But that does not mean that we have given up the fight. We do say most emphatically that it does not matter if by their vote and the weight of their opinion the Bombay members insist upon forcing this taxation on these mofussil towns, when, as a matter of fact, Government are in a position to conciliate us. But that will be a very strong ground for us on other occasions to see whether we also cannot combine in the same way in any legislation whenever it comes before us. I should think, Sir, that it is a wrong attitude of mind altogether. I remember myself being chided by the Honourable Sir Ibrahim Rahimtoola when I made the point that Government had been spending more on Bombay rather than on the mofussil. He appealed to me for once, and since then I have not opened my lips on that point up till this time. No doubt, Sir, phrases are used sometimes, and sometimes speeches are made without the slightest intention or motive of that character. But the moment it is known that in a Finance Bill or taxation measure, the Government benches being very strong, are insisting on their proposals, we deprecate that attitude, and if they are able to carry their proposal with the help of the Bombay vote, they may do so, but let them understand that in future, even in a small matter, whatever it is, we will tooth and nail oppose it, whether it is good or bad. Is that an attitude which it is desirable to be taken up in this House?

Coming to the question under discussion, can you at all compare the rich city of Bombay with the cities of Ahmedabad, of Poona, or Karachi?

Rao Bahadur R. S. ASAVALE: Ahmedabad is richer than Bombay now.

Rao Bahadur G. K. CHITALE: Suppose I concede that Ahmedabad is equal to Bombay, what ground have you to say that Poona is equal to Bombay? On what ground do you say that Karachi is equal to Bombay? [*Interruption.*] In Karachi perhaps there are large European interests, but I have myself seen Karachi, and it is as bad as ever. Well, Sir, the point is that even for the city of Poona, if you agree that it is not so rich as the two other cities, why should it be brought in line with them? But this is the attitude which Government themselves are taking. They have made up their mind, and now they want to change——

The Honourable Sir GOVINDRAO PRADHAN: No word was given. I said if such a proposal is made, it may be considered. Those are my words.

Rao Bahadur G. K. CHITALE: I have something more to say, and I will do it after the tea interval.

(After recess.)

Rao Bahadur G. K. CHITALE (Ahmednagar District): Mr. President, I was just narrating to the House the way in which this particular proposal came to take a shape. While this proposal was being discussed, the Honourable the Leader of the House suggested to me whether this particular amendment would meet the wishes of this part of the House. [*An Honourable Member*: "Private talk?"] After that was done, it was pointed out to me that a certain scale which was suggested by the honourable mover in regard to article No. 23 which stood in his name had been withdrawn. He did not press it to a division to which he was entitled. As a compromise, later on, a higher figure was suggested and the Honourable the Finance Member accepted it. After that a little hitch arose. The Honourable the Finance Member suggested even a still higher figure and pointed out that it worked out to 1 per cent. and not 2 per cent. It is under those circumstances, this amendment comes before the House.

I was for taxing forward transactions. I am one of those who think that it is a legitimate source of revenue to Government. As a matter of compromise, that tax was given up by the select committee. We would have been justified in tabling amendments so that the proposal may be discussed, because I was not satisfied with the reason that was given, namely, that no satisfactory definition of "forward transaction" could be devised. Having regard to the weight of opinion that was brought to bear on the Honourable the Finance Member in the select committee——

Mr. G. L. WINTERBOTHAM: May I know whether it has got anything to do with the amendment before the House?

Rao Bahadur G. K. CHITALE: I do not want this distinction to be made between the presidency town and the mofussil. That is the point made by the honourable member representing the Chamber of Commerce (Mr. Winterbotham). I am pointing out that we are not going on that proposal. I am putting it to the honourable member for the Chamber of Commerce whether he is right in attacking the Government in that way. I am absolutely sure that the House will sympathise with the position of the Honourable the Finance Member when he had to run down these taxation proposals which were not liked by the House, even by the European members on the other side. For all the reasons I have given, I expect the Honourable the Leader of the House to give effect to the compromise which has been accepted by Government. It is, after all, a question of Rs. 50,000 or a lakh of rupees. But I should like to see that there is no distinction made between the mofussil and Bombay, so that it may not be trotted out in this House. I hope, Sir, better sense will prevail.

Rao Bahadur S. K. BOLE: Mr. President, I rise to oppose the amendment. Some Maharashtrians want Maharashtra to be made into a province and the city of Poona aspires to be its capital. Then, the city of Karachi is going to be the capital of Sind, when it is made into a separate province——

An Honourable MEMBER: May I know how it is relevant?

Rao Bahadur S. K. BOLE: My honourable friend Mr. Kadri the other day pleaded that Ahmedabad should be made the capital of the Bombay Presidency. When these cities aspire to be the capital and deprive the position of Bombay, it is quite fair and just that they should be prepared to bear the brunt of taxation equally with Bombay. They want ghee; they do not want *badga*. That is very absurd. Besides, now-a-days Ahmedabad has become richer than Bombay. [*An Honourable Member:* "Certainly not."] The mills there are making huge profits and it is very difficult for the Bombay millowners to make both ends meet. Under these circumstances, I oppose the amendment.

Dr. J. A. COLLACO (Bombay City, South): Sir, I am sorry that this amendment has created such a lot of heat. I do not see why Bombay should pay more than the other cities. The honourable member stated that Bombay is a rich city. A few years ago Bombay was a very rich city. But the Congress by its constant boycotts and hartals and by closing the different exchanges has driven the trade to other centres. Its mill industry has been driven to Ahmedabad and its imports and exports to the Karachi and Kathiawar ports. So, Bombay from its position as the first city in India has now gone down to the fourth city.

The honourable member has thrown out a threat that at any future time the mofussil members may combine against Bombay. We are here very few city members and we are always at the mercy of the mofussil members, but we expect them to do justice! Justice demands that all the cities should pay equally. I do not think there is any difference in the matter of transfer of property between one city and another. The tax is on the value of individual property; wealth or poverty of a city has nothing to do with it. I hope for this reason the honourable mover will withdraw his amendment.

Mr. A. N. SURVE (Bombay City, North): Sir, I am trying to pour oil on troubled waters. The amendment that has been moved draws a sort of distinction between the city of Bombay on one side and the cities of Karachi, Ahmedabad and Poona on the other. In this connection I wish to appeal to the local sentiments of the members representing the mofussil constituencies here. If you take into account the customs revenue you will find that the prosperity of Bombay has been diverted to Karachi and other ports. Take for instance the city of Ahmedabad. The textile industry of Bombay is being invaded by the textile industry of Ahmedabad. If the honourable members want to draw any distinction, it is but fair that they should come to the rescue of Bombay. I have pointed out in this session how Bombay has fallen from its premier position. Therefore, my submission to them is that they should not draw this distinction. If they persist in that, the result will be that the prosperity of Bombay will still more be involved and the fall of Bombay will be hastened. Therefore it is up to them to come to the rescue of the city of Bombay. As a matter of fact, during my speech on the Finance Bill, during this session, I have quoted figures from statistics and pointed out the actual revenue Bombay city alone contributes as its share to the provincial revenue.

The Honourable the PRESIDENT: The honourable member may be reminded that there is no question of the rescue of Bombay before the House.

Mr. A. N. SURVE: I am making an appeal to the sentiments of——

The Honourable the PRESIDENT: That point, namely, that the duty on Bombay should be reduced, is not before the House.

Mr. A. N. SURVE: That is exactly what I say. They want that the duty on those growing cities should be reduced, whereas the duty in Bombay should remain as it is. Therefore, I am trying to show that they are hastening the fall of Bombay. On those grounds I have already stated and on the facts and figures I have already quoted, Bombay city contributes a very great share to the revenues of Government.

There is another point. There is some dispute between the city of Bombay and Government. In 1926, it was pointed out in the course of the debate that the income from the duty on transfer of property should be earmarked for the local bodies. I appreciate that the Honourable the Finance Member is anxious to repeal this Act and incorporate it in the General Stamp Act. The result of that action will be this. At present there is a doubt whether the revenue coming out of this transfer of property duty should be a municipal revenue or a Government revenue.

The Honourable the PRESIDENT: All this is irrelevant.

Mr. A. N. SURVE: I will finish——

The Honourable the PRESIDENT: Cannot be allowed to finish anything irrelevant. The honourable member may proceed to speak on the amendment. The amendment is whether the mofussil cities should be taxed or not.

Mr. A. N. SURVE: I will finish in a few minutes.

Therefore, my submission is that there should be no discrimination in the matter of taxation. I oppose both the amendment and the clause in the Bill.

Mr. V. N. JOG (Dharwar District): Sir, I am sorry that this discussion has taken an altogether wrong turn. There is no question of our doing any injustice to Bombay. We would have welcomed it if the same scale of tax had been made applicable to Bombay. But as a point of order has been raised that we cannot reduce the existing revenue, our hands are tied, and, therefore, we have moved this amendment to reduce the taxation with respect to other cities. We do not want to discriminate against Bombay, but it is not open to this House to reduce the duty at this stage. Therefore, I appeal to the honourable members representing Bombay not to go against the mofussil because they themselves are not getting any benefit. There are cities and cities, and when Poona has been selected I do not know why it should be selected. As has been stated by the honourable member representing Poona, Poona has not got any commerce or industry, although it may be more populous than the other towns. Therefore, the question should be decided on its merits. Perhaps Ahmedabad is a rising and a rich city. But Bombay should

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not say that because they are not getting the benefit therefore the other cities should not get the benefit.

In regard to the argument about the loss of revenue, I would point out that in the case of the Court-fees Bill we have by common consent amended article 11 of the Schedule increasing the rate of duty on properties of the value of Rs. 50,000 and above, from 3½ per cent. to 4 per cent., although when the Bill was sanctioned by the Government of India the rate was only 3½ per cent. Thus, we gave more revenue to Government than what they had asked for, and no objection was raised then. Therefore, the Honourable the Finance Member should not go back on his promise. The rate for Bombay will be maintained as at present, and Bombay members should not be ungenerous to the other parts of the Presidency.

Mr. PESTANSHAH N. VAKIL (Ahmedabad City): I thought, Sir, that my honourable friend Rao Bahadur Chitale deserved the best thanks of every member of this House for his gallant attempt to put the discussion on the high pedestal on which it should be, but I am afraid that his noble appeal has fallen on deaf ears and the discussion has degenerated into a battle between the cities. Sir, as consciously or unconsciously a red-herring is sought to be drawn across the trail, I take this opportunity of making things clear. So far as the Bombay members are concerned, they may be given distinctly to understand that the proposed amendment is not going to affect Bombay at all. Bombay does not stand either to gain or to lose by the passing of this amendment. Bombay has been paying the increased scale of duties for several years past, and the Government now want to bring the three mofussil cities within the purview of the Act; that is to say, they want the three cities to be placed on the same level as Bombay. Those of us who represent these three cities took the opportunity of pointing out that the people of those places are not able to bear this extra burden. The Finance Member was kind enough to take that protest into consideration. Then the pistol was held to his head because he had not consulted the members of the Select Committee, as if the Honourable the Finance Member is bound to consult all the members of the Select Committee on every occasion and as if there is a constitutional practice whereby he has got to consult the Select Committee on the departure he deems it expedient to make on certain occasions from the recommendations of the Committee. He was kind enough to consider the request of the mofussil members to the effect that if the three cities must needs be made to pay, that payment must be gradual. The city of Bombay has been paying the two per cent. extra duty on transfer of property, and it was suggested to the Honourable the Finance Member that the rate for the three cities should be one per cent. extra. To all intents and purposes, if I am not wrong, he distinctly accepted the amendment. But the honourable member representing the Bombay Chamber of Commerce held out a threat that if he did that he would withdraw the support of his group, and the Honourable the Finance Member began to wobble. I am of opinion, Sir, that the concession he was on the point of making was a triumph of moderation and, I am

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afraid, he will be doing less than justice to himself if he now resiles from that attitude of conciliation which he had previously assumed. The least he can now do is to see that the members on the Government benches do not vote if this is taken to a division. [*An Honourable Member*: "Why should they not support?"] He should insist on his word being honoured. Sir, I need not point out that the deliberations of this House were postponed for fully half an hour and intricate calculations were gone into. Were all these things done for the mere fun of it? No. It was absolutely obvious that the amendment was accepted and what remained was merely a matter of calculation; there were some slight errors here and there which had to be put right. It is not proper for the Finance Member at this stage to leave the whole thing to the vote of the House simply because a threat has been held out.

Now, Sir, comparisons are always odious. The members representing Bombay are justified in taking up the cudgels on behalf of Bombay. But the interests of Bombay are not at all threatened. However, conceding for the moment that they are threatened, they should look upon the mofussil towns as their younger brethren. After all, what are Poona, Ahmedabad and Karachi as compared with Bombay, a city whose streets are paved with slabs of gold [*Laughter*], a city whose palatial buildings rear their heads to the skies, a city whose shop-windows are the wonder of the mofussilites? Does it lie in the mouths of the citizens of that city to say that they are poorer than Poona? Poona depends for its present prosperity on the adventitious aid of the sojourn of Government officers. [*Interruption*]. Whatever it may be, take away this six months' residence of Government from Poona, and Poona will be reduced to a third-rate city. [*Honourable Members*: "Poona races."]

Sir REGINALD SPENCE: Sir, does the honourable member from Ahmedabad echo the wish of a certain citizen of Ahmedabad that this magnificent city with its wonderful shop-windows should disappear beneath the seas for the benefit of Ahmedabad?

Mr. PESTANSHAH N. VAKIL: Sir, the sooner that impression is removed the better—that Ahmedabad wants to prosper at the expense of Bombay. No, Sir. As has been pointed out by my honourable friend Dr. Collaco, due to special circumstances and the inroads Japan has been making on the mill industry of Bombay, Bombay has been gradually losing ground. Ahmedabad has nothing to do with the ills and miseries of Bombay. The market is wide enough for both. [*Honourable Members*: Oh!] It need not be stated on the floor of this House that all the Indian mills put together supply barely 50 per cent. of the total requirements of India. So, there is field enough both for Ahmedabad and Bombay, and half a dozen other cities into the bargain. It is not Ahmedabad which is to blame for the misfortunes of Bombay.

I still repeat that after having assured us that the amendment of the honourable member Rao Bahadur Pradhan was acceptable to the

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Government benches, it will not be decent for the Honourable the Finance Member to disappoint us. We repeat that the people in these three cities are really poorer than the poor of Bombay, if there is any degree in poverty. But if extra taxation must needs be imposed it must be gradual. Bombay, I repeat, is not going to be affected one way or the other whether the amendment is accepted or not. Bombay will stand where it is, and I cannot understand why the members representing Bombay are so anxious to make us comrades in misfortune.

Mr. J. S. KADRI (Northern Division): Sir, I am very much surprised at the attitude of some of the honourable members in dealing with this question. I wish extraneous matters were not imported into this question, which ought to be judged on its own merits and from a broad statesman-like point of view. As pointed out by the previous speaker, no invidious comparison should be made between Bombay and other cities. Bombay is the premier city of the Presidency enjoying special privileges. Of course, Ahmedabad is a progressive city, but compared to Bombay, it stands rather low in regard to numerous amenities which Bombay enjoys at present through the munificent patronage of Government. If the honourable members choose to compare Ahmedabad with Bombay and give credit to the latter as being superior to Bombay in commercial and other matters, I should indeed feel myself proud of the compliment. But as matters stand, Ahmedabad is labouring under various disadvantages and drawbacks, which are the outcome of no fault of hers but the result of the partial treatment meted out to Bombay at the expense of Ahmedabad and other cities of the presidency. Ahmedabad had had no Back Bay and Development Schemes and Improvement trust, on which crores of rupees have been sunk in Bombay and for the financial consequences whereof the whole Presidency has been held responsible. If it were not for Bombay we would not have been under the painful necessity of considering so much extra taxation for the presidency. I think Bombay is chiefly responsible for the financial ills and misfortunes of the Presidency and it is, therefore, meet that Bombay should not grudge other cities like Ahmedabad the little prosperity, which they have built up by dint of their honest and hard labour. If Bombay mills are not thriving, it is the fault of their management. Ahmedabad is noted for the thrifty and sagacious management of its mills, and I think Bombay will do well to copy the example of Ahmedabad, if it is to prosper in respect of its textile industry. It is the careful, hard and honest work and shrewd business methods of the mill managers of Ahmedabad, which have brought about the prosperity of its textile industry, while it is the extravagant ways and slack supervision of the mill managers of Bombay, which are mainly responsible for their gradual degradation and decline.

On the other hand, Sir, the mofussil cities which are not yet mature in their trade and industries should not have their future advance to prosperity blocked by heavy extra taxation. Ahmedabad City is already overtaxed, and we find there hundreds of people who are unemployed and living from hand to mouth. During recent years, of course, Ahmed-

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abad is making rapid strides in commerce and trade; but I think Bombay should be glad to see it thrive along its own lines and thereby help Bombay in an indirect way by stimulating her import and export trade. Bombay should try to follow in the footsteps of Ahmedabad and copy the economic ways of its business men, in order to rise in the scale of prosperity.

Mr. G. L. WINTERBOTHAM: May I ask the honourable member on a point of information whether it helps the trade of Bombay for Ahmedabad to import cotton through Bhavnagar?

Mr. J. S. KADRI: That is a question of Customs and freight for the Imperial Government to decide. If it were in the power of this Government, I think they would have certainly devised some means to stop it, but Bombay should thank herself for this state of affairs.

The point I wish to stress is that the people of Ahmedabad are already overtaxed, and I think the same is the case with the cities of Karachi and Poona too. These cities cannot be fairly compared with Bombay so far as financial and economic conditions go. Ahmedabad is also very hard hit at present by the Congress movement. As a matter of fact, it is the home of that movement, and I think hundreds of its merchants are very hard hit by the troubles created by the Civil Disobedience and boycott movement.

Rao Bahadur S. K. BOLE: The Congress is on the contrary helping the millowners of Ahmedabad.

Mr. G. L. WINTERBOTHAM: Is it not a fact that there are five new mills building in Ahmedabad?

Mr. J. S. KADRI: Yes, but several mills are also going into liquidation. I think the honourable member Mr. Pestanshah Vakil will bear me out, when I say that there are various concerns in Ahmedabad, which are going into liquidation and there are hundreds of properties which are being sold day by day, of which you can find ample evidence from the records of the Sub-Registrar of Ahmedabad.

What I mean to urge is that if the proposed amendment is not carried, the result will be that there will be extra duties imposed on middle class and poor people, whose properties are being sold for debts which they have incurred. The poor people will in the long run suffer. A point has been made that this tax will fall only on the rich. That is not correct. The extra taxation will really fall on the shoulders of those who are not able to bear it under the present economic depression. I beg to urge that this aspect of the question should not be lost sight of and due justice should be done to the cities which come in for extra taxation for the first time. I think the House should take a broad and liberal view of the whole matter and should not grudge a little concession in the proposed rates for the three cities, which has been accepted so discreetly by the Honourable the Finance Member. The Finance Member deserves to be congratulated on his spirit of conciliation and compromise. I think he is justified in moderating or lowering down the high rates of duties which are proposed to be imposed on the

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three cities. With these words, I request this section of the House to go in solidly for this amendment, which is not likely to meet with favourable reception at the hands of the other side.

Sir REGINALD SPENCE (Bombay City): Sir, may I appeal to the House and to the Honourable the Finance Member in a spirit of conciliation that he should conciliate Bombay and should not differentiate between Bombay city and other cities?

The Honourable the PRESIDENT: Before I allow other honourable members to speak, I must point out that honourable members get up and bring in extraneous matters. The question here has nothing to do with the prosperity or otherwise of Bombay. The question before the House is, why these three cities should not be equally taxed with Bombay, and if the tax is to be reduced, the reasons therefor.

Mr. HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu): I rise to support the amendment moved by my honourable friend Rao Bahadur Pradhan. I congratulate the Honourable the Finance Member for his wise decision in modifying the Select Committee's report in differentiating Bombay city from the other three cities. If the original amendment before the house was carried, Government would have lost more revenue.

The honourable members from Bombay opposed the amendment and said that the other cities should pay equally with Bombay. I ask honourable members to compare the prosperity of Bombay with that of other cities, Karachi, Ahmedabad and Poona. I have seen Poona, I have seen Ahmedabad and I live in Karachi. From my experience I can without hesitation say that Bombay is more prosperous than the other three cities. The earning capacity of Bombay is greater than any of these three cities. If the mofussil merchants make a profit of ½ anna to one anna on every rupee, Bombay merchants make a profit of 2 annas and 4 annas in every rupee. If a house fetches a rent of Rs. 5 in Karachi, a similar house would fetch Rs. 10 in Bombay. So also in the case of doctor's fees, pleader's fees and every other income in Bombay it is three times more than other places. From this it is clear that Bombay is far more prosperous than any of the three cities.

When I moved an amendment to omit clause 16 altogether, no Bombay member supported me. If my amendment had been accepted, this question of differentiation would not have arisen at all. When an exemption of 15 units was asked for, all the Bombay members voted for an exemption of 12 units. They do not mind getting their city heavily taxed, as they do not want to displease the Government. Bombay members say, let us die and make others widows.

I ask my honourable friend Mr. Winterbotham: what harm is there in giving this small concession to the poor cities of Karachi, Ahmedabad and Poona? It is said that on account of the reduction in the rate Government will be losing 2 lakhs. Had the amendment of the honourable member Rao Bahadur Pradhan been carried in the house Government

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would have lost a revenue of Rs. 10 lakhs, but the Honourable Finance Member did a wise act whereby Government should feel thankful to the House for having given them a revenue of about 10 lakhs and they should not grudge a concession of 2 lakhs. I hope the amendment will be supported by the whole House.

Khan Bahadur M. A. KHUHRO (Larkana District): Sir, I want to say just a few words in favour of the amendment. I am one of the members of the Select Committee and I certainly do not maintain that it is in any way derogatory to the position of the members of the Select Committee if Government accept any amendment by way of compromise. This is not the first time that an amendment by way of compromise has been accepted by Government. There have been many instances before. Even in the case of the present Bill yesterday's experience shows that Government do adopt such an attitude when it is considered necessary. I do not think that the European group of this honourable House or other members belonging to Bombay like my honourable friend Mr. Hoosenally Rahimtooola are justified in opposing this amendment. It is very clear indeed, and it has been repeated by so many honourable members in their speeches that there is a very great difference between the prosperity of the city of Bombay and the prosperity of other cities which are now being taxed. This is the first time we are applying this tax to these cities. Therefore, when we are applying a new measure of taxation to these cities, it is but fair that we should go slowly. We should start with the minimum. The Honourable the Finance Member has no objection to this amendment. It is really unfair that the representatives of the city of Bombay should take such an attitude and try to increase the taxation in respect of other cities. If they continue to adopt such an attitude in this House, I am sure the city of Bombay will suffer and suffer heavily. It is better always to work in a spirit of conciliation rather than adopt such an antagonistic attitude against each other in such times. I therefore appeal to the honourable members representing the city of Bombay not to adopt such an attitude. Government have no objection to this amendment. No honourable member should, in fairness, oppose this amendment.

Mr. M. M. KARBHARI *rose.*

The Honourable the PRESIDENT: I think the discussion should stop now.

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Only three minutes, Sir.

Sir, I believe there is one important factor which this honourable House has forgotten. The reason why they should support this amendment is this: whereas Bombay is simply a commercial and industrial city, it should not be forgotten that Ahmedabad, Karachi and Poona, though they are industrial towns, have their own talukas and their own villages from which Government derive a large portion of their revenue by way of agricultural assessment. That is a material distinction which this House should understand. That is why a distinction in this

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particular form of taxation should be made between Bombay and other towns of the mofussil. I hope the Honourable the Finance Member will give due consideration to the amendment that has been moved, and I am sure that the honourable member representing the Bombay Chamber of Commerce (Mr. Winterbotham) will also use his judgment and advise the Honourable the Finance Member to accept this amendment.

Mr. G. L. WINTERBOTHAM: It has been my experience many times that the Honourable the Finance Member never accepts my advice.

Dr. M. K. DIXIT: Please withdraw your threat.

Mr. G. L. WINTERBOTHAM: I have made no threat.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, I am extremely sorry that the way in which the discussion has been drifting has put the whole question and the real question as a side issue. If honourable members will look at the original amendment as tabled, they will see that I had absolutely no idea of making any distinction between Bombay and other cities. In fact I am connected more with Bombay than with other cities like Karachi, Ahmedabad or Poona. I have no interest whatever in those three cities which are sought to be protected. On the contrary, so far as Bombay is concerned, it was Bombay where I was educated and it is Bombay which I love most, but that is not the question before us. The amendment, as it had been put, had some difficulties. In fact, if the honourable members of this House were in a mood to reduce the tax on these conveyances all through, then there was the amendment of the honourable member Mr. Gokhale from Poona, but that amendment was lost and lost without a division. That opportunity having been lost, the next best had to be taken up and the next best was the amendment I had tabled in the beginning. Before I could reach that amendment, it was brought to my notice that that amendment stood the chance of being ruled out of order inasmuch as it seeks to reduce the taxation in Bombay to a level which is even below the present level. If that is so, then I was perforce obliged to accept a suggestion that Bombay may remain where it is, if the other cities at least be taxed less. It is not a question of my leaving Bombay or leaving any other places to be taxed as Government liked, but I was compelled by circumstances, namely, the possibility of my amendment being out of order, and in deference to that possibility I had to leave Bombay where it was, and not seek to tax Bombay more than it is being taxed now, and to seek redress for other cities at least. That was the position. That position having been gone into, the next difficulty that arose so far as the amendment that was tabled was concerned, was that for the first figure, namely, Rs. 8-8-0 I had tabled Rs. 4-4-0. It was brought to my notice that the mofussilites pay Rs. 4-8-0, and am I going to reduce that to Rs. 4-4-0 for Bombay and the other cities? That difficulty was placed before me. I had confessed even in the beginning that at the time when these amendments were tabled, I had not seen the special Bombay Act of 1926 nor was it brought to my notice by anybody, and it was therefore that the amendments were put up in the way in which they appeared on the original agenda. These

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circumstances having been now before me, there was no other alternative but to accept such an amendment which would be amenable to most of the members of the House, and everything you know is not decided on the floor of this House, but there are other means as well, such as "give and take" that is being done everywhere and at all times. I had suggested a table which was found to be wrong in some respects. The other side was consulted. The other side said that a certain table would be more amenable to them, and I was perforce obliged to accept that amendment. As I said, things are not always decided on the floor of this House, and the word given outside the House and the word which we have given from this side ought to be respected, as, if there is no respect for that word, the difficulty will be, never again shall any Government be respected at any time so far as their words go. We also have to see the same thing. If our party gives its word, that word must be respected.

I only speak on one more point, and it is this, namely, the difficulty of taxing Bombay and not taxing mofussilites. That difficulty did occur during the last year and may occur again. But, I may assure you all that this part of the House had never consented to any taxation, on Bombay or in the mofussil, to the charas taxation and the opening of bucket shops. Of course those things were passed, and you ought not to suggest that the motive behind these amendments is the motive of taxing Bombay more than other cities or districts. That is not really the motive. The motive is to tax the presidency as little as possible and in the best way possible, and if that is the motive, it is from that point of view that this amendment has been tabled. My Bombay friends need not be angry with me. I could not help them on account of certain technical difficulties. If I could not help them on account of my inability, they should not blame me. On the contrary, when I saw that I could not help the Bombay city, I said I might at least help the other three cities. That is the only position I could take and which I have taken.

Sir, I again move the amendment with a fervent hope that the misunderstanding caused in this debate should be left aside, the only question before us being as to whether the amendment which was semi-officially accepted at one time should be accepted by the whole House without a division as it seeks to reduce some tax.

The Honourable Sir GOVINDRAO PRADHAN: Sir, I think I should make the position of Government quite clear and as to what actually happened. The position of Government has been repeatedly stated to this House that not only they need all the taxation which they can get out of this Bill, but they still want more money for which they shall have to borrow. That has been repeatedly made clear. It is not in the hands of Government to pass any Bill. It is in the hands of this honourable House to decide. So, if Government want more money and if the honourable members of this House are ready to give it, there is no reason why Government should refuse it, because they want it.

The honourable member from Ahmednagar wanted the Honourable the Leader of the House to state what actually happened by his own

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mouth. What happened was that when the amendment was under discussion, he approached the Honourable the Leader of the House and made a certain suggestion, and that was put to me by the Honourable the Leader. The first suggestion was that it should be 50 per cent. for the mofussil rates, then the next suggestion was that it should be 1 per cent. and in the beginning I stated that I should never for a moment accept for these three cities the same rates which apply to the mofussil cities, otherwise there is no reason why the Transfer of Property Act should be extended to those cities. So I submit, Sir, this amended proposal was brought and calculations were asked to be made, and naturally the honourable members thought that the Government were going to accept this amendment. But it is not in the hands of Government, otherwise Government would have brought some other finance bills and would have levied taxation according to their sweet will, but it is for the honourable House to decide.

Then the honourable member for the Bombay Chamber of Commerce (Mr. Winterbotham) said that the honourable members of the select committee ought to be consulted. That is not the correct position. Members of the select committee are not consulted before anything is accepted because every taxation is a matter of give and take. When yesterday I moved an amendment which was against the recommendations of the select committee, I myself thought that the select committee had gone wrong in my humble opinion and that I should raise the duty on suits for amounts from Rs. 5,000 to Rs. 10,000. But all the same when the honourable members of this honourable House are anxious to supply funds which Government are in so much need of, I do not think that Government will be well advised to throw away that money. So I submit, Sir, in that case my clear duty here is to vote against the amendment and to support the original proposal.

Question put, The House divided. Ayes, 46; Noes, 41.

Division No. 9.

"Ayes"

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ALLAHBAKSH, Khan Bahadur
ASAVALE, Rao Bahadur R. S.
BALOCH, Mr. HAJI MIR MAHOMED
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH.
CHITALE, Rao Bahadur G. K.
COOPER, Khan Bahadur D. B.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
GANGOLI, Mr. G. S.
GHULAM NABI SHAH, Khan Bahadur
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
JOG, Mr. V. N.
KADRI, Mr. J. S.
KALEHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
MEHTA, Mr. M. H.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
OWEN, Mr. A. C.
PATEL, Khan Bahadur A. E.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PRADHAN, Rao Bahadur G. V.
RESALDAR, Mr. A. K.
SHAIKH ABDUL AZIZ, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.

"Ayes"—contd.

SINDHA, Mr. MADHAVSANG JOBBHAI	THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
SURVE, Mr. V. A.	TOLANI, Mr. S. S.
SYED MIRAN MAHOMED SHAH	VAISHAMPAYAN, Dr. N. G.
TALPUR, MIR BANDEH ALI KHAN	VAKIL, Mr. PESTANSHAH N.

Tellers for the Ayes: Mr. PESTANSHAH N. VAKIL and Rao Saheb P. D. KULKARNI.

"Noes".

ADVANI, Mr. P. B.	MCELHINNY, Mr. G. W.
BELL, Mr. R. D.	MITCHELL, Mr. H. C. B.
BOLE, Rao Bahadur S. K.	MODAK, Rev. R. S.
BOWERS, Mr. P. L.	MODI, Sardar Davar T. K.
BRANDER, Mr. J. P.	MONTEATH, Mr. J.
CLAYTON, Mr. H. B.	PERRY, Mr. E. W.
COLLACO, Dr. J. A.	PETIT, Mr. J. B.
DAVIS, Mr. G.	PRADHAN, the Honourable Sir GOVINDRAO
DESAI, Rao Saheb B. G.	PRATER, Mr. S. H.
D'SOUZA, Dr. J. ALBAN	RAFIUDDIN AHMAD, the Honourable Sir
FREKE, Mr. C. G.	RAHIMTOOLA, Mr. HOOSENALLY M.
GHULAM HUSSAIN, the Honourable Sir	ROOSE, Mr. F. O. J.
HADDOW, Mr. R. R.	SOLANKI, Dr. P. G.
HUDSON, the Honourable Mr. W. F.	SPENCE, Sir REGINALD
HUMPHREY, Mr. JOHN	THOMAS, the Honourable Mr. G. A.
JITEKAR, Mr. HAJI IBRAHIM	TURNER, Mr. C. W. A.
JONES, Major W. ELLIS	VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
KAMBLI, the Honourable Dewan Bahadur S. T.	WADKE, Mr. B. P.
LANE, Mr. C. M.	WILES, Mr. G.
MACLACHLAN, Mr. D.	WINTERBOTHAM, Mr. G. L.
MATCHESWALLA, Mr. G. E.	

Tellers for the Noes: Mr. S. H. PRATER and Mr. P. B. ADVANI.

Clause 18, as amended, ordered to stand part of the Bill.

Clause 19 (*Repeal of Bom. II of 1926*) ordered to stand part of the Bill.

The Preamble ordered to stand part of the Bill.

The Honourable Sir GOVINDRAO PRADHAN: With your permission, Sir, the third reading of the Bill will be moved to-morrow, as some consequential changes have to be made.

BILL No. II OF 1932 (A BILL TO EXTEND CERTAIN PROVISIONS RELATING TO INTESTATE AND TESTAMENTARY SUCCESSION OF THE INDIAN SUCCESSION ACT, 1925, IN ITS APPLICATION TO THE PRESIDENCY OF BOMBAY, TO CERTAIN COMMUNITIES).

The Honourable Sir GOVINDRAO PRADHAN: Sir, I introduce Bill No. II of 1932 (a Bill to extend certain provisions relating to intestate and testamentary succession of the Indian Succession Act, 1925, in its application to the Presidency of Bombay, to certain communities).*

The Honourable the PRESIDENT: The Bill is introduced.

First Reading.

The Honourable Sir GOVINDRAO PRADHAN: Mr. President, I beg to move the first reading of Bill No. II of 1932 (a Bill to extend certain provisions relating to intestate and testamentary succession of the Indian Succession Act, 1925, in its application to the Presidency of Bombay,

*Appendix 19.

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to certain communities). In moving the first reading I have to make a few observations as regards the present state of the law and the way in which it makes a differentiation as regards the tax according to race, religion or locality.

The assets in India of Europeans, Eurasians, Armenians, Jews and persons of foreign domicile have to pay duty, whether there is a will or not and whether they seek the aid of the court or not in establishing any right to any property. The estates of Parsis are liable to stamp duty whether there is a will or not, and the estates of the Indian Christians when there is a will and where a right is sought to be established in a court of law.

As regards the Hindus, under the Hindu Wills Act, if there is a will made in Bombay or if there is a will relating to parties situated in Bombay, it has got to be admitted to probate before any right to such a will is established. The estates of Mahomedans, whether they die testate or intestate, and the estates of Hindus to which the Hindus Wills Act does not apply, and the estates of the Indian Christians who die intestate pay no duty. The exemption as regards the Indian Christians for intestacy is granted under the Indian Christian Administration of Estates Act VII of 1901. There are certain other Acts like the Succession Certificate Act of 1889, which contain provisions which are intended to facilitate the collection of debts and to offer protection to parties paying these debts to representatives of the deceased persons. In this Presidency also there is Bombay Regulation VIII of 1827, which offers an alternative to probate or letters of administration or a succession certificate. There are several other different Acts passed for the purpose of representation for deceased persons, such as the Government Savings Bank Act of 1873, the Post Office Cash Certificate Act of 1917, the Provident Funds Act of 1897, the Imperial Bank of India Act of 1920, the Indian Companies Act of 1930 and the Indian Securities Act of 1920. They are intended to enforce representation indirectly, as under them the production of a probate or letters of administration can be insisted upon as a condition precedent to the making of any payment. These different anomalies were noticed time after time, and they have been forcibly brought to the notice of the public in the report of the Indian Taxation Enquiry Committee, and in order to bring about a change, so that all the different communities may be treated as far as possible on an equal level, the Indian Succession Act is sought to be amended. By the amendment it is not obligatory for the other communities, who are sought to be brought under the purview of the Act, to obtain probate or letters of administration in each and every case. It is only when a person goes to seek the aid of the court with regard to the property of any deceased person that the court will refuse to pass a decree unless a probate, if there is a will, or letters of administration with or without the will annexed, is produced. In such cases the defendants never pay any duty. It is only when you figure as a plaintiff in a particular case and you seek the aid of the court that it becomes necessary for you to produce such probate or letters of administration. Even now, by the different

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enactments to which a reference has been made, in several cases, in order to establish representation to a deceased person, a succession certificate or an heirship certificate or letters of administration have to be produced. This differential treatment based on race, religion and place has been commented upon on several occasions, and the object of this Bill is to remedy this difference or discrimination.

As this is a very simple matter, it is not intended to send the Bill to a select committee, and if the House permits the first reading to go through, it is intended to take it through all the three readings at this session.

With these words, I move the first reading of the Bill.

Question proposed.

Rao Bahadur R. R. KALE (Bombay University): Sir, I rise to oppose the first reading of this Bill. I do not wish to make a long speech, because I feel that the time of the House need not be taken up with a discussion on this matter.

In the first place, this Bill seeks to impose a duty which really has been never imposed so far. The honourable mover of the Bill said that there have been various enactments like the Regulation of 1827, the Succession Certificate Act, and so on. But the very fact that those various enactments were passed from time to time limiting the operation of the succession duty to particular cases is evidence to show that the wholesale levy of a duty on succession or inheritance was never approved by the Government, and the reason of that is very clear. I shall only content myself with stating what the reason is. The rule which is enacted under section 212 of the Indian Succession Act is that no right to any part of the property of a person who has died intestate can be established in any court of justice unless letters of administration have first been granted by a court of competent jurisdiction; and there follows the second clause which says:

"This section shall not apply in the case of the intestacy of a Hindu, a Mahomedan, a Buddhist, a Sikh, a Jain, or an Indian Christian."

That rule is founded upon the English law of personality which never recognised the heredity of property. So, under the English law, on the death of a person intestate, his property was taken charge of originally by the Crown and then by the Church, whose duty was to appoint some person to administer the property. This duty is now carried out by the Probate Division of the High Court in England. So, in every case of intestate death, if it is necessary to deal with the deceased's property, an administrator representing it has to be first appointed; whereas, Sir, that principle does not apply to a Hindu, a Mahomedan, a Buddhist, a Sikh, a Jain or an Indian Christian. The reason for such exemption is the fact that under the personal law of all these communities, upon death the property of an intestate person passes by succession to his heirs and does not go abegging for a representative, so that the creditor can follow such property in the heir's hand, and is not put to the necessity of securing representation for the intestate's property. That is the fundamental principle on which this succession duty was not

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levied on the property of persons who died intestate and who belonged to the various faiths. That being so, for the first time in the history of this country I should say, an attempt has been made to make an encroachment on the personal law of Hindus, Mahomedans, Buddhists, Indian Christians, who are named here. In the first instance it is an all-India question. If at all this legislation is to be undertaken, it must be an all-India legislation. I do not mean to say that this House is not competent to undertake this legislation, because under the Devolution Rules power has been given to it. In order to keep uniformity in a matter of so vital an importance, I do feel that it should have been the Indian legislature which should have undertaken this duty and not the local Council of this Presidency.

Besides, this Bill differs from the other Bills which were brought in this House, in that this is going to be permanently put on the statute book. The reason given for the introduction of this Bill is that the finances of the Bombay Presidency require more money. This is not merely an emergency Bill, but it is going to be placed on the statute book permanently. As I said I do not want to take much time of the House. I am opposed to the principle of the Bill. May I appeal to the communities who are not at present exempted, to think that if they were in our position, would they like their personal law of property to be encroached upon for the sake of finance? I know that money is needed, but when it becomes a question of affecting personal law relating to property of certain communities, how would they like an encroachment of that right? It is in that light that this measure should be looked at. This Bill or rather a part of it which is now put before the House was included in a Bill which was published a year ago but was not put before the House. Last time when the Bill was before the House in another form, it was rejected. That having been rejected, this fresh attempt, which stands on almost the same footing as the two previous Bills, will not, I am sure, meet with any success at the hands of this House.

The Honourable the PRESIDENT: If it is the desire of the House that they should speak, I hope they will be short in their speeches and help in saving the time of the House.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, you will remember, Sir, that this measure was before this honourable House last session, when all of us had the opportunity of expressing our views thereon, either for or against it. It was on that occasion, Sir, that I felt and said that, so far as the principle underlying the Bill was concerned, there was nothing inherently wrong in it and that this honourable House should readily accept the proposal. It was, however, unfortunately rejected, for reasons which are already well-known. It has now come to us again in another form, but with the object of attaining the same purpose. My appeal to this House to-day, is therefore on the same lines as the one that I made then, because the facts and the reasons are still the same. I do not understand why there should be so much opposition to the principle underlying the Bill. Having very carefully

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followed the objections that were raised against it on the last occasion, as also the speech that has just been delivered by my honourable friend, the member for the Bombay University (Rao Bahadur Kale), I feel bound to assert that I do not find a single valid argument advanced therein in justification of the opposition, except perhaps the ground of "*personal law*", which has been urged for the first time to-day and repeatedly emphasised by the honourable member for the University, with some semblance of reason.

Let us now pause for a moment and examine what this argument amounts to. First of all, it is difficult to understand what he means to convey by the expression "*personal law.*" My information is that lawyers disagree as to the exact significance of this expression, as applied to this practice. I am not a lawyer myself and am therefore unable to put my own interpretation on it. But I would like to ask my honourable friend, the member for the University, who is himself a practising pleader of long standing, what it is exactly that he means by this expression. Honourable members of this House may be perfectly certain that it is not "*religious law*" that is meant; for, if it had been meant and could have been substantiated, a shrewd and experienced lawyer like him, would have been the first person to say so and make capital out of it for bolstering up his case. The mere fact that he has not done so, is proof positive that there is no such justification. It is clear from the context of his speech, that by "*personal law*" is only meant, a law that has the sanction of custom and has been enjoyed by certain communities to the exclusion of others, by virtue of such practice. At any rate, we are entitled to come to this conclusion in the absence of any proof, conceding to this expression, religious sanctity or superior status of any other kind. Shorn of all its verbiage, this claim of "*personal law*" has therefore neither the sanctity of religion nor the sanction of equity, to justify it. In a word, this argument accordingly boils itself down to a claim based merely on long and undisputed practice.

Judged from this standpoint, I do not see why certain charges, leviable in the shape of probate duties and fees on letters of administration, should be paid by everybody in the land, except the members of the two communities concerned. I cannot understand why the Hindu and Mahomedan communities should be exempted from the payment of these taxes, when everyone else is subject to them. Under one and the same Government, there cannot be two laws for the same purpose, one applicable to one set of people and a different one to another. We are to-day living in the 20th century; and still it is amazing that such strenuous opposition should be levelled against such a simple measure on such grounds as have been advanced. There is no reason why a practice which was established years ago, should still continue under altered conditions and be perpetuated for all times. I cannot understand how this Bill can be held up and opposed, merely because it happens to run counter to what is loosely described as "*personal law*", but what at the same time, by inference, is sought to be invested with the dignity of a religious injunction. I fail to see the force of the expression "*personal*

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law"! and how it can over-ride the law of the land. If there is no justification in equity for the existence of such a practice, why should this honourable House give it the sanction of law? If it is not a religious injunction, why should it accord to it the immunity which religious tenets and practices usually get under British rule? If it is now sought to remove this anomaly, why should there be so much feeling on that point? At one time, it was urged that the property of a deceased person was transferable to the heirs under their respective religious codes in certain fixed proportions; and that therefore any endeavour to compel them to take out probates or letters of administration, was contrary to their religious tenets and would hurt their religious susceptibilities. But it was then clearly proved that such a ground had no foundation in fact, that members of these communities could and did as a matter of fact make wills and dispose of their properties differently, that the direction if any in the religious codes was merely optional, and that therefore the argument was wholly untenable. It was also proved that numerous members of both these communities had on various occasions, of their own accord, paid probate duties and taken out letters of administration to suit their convenience. That argument has therefore not been advanced this time and appears to have been wisely abandoned, perhaps because it was realised that it was untenable. If it is not "*religious law*"—as, under these circumstances, it cannot possibly be,—then it cannot command, even in this country, the sanctity that religious law does, and is consequently not entitled as such to any special consideration at the hands of this honourable House. It is thus clear that it is sought to be justified and perpetuated for all times, only on the grounds of practice and custom. It is for this honourable House to consider and examine the reasonableness and justice of this claim and to decide accordingly. If considered in the light of justice and equity, I have no doubt in my mind as to the answer that this honourable House should give to this attitude.

Coming to the provisions of the Bill, there is nothing unfair or inequitable in them; and nobody can blame the Government for the same. The Honourable the Finance Member has told us that he is not making the provisions of the Bill compulsorily applicable to all those who, rightly or wrongly, are exempted at the present moment. I do not agree with him in this leniency; but, at any rate, those who oppose this measure, cannot complain of it. According to him, it is only when there is some dispute and the matter goes to a court of law, that the provisions of the Bill are to apply; and either a probate has to be taken out or letters of administration obtained. Ordinarily, properties could be transferred as now, to the names of the heirs, and no difficulty would arise, except of course in cases where the help of the law-courts is sought, under which circumstance they would refuse to interfere unless the provisions of this Bill were complied with. Personally, I think the Bill does not go far enough; and this concession emasculates it still further. But that being the intention, the opponents of the Bill at least ought to be grateful to the Government for the same. Indeed, if anything, this attitude of the

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Government takes away all the force of the opposition and of any justification, however feeble, that they may have had at one time in putting up a fight for the perpetuation of what they call "*personal law*". But if even this indirect and halting application of the ordinary law to the members of the Hindu and Mahomedan communities is resented and blocked by them in this manner, then good-bye to all reforms on modern and progressive lines.

Let us now consider the Bill from yet another point of view. The opponents of this measure seem to forget that at present even the members of the Hindu and Mahomedan communities, when transfering their properties during their life-time, pay the necessary fees thereon according to the laws of the land. If they transfer shares, they have to pay transfer-fees and stamp charges on them. If they transfer landed properties, they have to do likewise. Is there any special reason then why they should not do so when they die and when their properties are transferred ? I frankly confess that I see none.

Under all these circumstances, I think this honourable House would be perfectly justified in accepting the principle underlying this measure and passing its first reading. I have accordingly much pleasure, not only in supporting the motion for the first reading but also in asking the House to do likewise.

Mr. H. C. B. MITCHELL : Mr. President, Sir, the honourable mover of this Bill stressed the view that it was a taxation Bill,——

The Honourable Sir GOVINDRAO PRADHAN : I said that it would also equalize the practice for all communities.

Mr. H. C. B. MITCHELL : —— but I do want to ask the honourable members of this House rather to regard it as a Bill of progress in the communities which are going to be affected. Now, Sir, this is dealing with probate and administration. A very large number of the honourable members of this House, I believe, do not understand what exactly it does mean. I have some experience of these two transactions, and I have found even people of our own profession who do not rightly understand the effect. The grant of probate or administration does not alter the personal law or alter the succession at all. As regards probate, it is true that a court does declare a will valid. But administration does not alter it at all. All that is done under these two documents is : the court creates a manager for the property and sees that there is somebody who is responsible to see that the property is, first of all, collected, afterwards paid to the creditors and paid to the right heirs. The administration has to be done according to law and it has to be done according to the personal law. But the obtaining of administration by anybody does not mean that they are entitled to the property ; all it means is the court authorizes them to see that the property goes to the proper hands. So, there is no infringement of the personal law at all. I want to stress that because the honourable member opposite (Rao Bahadur Kale) said that it was an infringement——

Rao Bahadur R. R. KALE: I quoted from a decision of the High Court that it is an infringement.

Mr. H. C. B. MITCHELL: I still say, Sir, that it is not an infringement of the personal law in spite of what the honourable member says. It is simply creating a proper channel through which the property can be administered.

I want the honourable members to realise what is the effect of taking this grant. I say, Sir, that it is an enormous advantage to the people who have to obtain it. If this Bill were making it compulsory to take a grant out on every death, I would welcome it. What is the position if you do not take a grant? What protection have the heirs or the successors? They have absolutely none. I feel sure that a very large majority of the members of this House have seen cases where there has been no grant and where somebody else has unauthorizedly administered the estate and has had the money and not the heirs. Now, if in the case of a probate, as I said, the will is sought to be made authentic and the court authorizes the executor named in the will to administer the estate, that is the wish of the deceased; but it does not necessarily mean that the property under the will should not be administered under the law. It merely says that this is the man who administers the estate. With regard to letters of administration, where there is no will, the court goes one step further and takes an administration bond. If the heirs do not get the money, not only can they sue the administrator and recover the sum, but if they cannot recover they have the security of bond. It is an enormous protection to the heir, and the heir, as we all know, is very often an infant or a widow or somebody who is not strong to enforce a claim. When they get this protection from the court they are better off. I ask honourable members of the communities affected to think that they are better off too. Are their children not going to be better off if they have a properly appointed manager to manage the estate; are they not more likely to get the money?

As regards the taxation, it is a very, very small duty. The court performs a function and you pay for it, and it is really worth it. So much for the heirs.

What about the creditors? As a commercial community, as a community depending on trade, are we not in a better position if there is money owed, to know whom to sue, and if money is owing, to know whom to pay? Take the case of a debtor who has got to pay his debt to the heir. He does not know the position and pays it to the man who comes to him and says, "I am his son; I want the money." He pays off. What happens when the true heir comes along? He has got to pay again. The position is that you can only do without a grant in a primitive society. If you have a very simple community in a small village, they all know each other's position better than the people themselves. They are prepared to take the risk of paying somebody whom they know to be the heir or who they think ought to be one. They take the risk and pay the money. But the moment you begin to get dealings with people outside, they do not know who the heir is; they are not prepared to take the risk. And when you go to big commercial cities, you find that these communities

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have to take out letters of administration. If they own shares, if they have got a bank account, the banks are not going to take the risk of transferring accounts or the Directors of a Company shares to people who do not take out letters of administration or probate. I know the communities in the mofussil are primitive; but are not they going to progress? And this is a step of progress which helps. Take the case of land which passes through inheritance. If it passes through inheritance without letters of administration it is worth less than otherwise. It spoils the value of the land. That is particularly the case in the joint Hindu family. It is the same with Muhammadan properties which are inherited without proper letters of administration. It frightens the purchaser and he won't pay its worth. I have experience; I have to handle these estates and I know. It does affect the value of the land. This Bill tends to encourage people to take out letters of administration and this is a definite step of progress.

Then I come to another point which is important. I have never had to practise outside Bombay, and I do not know the procedure outside. But how are courts going to get through their work if a defendant suddenly calls on the plaintiff to prove that he is the heir?

Rao Bahadur R. R. KALE: In case of shares etc. the law is already applicable.

Mr. H. C. B. MITCHELL: On a simple question of a debt in the mofussil you can raise a preliminary issue: is this the right heir? The judicial time wasted to settle this must be enormous. I must admit that I do not know about the practice in the mofussil, as I have never practised there.

Rao Bahadur R. R. KALE: Unless the certificate is produced, the court won't proceed. The law is already in force.

Mr. H. C. B. MITCHELL: The point I want to make is this: what is the duty you are going to pay? Two per cent. What is it, compared to the protection that is going to be given to the heirs and the community at large? I am trying to make it clear that it becomes most extraordinarily difficult if you have no proper proof of succession. Lack of title, lack of stability. You do not know who is the successor to a man. No proper means either to pay or to receive. The personal laws are tremendously intricate. The personal law of succession is different, quite apart from the mysterious question of the Joint Hindu family. You go into the question of Hindu female succession, Muhammadan succession and Parsi succession, which I defy any ordinary laymen to understand at all. And all that is overcome by the simple method of asking somebody who has been appointed by the court to take out letters of administration or probate, and the protection afforded is so great. I hope people will look at the Bill not as a Bill purely of taxation. I think people will appreciate that there is a great deal in the Bill besides imposing a tax. Governments in other countries have piled taxation on deaths enormously. That is not the case here. We are having a very small duty. I would particularly stress that the principle

[Mr. H. C. B. Mitchell]

of taking out probate or letters of administration is well worth the money, and any encouragement to do it is an encouragement to definite advancement in the progress of society. With these words, I support the Bill before the House.

Sir SHAH NAWAZ BHUTTO (Larkana District): Sir, I had no mind to take part in this debate, but my colleagues have insisted that I should say only a few words in order to make the position of Muslim members of this honourable House clear. Sir, it is very difficult for honourable members like Mr. Petit to realise our difficulties. It is only Muslims who know fully well their religion and the rights, privileges and the obligations of Muslims. The succession question, so far as the Muslim community is concerned, is governed by our Holy-Book and Muhammadan law is based on Shariat and the exceptional cases are governed by personal law, and it makes the case so clear that there is no difficulty whatsoever to avoid litigations. We cannot agree to pay for probate certificate, before one can be legally considered heir, when our Shariat entitles us automatically to succession. The particular difficulty with Muslims is that even their ladies and other different relatives are entitled to a share in property. Once a bill like this is passed, it will create such a complication that there will be bogus claimants springing up, unless one guards oneself by means of a certificate. Sir, we considered and reconsidered this Bill at a very great length, and at our meeting of Muslim party we decided unanimously that it would not be possible for the Muslim party to support this Bill. This is the third attempt Government have made, knowing fully well that all the non-official members whether Hindus or Muslims are opposed to this Bill. Government have before this brought forward this Bill twice with no better results and it was only in the interest of smooth sailing of other finance bills and harmony that Government were prevailed upon not to press this Bill. When, however, I approached the Honourable the Finance Member the other day with the mandate from Muslim party members, I am sorry to say that my request, which was in a very friendly spirit, made out of the best of motives, was misunderstood as a threat to Government—mind you, as a threat to Government—and perhaps that may be one of the reasons why Government have decided to insist on the introduction of this Bill. It was absolutely no threat of any kind, it was the unanimous decision of the Muslim members of the Muslim party and I only went to convey it and to request the Honourable the Finance Member not to make our position difficult with our constituencies, as in these hard times people are not prepared to tolerate even the idea of fresh taxes, so that it should be easier for us to support the remaining Bill. However, we had to reconsider our decision realising our responsibility in the interest of good Government, finding Government in a hopelessly bad plight financially, and it was with very great persuasion that the Muslim members decided to deal with each Bill on its merits. But when we started with the second reading of Finance Bill, I was surprised at the changed attitude of the Honourable the Finance Member towards the members of other parties. He has made

[Sir Shah Nawaz Bhutto]

two or three bargains with them and effected a reconciliation. Why were their suggestions not taken as threats? When the Muslim members who were vitally concerned in this taxation and who knew that this Bill had not even a grain of chance to get through this House, approached the Honourable the Finance Member, he took their request as a threat? Whatever he may have thought then, he can feel the pulse and understand now that none of the non-official members—Hindus and Musalmans—of this House are inclined to support a Bill of this nature. We cannot take notice of the advice of the members who are not affected by this proposed measure; they should put themselves in our position and realise our difficulties. Perhaps they don't see eye to eye with us and are wrong in thinking that they can be more loyal and greater well-wishers to our children than we can. There is no need of advice and persuasion here. We do earnestly feel that we should go to the help of Government when their financial condition is so bad and when they need money so badly and we have given enough proof by supporting the finance Bill but at the same time Government should appreciate our difficulties as well. It is, however, a matter for keen regret that the Government could not find out some other kinds of sources of revenue in preference to the present Bill, when it would have been possible for us to help them and that they depend on the support of honourable members who are not concerned, have no interest and who are not to be affected by this measure which Government want to thrust and force upon an unwilling House. With these remarks, I oppose the motion before the House.

Dr. J. ALBAN D'SOUZA (Bombay City, South): Sir, I confess that I am rather surprised at so much being made of the infringement of personal law by the provision of the Bill now under discussion. I cannot help feeling that the fears expressed on this score are entirely groundless. It is up to this Honourable House to see whether the arguments that have been adduced are sound or not sound. Personally I do not believe that the arguments advanced against the Bill are convincing enough to induce me to vote against it. The question I wish to ask this Honourable House is: Are the personal laws of the various communities generally made applicable to them? For the information of the House I may be permitted to cite the instance of the Catholic section of the Indian Christian Community in whose case its marriage laws, to its utter discomfiture, are not personal to it.

Another ground put forward against the Bill is the question of prestige, prescriptive right and immemorial practice. An objection has been raised on this ground and it has been held that a change is not possible. Sir, there is a well known saying in Latin: "*Tempora mutantur et nos cum illis*," the English version of which is "Times change and we change with the times." [*An Honourable Member:* "We are not prepared to change."] The question, Sir, is not whether we are prepared to change. If the times demand the change we must be prepared to accept it. The times gone by were normal. The demand for a change did not arise. The present times are abnormal in the extreme. The demand arises as an urgent measure. It must be accepted. It is news to me, Sir, that

[Dr. J. Alban D'Souza]

the Indian Christian Community is in certain respects exempt from the measure now under discussion. We have been told that it is not applicable to Hindus, Mahomedans, Jains, Buddhists and Indian Christians. I am an Indian Christian and as such I am in certain respects exempt from the measure. Far from this being an argument upon which to base an opposition to the provisions of the Bill, I feel it provides a good reason for upholding the view I have expressed. I stand for fairness and justice. I would request this honourable House to look at this measure chiefly from this point of view.

Another point in favour of this Bill, as has been pointed out by the Honourable Finance Member in his speech introducing this Bill is, that it will not operate universally but only in such cases where the parties wish to go to Court in order to secure certain rights. It is obviously therefore a measure which in addition to securing to citizens certain advantages will also prevent frauds. I shall next refer to the strong argument put up by the Advocate General, when he spoke on this Bill when it was introduced on the last occasion. He said that when a transfer of property occurs during one's lifetime there is not the slightest hesitation or quibbling over the payment of fees and other dues as demanded by law. Why is it, he enquired, that after death of a party the inheritors feel the burden and create an uproar when a duty of the same kind is sought to be made ?

I think, Sir, this argument ought to prove convincing. We have no hesitation in paying a charge on transactions over properties, which we have possibly worked ourselves off to acquire. Why is it, I ask, when these properties are left as legacies, that there should be so much opposition to pay the same sort of charges on the part of those who have obtained these properties without having to work for them. I am in hearty agreement with the remarks that fell from my honourable friend Mr. Mitchell who implied that probate is for the purpose of establishing one's right in a Court of law. Wills may thereby be declared valid. It therefore appears that probate far from militating against personal law is only a hand-maid to it.

Rao Bahadur G. K. CHITALE: You have not understood him properly.

The Honourable the PRESIDENT: Order, order.

Dr. J. ALBAN D'SOUZA: Am I out of order again, Sir ?

The Honourable the PRESIDENT: Not this time.

Dr. J. ALBAN D'SOUZA: Sir, my honourable friend Sir Shah Nawaz Bhutto made a very impressive speech, and in the course of this speech he said that it is impossible for those who are non-Mahomedans—and I am one of that lot—to realise the intricacies connected with the Act of succession in their case, and he spoke about religion being implicated in the intricacies to which he referred. Here again, most probably, he was referring to personal law on which he took his stand. As I have

[Dr. J. Alban D'Souza]

indicated already, the personal law is there with the object of establishing his rights. Far from infringing it, it tends to support and maintain the force of personal law.

Now, Sir, another point I wish to refer to is that my honourable friend Rao Bahadur Kale said that it is not proper that this Bill should be introduced here as it is a measure that rests more with the Central Government than with the Local Government. My reply to this, Sir, is that inasmuch as the Local Government have the right to introduce the Bill and have done so for the definite purpose of raising funds to carry on the Government of this Province its introduction here must be held to be in order. [*Interruption.*]

The Honourable the PRESIDENT: Order, order. The honourable member must proceed without minding the interruptions. There are hardly a few seconds now left.

Dr. J. ALBAN D'SOUZA: These interruptions are certainly not mine. I have got only a few words to say. There is only one small point I would refer to.

We have been informed by this side of the House that this Bill is introduced as a permanent measure. The Honourable House ought to realise that it need not necessarily be a permanent measure, a measure that is going to last the lifetime of this Presidency. It is open to any honourable member to move an amendment limiting the life of the Bill to a year or two. I feel there should be no difficulty about this. The Honourable the Finance Member has clearly indicated that the Bill is introduced specifically for the purpose of meeting an urgent need. He should therefore have no objection to the limitation. With these remarks, Sir, I support the first reading of the Bill.

The Honourable the PRESIDENT: The House is now adjourned to 2 o'clock to-morrow, Friday the 18th March 1932.

MO Hb 227—6

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Friday, the 18th March 1932.

The Council re-assembled at the Council Hall, Bombay, on Friday, the 18th March 1932, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BALOCH, Mr. HAJI MIR MAHOMED
BANGI, Mr. A. K. J.
BELL, Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BOLE, Rao Bahadur S. K.
BOWERS, Mr. P. L.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHITALE, Rao Bahadur G. K.
CLAYTON, Mr. H. B.
COLLACO, Dr. J. A.
DAVIS, Mr. G.
DESAI, Mr. H. R.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOVER RORA, Mr.
HADDOW, Mr. R. R.
HUDSON, the Honourable Mr. W. F.
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KADRI, Mr. J. S.
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.

KARBHARI, Mr. M. M.
KHUHRO, Khan Bahadur M. A.
KIRKE-SMITH, Mr. A.
KULKARNI, Rao Saheb P. D
LANE, Mr. C. M.
MACLACHLAN, Mr. D.
MATCHESWALLA, Mr. G. E.
MCELHINNY, Mr. G. W.
MEHERBAKSH, Mr. S.
MEHTA, Mr. M. H.
MITCHELL, Mr. H. C. B.
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MONTEATH, Mr. J.
MORE, Mr. J. G.
NAIK, Rao Bahadur B. R.
NAVLE, Mr. N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATIL, Rao Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PERRY, Mr. E. W.
PETIT, Mr. J. B.
PRADHAN, the Honourable Sir GOVINDRAO
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SPENCE, Sir REGINALD
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr. G. A.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.

VAKIL, Mr. PESTANSHAH N.
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR.
VANDEKAR, Rao Saheb R. V.
WADKE, Mr. B. P.
WILES, Mr. G.
WINTERBOTHAM, Mr. G. L.

STARRED QUESTIONS AND ANSWERS.

LLOYD BARRAGE AT SUKKUR, TRIAL FOR OPENING CEREMONY.

*Mr. HAJI MIR MAHOMED BALOCH (Karachi City): Will Government be pleased to state—

(*a*) Whether their attention has been drawn to a letter published on the 5th page of the *Alwahid*, Karachi, dated 23rd December 1931, wherein a correspondent has reported that for experimental purposes the gates on the Bar on the Indus were closed to raise the level of water on the Bukkur Gauge so as to permit of water flowing into the Canals in connection with the opening of the Barrage by His Excellency the Viceroy ?

(*b*) If the reply to the above is in the affirmative,

(*i*) the number of persons injured in the course of the experiment of lowering the gates ;

(*ii*) the number of persons treated in hospital ;

(*iii*) the number of days of treatment ;

(*iv*) the number of persons who died of injuries ;

(*v*) the extent of damage done to the gates or masonry ;

(*vi*) the amount of compensation paid to the labourers so injured ?

The Honourable Sir GHULAM HUSSAIN: Sir, the honourable member's question is not correct. However, whatever the nature of the question, this is the modified reply which I wish to make :

There was no "experiment" of lowering the gates. What the honourable member presumably refers to was the accidental partial collapse of one of the counterweights. If this is the case, supplementary information is as follows :

(*b*) (*i*) The number of persons injured when the counterweight collapsed was 11.

(*ii*) Seven of the injured were treated as indoor patients in the Barrage hospital.

(*iii*) The period of treatment as in-patients is shown below :

1 man for 32 days,
1 man for 21 days,
1 man for 18 days,
1 man for 8 days,
1 man for 7 days,
1 man for 5 days.

(*iv*) No person died.

(*v*) No damage was done to gates or masonry.

(*vi*) The accident has not resulted in permanent injury to any of the above men and no compensation is payable, but all the above 7 men were paid hospital leave salary and the total payment on this account amounted to Rs. 60. All the men were re-employed on discharge from hospital, except No. 1 who was not discharged until after the work was completed and there was then no further need of his services.

KOLABA DISTRICT: AGRICULTURISTS AND RELIEF IN ASSESSMENT.

*Mr. N. N. PATIL (Kolaba District): Will Government be pleased to state—

(*a*) Whether it is a fact that there is a partial failure of rice crop in the Kolaba District generally and particularly in the Kharapat portion of the Alibag Taluka? If so, what is the percentage of failure?

(*b*) What relief in assessment they have given to the agriculturists of the District?

(*c*) Whether it is a fact that the prices of paddy have gone down by about fifty per cent. below the price on the basis of which the revision settlements in the various talukas of the District were made?

(*d*) Whether they intend to give any relief to the agriculturists of the District in regard to the assessment for this year?

(*e*) Whether they are aware that at the present rates the assessment of land goes as high as 75 per cent. of the net produce of land?

The Honourable Mr. W. F. HUDSON: (*a*) Yes. The percentage of failure has not been ascertained.

(*b*) In addition to resuspending all authorised arrears throughout the district Government have granted a further suspension of three annas in the rupee of the current year's demand in the following talukas and mahals—

(1) Karjat including Khalapur Petha.
(2) Panvel including Uran Mahal.
(3) Pen.
(4) Roha.
(5) Alibag.

(*c*) No.

(*d*) *Vide* reply to clause (*b*).

(*e*) No.

Mr. N. N. PATIL: With regard to (*a*) may I know why the percentage of failure has not been ascertained by Government?

The Honourable Mr. W. F. HUDSON: There is no reason to ascertain the percentage of failure. I do not know what the honourable member refers to. Does he mean per village, per holding or per taluka?

Mr. N. N. PATIL: Per taluka.

The Honourable Mr. W. F. HUDSON: There is no method of ascertaining the percentage of failure of crop in a taluka.

Mr. N. N. PATIL : With regard to (*b*), will Government be pleased to state why Mangaon and Mahad talukas have been excluded from the grant of suspensions ?

The Honourable Mr. W. F. HUDSON : Because the rates there are low.

Mr. N. N. PATIL : With regard to (*c*), I want to know from Government what was the price of paddy per *khandi* at the time of the revision settlement and what it is at present according to their information ?

The Honourable Mr. W. F. HUDSON : In which taluka ?

Mr. N. N. PATIL : In the district.

The Honourable Mr. W. F. HUDSON : It varies in every taluka.

Mr. A. N. SURVE : With regard to (*a*), if the percentage of failure had not been ascertained, on what principle were the concessions mentioned in part (*b*) of the question granted ?

The Honourable Mr. W. F. HUDSON : The percentage of failure is one thing ; the relation of prices to the assessment rates is another. The concession was granted, not on the failure of crops, but on the relation of prices to those assumed for the purposes of settlement.

Rao Bahadur B. R. NAIK : As regards (*c*), the question is " whether it is a fact that the prices of paddy have gone down by about fifty per cent. below the price on which the revision settlements in the various talukas of the district were made." The reply to that is in the negative. Had the Honourable Member ascertained the average price of paddy in the district when the assessments were fixed last time ?

The Honourable Mr. W. F. HUDSON : Certainly ; I should not have given that reply without ascertaining it.

Dr. M. K. DIXIT : May I know what is the average ?

The Honourable Mr. W. F. HUDSON : I do not know whether the House would like to know the figures for every taluka, but they vary between 41 and 9.

GRAZING FEES, SIRSI AND SIDDAPUR TALUKAS.

*Mr. A. N. SURVE (Bombay City, North) : (*a*) Is it a fact that the ryots in the Sirsi and Siddapur talukas of the Karwar District are charged grazing fees, irrespective of the betta lands which they hold ?

(*b*) What is the proportion fixed between garden land and betta land in a holding ?

(*c*) What assessment per acre of garden and betta lands is charged in the two talukas named above ?

(*d*) What is betta land ?

(*e*) Is it a fact that under rule 6 (2) regulating grazing fees, a forest officer can exempt villages in which the owners have got their lands or other facilities of their own from payment of grazing fees ?

(*f*) Will Government kindly place a copy of the rule on the Council table, and explain under what circumstances the ryots possessing betta lands are charged grazing fees ?

(*g*) What are the rates of grazing fees charged in the abovenamed two talukas and the total amount for the year 1930-31 realised in them as grazing fees ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) Yes, except in villages where owing to abundance of grazing in betta lands or other occupied land the village cattle do not make use of the grazing in forest areas.

(*b*) The scale is 9 acres of betta for each acre of garden land.

(*c*) Prior to 1924, no separate assessment was levied or fixed for garden and betta lands. The assessment on garden lands included the charges on account of betta. But since 1924 an extra assessment of Rs. 8 per acre of new garden land to which "betta" is assigned is charged.

(*d*) A "betta" is an area of Protected Forest assigned to a group of betelnut and spice gardens for the supply of "soppu" or green leaf manure.

(*e*) Yes.

(*f*) A copy of rule VI (2) of the Grazing Rules is placed on the Council table. Ryots who possess "betta" lands but who graze their cattle in other Government forest, are charged grazing fees in accordance with the Grazing Rules. Exemption may be obtained by proof to the satisfaction of the Divisional Forest Officer that cattle do not graze in forest outside betta lands on account of their being stall-fed or for any other valid reason.

(*g*) The rates are Re. 0-2-0 per head of cattle and Re. 0-1-0 for a sheep or a goat. The total amount of grazing fees collected during 1930-31 was—

	Rs.	a.	p.
Sirsi	3,001	12	0
Siddapur	2,355	2	0
Total ..	5,356	14	0

Copy of Rule VI (2) of the Grazing Rules.

(2) In forest villages the fees will ordinarily be levied on all cattle, subject to the limitations imposed by rules III and V. But in villages where stall feeding is practised on a large scale, or where owing to abundance of grazing in private lands all the cattle do not make use of the forest grazing, or for other satisfactory reasons, fees may at the discretion of the Divisional Forest Officer in consultation with the Collector be levied only on such cattle as actually graze in forest.

Mr. G. S. GANGOLI : With regard to (*a*), is a village charged collectively, and are not the owners of cattle charged individually ?

The Honourable Dewan Bahadur S. T. KAMBLI : What part of the question ?

Mr. G. S. GANGOLI : Part (*a*).

The Honourable Dewan Bahadur S. T. KAMBLI : A copy of the rule relating to grazing is printed in the reply. That will explain the whole position.

Mr. G. S. GANGOLI : The answer comes in the way of individual rights. Is the payment of taxes made by a group, or is it made by individuals ?

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, the same rule explains the system prevailing there.

Mr. G. S. GANGOLI : Well, I have tabled other questions on this point. Now with regard to part (2) of question (*g*), is grazing on bettas not allowed ? I am referring to rule VI (2) on page 6.

The Honourable Dewan Bahadur S. T. KAMBLI : That does not arise out of the question at all. I want notice.

GOVERNMENT CENTRAL PRESS, BOMBAY : PIECE WORKERS' WAGES.

*Mr. J. S. KADRI for Mr. SYED MUNAWAR : Will Government be pleased to state—

(*a*) whether the task workers and the piece workers employed in the Government Central Press, Bombay, were originally excluded from the 10 per cent. reduction in wage ? If so, what were the reasons therefor ;

(*b*) whether the 10 per cent. reduction in wage has been recently made applicable to those workers ? If so, what are the reasons therefor ?

The Honourable Sir GHULAM HUSSAIN : (*a*) No, but orders were issued late and Government did not consider it equitable to apply them retrospectively.

(*b*) Yes. There were no reasons for giving exemption.

Mr. A. N. SURVE : May I enquire whether task workers and piece workers are employed on a permanent basis or temporary basis ?

The Honourable Sir GHULAM HUSSAIN : The honourable member knows this as much as I do. The very name "piece workers" is clear.

SHOLAPUR MERCHANTS CHAMBER.

*Dr. V. G. VAISHAMPAYAN (Sholapur City) : Will Government be pleased to state—

(*a*) whether it is a fact that the Sholapur Merchants Chamber was started in the year 1929 ;

(*b*) whether this Chamber ever passed any political resolutions since its inauguration ;

(*c*) whether the Collector or the police at Sholapur ever examined the minute book of the Chamber :

(*d*) whether it is a fact that Mr. Gulabchand was the unanimously elected President of the Sholapur Merchants Chamber from year to year ;

(*e*) whether it is a fact that the office of the Merchants Chamber at Sholapur was searched on the 7th January 1932 ;

(*f*) whether Mr. Ranade, the Secretary of the Chamber, was asked to resign his post from the Chamber ;

(*g*) whether it is a fact that the building occupied by the Merchants Chamber is not the property of the Chamber ; if so, whether the Chamber is paying the rent regularly every year ;

(*h*) whether it is a fact that a notice has been served upon the owner of the building to the effect that they have taken possession of the building and that, in future, the rent thereof should be paid to them;

(*i*) what is the name of the owner of the building;

(*j*) whether he is the father of Mr. Gulabchand?

The Honourable Mr. G. A. THOMAS: (*a*) The chamber was formed on the 13th December 1928.

(*b*) It has dealt with subjects of a political nature.

(*c*) The minute book was examined by the police.

(*d*) From the minute book it appears that Mr. Gulabchand was elected President of the chamber from year to year. Government is not aware whether he was elected unanimously.

(*e*) Yes.

(*f*) No. Mr. Ranade, the Assistant Secretary of the chamber, consulted the District Magistrate, Sholapur, *suo motu* as to how he could resign his post, as the President of the chamber was under arrest and the Secretary was away, and he could not communicate with any of them. The District Magistrate accordingly advised Mr. Ranade to send his resignation to himself with a view to save him any possible trouble.

(*g*) The building occupied by the chamber does not belong to it. The chamber pays rent for it at the rate of Rs. 200 per mensem, but this is only a paper transaction for an equal amount is again credited to the chamber by the owner as a gift.

(*h*) A notice to the effect that Government had taken possession of the building and that tenants should pay rent to Government was served on the owner.

(*i*) Hirachand Nemchand.

(*j*) Yes.

Dr. V. G. VAISHAMPAYAN: What particular action or resolution of this Chamber made the District Magistrate declare it as unlawful?

The Honourable Mr. G. A. THOMAS: Because the Chamber dealt with political subjects.

Dr. V. G. VAISHAMPAYAN: Did the District Magistrate give any chance or notice to the Chamber to get its conduct cleared before it was declared unlawful?

The Honourable Mr. G. A. THOMAS: It was not necessary.

Dr. V. G. VAISHAMPAYAN: Was the owner of the property ever served with a notice bringing the conduct of the Chamber to his notice?

The Honourable Mr. G. A. THOMAS: That was not necessary.

INDIAN TERRITORIAL FORCE: FIGHTING CLASSES.

*Rao Saheb R. V. VANDEKAR (Nasik District): Will Government be pleased to state—

(*a*) the total number of men in the Indian Territorial force from Maharashtra, Karnatak and Gujarat districts;

(*b*) how many are from the fighting classes and how many are from Brahmin and allied classes?

The Honourable Mr. G. A. THOMAS: (*a*) The numbers are:—

Maharashtra	.. 876
Karnatak	.. 547
Gujarat	.. 67
Total	.. 1,490

(*b*) The information asked for is not available, as members of the Indian Territorial Force are not classified as belonging to fighting classes or to allied classes.

UNSTARRED QUESTIONS AND ANSWERS

STAFF IN OFFICES UNDER THE SUPERINTENDENT OF LAND RECORDS, POONA: NON-BRAHMINS.

Rao Bahadur S. K. BOLE: Will Government be pleased to state—

(*a*) the number of persons on the staff in the office of the Superintendent of Land Records, C.D., Poona, and their designations, grades and castes;

(*b*) the number of persons on the staff in the Central Division Field Party under the control of the Superintendent of Land Records, C. D., Poona, and their designations, grades and castes;

(*c*) the number of persons on the staff in the Phalni establishment under the control of the Superintendent, Land Records, C. D., Poona, and their designations, grades and castes;

(*d*) the number of years for which the present Survey Mamlatdar is holding the same post and the reasons why he is not transferred;

(*e*) whether any representation was made to them as regards the inadequate number of non-Brahmins employed in the departments under the control of the Superintendent, Land Records, C. D., Poona;

(*f*) if so, what they propose to do in the matter?

The Honourable Mr. W. F. HUDSON: (*a*) to (*c*) The attention of the Honourable Member is invited to the answer given to the question asked by Mr. N. E. Navle during the September-October session of 1931 printed at pages 532-533 of the Council proceedings. Government trust that the information given on that occasion will be sufficient for the Honourable Member's purpose. They regret that, on account of retrenchment and reduction in staff, they are not prepared to collect information afresh on the lines suggested by the Honourable Member.

(*d*) The present Survey Mamlatdar has been holding the post since 30th November 1912 with an interval of 6 weeks in 1930 when he acted as Superintendent of Land Records. He has been retained in the post in the interests of the public service.

(*e*) Yes.

(*f*) Nothing. Government are satisfied that the recruitment of backward classes has been quite satisfactory.

DAPURI WORKSHOP.

Khan Bahadur D. B. COOPER (Satara District): (*a*) Will Government be pleased to state the total amount of capital invested by them in the P. W. D. Workshops at Dapuri up to the 31st March 1931?

(*b*) What was the annual net income of the workshop for the past 3 years ending March 1931 ?

(*c*) What was the average annual gross expenditure on these workshops for the same period of 3 years ?

(*d*) Are Government aware that the paid up capital of only the 26 registered engineering firms in the Bombay Presidency is Rs. 99·71 lakhs *vide* the annual report of the Department of Industries 1930-31, page 6, paragraph 12 ?

(*e*) Do Government consider that private commercial firms are not competent to meet the needs of the Public Works Department at cheaper rates than the Dapuri Works ?

(*f*) If the reply to (*e*) be in the negative, why do they maintain these works ?

(*g*) If the reply be in the affirmative, will they give at least some details in support of their reply ?

(*h*) Are Government aware that the Bombay Municipality which requires probably four times as much material as the Dapuri Works could turn out, get all their material and castings from private firms on the tender system, which they find infinitely cheaper than running their own workshops ?

(*i*) Will Government be pleased to place on the Council Table the Annual Administration Report of the Dapuri Workshop for the year 1930-31 ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) The total amount of capital invested in the Government Central Workshops at Dapuri up to 31st March 1931 is Rs. 8,04,111-12-2 as detailed below :—

	Capital cost. Rs.	a.	p.
1. Land and buildings	4,09,412	1	9
2. Plant and machinery	2,55,220	14	7
3. Furniture and fixtures	16,204	8	8
4. Small tools	1,23,274	3	2
Total	8,04,111	12	2

(*b*) and (*c*) The statement containing the requisite information is furnished.

(*d*) Yes.

(*e*) Yes.

(*f*) Does not arise.

(*g*) The Public Works Department Central Store and Workshop fulfils the following functions :—

(1) The training and launching into life of apprentices generally from the illiterate classes.

(2) Repairs to Public Works Department tools and plant are carried out at the Workshops at a cost which would considerably be exceeded if the repairs were entrusted to outside commercial firms.

(3) Special tools and plant are required for a particular work and become surplus on its completion and cannot be brought into use again

for a number of years until similar work comes to be in progress elsewhere. In the absence of the Government Central Store and Workshop there would be a great risk of such plant being left uncared for and consequently deteriorating seriously. Such tools and plant are repaired and stored at Dapuri and made available for use when required.

(4) Dapuri keeps down the prices of outside firms.

(5) Rush jobs can be dealt with expeditiously with consequent saving to Government.

(*h*) Government are not aware of this, nor are they aware that the Bombay Municipality have ever produced figures to show that work done in their own workshop is any dearer than work done by private firms.

(*i*) A copy of the report is appended.

Statement showing particulars of the income and expenditure of the Government Central Workshops, Dapuri, for the three years 1928-29, 1929-30 and 1930-31.

Serial No.	Year.	Realizations from workshop manufacture.	Miscellaneous receipts.	Gross Receipts (Col. 3 + Col. 4).	Expenditure on workshop manufacture.	Manufacturing Profit (Col 5—Col. 6).
1	2	3	4	5	6	7
		Rs.	Rs.	Rs.	Rs.	Rs.
1	1928-29	1,93,331	2,612	1,95,943	1,19,481	76,462
2	1929-30	1,55,435	11,179	1,66,614	97,117	69,497
3	1930-31	1,67,066	8,818	1,75,884	1,06,266	69,618
	Average	1,71,944	7,536	1,79,480	1,07,621	71,859

Serial No.	Year.	Expenditure on establishment and other direct charges.	Gross profit on outturn (Col. 7—Col. 8).	Expenditure on Indirect charges (Leave and Pension, Audit fee and Loose tools).	Profit or "Loss" before providing for depreciation on interest on Capital (Col. 9—Col. 10).
1	2	8	9	10	11
		Rs.	Rs.	Rs.	Rs.
1	1928-29	60,079	16,383	9,671	6,712
2	1929-30	69,053	444	12,133	—11,689
3	1930-31	64,500	5,118	11,764	—6,646
	Average	64,544	7,315	11,189	—3,874

ADMINISTRATION REPORT FOR 1930-31.

Central Workshops, Dapuri.

During the year under report the total value of work done at the Workshops was Rs. 1,67,066 and showed a slight increase over the last year's figure viz. Rs. 1,51,150. When all indirect charges are debited the loss on the year's working becomes Rs. 8,938. If depreciation at the usual rates is fully provided for, the loss becomes Rs. 27,301.

Eleven sets of C. I. sluice gates for the Mutha Canal, 174 observation tubes for the special Irrigation Division, 14 sets of iron racks for Nasik Road Central Prison, 3 cast iron rollers (bullock) for the Officer Commanding, Royal Engineers, Mhow, 15 C. I. water stand posts for the Indian Stores Department, pipe specials and roof trusses for the Poona Water Works Division, pipe specials for Sholapur and Jacobabad Water Supply and 2 C. I. circular penstock gates were made during the year.

Repairs were carried out to the engines of the Karad, Pandharpur and Poona Water Works, Hay presses for the Military Grass Farms, Kirkee, and boring tools of the Agricultural Department. Repairs and renewals of steam road roller parts were also carried out to the value of Rs. 32,261. Work for private firms, Municipalities and Local Boards was done to the value of Rs. 2,500.

During the year 33 apprentices and 3 graduates were under training. 7 Apprentices finished their period of training, 6 remained in the shops as tradesmen and one secured a job outside Dapuri. The works were visited by the Honourable Member, General Department, the Honourable Minister, Local Self Government, the Secretary and the Joint Secretary to Government, Public Works Department.

L.C.P.S. DIPLOMA HOLDERS: ADMISSION TO M.B.B.S. AND OTHER EXAMINATIONS.

Rao Saheb B. G. DESAI (Kaira District): Will Government be pleased to state—

(*a*) whether they are aware of the reform effected by the Academic Council of the Madras University by adopting a regulation providing for the admission of L.M.P. diploma holders to the various examinations held by the University and permitting them to qualify themselves for the M.B. and B.S. degrees on certain conditions;

(*b*) whether they intend to move the University of Bombay to adopt a similar measure providing for the admission of the holders of the L.C.P.S. diploma to the M.B.B.S. and other higher examinations in medicine held by the University of Bombay;

(*c*) whether they have taken any steps in this behalf; if so, what are they?

The Honourable Sardar Sir RUSTOM J. VAKIL: (*a*) Yes.

(*b*) No.

(*c*) No.

PHOTOS OF MAHATMA GANDHIJI AND PANDIT JAWAHARLAL NEHRU.

Dr. M. K. DIXIT (Surat District): Will Government be pleased to state—

(*a*) whether they have issued any orders directing the removal of the photos of Mahatma Gandhiji and Pandit Jawaharlal Nehru from shops or dwelling houses;

(*b*) whether they are aware that such photos are ordered to be removed by the police in the Surat City; if not, will they please inquire into the matter?

The Honourable Mr. G. A. THOMAS: (*a*) No.

(*b*) The police have issued no orders for their removal. The owners of shops have removed such photographs of their own accord.

BETTING IN AMERICAN AND LIVERPOOL FUTURES.

Mr. L. R. GOKHALE (Poona City): Will Government be pleased to state—

(*a*) whether they are aware of the existence of betting in the American and Liverpool futures in the Bombay Presidency;

(*b*) whether it is a fact that a daily paper is being published mainly for the purpose of supplying news about the American and Liverpool futures;

(*c*) whether they intend to take any steps to stop this betting in cotton futures; if so, what they are?

The Honourable Mr. G. A. THOMAS: (*a*) Yes.

(*b*) Yes.

(*c*) Action is taken under the Bombay Prevention of Gambling Act whenever sufficient evidence is forthcoming.

AGRICULTURAL COLLEGE: SHORT COURSE.

Mr. L. R. GOKHALE (Poona City): Will Government be pleased to state whether they are aware that very few students take advantage of the "Short Course" in the Agricultural College; if so, what steps they intend to take to make it popular?

The Honourable Dewan Bahadur S. T. KAMBLI: The short course has been advertised in the College prospectus every year. The number of applicants applying for admission to this course is not insufficient but it has failed to attract the right type of man, as many of those who take up the course, are not keen on the work. Thus during the year 1931-32 of the 19 applicants who applied, 13 were admitted but 2 failed to join. One man left during the session while three were sent away as they did not work. The number who appeared for examination was seven only. The question of improving or abolishing the course is under consideration.

AGRICULTURAL SCHOOLS.

Mr. L. R. GOKHALE (Poona City): Will Government be pleased to state whether they are aware that the agricultural schools maintained by the Agricultural Department are not popular? If so, what steps they intend to take to make them attractive and useful?

The Honourable Dewan Bahadur S. T. KAMBLI: Government are aware that there is no genuine demand for this type of schools which are unduly expensive to run. Three of them have already been closed as a measure of retrenchment and one more will be closed shortly. When funds become available, it is hoped to start a new type of school on remodelled lines, which would be self-supporting and where work would be provided for the students to enable them to earn while they learn.

MUNICIPAL TEACHERS: AHMEDABAD MUNICIPALITY.

Mr. J. S. KADRI (Northern Division): Will Government be pleased to state—

(*a*) whether they are aware that the percentage of trained teachers in the Urdu schools under the Ahmedabad Municipality has gone down to 40, while that of such teachers in the Gujarati schools has gone up to 70;

(*b*) whether they have received any communication from the Ahmedabad Municipality regarding the admission of 10 municipal teachers every year to the Urdu Training School from this year onward;

(*c*) if the answer to (b) is in the affirmative how they propose to dispose of it?

The Honourable Sir RAFIUDDIN AHMAD: (*a*) The percentages are 42·6 and 61 respectively.

(*b*) Yes, not by Government but by the Director of Public Instruction.

(*c*) The Director of Public Instruction hopes to meet the demand as far as possible, though he does not guarantee the full number of places required every year.

COURT RECEIVER AND LIQUIDATOR, BOMBAY, AND ASSISTANTS.

Mr. J. S. KADRI (Northern Division): Will Government be pleased to state—

(*a*) the names, ages, qualifications, the periods of service and the present salaries of the Court Receiver and Liquidator, Bombay, and his 1st and 2nd Assistants;

(*b*) the total income derived from the receivership and liquidation work in the High Court during the last two years;

(*c*) the total expenditure incurred on the establishment of the Court Receiver and Liquidator during the last two years?

The Honourable Mr. G. A. THOMAS: (*a*) A statement containing the information asked for is placed on the Council Table.

(*b*) and (*c*) The total income and expenditure for the two years 1929-30 and 1930-31 was as follows :—

	Income	Expenditure
1929-30 .. (from 15th April 1929).	53,884	86,060
1930-31	1,55,476	1,13,782

Statement showing age, qualifications, periods of service etc. of the Court Receiver and Liquidator and his Assistants.

Name of Officer	Age	Qualifications	Period of Service	Present salary
Mr. H. H. Wadia, .. Court Receiver and Liquidator.	56 years.	B.A. (Bom.) M.A. (Cantab). Bar-at-law.	24 years' service under Government. 2¼ years' (approximately) service as Court Receiver and Liquidator.	Rs. 2,600 in the scale of Rs. 2,500—50—2,750.
Mr. A. F. Chinoy, .. First Assistant to the Court Receiver and Liquidator.	55 years.	B.A., LL.B. (Bombay University).	18 years under Government. 4 years under Mr. Moos (non-official Court Receiver). 2¼ years (approximately) under the present Court Receiver.	Rs. 1,000 per month. ....
Mr. M. N. Mankar, .. Second Assistant to the Court Receiver and Liquidator.	35 years.	M.A., LL.B. (Bombay University) and Solicitor of the Bombay High Court.	5 years (approximately) under Mr. Moos. 2 years (approximately) under the present Court Receiver and Liquidator.	Rs. 250 per month.

ACCOMMODATION FOR GOVERNMENT OFFICERS IN POONA AND BOMBAY.

Mr. G. M. KALBHOR (Poona District): Will Government be pleased to state—

(*a*) the number of Government officers who have been provided with accommodation in hired buildings in Poona and Bombay with their names, designations, pay, rent recovered from each of them and the rent which Government pay for each of those buildings;

(*b*) the number of Government officers who have been provided with accommodation in Government buildings in Poona and Bombay with their names, designations, pay, rent recovered from them and the assessable rent of those buildings;

(*c*) the amount of loss per mensem suffered by Government on this account;

(*d*) the steps, if any, they intend to take in the matter to reduce that loss ?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) and (*b*) Two lists marked "A" and "B" giving the requisite information are placed on the Council Table.

(*c*) Rs. 2,025 in the case of bungalows in Poona inclusive of Rs. 105 on hired buildings.

Rs. 3,723 in the case of bungalows in Bombay inclusive of Rs. 734 on hired buildings.

(*d*) Government have recently revised the rents of their residences in Poona and Bombay on the basis of their present rental valuation. It is now proposed to allot the most highly rented residences to the officers with large salaries in order to secure a better return and a more equitable distribution of the rents.

LIST A.

List of residences for Government Officers in Poona showing names of occupants etc. during the Poona Season of 1931.

Serial No.	Name of Bungalow.	Name of Officer.	Designation.	Monthly emoluments.	(i) Rent assessable, i.e. standard rent or (ii) rent paid by Government to the owner in case of hired bungalows per mensem.	Rent recovered per mensem.	Amount of loss per mensem.
				Rs.	Rs.	Rs.	Rs.
		Hired Bungalows at Poona.					
1	'Retreat,' Ganeshkhind Road.	Mr. E. J. Bruen	Live Stock Expert to Government.	1,385	90	90	*Nil.*
2	No. 17, Elphinstone Road.	Dr. A. DaGama.	Officiating Director of Public Health.	1,700	275	170	105*
		Government Bungalows and Flats in Poona.					
3	No. 1, Queen's Gardens.	Mr. H. R. Gould, I.C.S.	Collector of Poona.	2,500	180	180	*Nil*
		Mr. A. M. Macmillan, C.I.E., I.C.S.	Do. ..	2,750			
4	No. 1-A, Queen's Gardens.	Mr. R. H. Beckett, C.I.E., I.C.S.	Director of Public Instruction, Bombay Presidency.	2,777	218	218	*Nil*
5	No. 3, Queen's Gardens.	The Hon'ble Mr. W. F. Hudson, C.I.E., I.C.S.	Member of Council.	5,333	275	275	*Nil*
6	No. 4, Queen's Gardens.	The Hon'ble Sir G. B. Pradhan, Kt.	Member of Council.	5,333	344	344	*Nil*
7	No. 4-B, Queen's Gardens.	The Hon'ble Sir Moulvi Raffuddin Ahmad, Kt.	Minister of Education.	4,000	277	277	*Nil*
8	No. 5, Queen's Gardens.	Major General, W. C. H. Forster, I.M.S.	Surgeon General with the Government of Bombay.	3,178	199	199	*Nil*
9	No. 5-A, Queen's Gardens.	Major W. C. Spackman, I.M.S.	Civil Surgeon, Poona.	1,850	247‡	215†	32‡
		Lieut.-Colonel, R. F. Steel, I.M.S.	Do. ..	2,450			

*The lease will expire on 31st May 1932.

†Average rent recovered.

‡Average loss.

Serial No.	Name of Bungalow.	Name of Officer.	Designation.	Monthly emoluments.	(i) Rent assessable, i.e. standard rent or (ii) rent paid by Government to the owner in case of hired bungalows per mensem.	Rent recovered per mensem.	Amount of loss per mensem.
				Rs.	Rs.	Rs.	Rs.
10	No. 8, Queen's Gardens.	The Hon'ble Sirdar Sir Rustom Jehangir Vakil, Kt.	Minister of Local Self-Government.	4,000	306*	306†	*Nil*
11	No. 16, Queen's Gardens.	The Hon'ble Sir Ghulam Hussain Hidayatallah, Kt.	Member of Council.	5,333	264	264	*Nil*
12	No. 18, Queen's Gardens.	The Hon'ble Sir Ali Mahomed Khan Dehlavi, Kt.	President, Bombay Legislative Council.	3,000	236	236	*Nil*
13	No. 19, Queen's Gardens.	The Hon'ble Mr. G. A. Thomas, C.I.E., I.C.S.	Member of Council.	5,333	264*	264†	*Nil*
14	No. 20, Queen's Gardens.	The Hon'ble Diwan Bahadur S. T. Kambli.	Minister of Agriculture.	4,000	268	268	*Nil*
15	No. 21, Queen's Gardens.	Mr. H. B. Clayton, C.I.E., I.C.S.	Commissioner, Central Division.	3,500	235	235	*Nil*
16	No. 22, Queen's Gardens.	Mr. H. L. Newman, C.I.E., I.F.S.	Chief Conservator of Forests.	2,928	205	205	*Nil*
17	'The Shelter,' Yeravda.	Mr. T. S. Pipe, I.S.E.	Executive Engineer, Poona Division.	1,875	236	188	48
18	'The Croft,' Yeravda.	Mr. W. Grieve, I.E.S.	Deputy Director of Public Instruction.	2,170‡	271	217†	54§
19	'Brandon,' Yeravda.	Major R. V. Martin.	Inspector General of Prisons, Bombay Presidency.	2,478	278	248	30
20	'Sans Souci,' Yeravda.	Mr. R. L. McCulloch.	Deputy Inspector General of Police, C.I.D.	2,428	304	243	61
21	'Bijou Lodge,' Yeravda.	Mr. R. N. Samarth.	Superintendent of Excise, Poona Division.	465	59	47	12
22	'Grainger,' Yeravda.	Mr. T. E. Waterfield.	Assistant Collector, Poona.	765	177	77	100
23	'Baron's Court,' Yeravda.	R. D. Bell, Esquire, C.S.I., C.I.E., I.C.S.	Chief Secretary to Government.	3,750	270	270	*Nil*

*Average rent assessable.

†Average rent recovered.

‡Average emoluments.

§Average loss.

Serial No.	Name of Bungalow.	Name of Officer.	Designation.	Monthly emoluments.	(i) Rent assessable, i.e. standard rent or (ii) rent paid by Government to the owner in case of hired bungalows per mensem.	Rent recovered per mensem.	Amount of loss per mensem.
				Rs.	Rs.	Rs.	Rs.
24	'Downside,' Yeravda.	Mr. G. S. Rajadhyaksha, I.C.S.	Secretary to Government, Legal Department.	1,900	338	190	148
25	'Hill View,' Yeravda.	Mr. A. C. Hiley, I.F.S.	Conservator of Forests, Central Circle.	2,277*	323	228†	95‡
26	'Belle Vue,' Yeravda.	Mr. E. S. Farbrother, I.V.S.	Superintendent, Civil Veterinary Department.	1,867*	320	187†	133‡
27	'Southfield,' Yeravda.	Mr. U. M. Mirchandani.	Registrar, Co-operative Societies.	1,510	335	151	184
28	'Rye Cotes,' Yeravda.	Mr. C. C. Inglis, I.S.E.	Superintending Engineer, Irrigation Development and Research Circle.	2,278*	312	228†	84‡
29	'Beau Soleil,' Yeravda.	Mr. G. Wiles, C.S.I., O.I.E., I.C.S.	Secretary to Government, Finance Department.	3,178	306	306	*Nil.*
30	'Koregaon Lodge,' Poona.	Mr. A. T. J. New.	Railway Police Inspector.	372	110	110	*Nil.*
31	'Sunning Dale,' Yeravda.	Mr. M. P. LaBouchardiere.	Personal Assistant to Deputy Inspector General of Police, C.I.D.	1,260	197	126	71
32	No. 4, Sassoon Road.	Dr. R. V. Shiveshwarkar.	Assistant Director of Public Health, Central Registration District.	1,146*	129	115†	14‡
33	St. Paul's Lodge, Poona.	Mr. N. P. A. Smith.	Personal Assistant to Inspector General of Police.	1,750	110	110	*Nil.*
34	Judge's Bungalow, Sangam.	Mr. N. J. Wadia.	District Judge, Poona.	2,750	192	192	*Nil.*
35	Eastern Bungalow, Bhamburda.	Mr. P. M. Stewart.	District Superintendent of Police, Poona.	1,950	114	114	*Nil.*
36	Western Bungalow, Bhamburda.	Mr. H. G. Lang.	Superintendent of Police, G. I. P. and M. S. M. Railways.	1,850	121	121	*Nil.*
37	Bungalow for the Curator of Observatory, College of Engineering.	Mr. A. David ..	Professor of Mechanical Engineering.	1,325	55	55	*Nil.*
38	Assistant Curator's quarters, College of Engineering.	Mr. B. G. Chavan.	Assistant Superintendent of Workshop.	240	10	10	*Nil.*

*Average emoluments. †Average rent recovered. ‡Average loss.

Serial No.	Name of Bungalow.	Name of Officer.	Designation.	Monthly emoluments.	(i) Rent assessable, i.e. standard rent or (ii) rent paid by Government to the owner in case of hired bungalows per mensem.	Rent recovered per mensem.	Amount of loss per mensem.
				Rs.	Rs.	Rs.	Rs.
39	Bungalow for the Professor of Agriculture, College of Agriculture.	Mr. V. G. Gokhale.	Professor of Agriculture.	1,075*	112	108†	4‡
	8 Flats in	*No. 1, Arsenal Road, Poona.*					
40	Flat 'A' ..	Dr. F. Barretto.	Officer in charge Public Health Laboratory.	933	187	93	94
41	Flat 'B' ..	Mr. A. C. B. Thompson (private person.)	Accountant, Imperial Bank of India, Poona.	..	187	165	22
42	Flat 'C' ..	Mr. F. Jehangir (private person.)	....	..	177	86	91
43	Flat 'D' ..	Mr. H. K. Chainani, I.C.S.	Assistant Judge ..	665	177	67	110
44	Flat 'E' ..	Mr. G. S. Singh.	Divisional Forest Officer.	790	187	79	108
45	Flat 'F' ..	Sahibzada M. A. Mirza.	Superintending Engineer, Central Circle, Poona.	2,028	187	187	*Nil*
46	Flat 'G' ..	Mr. H. S. Israel.	Personal Assistant to the Collector of Poona.	550	177	55	122
47	Flat 'H' ..	Khan Bahadur D. D. Kothavala.	Deputy Superintendent of Police, C.I.D.	525	177	75	102
48	Bungalow No. 5, Arsenal Road.	Mr. Abdul Kadir Muhammad Husain.	Oriental Translator to Government.	1,103*	241	110†	131‡
49	Sub-divisional Officer's Quarters, Government House, Ganeshkhind.	Rao Bahadur G. B. Kale.	Assistant Engineer in charge Poona Government House Sub-division.	390	35	35	*Nil*
50	Cottage in Bungalow No. 1, Lothian Road.	Mr. W. J. Dennis.	Head clerk to the Commissioner, Central Division.	260	76	26	50
51	Bungalow No. 1, Lothian Road.	Mr. K. L. Panjabi, I.C.S.	Superintendent of Land Records, Central Division.	1,285 1,750	168	148	20
52	Quarters for the Superintendent, Empress Botanical Gardens, Ghorpuri.	Mr. N. M. Bhagwat (private person.)	Superintendent, Empress Botanical Gardens, Ghorpuri.	..	27	27	*Nil*
			Total ..	..	10,565	8,540	2,025

*Average emoluments. †Average rent recovered. ‡Average loss.

Note.—Buildings occupied rent free or at reduced rents have not been included in the list as the officers concerned are entitled to the concessions and the non-recovery of rent cannot be considered as loss to Government. All such cases have recently been carefully re-examined and the concessions only re-affirmed where still found essentially necessary.

LIST

List of residences for Government Officers in Bombay showing

Serial No.	Name of bungalow.	Name of Officer.	Designation.
1	2	3	4
	Hired Bungalows in Bombay.		
1	"Narottamdas Mansion" at Peddar Road.	The Honourable Sirdar Sir Rustom Jehangir Vakil, Kt.	Minister, Local Self-Government.
2	Bungalow No. 248, Walkeshwar Road, Bombay.	Mr. S. V. Pattihal ..	Assistant Engineer, Bombay Government House Sub-division.
		Mr. K. M. Shelke ..	Overseer, Public Works Department.
	Government Bungalows and Flats in Bombay.		
3	"Costebelle," Narayan Dabholkar Road.	Lt. Col. A. N. Thomas, I.M.S.	Presidency Surgeon ..
4	"Murrayfield," Narayan Dabholkar Road.	The Honourable Mr. R. S. Broomfield, I.C.S.	Judge, H. M.'s High Court.
5	"Keverne," Narayan Dabholkar Road.	Mr. F. O. J. Ruose, M.I.M.E., M.I.E.E.	Electrical Engineer to Government.
6	Bishop's Lodge, Ridge Road.	Rt. Rev. R. D. Acland, M.A.	Lord Bishop of Bombay
7	"Belhaven," No. 41, Marine Lines.	Major A. C. L. O'Shea Bilderbeck, I.M.S.	Port Health Officer ..
8	"Ridge House," Ridge Road.	Mr. J. W. Smyth, I.C.S.	Collector of Bombay ..
9	"Sea View," Narayan Dabholkar Road.	The Honourable Mr. W. F. Hudson, C.I.E., I.C.S.	Member of Council ..
10	"Dunvegan," Mount Pleasant Road.	The Honourable Mr. Mirza Ali Akbar Khan, Bar-at-Law.	Judge, H. M.'s High Court.
11	"West Lodge," Narayan Dabholkar Road.	The Honourable Sir Ghulam Hussain Hidayatallah, Kt.	Member of Council ..
12	"The Chalet," Powai Road.	The Honourable Moulvi Rafiuddin Ahmad, Bar-at-Law.	Minister for Education.
13	"Tavistock," Ridge Road.	Lt. Col. A. F. Hamilton, I.M.S.	Professor, Grant Medical College.
14	"Drummore," Ridge Road.	The Honourable Sir Ernest Hotson, K.C.S.I., O.B.E., I.C.S.	Member of Council ..
15	"Coleherne Court," Harkness Road.	The Honourable Sir J. W. F. Beaumont, Kt.	Chief Justice, H. M.'s High Court.
16	"Beaulieu," Mount Pleasant Road.	The Honourable Mr. G. B. Pradhan.	Member of Council.
17	"Crismill," Narayan Dabholkar Road.	The Honourable Mr. G. D. Madgaonkar, I.C.S.	Judge, H. M.'s High Court.

B.

names of occupants etc. during the Bombay season of 1931.

Monthly emoluments.	(i) Rent assessable i.e. standard rent or (ii) rent paid by Government to the owner in case of hired bungalows per mensem.	Rent recovered per mensem.	Amount of loss per mensem.	Remarks.
5	6	7	8	9
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
4,000 0 0	1,100 0 0	486 0 0	614 0 0	
505 0 0	134 0 0	51 0 0	83 0 0	
60 0 0	43 0 0	6 0 0	37 0 0	
2,475 0 0	140 0 0	140 0 0	..	
4,000 0 0	417 0 0	400 0 0	17 0 0	
2,477 0 0	165 0 0	165 0 0	..	
2,133 6 0	409 0 0	213 0 0	196 0 0	
2,000 0 0	132 0 0	132 0 0	..	
2,800 0 0	330 0 0	280 0 0	50 0 0	
5,333 5 4	333 0 0	333 0 0	..	
4,000 0 0	228 0 0	228 0 0	..	
5,333 5 4	156 0 0	156 0 0	..	
4,000 0 0	273 0 0	273 0 0	..	
2,425 0 0	286 0 0	243 0 0	43 0 0	
5,333 5 4	459 0 0	459 0 0	..	
5,000 0 0	468 0 0	468 0 0	..	
5,333 5 4	286 0 0	286 0 0	..	
4,000 0 0	448 0 0	400 0 0	48 0 0	

Serial No.	Name of bungalow.	Name of Officer.	Designation.
1	2	3	4
18	"Land's End House," Upper North Flat.	Mr. G. Wiles, C.S.I., C.I.E., I.C.S.	Secretary to Government, Finance Department.
19	"Land's End House," Upper South Flat.	Mr. R. B. Ewbank, C.I.E., I.C.S.	Secretary to Government, General Department.
20	"Land's End House," Ground North Flat.	Mr. C. G. Freke, I.C.S. ..	Deputy Secretary to Government, Finance Department.
21	"Land's End House," Ground South Flat.	Mr. C. M. Lane, I.S.E. ..	Joint Secretary to Government, Public Works Department.
22	"Highmount," Narayan Dabholkar Road.	Mr. R. G. Higham, M.I.E.E.	Executive Electrical Engineer.
23	"Fintona," Narayan Dabholkar Road.	Diwan Bahadur S. T. Kambli.	Minister for Agriculture.
24	"The Eyrie," Winter Road.	The Honourable Mr. W. T. W. Baker, I.C.S.	Judge, H. M.'s High Court.
25	Rocky Hill Flat No. 1 ..	Mr. J. F. Gennings, Bar-at-Law.	Director of Information.
26	Rocky Hill Flat No. 2 ..	Mr. T. T. Kothawalla, M.A., B.Sc.	Under Secretary to Government, General Department.
27	Rocky Hill Flat No. 3 ..	Major S. S. Vajifdar, I.M.S.	Superintendent, J. J. Hospital.
28	Rocky Hill Flat No. 4 ..	Mr. T. A. Stewart ..	Collector of Customs, Bombay.
29	Rocky Hill Flat No. 5 ..	Mr. G. F. S. Collins, O.B.E., I.C.S.	Secretary to Government, Home Department.
30	Rocky Hill Flat No. 7 ..	Mr. T. A. Andrew, B.Sc..	Deputy Secretary to Government, Public Works Department.
31	Rocky Hill Flat No. 8 ..	Mr. G. K. Joshi, I.C.S. ..	Under Secretary to Government, Revenue Department.
32	Rocky Hill Flat No. 9 ..	Mr. R. D. Bell, C.I.E., I.C.S.	Chief Secretary to Government, Revenue Department.
33	Rocky Hill Flat No. 11 ..	Mr. J. P. Brander, I.C.S.	Commissioner of Excise.
34	Rocky Hill Flat No. 12 ..	Mr. D. D. Nanavati, I.C.S.	Secretary to Government, Legal Department.
35	Quarters for the Vice Principal, Sir J. J. School of Art.	Mr. C. Batley ..	Professor of Architecture, School of Art.
36	Quarters for the Professor of Chemistry at the Royal Institute of Science.	Dr. Mata Prasad ..	Temporary Professor of Chemistry.

Monthly emoluments.	(i) Rent assessable i.e. standard rent or (ii) rent paid by Government to the owner in case of hired bungalows per mensem.	Rent recovered per mensem.	Amount of loss per mensem.	Remarks.
5	6	7	8	9
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
3,177 0 0	206 0 0	206 0 0	..	
3,177 0 0	205 0 0	205 0 0	..	
2,650 0 0	186 0 0	186 0 0		
3,302 0 0	187 0 0	187 0 0		
1,675 0 0	143 0 0	143 0 0		
4,000 0 0	186 0 0	186 0 0		
4,000 0 0	581 0 0	400 0 0	181 0 0	
2,527 0 0	385 0 0	253 0 0	132 0 0	
905 0 0	311 0 0	91 0 0	220 0 0	
2,125 0 0	405 0 0	213 0 0	192 0 0	
3,327 0 0	331 0 0	430 0 0	..	Gain Rs. 99 per mensem.
3,177 12 0	405 0 0	318 0 0	87 0 0	
2,075 0 0	318 0 0	208 0 0	110 0 0	
1,150 0 0	318 0 0	115 0 0	203 0 0	
3,750 0 0	338 0 0	338 0 0	..	
3,550 0 0	338 0 0	338 0 0	..	
3,000 0 0	338 0 0	300 0 0	38 0 0	
750 0 0	158 0 0	75 0 0	83 0 0	
690 0 0	368 0 0	69 0 0	299 0 0	

Serial No	Name of bungalow	Name of Officer.	Designation.
1	2	3	4
37	Quarters for Second Assistant Professor, Old Veterinary College	Mr A H Khan .	Assistant Professor, Veterinary College.
38	"The Red Brick Bungalow"	Mr A J A. Illingworth, A.R.I.B.A.	Consulting Architect to Government.
39	"Rylstone," Cumballa Hill	The Honourable Mr C. P Blackwell, Bar at-Law	Judge, H. M.'s High Court.
40	Quarters for the Commissioner of Excise at the Old Custom House.	Mr. C W A. Turner, C.I.E, I.C.S	Secretary to Government, Political Department.
41	Quarters for the Farrier occupied by Assistant Professor at Veterinary College	Mr M Mohey Deen	Assistant Professor, Veterinary College.
42	Quarters for two Indian Professors at Veterinary College	Mr V R. Phadke	Assistant Principal, Veterinary College.
43	Cumballa Hill Shed North side.	Mr A B Spencer, L C E	Superintending Engineer, Northern Circle.
44	Bungalow for the Deputy Chief Engineer, Marine Lines	Mr A. M. K. Husain .	Oriental Translator to Government.
45	Bungalow for the Assistant Engineer, Marine Lines.	Mr V R Joshi, L C E, Assistant Engineer.	Assistant Engineer, Public Works Department.
			Total .

Note.—Buildings occupied rent free or at reduced rents have not been included in the rent cannot be considered a loss to Government. All such cases have recently been necessary

Monthly emoluments.	(i) Rent assessable standard rent or (ii) rent paid by Government to the owner in case of hired bungalows per mensem.	Rent recovered per mensem	Amount of loss per mensem.	Remarks
5	6	7	8	9
Rs a p	Rs a p	Rs a p	Rs. a. p	
310 0 0	42 0 0	31 0 0	11 0 0	
2,077 0 0	59 0 0	59 0 0		
4,000 0 0	1,484 0 0	400 0 0	1,084 0 0	
3,177 12 0	52 0 0	52 0 0		
395 0 0	49 0 0	40 0 0	9 0 0	
805 0 0	31 8 0	31 8 0		
1,950 0 0	150 0 0	150 0 0		
1,120 0 0	168 0 0	112 0 0	56 0 0	
600 0 0	89 0 0	60 0 0	29 0 0	
	13,638 8 0	9,915 8 0	3,723 0 0	

list as the officers concerned are entitled to the concessions and the non recovery of carefully re examined and the concessions only reaffirmed where still found essentially

CIVIL COURT, TASGAON . ABOLITION

Rao Bahadur R R KALE (Bombay University) (*a*) Will Government be pleased to state whether it is a fact that when Tasgaon Jahagir in Satara district was annexed to British territory a proclamation was issued or a promise given assuring the public of Tasgaon that the then existing facilities under the Patwardhan regime, including a civil court, will be continued by the British Government ?

(*b*) If so, was the attention of Government drawn to this fact when it was proposed to abolish the Subordinate Judge's Court at Tasgaon ?

(*c*) If not, will this aspect of the question be looked into before the issue of final orders on the subject of abolition of Tasgaon Court ?

The Honourable Mr G A THOMAS : (*a*) There is nothing on Government records to show that such a proclamation was issued or promise given

(*b*) A reference was made to this point in one of the petitions sent to Government

(*c*) Does not arise

GENERAL ADMINISTRATION REPORT STOPPAGE OF SUPPLY OF COPIES TO M L C 's

Rao Saheb P D KULKARNI (Poona District) Will Government be pleased to state—

(*a*) the amount of savings effected (excluding postage and packing charges) by stopping up the supply of a copy of the General Administration Report of the Bombay Presidency to the individual members of the Bombay Legislative Council,

(*b*) how many copies of the said Report are generally printed and to whom they are distributed free of charge,

(*c*) the amount realised by them by the sale of the copies of the Report during the last five years and also in the year in which the copies were not supplied to individual members of the Council,

(*d*) whether they intend to take any steps by which a copy of the said Report will be made available to a member not residing in Bombay,

(*e*) how they intend to make up for the loss of information likely to be caused to the Members by the withholding of the supply of the copies to them,

(*f*) whether they consider it necessary to spend over the publication of this Report, if the information given therein can be easily obtained from the Departmental Reports, if so, whether they consider it desirable to stop the publication at all ?

The Honourable Sir GHULAM HUSSAIN (*a*) 96 copies of the last Report (1929-30) were supplied to M L C 's. It has now been decided to supply 5 copies only of the Report, commencing with that for the year 1930-31, to the Secretary, Legislative Council, for the use of M.L C 's The price of a copy being Rs 1-8-0, the saving effected will be Rs (1-8-0 × 91=) 136-8-0

(*b*) 885 copies of the General Administration Report for 1929-30 were printed last year Copies were sent free of charge to the Secretary of State for India, the Government of India, Foreign Governments (including Consuls), Members of the Bombay Legislative Council and Members of the Legislative Assembly and the Council of State representing the Bombay Presidency, local officers and bodies, associations and learned societies (including a few outside India) and newspapers and registered libraries (including certain libraries in the United States of America) In view of the need for retrenchment owing to the financial situation, only 600 copies of the Report for 1930-31 will be printed and the distribution thereof restricted accordingly

(*c*) The amount realised by the sale of copies of the Report for the years 1925-26 to 1929-30 is Rs 406 The Report for 1930-31 is not yet out

(*d*) and (*e*) Five copies of the Report, commencing with that for 1930-31, will be available in the Legislative Council Library for the use of Members

(*f*) The matter is under consideration

REVENUE DEPARTMENT, AHMEDNAGAR DISTRICT CLERKS

Mr N E NAVLE (Ahmednagar District) (*a*) Will Government be pleased to state the number of vacancies that occurred in the clerical establishment of the Revenue Department in the Ahmednagar District during the last five years ?

(*b*) How many of those vacancies were permanent and how many were temporary ?

(*c*) How many of the permanent vacancies were filled up by persons of the backward communities ?

(*d*) How many of the temporary vacancies were given to the backward communities ?

The Honourable Mr W F HUDSON (*a*) 279

(*b*) 49 were permanent and 230 temporary

(*c*) 22

(*d*) 73

HONORARY MAGISTRATES, ANDHERI

Mr N. E NAVLE (Ahmednagar District) Will Government be pleased to state—

(*a*) how many honorary magistrates are appointed at Andheri to hear criminal cases,

(*b*) how many times a week does the Bench of Honorary Magistrates sit and what is the quorum fixed,

(*c*) how many times there was no quorum and hence the cases had to be postponed during the year 1931,

(*d*) how many times each honorary magistrate was absent at the time of hearing during the year 1931,

(*e*) what is the longest period for which a case had dragged on for want of a quorum;

(*f*) what action they intend to take in the case of those honorary magistrates who frequently absented themselves,

(*g*) how many women magistrates are there on this Bench,

(*h*) how many times they attended the court in 1931,

(*i*) how many of the magistrates on this Bench reside in Bombay and how many in Bandra,

(*j*) whether persons eligible for the posts of such magistrates are or are not available round about Andheri,

(*k*) whether it would not be more convenient to have a stipendiary magistrate in place of these honorary magistrates?

The Honourable Mr G A THOMAS (*a*) Eighteen, of whom one died in January last

(*b*) Each of the several Benches sits once a week The quorum is three

(*c*) About 50 times

(*d*)

1	absent	24	times.
1	,,	23	,,
1	,,	18	,,
1	,,	17	,,
1	,,	14	,,
3	,,	12	,,
1	,,	11	,,
1	,,	10	,,
1	,,	9	,,
3	,,	5	,,
2	,,	twice	

(*e*) About six months

(*f*) Such Magistrates are asked to be more regular, and, if necessary, are replaced at the annual revision of the list

(*g*) Two

(*h*) One 29 out of 43 times, and the other 18 out of 28 times The latter was appointed in April 1931 and both were on leave for some months

(*i*) Two in Bombay and three at Bandra.

(*j*) They are available

(*k*) Yes, but a stipendiary appointment is not possible in view of the present financial stringency

RATNAGIRI HARBOUR PROVISION OF LIGHT

Rao Bahadur L V PARULEKAR (Ratnagiri District): Will Government be pleased to state—

(*a*) whether their attention has been drawn to the fact that the arrangement for moving light made in the Ratnagiri harbour has been stopped since last year,

(*b*) if so, whether they have any objection to continue that arrangement,

(*c*) whether they are aware that the fixed Kitson light is not used four days before and four days after the full moon and even on other days when the moon-light is dim it is not used at the time of embarking and disembarking,

(*d*) whether they will take steps to remove this grievance?

The Honourable Mr W F HUDSON (*a*) and (*b*) The Landing and Wharfage Fund Committee sanctioned a portable Kitson lamp at the landing place at Ratnagiri for sorting luggage, etc, only from the year 1930. This light, however, went out of order and had to be sent to Bombay for repairs It has since been returned and has been in use since the first week of February 1932

(*c*) and (*d*) In accordance with a resolution of the Landing and Wharfage Fund Committee passed in October 1923, the Kitson lights at some ports in the Ratnagiri District were not being lighted on moon-light nights On the representation of the steamship companies' local agents the Collector has however issued orders to the local officers not to withhold lighting on days when lighting is really required irrespective of moon-light The matter will also be placed before the Committee at their next meeting for formal sanction

RATNAGIRI HARBOUR WAITING HOUSE

Rao Bahadur L V PARULEKAR (Ratnagiri District) Will Government be pleased to state—

(*a*) whether they are aware that a building is recently erected in front of the Customs Office at Ratnagiri,

(*b*) if so, whether it is intended wholly as a waiting house for the steamer passengers or for any other purpose,

(*c*) whether they are aware that the site chosen for the building is away from the landing place and that the building is not generally used by the passengers,

(*d*) the cost of the building together with the site and the funds from which it has been defrayed,

(*e*) whether any steamer company or the Ratnagiri public was consulted regarding the utility of the building as a waiting house there,

(*f*) whether they are aware that almost all the passengers use a *pandal* and that the house is vacant

(*g*) whether, if the house is proved to be inconvenient as a waiting house, they will provide for a more suitable and convenient waiting house for the passengers?

The Honourable Mr W F HUDSON (*a*) Yes

(*b*) It is intended for the use of passengers by steamers only

(*c*) The site chosen is within 30 feet of the site of the old Dharamshala and is about 150 yards from the landing place It is the nearest site to the landing place not subject to erosion by tidal water The building is largely used by passengers for the whole 24 hours

(*d*) The cost of the building together with the site is Rs 11,450 and it has been met from the Landing and Wharfage Fees Fund.

(*e*) The construction of the building on the site was unanimously approved by the Landing and Wharfage Fees Fund Committee on which there are two representatives of the two steamship companies and a representative of the District Local Board who happens to belong to Ratnagiri Town itself The Ratnagiri public were not consulted as the building is meant for all passengers using the port

(*f*) Passengers use the *pandal* which is adjacent to the ticket office of one of the steamship companies when steamers are expected to arrive but the Dharamshala is used day and night

(*g*) The present building is not inconvenient, and it would be a waste of public money to build another

ENGINEERING DEPARTMENT, SOUTHERN DIVISION
NUMBER OF MUHAMMADAN CLERKS

Khan Bahadur A E PATEL (Northern Division) Will Government be pleased to state the number of Muhammadan clerks in the Engineering Department in the Southern Division ?

The Honourable Dewan Bahadur S T KAMBLI . Ten

RETRENCHMENT POLICY

Khan Bahadur A E PATEL (Northern Division) · Will Government be pleased to state their policy in regard to the retrenchment of the Muhammadan clerks as well as the clerks from the other backward communities in the Public Works Department ?

The Honourable Sir GHULAM HUSSAIN The honourable member is referred to the concluding portion of the reply given to Rao Saheb R V. Vandekar's question on the subject printed at page 287 of the Debates of the present session (the 22nd February 1932.)

10 PER CENT CUT IN SALARIES EXEMPTION.

Mr H M RAHIMTOOLA (Bombay City) Will Government be pleased to state whether they have exempted any officers from the 10 per cent emergency cut in the salaries ? If so, what are the reasons therefor and what are the names and designations of those officers ?

The Honourable Sir GOVINDRAO PRADHAN The Honourable Member is referred to the Bombay Civil Services (Emergency Deductions from Pay) Rules, 1931, which were published in the *Bombay Government Gazette*

A statement showing the names of officers with their designations exempted under Rule 6 is appended.

Statement showing the officers exempted under Rule 6 of the Bombay Civil Services (Emergency Deduction from Pay) Rules, 1931

	Name of the Officer	Designation	Reasons for exemption.
1	Mr L S Vaidyanathan	Part-time Professor of Actuarial Science, Sydenham College of Commerce, Bombay	A substantial reduction in pay was made just prior to the general cut
2	Mr N B Divatia	Part time Lecturer in Gujarati, Elphinstone College, Bombay	
3	Mr. S N Chapekar	Part time Lecturer in Marathi, Deccan College, Poona.	
4	Diwan Bahadur K. H Dhruva	Part time Lecturer in Gujarati, Gujarat College, Ahmedabad	
5	Mr H. C. Iyengar	Part time Lecturer in Kanarese, Karnatak College, Dharwar	
6	Mr C V Hollowday	Assistant Mechanical Engineer, Draglines Division	These are officers on contract whose services are being terminated
7	Mr R M Sethna	Temporary Assistant Executive Engineer, Power Supply Division	
8	Mr Hudson Davis	Inspector of European Schools, Bombay Presidency	He is a newly recruited officer on contract

BILL No. II OF 1932 (A BILL TO EXTEND CERTAIN PROVISIONS RELATING TO INTESTATE AND TESTAMENTARY SUCCESSION OF THE INDIAN SUCCESSION ACT, 1925, IN ITS APPLICATION TO THE PRESIDENCY OF BOMBAY, TO CERTAIN COMMUNITIES).

Question again proposed "That the Bill be read a first time"

Mr G DAVIS Sir, I gathered the impression from some of the speeches of honourable members yesterday that they were under a misapprehension both as to the scope and application of this Bill For instance, one of the honourable members from Sind said, in a tone of sincerity which one must respect, that this Bill was an attack upon their personal law, and under that personal law they had made a wise provision for the shares of women Well, there is no such intention in the Bill and none such can be read into it It was never intended to be an attack upon such a wise and humane provision The Bill is not directed against any particular form of inheritance at all All that it is designed to do is to provide and ensure that in the making of wills and in the administration of estates of intestacy there is a certain regularity and safeguard

[Mr G DAVIS]

I turn first to the case of the Hindus, because the case was first put by the honourable member for the Bombay University (Rao Bahadur Kale) on the high ground of personal law I may be mistaken, but my impression was that this Bill was not objected to on the ground that it imposed a duty, or on a pecuniary level, but on a higher level, as an attack upon the personal laws of the Hindus The honourable member thought it wise to base that argument not only on his own representation, which embodies in itself the representation of the University of Bombay, but on a High Court ruling Well, I do not know what that High Court ruling was, but in any case I am bound by my profession to respect all High Court rulings But I give to some High Court rulings less respect than I do to others The honourable member says that it is against the Hindu personal law that the Bill should be made applicable to them. All I can say is that there is authority for the contrary proposition, that in Hindu law itself, in its learned books, there is no provision for the making or revoking of wills, and that that element of Hindu law which relates to the making of wills is derived in fact from the English testamentary law. When the honourable member takes the attitude that it is against the Hindu personal law that wills should be made in a particular fashion, all I can say is that we are entitled to ask that arguments against our proposals should be based on more precise authority than he has given If it is against the principle of Hindu personal law that wills should be made in a particular manner and that a probate should be taken under certain circumstances, I would like to draw the attention of honourable members to the fact that since 1870 this particular form of Hindu law has been encroached upon time after time, because in 1870 an Act was brought in whereby this particular provision, which it is now desired should be made of general application, was applied to Hindus in Bombay City, to Hindus in Madras, to Hindus in Calcutta and, I believe I am correct in saying, to Hindus living in what were then territories of Lower Bengal Sir, so far as I can see, there is no difference in the personal law of a Hindu who happens to live in Bombay City or one who happens to live in Madras So, I think one is justified in saying that as this invasion of personal law has been submitted to by the Hindus in Bombay City for a period now of over 60 years, the contention of the learned honourable member can have no particular weight

Then we pass from the question of wills of the Hindus to the administration of estates. The Hindu system of course is fortified by the joint family Some people have described this as a mystic entity, while others think that it is a means of keeping the money in the family, but I think I am correct when I say that so far as the letters of administration are concerned, they are applied to self acquired property of a Hindu who dies intestate and will not affect the joint Hindu family property Therefore, with all respect, I should think that so far as the argument is concerned that this Bill is objected to and should be objected to by the Hindus on the ground that it affects their personal law, that argument can have no particular weight.

[Mr G Davis]

Then I pass from the Hindus to the Muhammadans; and here I may stress again that there is no intention, no desire, and no power in the Bill to affect the Muhammadan law of succession In the Muhammadan law there is a humane and wise provision that women of the family are entitled to certain shares But I remember a case which came up before me where after 20 years after the death of the father, the sister had to sue the brother for her share in the property, and it was very difficult to ascertain what the property was at that particular time Well, Sir, I suggest that if letters of administration had been taken out, there would have been a schedule of assets, the position would have been regularised on the death of the father, and far from there being any hardship to the women of the household, they would have been protected So far as wills are concerned, it may be that there is to a certain extent a certain case made out when they say that the making of wills is provided for by their own testamentary laws When I had occasion to go into this matter so long ago as in 1925, I found a certain quotation cited in a particular authority which said, relating to the Muhammadans

"Let there be witnesses between you when death draweth nigh to any of you at the time of making the testament, two witnesses, just men, from among yourselves and two others of a different tribe from yourselves if ye be journeying in the earth and the calamity of death surprise you" (*Koran V, 106*)

With all respect, I submit that if it is provided that wills should be properly attested, there is nothing in that against the personal law of the Muhammadans When we enforce a particular provision, that the wills of Muhammadans should be attested, there is nothing in that which violates or strikes at the personal law of Muhammadans, and I submit, with all respect, that it is a fact, that we do not strike at the inheritance, nor do we influence in any way the law of succession, but we only safeguard those who are most in need of protection, namely, the widows, and the orphans we safeguard the inheritance, and so, when the affliction or calamity of death does come, then a father can know, at least, that the administration of his estate or the carrying out of his will, will be properly supervised and that those who are left behind will be properly protected

There is another aspect of the matter and it is this It is hoped that if these particular formalities which are provided in the Indian Succession Act relating to wills and relating to the administration of estates were insisted upon, then fraud or perjury amongst litigants would decrease I will give one instance that came under my notice When I was Judge at Ahmedabad, I had a case come up before me, where the plaintiff, who was the priest of a Hindu temple, sued a widow He sued the widow upon the basis that the widow's husband had made an oral will and that he, the priest, was entitled on behalf of the temple to all deceased's property upon which the life of that widow might be sustained. The judgment came up before me I went through it very carefully and I found that there was no evidence at all to justify the decree which was a decree by the subordinate judge in favour of the priest and so I set it aside. Some time after, I had another case from another temple

[Mr G Davis]

against another widow and the same allegation was made that there had been an oral will and that because of that oral will the plaintiff was entitled to the property, and again there was a decree in favour of the priest I suggest that if an oral will were not recognised, frauds of this nature could not have been perpetrated, and the barring of such wills would be a great protection for those who are deprived by death of their husbands or protectors and who are most in need of protection. And yet I suppose it may be argued that because oral wills can be made by Hindus now in the mofussil, because unfortunately the Bill is not going to make it *compulsory* on Hindus in all circumstances to take out letters of administration or probate, it merely provides that before a suit is filed in a court or before a claim is based upon inheritance, there shall be probate or letters of administration as the case may be, this Bill is an attack upon the Hindu personal law. But, of course, in the case of the priest and the widow, if the priest had desired to sue upon the will or to make the will the basis of his suit, he would have had to produce a written will and thus this Bill, if law, would have provided a very great protection for the widow Therefore, so far as I can see, there is nothing in this Bill that violates the personal laws either of the Hindus or of the Mahomedans, and what it really does is to strengthen and fortify them

There is yet another aspect of this matter and it is this Why, when certain communities have to take out letters of administration or probate, should certain other communities be exempted? After all, the State does render very valuable services, it renders the service of protection. And when property passes on death—when it passes from the father to the son or to the cousin as the case may be—and there is a transfer of property, there appears to me no reason whatever why the State should not say that this fortune has been accumulated, no doubt as the result of thrift on the part of the person who has died, but only under the protection of the State, and that it is only under the protection of the State that it is passing to the son or to the nephew or to the cousin, and therefore there is no reason whatever why the State should not receive at the time of that transfer a small part of the estate, whether it be in the form of an estate duty or whether it be in the form of a probate duty or whether it be in any other form And, therefore, it appears to me on all these grounds, namely, that it protects those who most need protection, that it does not violate the personal laws either of the Hindus or of the Mahomedans and that it is merely giving to the State what is due to the State, that this is a good Bill and that it should be supported by this honourable House

Rao Bahadur G K CHITALE (Ahmednagar District) Sir, I am very much obliged for the exposition of this Bill as put forward by the honourable member the Legal Remembrancer, Mr Davis, and the honourable member the Administrator General, Mr Mitchell Both of those honourable members have been very careful to state the present state of the law and to distinguish the future if this Bill is allowed to be

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passed. I must say at once that they are afraid to characterise this Bill as a taxation measure, lest it may be said that there is a narrow viewpoint such as of getting money and naturally, therefore, they have tried their best to put it on the higher ground of non-interference with rights and certainty which is to be desired Let us for a moment consider first whether it is a finance bill or not When in another form it was introduced in last December, it was wholly and solely a measure of finance and was intended to catch more estates at the proper time and to bring in more revenue That attempt having failed, it is now sought to bring it in this form It is stated in the preamble of the Bill that it is expedient to amend the Indian Succession Act of 1925 in its application to this Presidency, so as to extend certain of its provisions to Hindus and Mahomedans, who are at present not touched by them

Then it is stated that since 1870 there have been inroads on the personal laws, which have been acquiesced in by members of the communities concerned in the larger cities of Bombay and Madras It is said that even now there are certain other communities, such as the Parsis, the Europeans and the Anglo-Indians who are governed by that law, and there is no logical reason as to why the other communities should not be brought into line, and the law amended so as to include in its provisions the other communities, viz, Hindus, Mahomedans, Buddhists, Sikhs, Jains and Indian Christians, who have been exempted so far

The honourable member the Remembrancer of Legal Affairs justifies the Bill on various grounds First, as regards the non-violability of personal law, he says there is no intention or desire to interfere in any form of inheritance, and the Bill is for the purpose of regulating a certain kind of uncertainty which is likely to arise after the death of a person who is either a Hindu or a Mahomedan May I ask the House to consider the question from a proper point of view, apart from the question whether the present Government wants a little money out of this enactment or not? I would also put it on a higher ground of expediency, and argue still that this measure is not at all needed

Sir, the Remembrancer of Legal Affairs cited some cases and pointed out the advantages which would have accrued if the proposed law had been in existence He said that if such a law had existed, then there would have been no difficulty in deciding certain cases and giving speedier justice in a proper way. That is not the way, in my humble opinion, to look at this measure You have to remember that there was that protection There was the Indian Succession Act of 1865 which applied to certain communities, and they have continued to be governed by that Act, but it was laid down that the Hindus, the Mahomedans, the Buddhists, the Sikhs, the Jains and the Indian Christians were excluded from its operation. So also by section 3 of Act VII of 1903 the same protection was given to these communities which they have continued to enjoy May I ask, what evidence Government have in their possession to show that this particular measure, which, in my

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opinion, touches the personal laws of both Hindus and Muslims—and I will show how—is necessary ? What overweighing reasons have been suggested so as to carry conviction for an interference with their personal laws in this fashion ? So far, no such reasons have been given, but there are other reasons on which this House would be very well justified in throwing out the Bill in its present form

Now, the Hindu Law, I may say, is an inheritance from many, many ages No doubt, the English courts, after they were established here, have been making various inroads into the tenets of that ancient law by various rulings, and I am prepared to say that in various matters they have successfully interfered, for instance in the matter of adoption, which has simplified the position But, so far as I know, this matter of inheritance, the joint family system and the right of survivorship have so far not been at all touched by any rulings from the second class subordinate judges to the judges of the Privy Council . That right is kept intact and I may point out that, as a matter of law, the Hindu's estate, like estates in the hands of persons belonging to some other communities, does not go abegging for want of a will In the Hindu law of survivorship and inheritance certain heirs are mentioned, and as soon as one person disappears by death others come in, in their own right as co-parceners, and their right is inviolate, though it may change by subsequent deaths in the co-parcenary family So also, among the Mahomedans, their law is absolutely certain, and I should think that, if there is any law which gives certainty to the heirs, as to what shares they should have on the death of a Muslim leaving behind him an estate, it is Mahomedan law Certain shares are mentioned , they are defined, and as soon as the man dies, those shares take effect, and the Mahomedans divide the estate according to those shares mostly amicably. It is only in a very few cases, both under the Hindu law, and the Mahomedan law of inheritance, that possession established according to the rule of personal law, by which they are governed in a joint family, is challenged in any court After all, this will-making is a Western institution We had our wills , there was so much respect for the eldest member of the family in the joint family that whatever he stated on his death-bed was respected without a written word on his part, and those wishes are respected both by Mahomedans and Hindus The Mahomedan law goes a whit further in order to have that certainty In their case, even though the will may be proved, may be genuine, still, unless and until the heirs consent to the making of the will by the deceased, it operates only to the extent of one-third of the property , it does not operate as regards two-thirds of the estate Where then is the uncertainty which has been referred to by two honourable members from the Government benches ? Well, even under the English law, an up-to-date law, with its will-making and other things, do we not come across cases which are fought tooth and nail in the English courts, as to whether a particular will was made or not, as to whether the deceased was in a sound disposition of mind at the time of making the will, and so on ? So, I do not think that the real motive behind this

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particular legislation is to avoid uncertainty, and to know exactly what the property left by a deceased is How is the State as a matter of fact affected by what property I leave and what property my heirs will take ? If the heirs fight amongst themselves, they first pay to Government the proper court-fee for carrying on that fight, they have to pay the lawyers also, and they usually find that they have been fools enough to quarrel among themselves when the law is certain, both in the case of Hindus and Mahomedans

Then the honourable member the Remembrancer of Legal Affairs curiously styled the joint family system as a mystic entity Well, I must say, with due deference, that the joint Hindu family is not a mystic entity at all It is no doubt mystic to those people who do not understand, and who do not take care——

Mr G DAVIS: On a point of correction I did not say so I said that some people have described it as a mystic entity and others have described it as a means of keeping the money in the family

Rao Bahadur G K CHITALE You want either to rely on it or not to rely on it When you quote a particular authority, there is some meaning behind it If you quote it with approval, then I join issue with you, if you do not, then I have nothing to quarrel about. If you quoted it in order to induce this part of the House to accept your view, then it is my duty to point out that it is not the correct view That is all

I was saying, Sir, that some say no doubt that the Hindu joint family is a mystic entity, but they are ignoramuses, they do not understand, they have not cared to look into the Hindu law, which is quite simple, and is not at all difficult to understand so far as a coparcenary family and the rights of its various members are concerned As a result of several decisions after the establishment of British courts in this country, you will find that this law is particularised to the remotest heir, and everybody in a joint family knows as to who is the heir either on the male or the female side So, there is no difficulty with respect to that But we find it stated, how are the other people to know ? And it is argued that the people who have dealt or who may not have dealt with the deceased are entitled to know as to how they stand with respect to that family If a claim is made that it is on their behalf that this legislation is sought to be passed, I say that there is no substance in that contention The House will remember the illuminating speech made by the Honourable the Finance Member, when he stated that certain inroads have been already made and the public have been protected So far, you have the Bank Securities Act and the Joint Stock Companies Act, and others in which the bodies concerned have been protected It has been provided that when the investments of a deceased person belonging to either of these two communities, the Hindu or the Mahomedan, are concerned, the heir or heirs must produce a succession certificate, either under the Act of 1889 or under the Regulation of 1827, or some of the other Indian Succession Acts So, then, the public are fully protected—

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the public that want protection, that deserves protection from the State, from a higher point of view Then, Sir, if it is contended that that protection is also needed by other sowcars who have not dealt with the deceased person, I say that such sowcars do not need that protection, and they have not asked for it Not only that, but it is the case of the Government themselves that sowcars do not need such protection, when the sowcars do not want to protect the other people with whom they usually have transactions So, I have dealt with that phase of the question

Then it is argued that if this law is allowed to be enacted, then there would be certainly a kind of certainty with respect to the property of a deceased person, and whoever the heir may be, in years to come, he will know exactly what his position is

The honourable member the Legal Remembrancer said that a particular sub-judge was wrong and a particular sub-judge was right. I am not prepared to accept his dictum. We know sometimes judgments are given which do not exactly represent the truth We are bound down by the Civil Enactments, the Evidence Act and others, and we have to lead evidence in that particular way Our judges want to give justice as far as humanly possible on the evidence before them No further claims can be made that one judge is right and the other judge is wrong It is within the knowledge of the members of the legal profession that sometimes the Privy Council sets aside judgments of the High Courts and restores the judgments of the District Courts, though lakhs and lakhs of rupees are involved in those judgments Even though the honourable member has cited instances, I do not think that they prove anything

Then, he appealed to the Mussalmans and said that the schedule of property should be attached, which would stand in good stead, because many difficulties could be surmounted thereby May I present him with a piece of information? If it is a question of paying certain fee, then the schedule of property attached will not disclose the whole of the property, because the property is liable to a certain tax. So, many a time the schedule attached to such applications does not surely represent the truth I know many cases wherein, I am justified in saying, the schedule attached did not disclose the whole property. If the Hindus and Mahomedans had asked for such protection, I am not quite sure whether Government would have given it. The British Government have proclaimed religious neutrality since the transfer of India to the Crown They say that they adopt a neutral attitude with regard to the personal or religious laws of Hindus and Mahomedans We know that in matters of social legislation, which is for the welfare of the country, the Government are afraid to interfere So, I do not think that this legislation is brought forward with any such high motive which has been attributed to it by the previous speakers.

Lastly, I wish to say that I look upon it as a taxation Bill. Nothing else Several attempts have been made Government have got several strings to their bow. They have failed in one attempt and they wisely

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think that they may succeed in this attempt But purely and simply it is a measure of taxation The question of benefiting communities is a misnomer They have not done it with that high motive for which they claim some credit So, the Bill must be considered on its own merits There is no point in their contention that, if this enactment is made, it will benefit the communities concerned on those high grounds Under these circumstances, I feel it my duty to oppose the measure I think the House will be well advised in throwing it out

Mr A KIRKE-SMITH Sir, the object of this measure cannot be purely for the purpose of taxation. Honourable members may be under this misapprehension in view of the present financial condition of the presidency that the Government have brought forward this Bill as a financial measure But this measure is a want that has been felt for a long time in this country There is no reason why the Hindus and Mahomedans should not be able to take probate or letters of administration like other communities on whom it is obligatory To say that the making of a will is a western institution is not tenable for the reason that even so far back as 1870 the Indian Wills Act was passed making it obligatory in certain localities to take out probate or letters of administration Now, more than 60 years are past Still, though Hindus and Mahomedans make wills, they are, speaking generally, exempt from taking out probate or letters of administration That being so, it appears wrong that the legal representative, belonging to these communities, should not be made to take out probate of the will, after the testator dies The Taxation Enquiry Committee also recommends that something of the kind must be done. They say in paragraph 363 on page 282.

"Apart from any question of taxation, the extension of general system of representation to the communities in which it is not at present in force, would be of manifest advantage to the communities themselves."

There is no doubt that, if there is to be a general system of legal representatives to the Hindu and Mahomedan communities, the advantage will be much greater That is the real principle of this Bill Although it may have been brought forward now as a finance measure, its real purpose is to extend certain provisions of the Succession Act relating to intestate and testamentary succession to the other communities also As I said, this is a long felt want. I hope it will be passed by the House

The Honourable Sir GOVINDRAO PRADHAN Sir, many of the objections which have been raised have already been replied to I am not able to understand how this Bill interferes with the personal law of the Hindus or Mussalmans What is the personal law of the Hindus? There is what is called the joint family which gets the incidence of survivorship Even the law of survivorship, what is it? During the lifetime of a man, he can claim partition, he can create a mortgage on the property and so on He can do so as regards self-acquired property also As far back as 1870, the Hindu Wills Act was passed, the whole of Bengal is governed by the Dayabhaga system, and the Act applies

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to it. The presidency town of Bombay is governed by the Mayukha system, and Madras is under the Mitakshara system. The Act extends to these two towns It also applied to wills relating to the property situated in the Island of Bombay During the past 62 years nothing has been done to interfere with the personal law of Hindus Under the Mahomedan Law, there are certain heirs mentioned But the testamentary powers in their case are limited to a certain extent and they can make a will up to a certain extent of their property. This Bill is intended to remove the anomalies which have remained during all these years between races, religions and places, and which have been repeatedly pointed out The Taxation Enquiry Committee examined several witnesses I shall read what they say about this tax Before doing so, I may inform this honourable House that this measure will no doubt bring some revenue But this was not included in the Finance Bill as a finance measure, because it relates more to a matter of procedure, laid down under sections 212 and 213 of the Indian Succession Act, which are sought to be amended by corresponding changes in other clauses The Taxation Enquiry Committee in paragraph 362 say

"The extension of these duties to the communities to which they do not apply has often been advocated in the past, and is supported by a number of non official witnesses *who have given evidence before the Committee. Item (2) of Schedule I of the* Scheduled Taxes Rules is a 'tax on succession or on acquisition by survivorship in a joint family,' and under part II of Schedule I of the Devolution Rules, taxes included in the schedules to the Scheduled Taxes Rules are sources of provincial revenue"

Again in paragraph 367, they say

"While it is desirable to effect the extension of the existing law of probate to the communities that are at present exempted from its operation with as little disturbance of the existing provisions as possible, it is not easy in the confused state of the law as above described to suggest means of doing so

The first step would appear to be to delete from the Bill now before the Central Legislature for the consolidation of the law applicable to intestate and testamentary succession the clauses exempting various communities from the operation of the provisions therein which reproduce sections 187 and 190 of the Indian Succession Act, 1865, subject to an exemption in the case of small estates : This would have the effect of rendering it impossible for any person to establish a right in a court to any part of the estate of a deceased person unless he had taken out probate or letters of administration"

This was the first step which was proposed The suggestion of the Taxation Enquiry Committee is that these anomalies in the Indian Succession Act, by which certain communities are exempted from the operation of certain clauses, should be removed What are the sections relating to this? Sections 212 and 213 Section 212 runs as follows

"No right to any part of the property of a person who has died intestate can be established in any court of justice, unless letters of administration have first been granted by a court of competent jurisdiction"

There is an exemption clause If you want to go to a court of law and establish a right to the property of a person who has died intestate, you have to take out letters of administration This does not interfere with the personal law of any community We know what the law of different communities is Removing the exemptions which are now

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being enjoyed by all communities cannot for a moment interfere with the personal law of any community Then section 213 goes on—

"No right as executor or legatee can be established in any Court of justice, unless a Court of competent jurisdiction in British India has granted probate of the will under which the right is claimed, or has granted letters of administration with the will or with a copy of an authenticated copy of the will annexed"

Then, why should a person who goes to a court of law to establish his rights as legatee or executor be permitted to go through the proof of the whole will? Supposing a person claims as legatee a certain legacy under a will made by some ancestor ten or twenty years ago, the court has to go through the process of getting that will proved The probate is a judgment *in rem*: as soon as a will is admitted to probate, then that will is a valid document and no further proof of that will is necessary in any court of law You produce the probate and say "Here is a will which has been admitted to probate, and under this will I get such and such rights" The Taxation Enquiry Committee have pointed out that oftentimes wills ten, twenty or thirty years old are put forward So, it is made obligatory upon an executor or legatee who wishes to establish his right as executor or legatee to get that will admitted to probate When certain communities are under that obligation, why should other communities escape? This has been pointed out time after time for the last sixty-two years The Bill is no doubt brought in with the intention of getting some revenue, but it has also been brought in because of the suggestion of the Taxation Enquiry Committee that the discrimination between community and community should be removed

Then, I submit, Sir, as I have already pointed out to some of my honourable friends privately, that the Succession Certificate Act is not removed from the statute book If you want to recover any debt and you have to go to a court of law, you have to pay stamp duty only on the amount of that debt Say, you have to recover Rs 2,000 from the National Bank and the National Bank is not prepared to give you the money unless you produce a certificate, you merely pay the stamp duty on that Rs 2,000 You can also get it extended later on, supposing another bank, the Imperial Bank of India, wants a similar certificate You can go again to the court of law and say that the Imperial Bank owes you money and you want a certificate for that, the first certificate will be extended on payment of the fee but fifty per cent more So, that provision is not taken away It is not necessary for any one to pay a stamp duty upon the whole property If it is possible for you to collect your debts either privately or by the production of a succession certificate or heirship certificate, you are at liberty to do so If the property goes by survivorship, the honourable members who are lawyers know that the right of survivorship prevails even over the right of creditors unless an attachment has taken place before the death of the man or the deceased himself has created a charge But if you want to establish your claim to an intestate property as the heir, then in that case the court may write a judgment but will not give you a decree

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unless you produce letters of administration I do not for a moment understand on what principles certain communities were exempted at the time the law was passed. The change that is sought to be made in no way interferes with the personal law of any community The Parsi Intestate Succession Act and the Indian Succession Act which governs the intestate succession of Indian Christians, define the heirs in case of intestacy, yet the Parsis are compelled to take out letters of administration and the Indian Christians a probate when there is a will If you do not want to pay the duty, why should you bring in the argument that it interferes with the personal law, that it interferes with this and that, etc ? You can plainly say, "We have been enjoying the privilege of not paying the duty for all these long years, why should that privilege be taken away now ?" I can understand that position But the reply to that is that it is anomalous that there should be this differentiation between community and community That has been pointed out time after time Now, consider it from that higher point of view I consider, Sir, that this House will be well advised not to oppose the first reading of the Bill

Question put The House divided Ayes, 37, Noes, 51

Division No 10

Ayes.

ADVANI, Mr P B
BELL, Mr R D
BOLE, Rao Bahadur S K
BOWERS, Mr P L
BRANDER, Mr J P
BULLOCKE, Mr A GREVILLE
CLAYTON, Mr H B
DAVIS, Mr G
D'SOUZA, Dr J ALBAN
FREKE, Mr C G
GHULAM HUSSAIN, the Honourable Sir
HADDOW, Mr R R.
HUDSON, the Honourable Mr W F
JONES, Major W ELLIS
KAMELI, the Honourable Dewan Bahadur S T
KIRKE SMITH, Mr A
LANE, Mr C M
MACLACHLAN, Mr D
MCELHINNY, Mr G W
MITCHELL, Mr H C B
MODAK, Rev R S
MODI, Sardar Davar T K
MONTEATH, Mr J
OWEN, Mr A C
PERRY, Mr E W
PETIT, Mr J B
PRADHAN, the Honourable Sir GOVINDRAO
PRATER, Mr S H
RAFIUDDIN AHMAD, the Honourable Sir
SOLANKI, Dr P G
SPENCE, Sir REGINALD
SYED MUNAWAR, Mr
THOMAS, the Honourable Mr G A
TURNER, Mr C W A
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
WILES, Mr G
WINTERBOTHAM, Mr G L.

Tellers for the Ayes Mr P B ADVANI and Mr S H PRATER

Noes

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr A. B
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S N
ASAVALE, Rao Bahadur R S
BALOCH, Mr HAJI MIR MAHOMED
BANGI, Mr A K J
BHUTTO, Sir SHAH NAWAZ
BHUTTO, WADERO NABIBAKSH ILLAHI BAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
CHITALE, Rao Bahadur G K
DESAI, Mr H R
DHALUMAL LILARAM, Mr
DIXIT, Dr M K
GANGOLI, Mr G S
GHULAM NABI SHAH, Khan Bahadur
GOVER RORA, Mr
JITEKAR, Mr HAJI IBRAHIM
JOG, Mr V N
KADRI, Mr J S
KALBHOR, Mr G M
KALE, Rao Bahadur R. R
KAMAT, Mr B S

Noes—*contd*

KHUHRO, Khan Bahadur M A
KULKARNI, Rao Saheb P D
MATCHESWALLA, Mr G E
MEHTA, Mr M H
MORE, Mr J G
NAIK, Rao Bahadur B R
NAVLE, Mr N E
PARULEKAR, Rao Bahadur L V
PATEL, Khan Bahadur A. E
PATIL, Rao Bahadur D R
PATIL, Mr N N
PATIL, Rao Saheb V S
PRADHAN, Rao Bahadur G V
RAHIMTOOLA, Mr HOOSENALLY M
RESALDAR, Mr A K
SHAIKH ABDUL AZIZ, Mr
SHAIKH ABDUL MAJID, Mr
SHINDE, Mr R B
SINDHA, Mr MADHAVSANG JORBHAI
SURVE, Mr A N
SURVE, Mr V A
SYED MIRAN MAHOMED SHAH
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TOLANI, Mr S S
VAISHAMPAYAN, Dr V G
VANDEKAR, Rao Saheb R V
WADKE, Mr B P

Tellers for the Noes Mr G S GANGOLI and Rao Bahadur S K BOLE

BILL No. I OF 1932 (A BILL TO PROVIDE FOR THE LEVY OF A DUTY ON CONSUMPTION OF ELECTRICAL ENERGY FOR THE PURPOSE OF LIGHTS AND FANS IN THE PRESIDENCY OF BOMBAY AND TO AMEND THE COURT-FEES ACT, 1870, AND THE INDIAN STAMP ACT, 1899, IN THEIR APPLICATION TO THE SAID PRESIDENCY)

Third reading

The Honourable Sir GOVINDRAO PRADHAN Sir, I beg to move that Bill No I of 1932 be read a third time

Question proposed.

Mr Haji Mir Mahomed Baloch *rose*

The Honourable the PRESIDENT Does the honourable member wish to speak on the third reading ?

Mr HAJI MIR MAHOMED BALOCH (Karachi City) (Addressed the House in Urdu) *I wish to oppose the third reading, Sir*

Sir, when the honourable member Rao Bahadur Pradhan moved his amendment lowering the rates of stamp duty for the four cities of Bombay, Ahmedabad, Poona and Karachi, by 5 per cent on the figures recommended by the Select Committee, the Honourable the Finance Member his Secretary and others showed a favourable attitude for modifying the stamp duties The business of the House was suspended for about ten minutes The mover the honourable member Rao Bahadur Pradhan accepted the reduced rates of the stamp duty When one or two European members of this House opposed this reduction of stamp duties, the Honourable the Finance Member changed his mind at once and said, "I now leave it to the House to decide" This sudden change on the part of the Finance Member has lowered the prestige of the Government When the amendment was put to vote, they went into "Noes" lobby But fortunately it was passed in spite of the Government opposition The Honourable the Finance Member is a responsible representative of the Government and by his conduct yesterday he has done great harm to and lowered the prestige of the Government Here I wish to give one example Government gave

[Mr. Haji Mir Mahomed Baloch]

its word to Mr Harvey that his expenses in the case against Mr Nariman would be paid. Mr Harvey lost the case In spite of the opposition of the elected members of this House, the Government to keep its word given to Mr Harvey got the amount of expenses passed anyhow and paid I am sorry to say that the Honourable the Finance Member who gave his word in the House did not keep it

Therefore, I earnestly request the honourable members to combine and throw out this Bill at the third reading and thus defeat the purpose of the Government to add to their revenues

Rao Bahadur G V PRADHAN (Nasik District) Sir, I may remind the House that we have passed through two readings of the Bill Some of the honourable members said that Bombay was being taxed more than other cities Some members complained that the electricity surcharge was higher than it should have been This is the last occasion for any of us to express his opinion in a forcible way, if he so chooses This is the last opportunity for those whose amendments have been lost either in select committee or in this House I therefore appeal to all honourable members to take advantage of this opportunity and make the best of it

The Honourable Sir GOVINDRAO PRADHAN: I have nothing to say, Sir

Mr G DAVIS Sir, there are certain small drafting amendments which I propose to move with your permission. The first one seeks to set right a misprint which occurred in the press On page 52 of the Bill, instead of the word "working", the word "making" should be inserted Therefore, I move

"In sub-clause (3) of clause 11, for the word 'working' the word 'making' shall be substituted"

Question proposed

Rao Bahadur G K CHITALE I want to know whether it is a substantial amendment or whether it is merely verbal

Mr G. DAVIS In the Select Committee it was decided that the rules, before they come into operation, should be placed on the table of the Council and that the House may rescind them or modify them and that Government might accept the modification, or, if they did not accept the modification, rescind them By some mistake, the word "working" has been put in instead of the word "making".

The Honourable the PRESIDENT. It is perfectly evident from the context that the word ought to be "making" and not "working".

Question put, and agreed to

Mr G DAVIS The next amendment, Sir, relates to our old friend, Schedule I I think honourable members remember that it was drafted in haste, and although it stands technically correct, so far as the wording is concerned, it is not extremely happily worded I therefore propose to point out the precise words to be altered and then I shall ask

[Mr G Davis]

that I may be allowed to substitute the schedule which has been typed and which is now before the House—with the omission of certain words, which, again, have been put in by mistake, for the schedule that now stands For instance, in clause (*a*), we propose to put in the word "proviso" before "section 5" Really the exemptions come under the proviso of section 5 That is merely a matter of precision As regards the word "light" also, I have been advised by the honourable member the Electrical Engineer to Government that the correct word is "lamp" and not "light" If this question came to a court and if the Electrical Engineer were called in to interpret this clause, he would say that the correct word is "lamp" and not "light" Therefore, where the word "light" occurs, I propose to substitute the word "lamp"

As regards the scale of duty, the words "not exceeding" were used in the schedule which was finlly agreed to The words "not exceeding" do not read as well as the words "but less than" I re-drafted the clause I believe correctly, but again in the office they put in some words which should not be found there The amended Schedule, clause (*b*), should read

"(*b*) In respect of all premises not exempted under the proviso to section 5 and the second schedule, when flat rates are charged by the licensee, for

	Annas per mensem
every lamp of less than 30 watts	2
every lamp of 30 watts or more but less than 40	3
every lamp of 40 watts or more but less than 60	4
every lamp of 60 watts or more but not exceeding 100	6
and for every additional 15 watts or fraction thereof in excess of 100 in any lamp	1"

I therefore move that this Schedule which I shall read out be substituted for the First Schedule

"FIRST SCHEDULE

(*See section 5*)

FOR LIGHTS AND FANS

(*a*) In respect of all premises not falling under clause (*b*) and not exempted under the proviso to section 5 and the second schedule	Six pies for each unit of energy consumed

(*b*) In respect of all premises not exempted under the proviso to section 5 and the second schedule, when flat rate are charged by the licensee, for

	Annas per mensem
every lamp of less than 30 watts	2
every lamp of 30 watts or more but less than 40	3
every lamp of 40 watts or more but less than 60	4
every lamp of 60 watts or more but not exceeding 100	6
and for every additional 15 watts or fraction thereof in excess of 100 in any lamp	1

Explanation.—In calculating the rate of duty under clause (*b*) every 10 watts shall be presumed to have consumed one and half units during a month"

Question put, and agreed to.

Mr. G. DAVIS: Sir, as regards the second schedule there are two verbal alterations which amount merely to a re-arrangement of the explanations and one misprint. The amendment proposed is

"(3) In the second schedule to Part II, for the explanations the following shall be substituted, namely

'*Explanation* (*1*).—For the purpose of exemption (5)—

(*a*) "industrial undertaking" means all buildings or premises wherein or within the precincts of which any manufacturing process is carried on'."

In the printed report the word 'the' came in in the place of the word 'any'

'and

(*b*) "manufacturing process" has the meaning assigned to it by section 2 (4) of the Indian Factories Act, 1911'

There is no other alteration in that

'Then I have added explanation II after explanation I and that reads;

Explanation (*2*).—For the purpose of exemption (7)—

(*a*) "Consumer" shall be deemed to include a landlord or a person who shall supply electrical energy to one or two roomed tenements in any one building in respect of any one of which tenements not more than twelve units of energy shall have been consumed during any one month, and

(*b*) whether more than twelve units shall have been used by or in respect of any one tenement during any one month shall be determined by dividing the number of units used by the number of tenements in that building

We have re-arranged the explanations in the two paragraphs (*a*) and (*b*) so that they would read more appropriately, but there is no substantial alteration in any way. Honourable members have a copy of these amendments and so there is nothing which they have not had notice of. Therefore I move

"(3) In the second schedule to Part II, for the explanations the following shall be substituted, namely

'*Explanation 1*.—For the purpose of exemption (5)—

(*a*) "industrial undertaking" means all buildings or premises wherein or within the precincts of which any manufacturing process is carried on, and

(*b*) "manufacturing process" has the meaning assigned to it by section 2 (4) of the Indian Factories Act, 1911'

'*Explanation 2*.—For the purpose of exemption (7)—

(*a*) "Consumer" shall be deemed to include a landlord or a person who shall supply electrical energy to one or two roomed tenements in any one building in respect of any one of which tenements not more than twelve units of energy shall have been consumed during any one month; and

(*b*) whether more than twelve units shall have been used by or in respect of any one tenement during any one month shall be determined by dividing the number of units used by the number of tenements in that building'".

Question put, and agreed to.

Mr. G. DAVIS: Sir, there is another small error that has crept in in the press, namely, the words "Four annas" appear against the exemptions to article 5 shown on page 68 of the select committee's report. I therefore move

"(4) In sub-clause 5 (*c*) of clause 15, the words 'Four annas' occurring against the exemptions to article 5 shall be deleted".

Question put, and agreed to.

Question, "That the Bill No I of 1932 be read a third time," put The Bill read a third time House divided Ayes, 55, Noes, 22

Division No 11

Ayes.

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ADVANI, Mr P B
ALLAHBAKSH, Khan Bahadur
ANGADI, Rao Bahadur S N
ASAVALE, Rao Bahadur R S
BANGI, Mr A K J
BELL, Mr R D
BOLE, Rao Bahadur S K.
BOWERS, Mr P L
BRANDER, Mr J P
BULLOCKE, Mr A GRENVILLE
COLLACO, Dr J A
DAVIS, Mr G.
D'SOUZA, Dr J ALBAN
FREKE, Mr C G
GHULAM HUSSAIN, the Honourable Sir
HADDOW, Mr R R
HUDSON, the Honourable Mr W F
JONES, Major W ELLIS
KADRI, Mr J S
KALBHOR, Mr G M
KAMBLI, the Honourable Dewan Bahadur S T
KHUHRO, Khan Bahadur M A
LANE, Mr C M
MACLACHLAN, Mr D
MATCHESWALLA, Mr G E
MCELHINNY, Mr G W.
MITCHELL, Mr H C B
MODAK, Rev R. S.
MONTEATH, Mr J
OWEN, Mr A C
PATEL, Khan Bahadur A E
PATIL, Rao Bahadur D R
PATIL, Mr N N
PERRY, Mr E W
PETIT, Mr J B
PRADHAN, the Honourable Sir GOVINDRAO
PRATER, Mr S H
RAFIUDDIN AHMAD, the Honourable Sir
RAHIMTOOLA, Mr HOOSENALLY M
ROOSE, Mr F O J
SOLANKI, Dr P. G.
SPENCE, Sir REGINALD
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
THOMAS, the Honourable Mr G A
TURNER, Mr C W. A.
VAKIL, Mr PESTANSHAH N
VAKIL, the Honourable Sirdar Sir RUSTOM JEHANGIR
VANDEKAR, Rao Saheb R V
WADKE, Mr B P
WILES, Mr G
WINTERBOTHAM, Mr G L

Tellers for the Ayes Mr S H. PRATER and Mr P B ADVANI

Noes

ACHREKAR, Mr A B
BALOCH, Mr HAJI MIR MAHOMED
CHITALE, Rao Bahadur G K
DESAI, Mr H R
DHALUMAL LILARAM, Mr
DIXIT, Dr M K.
GILDER, Dr M D
GOVER ROBA, Mr
JOG, Mr V N
KALE, Rao Bahadur R R
KAMAT, Mr B S
KULKARNI, Rao Saheb P D
MEHTA, Mr M H
MORE, Mr J G
NAVLE, Mr N E
PATIL, Rao Saheb V S
PRADHAN, Rao Bahadur G V
SHINDE, Mr R B
SURVE, Mr A N
SURVE, Mr V A
TOLANI, Mr S S
VAISHAMPAYAN, Dr V G

Tellers for the Noes Mr G S GANGOLI and Rao Bahadur S K BOLE

BILL No III OF 1932 [A BILL TO AMEND THE TOBACCO DUTY (TOWN OF BOMBAY) ACT, 1857].

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Sir, I introduce the Bill *

The Honourable the PRESIDENT The Bill is introduced

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Sir, I rise

First reading

to move the first reading of Bill No III of 1932 [A Bill to amend the Tobacco Duty (Town of Bombay) Act, 1857] This Bill, it should be understood, affects Bombay City only It is an amendment to a very old Act dating from the year 1857 My remarks will be as brief

* Appendix 20

[Sirdar Sir Rustom Jehangir Vakil]

as possible, and I shall take advantage of the fact that the circumstances in which it has become necessary to obtain increased funds for the Bombay Improvement Trust are already a familiar subject to this House. I will divide my remarks into three parts; first, the choice of tobacco as a subject of further taxation; secondly, the incidence of the tax; and, thirdly, the application of the proceeds, if the Bill meets with the approval of the House.

As you know, Sir, the Improvement Trust has now entered upon the period, always anticipated, when there is a substantial gap between the receipts from its properties and its expenses, which consist principally of interest on the money expended in acquisition and development. The object of this Bill is to help to bridge that gap.

In his letter No. 7488, dated the 12th November 1931, His Worship the Mayor of Bombay reaffirmed the anxiety of the Corporation to amalgamate the Trust with itself. This amalgamation of course has long been the accepted policy and was contemplated when this House passed Act No. XVI of 1925, the City of Bombay Improvement Trust Transfer Act. The Corporation, however, is naturally anxious to see the financial future of the Trust stabilised before it accepts a responsibility which it has itself always demanded.

In his letter referred to, the Mayor stated that the Corporation anticipated that additional revenue of 28½ lakhs would be needed to enable the Trust's finances to reach equilibrium within twenty years. The picture may be a trifle overdrawn. I am inclined to think it is. But this estimate is based on the assumption that new sources of revenue would be provided from the 1st of April next. It is clear that time is the essence of the problem and that even a short delay in providing the necessary revenue will throw all estimates out of gear. This is the reason why the present Bill is now before this House. Government propose to introduce a new Transfer Act in the next session of this Council. Before that Bill is introduced, they propose to give as full consideration as they can to all available means of increasing the receipts of the Improvement Trust. But in the meanwhile it is essential that some steps should be taken to see that the position meanwhile does not by delay grow entirely out of hand.

Government have given anxious consideration to the question whether the increase of duty which is now proposed is not too high. They are convinced that it is not. They are also convinced that nothing less than the amount of duty which it is hoped to raise by the present Bill will be really adequate to restore the credit and the prospects of the Improvement Trust.

I will briefly recapitulate the proposals which the Corporation have made with a view to providing 28½ lakhs. They include the allocation of an additional 1 per cent. from the municipal general tax, a tax on rail and steamer tickets, an expert tax on cotton bales, and an increase in tobacco duty. I have little doubt that a tax on tobacco is a better tax in every way that you look at it than any of the other proposals for new

[Sirdar Sir Rustom Jehangir Vakil]

taxes which the Municipality have made However that may be, it was not possible to bring these other proposals before this House at the present session, because they would have involved very careful enquiries and the sanction of the Government of India Whether we shall have to proceed with them hereafter, or will be enabled to drop them, or at any rate reduce them to a milder and more acceptable form will depend primarily on whether this House passes the present measure Of course, Government are not restricted to the tax proposed by the Municipality We have had correspondence with the Municipality concerning other proposals, for instance a marriage tax, which has been suggested by one of the honourable members opposite But this tobacco tax appeared to be the only measure which would give a really substantial immediate additional revenue I would ask those honourable members who have tabled amendments which will reduce the rate of duty to reflect very carefully before they move them, remembering that a reduction in the rate of duty which is proposed in this Bill can only be made up by taxes which are likely to hit the working classes far more seriously than this Bill will ever hit them

Now as regards the incidence of the tax, the first question which arises is whether a fourfold increase would not be an excessive increase I do not labour the fact that tobacco is a suitable source for taxation and can well bear a considerable duty, because, as you know, almost every foreign country and very many States in India raise a substantial proportion of their revenue from tobacco.

In the United Kingdom the cheapest grade of tobacco pays an excise duty of over Rs 500 per maund In the State of Travancore all grades pay a duty of Rs 41 a maund The case of Goa is parallel to that of Bombay There the duty is Rs 31-8-0 a maund. When the maundage of Rs 7-8-0 was imposed in 1857, Bombay was a village British India in fact stands almost alone in leaving indigenous tobacco substantially untaxed The rate in Bombay City would certainly have been raised long ago if it were not for the fact that there is no duty in the mofussil The reason for this is the difficulty of raising a tax in a large country which grows a great proportion of its own tobacco None of these difficulties exists in Bombay City, where there is no tobacco cultivation and everything must be imported The conditions for taxing tobacco are ideal We do not of course intend to hit the export trade at all It is proposed to secure refunds to regular dealers in tobacco on such tobacco as is imported into the City only to be re-exported But all tobacco of whatever description, which is consumed in the City of Bombay, whether it is foreign tobacco which has already paid the Customs duty, or the indigenous tobacco, will pay this new duty

Now, let us consider the incidence of this tax on the Bombay working man It is an interesting fact that *bidis* are dearer in Bombay than elsewhere, not because of the existing tax but because of the superior class of *bidi* which is sold in Bombay. Three-quarters of Bombay's consumption of tobacco in *bidi* form consists of the

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best Karnatak tobacco The *bidis* made from this tobacco sell at 2 a pie or 4 annas a 100 and Rs 2-8-0 a thousand Those made from the cheaper tobacco sell for 8 a piece, 3 annas a 100 and Rs 1-8-0 a thousand Let us consider the effect of the duty on the class of *bidi* generally smoked in Bombay which sells at 4 annas a 100 Out of this 4 annas, the present duty of Rs 7-8-0 a maund represents just under 1½ pies The incidence of a 30 rupees duty will be six pies a 100 and this is under 13 per cent of the ultimate cost Smokers of the working class consume about 12 *bidis* a day On this basis, the extra cost to the working class man of the enhancement of the duty should be 3¾ pies a week Of course, the question arises whether the retailers will not raise their prices to a greater extent than is justified by the increase of tax In most countries this would undoubtedly be the case, but in Bombay the competition among the sellers of such articles as *bidis* is really infinite, and it is more than probable that the retailers will seek to neutralise the increase of duty by mixing the better class tobacco with the cheaper tobacco, or by some other means which will not raise the present selling price This supposition of mine can of course only be verified or falsified by experience But in any case the extra tax which the working class man will pay will not be burdensome and will be slight compared with the benefit which the activities of the Improvement Trust have conferred upon him The incidence of tax on cigarettes will be about 15 annas a thousand, that is, 4½ pies a tin of 26 cigarettes I will not deal at present with the incidence of the tax on cigars and smoking and chewing tobacco, but it will be all on the same light scale The main consideration is that it will fall equally on all tobacco that is consumed in whatever form in Bombay City, and since this duty is very light in comparison with the heavy customs duties, the enhancement of duty cannot upset the relation existing between the prices of indigenous and imported products

Now, Sir, I come to the most pleasant part of my task, and that is the consideration of the allotment of this extra duty which I earnestly trust that the House will vote The money will be Government money Although the duty is called a municipal duty, this is a name only, and Government will have a free and unfettered right to dispose of it in any way they choose You will see, however, from the statement of objects and reasons that it is Government's intention to use the whole of the increased revenue for the benefit of the Improvement Trust The only objection which I can conceive being raised to this proposal would come from the mofussil members They might argue, why should the proceeds of a Government tax which is rightfully a source of provincial revenue be expended entirely for the benefit of Bombay? The answer is that there is no corresponding tax raised in the mofussil, and until the mofussil is able to contribute something substantial from its tobacco no unfairness can possibly arise Well, here again we are up against hard facts The money must be found somehow and it is little use indulging in academic discussions It has always been the policy of Government to insist that

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as far as possible the expenses of any municipal area should be met from taxes raised within that area But to this there have always been large exceptions The Calcutta Improvement Trust has enjoyed regular contributions from the provincial exchequer Government grants are given to all local bodies In the present case, a Government grant is an absolute necessity

During the calendar year 1930 the revenue from the existing tobacco duty amounted to Rs 4,34,000 Of this amount Rs 69,000 came from the duty on foreign tobacco and Rs 3,65,000 from the duty on country tobacco The expenses of collection were Rs 77,000 It is hoped that these expenses will not be increased by the enhancement of the tax It is Government's intention, as I said, that the Improvement Trust should benefit to the full extent of the increase in net receipts It would be fair to pay to the municipality's account not less than the average net receipts of the last few years If the increased duty does not act to depress consumption, it should yield as much as 13 lakhs I think we may hope for something like 12 lakhs, after the Act has been in operation for some time We shall expect the Municipality to do something soon and something substantial on their part, as indeed they have undertaken to do, to meet the Improvement Trust deficit If we assume that they provide another 12 lakhs from their general tax it will be seen that the remaining deficit, after 24 lakhs have been allocated, will be a small one and that the bogey which has been held over us in the shape of the cotton cess and the tax on railway tickets may be said to have been very nearly laid

Before I sit down, I will add a word about the fourth clause of the Bill The present limit of exemption for tobacco privately imported is extremely high It is as high as 4 seers or 8 lbs Those of you who have travelled in Europe will realise that a rate of exemption as high as this is wholly incompatible with a substantial rate of duty We have placed the exemption rate at 1 lb This is high, but of course the circumstances of Bombay, adjoining as it does a vast untaxed area, are peculiar and we must be liberal in this respect The rate of free import is 1 lb in Cochin and half a pound in Travancore I hope the House will consider that the rate of exemption which we propose is sufficiently liberal Sir, I hope this honourable House will pass the first reading of this Bill

Question proposed

SIR REGINALD SPENCE (Bombay City) Mr President, I rise to oppose the first reading of this Bill I have no objection to increased taxation on the citizens of Bombay which will provide money to enable the municipality to pay for the magnificent heritage it has received from the City of Bombay Improvement Trust and I have no objection to increased taxation on tobacco for this purpose, provided the tax is only paid by smokers who live in the Island of Bombay, or perhaps Salsette, as the majority of the inhabitants of Salsette benefit from the work of the Improvement Trust I do object, however, to a tax which, introduced at the present time, will damage an important trade in Bombay and prove

[Sir Reginald Spence]

yet another nail in the coffin we are all so zealously building for the emaciated corpse of Bombay's greatness

Under the existing scale of taxation 1,000 cigarettes pay 3 annas 9 pies in tobacco duty over and above the duty which imported cigarettes, cigars and tobacco pay in customs duty Members who do not smoke tobacco may be surprised to know that the customs duty on cigars is over 100 per cent, and on all imported cigarettes invoiced at over Rs 10-8-0 per 1,000 c i f duty is Rs 15 per 1,000 Cigarettes invoiced at Rs 10-8-0 per 1,000 and under pay Rs 10-10-0 in duty Now, *this tax of 3 annas 9 pies was too small to affect the trade* done in cigarettes upcountry The tax was non-refundable and I doubt if people upcountry buying cigarettes in Bombay knew of its existence

It will be quite different if this Bill before the House is passed The new duty works out to 15 annas a thousand—15 annas is or will be Re. 1 a thousand A great deal of the upcountry trade done by Bombay in cigarettes is done in lots of 5,000 or 10,000 The tax on these will be in round figures of Rs 5 or Rs 10

Unless a refund of this tax is obtained without undue difficulty, the trade which was done by Bombay merchants upcountry will be done by merchants outside Bombay, and I think in the main, by merchants who will not import their cigarettes and tobacco through the port of Bombay The port of Bombay will suffer Traders who deal in articles other than tobacco will suffer—a large part of the upcountry trade is done by provision merchants who anticipate that with lost trade in tobacco will come lost trade in provisions More people will be thrown out of work, less revenue in house and residence taxation will accrue to the municipality of Bombay We are told, or shall be told, that these dire calamities will be averted because Government will arrange for the duty to be refunded in respect of cigarettes and tobacco sent upcountry and that this can be arranged on the same lines as is done in the case of refund of vend fees and excise taxation on wines and spirits sent from Bombay for consumption outside the presidency of Bombay Now, I should like to take this opportunity of paying a tribute to the way in which the Commissioner of Excise and his staff, whilst keeping a firm check on the possibilities of fraud, do afford every facility for the trader in Bombay to obtain a refund of Bombay presidency duties he has paid on goods he is sending outside of this presidency

But, with the best will in the world, the Commissioner and his staff cannot get a scheme in working order by the 1st April which will enable Bombay traders to obtain a refund of this duty when sending tobacco and cigarettes outside the town and Island of Bombay Once a man has known that he can do equally well by trading with some other cities, he will not come back to Bombay

I am told that the needs of the Bombay Municipality are urgent, and the Bill shows signs of precipitate drafting Not only is the Bill premature because arrangements will not be ready to allow for refunds, but the taxation as proposed falls too heavily upon the poor man who

[Sir Reginald Spence]

buys cigarettes which cost about Rs 5 per thousand Firms in Bombay tell me that on cigarettes which are made from a pound of tobacco six annas worth the duty is going to be Re 0-5-10½ That is a heavy charge on a very poor man who buys cigarettes which cost about Rs 5 a thousand, eight annas a hundred or say one anna for ten These cigarettes are to be taxed 15 annas a thousand and cigarettes costing Rs 30 a thousand are to be taxed the same—so are cigarettes at Rs 60 a thousand! I am told, however, that the biggest seller in Bombay is a cigarette retailed at 2½ annas per 10 cigarettes or one pice per cigarette That is a good bit higher than the figure the Honourable Minister gave us If the tax is heavy on the one pice cigarette it will be far heavier on the cigarette costing one anna per ten Panwallas selling these cigarettes make a profit of Rs 1-14-0 per 1,000 The new tax at Rs 30 a maund will reduce this profit to Re 1-3-0 per 1,000. They will lose 11 annas a thousand, if they pay the tax. But it will pay the panwalla to buy a season ticket to Bandra and go to Bandra and buy it at Bandra as often as he likes and bring it into Bombay If the limit of exemption is half a seer a man may be able to bring 400 cigarettes free of duty. When he has exhausted that, he has only to go back and buy another 400 in order to escape the duty If the exemption is higher, the maximum number he can take at one time will be much more The point I want to make is that this exemption will encourage smuggling When you take a drive to Bandra and come back again, you do not expect to be stopped and you yourself searched You do not expect when you get into the train at Bandra to have somebody put his hand into your pockets to find out how many cigarettes you have got on you The smuggling which will take place in all parts of Bombay will be terrific With smuggling comes also crime and we know also that with that comes tremendously increased expenditure, the one thing which we want to avoid

Sir, I am in favour of taxation which will enable the Municipality and the citizens of Bombay to benefit from that taxation But the introduction of this Bill and this taxation on the citizens of Bombay, when there is no other city in India taxed in this way is wrong Let us have this extra taxation all over India, and let the Municipality be given the ten or twelve lakhs of rupees that you want them to have But do not go and tax the citizens of Bombay when all the rest of the world is free from this tax Sir, I oppose the first reading of this Bill

SYED MIRAN MAHOMED SHAH (Hyderabad District) Sir, I rise to support the first reading of this Bill I thought the arguments that would be advanced by the honourable member Sir Reginald Spence would go a long way to convert me to his own way of thinking, but after hearing them I stand in the same position as I was when I had listened to the speech of the Honourable Minister for Local Self-Government The case for the opposition has been put from various points of view One point that the honourable member Sir Reginald Spence wished to make out was that this is a new tax imposed on the City of Bombay only and not prevalent anywhere in the world. That is

[Syed Miran Mahomed Shah]

what I understood him to say But if we refer to the report of the Taxation Enquiry Committee and reports by other financial experts, we see that they have given expression to the feeling that this is a commodity which ought to be taxed in this country I will refer the honourable member Sir Reginald Spence to Sir Walter Layton's recommendations in his note on Finances of India (in the Simon Commission's Report) He has investigated the various heads of taxation in India and has recommended tobacco as one of the sources of revenue that might be appropriated either to the provincial revenues or to the revenues of local authorities The Honourable Minister for Local Self-Government has made it clear that he was moving for the imposition of this tax in the City of Bombay because tobacco was not cultivated in the City of Bombay.

Sir REGINALD SPENCE. It is already taxed a hundred per cent

SYED MIRAN MAHOMED SHAH If my honourable friend (Sir Reginald Spence) complains only about the severity of the tax, then I will give up this part of my argument If he has no objection to the principle of the tax——

Sir REGINALD SPENCE I said that taxation on tobacco was already too heavy

SYED MIRAN MAHOMED SHAH Now, I come to the point whether it is too heavily taxed I am not going to discuss all the figures which my honourable friend has placed before the House I will only urge that this is one of those articles which ought to be taxed as much as other luxuries are taxed The tendency of this House, especially of the non-official side, has been not to hesitate in supporting Government in any proposal to tax luxuries, because the burden of those taxes falls on broad shoulders [*An Honourable Member*. No] Tobacco is not a necessity of life, whatever people may say, whatever may be the extent of its consumption We cannot deny that it is a luxury as much as wine, gambling, or any other luxury in life We can do without it Would any of the honourable members urge that it is a necessity of life, that people cannot carry on or live without smoking tobacco? I think there are many who can live without it I would urge that it is even injurious, and many doctors have proved that In my own experience whenever I have taken to tobacco, I have suffered from sore throat So that, from the medical point of view also, it is not an article for which we should have any mercy We need not hesitate to impose as much tax on it as possible, especially when we take into consideration what an amount of revenue it will give to the City of Bombay to enable it to bear the burden of this Improvement Trust There is a corresponding advantage to the citizens of Bombay in that they have spacious houses and sanitary areas in which they live and breed. So, one has to take stock of the whole thing, weight the disadvantages with the advantages, and if one does that one will find that they will not be losers. Therefore, I think the non-official section of this House should be willing to give support to the first reading of the Bill

[Syed Miran Mahomed Shah]

My honourable friend (Sir Reginald Spence) tried to touch the weakest point of our heart by bringing in the question of unemployment He tried to make out that many of the hands who live on this industry would be thrown out of employment But I assure him that this will not be the case If we conceded that argument, then we might feel pity even for those who carry on the business of illicit distillation of mhowra flowers and many other illicit trades I think, however, only an infinitesimal percentage of the population are living on this industry It is a very small industry, and people living on it, if thrown out of employment, can revert to some other industry which is neither injurious to the health of the people nor contrary to the morals of the people Weighing the advantages and the disadvantages, we should not give much weight to the question of unemployment

Coming to the question of double taxation, my honourable friend tried to make out that tobacco is being taxed twice customs duty is first imposed on foreign tobacco and again when it goes out of the precincts of the City of Bombay, then also it is taxed a second time May I point out that there are many such goods which are taxed several times when they pass through various areas ? Therefore, if that argument holds good, then many of the taxes will have to disappear So, that is not a valid argument

What we have to take into consideration is whether the commodity which is sought to be taxed is a necessity of life or comes under the category of luxuries I have made it clear that it is not one of the necessities which we should hesitate to tax I have also pointed out the corresponding advantages that will accrue to the citizens of Bombay by the acceptance of this tax Moreover, this Bill was not initiated by Government themselves It was brought in at the instance of a representative body, I mean the Corporation of the City of Bombay The City fathers of Bombay after due deliberation have thought it fit to impose this tax on the residents of Bombay I do not know if we are wiser than those representatives who have the interests of the people at heart and who must be coming into more direct touch with their constituents It is at the instance of a representative body, whose members are more representative of the people of the City of Bombay than we are, and come into closer contact with the people of the City of Bombay than we do, that this Bill is brought forward before this honourable House So, from these points of view the House will be well advised to accord sanction to the Bill

(After recess)

Mr B S KAMAT Mr President, I have no hesitation in supporting this Bill, thereby giving 13 lakhs of taxation to the executive For one thing, this taxation bill stands entirely in a different category to the one which we just passed, namely, the taxation of light and air, which to my mind is fundamentally wrong In this case, however, as one of my honourable friends on the other side pointed out, smoking is not a necessity of life, and from that point of view, we are only taxing a luxury.

[Mr B S Kamat]

Then, again, as it has been pointed out, this taxation has been asked for by the Bombay Corporation and we need not stand in the way of that Corporation in getting this money for improving their own financial position

There is one point, however, which I think the Honourable Minister might clarify I am not in favour of earmarking any particular revenue for a definite purpose I know that is not a very good, sound general principle All the same, equity requires that if Bombay people are taxing themselves for their tobacco, the Bombay Corporation should get the advantage of this taxation, and the revenue so raised should be their sure asset beyond the possibility of any legal quibble on the part of Government Whether it is the moral binding on Government to transfer the proceeds of this tax to the Bombay Corporation, or whether it should be a statutory obligation on them is a point worth consideration The Bill is not clear And I venture to think that this point should be cleared up by the Honourable Minister when he gives his reply As I said, equity requires that there should be a permanent claim, so to say, on this revenue in the hands of Government in favour of the Bombay Corporation On the other hand, I feel that this Council should be absolutely at liberty either to reduce or to enhance any subsidy or contribution to the Trust as the financial circumstances for the time being permit I believe this year the contribution is something like 35 or 32 lakhs of rupees Subject, therefore, to the right of this Council to reduce or enhance the contribution to the Improvement Trust as circumstances may require, the proceeds of the tobacco duty may be——

The Honourable Sir GHULAM HUSSAIN May I interrupt the honourable member? Which contribution is he referring to?

Mr B S KAMAT I beg your pardon Yes, this 32 lakhs is a loan If there is no contribution or subsidy this year, any way it should be within the competence of this Council to deal with the provincial revenues and grants as we like

Now, with reference to the objection which was raised by my amiable friend Sir Reginald Spence, who, I am sorry to say, is not in his seat [*Honourable Members* He is here]—I am sorry With reference to his objections I say I sympathise with him, perhaps he is a smoker of cigars But, Sir, if the incidence of this taxation owing to the additional proposed duty is adverse so far as imported cigars and cigarettes are concerned, it may perhaps mean that many people in Bombay will go in more for the country *bidi* as a cheaper smoke and thereby to a certain extent, I expect, the indigenous industry will be helped The *bidi* industry employs a large number of helpless women and widows, and because of the fact that the cigarettes and cigars are going to be costly comparatively, it would not be a great calamity for the *bidi* makers from the point of view of indigenous industry

As regards the difficulty about refund, my honourable friend Sir Reginald himself admitted that in the case of wines and spirits the machinery for refunds has been working very smoothly If that is the

[Mr B S Kamat]

case, it is only a question of a little time, and the refunds of the duty on tobacco to upcountry dealers would work equally smoothly I do not think, therefore, that his apprehension is well-founded I think the tobacco duty is, if not an ideal form of taxation, at any rate an unobjectionable form of taxation as compared with the taxation of light and air, and I have great pleasure in supporting this Bill

Mr G L WINTERBOTHAM (Bombay Chamber of Commerce) Sir, I would like to say that I support the first reading of this Bill, not because I think it is an ideal measure, but because the necessity for some increase of taxation to finance the transfer of the Bombay Improvement Trust to the Bombay Municipal Corporation is urgent, and the need for that is admitted My main reason for supporting this Bill is that this taxation proposal for this purpose is a good deal better than any of the other alternative proposals which have been put forward by the Municipal Corporation for the consideration of Government

There are one or two points in connection with the Bill which have already been touched upon by my honourable friend representing the European constituency and which I do think require the special consideration of Government One is the question of smuggling I do not think the dangers of increased smuggling are very great, but after all, that is an administrative difficulty, and I do not think that it is right to oppose the Bill merely because there are administrative difficulties Those difficulties must be got over, and I think we can safely leave it to those responsible for the working of the Act to get over those difficulties

The other point is the question of the effect on Bombay city, as compared with other cities If I seriously felt that Bombay and Bombay's trade would be adversely affected as compared with the other cities, I should hesitate a very great deal before supporting the Bill That is my main objection to a great many alternative proposals which have been put forward, and I do not honestly think that it really applies to this particular Bill, because as the Honourable Minister has pointed out, refunds will be given to exporters of tobacco out of the city There again, I can quite understand the honourable member Sir Reginald Spence's fears that it will not be easy to obtain the refund But I think Government may safely be trusted to see that the question of refunds is properly looked after, and I do not see why, when the honourable member Sir Reginald Spence has presented to the Excise Commissioner so handsome a bouquet in connection with the other articles, he should be unduly apprehensive about the working of the refunds in connection with tobacco I think on all these grounds that the Bill must be supported, and I would like to make it clear that I do so

Rao Bahadur R R KALE (Bombay University) Sir, there are one or two features of the Bill which certainly make out a case for giving our support to it Firstly, we are trying to tax a luxury, and therefore we should not hesitate to accord our sanction to the Bill The second

[Rao Bahadur R R Kale]

point is that the money is to go to the Bombay City Improvement Trust which is to be amalgamated with the Bombay Municipal Corporation No doubt the Improvement Trust, or, for the matter of that, the Bombay Municipal Corporation, require additional funds, and looking to the fact that the Improvement Trust has done a great deal of good to the city of Bombay, it is but fitting that more funds should be found to meet the liabilities of that Trust But, Sir, my difficulty is this here is an attempt made to introduce a Bill by the Local Government, and it is not stated—though the Honourable Minister may correct himself—it is not stated in the preamble that the proceeds of the duty will be utilised for the purposes of the Improvement Trust If there is no specific provision, then the preamble does not help us, much less a statement of objects and reasons You are aware, perhaps, that when we have to give the correct interpretation in a court of law, if we attempt to refer to the objects and reasons, we are at once called to order by the presiding judge He says "No, you cannot refer to the objects and reasons You must construe the section without any reference to the objects and reasons" That being so, I doubt whether any reference in the statement of objects and reasons would be of any use We are told that at present the tobacco tax which is being levied according to the old Act goes to the Corporation It is a municipal tax I do not know what was the constitution of the Corporation in 1857 when this Act was passed In fact, I do think, although I do not possess any information on the point, that it was a sort of department closely allied to Government Then in that year there could be no provision by which this tax would go to that body. Section 2 of the Act merely says that all tobacco except such small quantities as are hereinafter mentioned imported from any place in the town of Bombay and intended for consumption therein shall be liable to a duty of Rs 7-8-0 per maund of 40 seers of 80 tolas That duty is called the municipal duty There the section stops and the next section, namely, section 3, goes on to say

"The same municipal duty may be paid at the option of the importer either on the importation of the tobacco or after it has been warehoused as hereinafter provided"

There is nothing in the Act as to to whom the duty is to be paid, and it seems to me therefore that if the object in levying this additional duty is to create more funds for the purpose of meeting the needs of the Corporation, then I do feel that the Bill, as it stands, will be enough to ensure that this amount will go to the municipality In fact the Honourble Minister in his speech made it clear that it will be a tax levied by Government and it will be a part and parcel of the revenues of this Government and this Government may dole out as a grant to the Corporation——

Rao Bahadur R S ASAVALE Not *may*, but *will have* to dole out.

Rao Bahadur R R KALE That is the whole point I mean there is nothing in the Honourable Minister's opening speech to make it clear that it will be merely an addition to the general revenues and that Government will make a grant to the Corporation just as it makes grants to local bodies even at the present day I may quote the case of the

[Rao Bahadur R R Kale]

Municipality of Bombay versus the Bombay Government which was recently disposed of There, there was an obligation or a liability which was said by the Judge to be a sort of a moral obligation but it was held that there was nothing legal which would compel the Government to contribute whatever it had promised or agreed to contribute towards the cost of compulsory primary education to the corporation of Bombay My point is therefore this that unless some safeguard or safeguarding provision is introduced into the Bill, whether it will be imperative on the Government to pay all the proceeds of this tax which may be realised by them to the Improvement Trust I know, Sir, that it is not possible in an Act to earmark certain revenues It is stated that we cannot make a provision in the Act for earmarking the proceeds of a particular tax for the purpose of meeting a particular need, but here I think the case is different Here it is not that the Government is being asked to earmark the proceeds of this tax for a particular department of theirs or a particular object which the Government themselves are carrying out. Here the case is that the Government is in the position of a mere agent or a trustee to collect the tax and then to pay it over to the municipality Therefore, I see no objection I mean my point is that there cannot be any objection on the score of saying that the money raised by this particular form of taxation will be paid to the Bombay Municipal Corporation. I do not know if any amendment can be suggested by an addition to section 2 Section 2 stops at saying that all tobacco imported shall be liable to payment of a duty It stops there Here we have an amendment of section 2 namely, for the words " seven rupees and eight annas " the words " thirty rupees " shall be substituted That is all Suppose we proceed to say "and shall, as such, be paid to the municipality " It is called a municipal duty, that wording is there in section 2 of the Act of 1857 in which we find that this Rs 7-8 per maund is called a municipal duty, it says so, it is called a municipal duty, there it stops What I mean is, whether it will not be possible or open to us to say by way of an addition to this section that the duty shall be at such and such a rate and shall as such be paid to the municipality I mean if that is embodied in the Bill, then I do submit that there should be no objection whatever to achieve the object which we have in view and for which the Bill is brought Therefore, Sir,——

The Honourable the PRESIDENT The amendment that the honourable member suggests would make the whole revenue go to the municipality ?

Rao Bahadur R R KALE Yes, Sir

The Honourable the PRESIDENT The Bill aims at increasing the rate charged and at letting that go to the municipal corporation for the purpose of meeting its needs in connection with the Improvement Trust. How is that going to be achieved ?

Rao Bahadur R R KALE My information is, if I am correctly informed, that even at the present time whatever tobacco duty is levied——

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL This tobacco duty since the year 1857—the year in which this Act came into existence—is being paid to the municipality, even now

The Honourable the PRESIDENT The whole of it ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Yes, and it is contemplated to continue to pay that duty and in addition the increased duty also to the municipal corporation to meet the deficit Now, the question that the honourable member Rao Bahadur Kale has raised is to make it a statutory obligation on the part of the Government to give the whole duty to the corporation for ever I think Government will have to consider whether it will be necessary for them to allow this source of provincial revenue to be converted for this particular purpose even after the needs of the city improvement trust are satisfied So, it requires consideration, but I can give an assurance on behalf of Government that so long as the city improvement trust is not able to balance its budget, this amount will continue to be given to the corporation for that specific object

Rao Bahadur R R KALE I mean to say the position is clarified so far as the wording of the present amendment goes, namely, whatever is being levied and whatever the rate at which that is being levied, all that is being given to the municipality and whatever will be collected by way of an addition will also be given to the municipality as heretofore The only other argument of the Honourable Minister is that the Bombay Government will go on paying this amount so long as it is necessary for the municipality to get the amount and it may not be necessary to do so perhaps I do not know when but at some future date That is however another matter The difficulty that you raise is met, I mean it is not as if the Bill seeks to give the additional yield to the municipality It is not like that. There is an Act under which some duty is being levied at the present moment and——

The Honourable the PRESIDENT I myself am not very clear on the point, but as I understand it, the idea is to levy this extra taxation or raise the duty, without disturbing the old arrangement existing under the Act, and the additional taxation that is put on would be collected and handed over by the Government to the Corporation for certain purposes which the Honourable Minister has mentioned viz, to meet the demands of extra expenditure of the Improvement Trust Further that Government would hold back whenever they think the need does not exist, and this increased taxation, being in the nature of a permanent tax, would go to the general revenues of the Government Is that correct ?

Rao Bahadur R R KALE, My point is——

Mr B S KAMAT Sir, the Corporation is getting for the last 75 years this duty at the rate of Rs 7-8 When you substitute the words "Thirty rupees," would you be in a position to withhold the whole of the proceeds at the rate of Rs 30 so that they lose even what they were getting all these 75 years at the rate of Rs 7-8-0 ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL But it is open to Government even now according to the present state of things

[Sirdar Sir Rustom Jehangir Vakil]

to withdraw the amount which is being given to the Corporation, but for the last 75 years this is being done and it is not the intention of the Government to withdraw it Now we find that there is need for increasing this duty in order to meet the increased liabilities which the Corporation will be very shortly incurring on account of the Improvement Trust——

The Honourable the PRESIDENT Then the question arises naturally that this increased amount is to be levied to meet the increased expenditure of the Corporation, and so, when that need does not exist, what is Government going to do? I thought Government would continue to allot what it is giving to-day and to credit the rest to the general revenues

The Honourable Sir GHULAM HUSSAIN As far as I understand, the tobacco tax is a provincial tax We, as a matter of grace or, I might say, as a sort of a dole, have been paying this to the Bombay Municipal Corporation at present Now the Honourable the Minister for Local Self-Government has brought this amending Bill to raise the duty from Rs 7-8-0 to Rs 30 for the benefit of the Improvement Trust, because they are very badly off financially, and we will continue to give the Improvement Trust the increased revenue so long as they continue in a bad condition financially, and as soon as their financial condition improves, it will be open to us to reconsider the question again

Rao Bahadur R R KALE So, my information was correct, namely, that the tax to be levied at present goes to the municipality and whatever will be levied now by raising the rate will also continue to go to the municipality

The Honourable Sir GHULAM HUSSAIN To the Improvement Trust

Rao Bahadur R R KALE. The two bodies have now been amalgamated——

The Honourable Sir GHULAM HUSSAIN Not yet

Rao Bahadur R R KALE Their amalgamation is under contemplation Therefore the position is this, the tax is a municipal tax, it is called a municipal tax and dates back to 1857 Whether the machinery of the municipality at that time was as it is to-day I do not know, but my point is that it may have been necessary, in those days when the tax was initially levied, for the Government to levy and pay it over to the municipality That practice has been continued I understand from the Honourable Minister that he also has no intention of discontinuing that practice hereafter, but he wants to raise some more money by increasing this tax in order to meet the increased needs of the Improvement Trust When you are asking this House for additional money for a particular purpose, I think it will be necessary for this House to be careful to see that the money is paid to the Improvement Trust or to the Corporation as the case may be only so long as it is necessary, and as soon as the need of the Corporation or the Improvement Trust ceases,

[Rao Bahadur R R Kale]

it will be a question for consideration whether the increased taxation should continue Therefore, would it not be possible to limit the life of this Bill ? It is now going to be placed permanently on the statute book Is all this increased taxation to go for ever to the Corporation or the Improvement Trust ? We are in a position to support it on the ground that more money is required for the Improvement Trust, and in the interest of the improvement of the city we are prepared to sanction this extra taxation But if at some future date that need ceases, then the question is whether this tax should also continue to operate That is the difficulty with which we are faced The Honourable Minister's statement amounted to this, that he is prepared to say that whatever is collected will be paid to the Corporation or the Improvement Trust, so long as there is a need for it But that statement is not a legal solution of the question, and therefore I have put forward my own views There must be something more either in the Act or in this Bill to decide as to how this can be brought about It can be done, as I have suggested, by an addition to section 2 of the Act, that such duty shall be paid to the Corporation, or by some provision in clause 2 of the Bill that this will remain in force for a period of some years, either 10 or 7, or some such period At the end of that period we will be in a position to see how things have developed Unless either of these two alternatives are possible, it seems to me that there is a difficulty, which I at least feel, in coming to a decided conclusion in this matter

The Honourable the PRESIDENT Before other honourable members rise to speak, there is a legal difficulty, I should say, which has been pointed out by the honourable member Rao Bahadur Kale I do not know what Government have thought about it Two things have to be made clear In the Bill there is nothing to show that this increased taxation is being given to the Corporation to meet its increased need, or its increased expenditure in regard to the Improvement Trust That is not clear, and certainly, as the honourable member pointed out, the question is whether the Honourable Minister is going to make it clear in the body of the Bill by some amendment to the effect that this amount is intended to be handed over to the Corporation The second point is, when that need does not exist, whether the whole amount is going to be at the disposal of the Government and the Corporation is going to lose what it is getting now, or whether there is a method in the Bill itself by which Government can withdraw its extra aid that they propose to give by this Bill I think that must be made clear before other honourable members can speak

The Honourable Sir GHULAM HUSSAIN Sir, I might make the position of Government clear As I have already stated, as a matter of courtesy, or whatever you like to call it, Government give the Corporation the proceeds of the tobacco tax that is collected at present in the city of Bombay Now, we have brought this amending Bill to increase that tax for the purpose of giving the proceeds to the Improvement Trust, because they are——

The Honourable the PRESIDENT That is not apparent from the Bill at all It is nowhere provided in the Bill that it is for the purpose of meeting the extra expenditure of the Improvement Trust

The Honourable Sir GHULAM HUSSAIN It is stated that the object of this Bill is to increase the rate of duty on tobacco imported into the town of Bombay, so as to enable the Bombay Municipal Corporation to meet its increased liabilities on account of the proposed amalgamation of the Bombay City Improvement Trust with the Municipality It is in the statement of objects and reasons

An Honourable MEMBER That is no part of the Bill

The Honourable Sir GHULAM HUSSAIN The object is clearly specified in the statement of objects and reasons We cannot introduce any taxation Bill, earmarking the proceeds from it for any particular department We can only say that we want the money for a certain purpose, and in the case of this Bill we have specified, in the statement of objects and reasons, that it is for the purpose of assisting the Improvement Trust The tax is levied by Government, it is collected by Government, and we are going to give the proceeds to the Improvement Trust so long as its financial position is bad I do not think there is any legal difficulty which stands in the way of the House voting for this Bill

Mr B S KAMAT If we are to be in a position intelligently to vote on this question, we want to know whether the smoker is to be permanently taxed at the new rate or whether he is to be taxed as long as the need of the Improvement Trust lasts When the need is no longer there, we do not see the necessity of taxing the smoker for ever at the higher rate and giving the proceeds to the Corporation

Mr G WILES Sir, this amending Bill, I would like to remind the House, is for the amendment of an Act which has been in force for about 70 years This tax on tobacco in Bombay is a Government tax It is not a municipal tax The money belongs to Government, and by an arrangement which has been in existence for about 70 years the proceeds of this tax have been given to the Municipality to meet the cost of certain functions which were handed over at that time to the Municipality Now, as was made quite clear in the debate the other day, the Improvement Trust requires additional revenue We are quite unable to say within what period the finances of the Improvement Trust will reach such a stage that they can do without this additional revenue, but the estimates which have been prepared by the Chief Officer and by the Municipal Commissioner himself show that this revenue will be required for 20 years I suggest it is not reasonable for us, that being so, to specify any period We do not know what will be the attitude of this House in 20 years' time Tobacco tax is a perquisite of the province, for this House to impose for its own purposes But we have come to you very deliberately and told you that Government intend, for so long as it may be necessary, to hand over the proceeds of this tax for the purposes of the Improvement Trust It will not necessarily be handed over directly to the Municipality without any condition That would be

[Mr G Wiles]

improper That is why it is impossible to put into this Bill any clause handing it over to the Municipality, even with a condition that the money must be earmarked for the purposes of the Improvement Trust We do not yet know whether the Municipality are going to amalgamate with the Improvement Trust We hope that legislation to that effect may be possible in the course of the year, but we do not know, it is not a fact yet It is of the utmost importance that the Improvement Trust finances should be improved forthwith, and we are going to earmark the proceeds of this tax for the benefit of the Improvement Trust I do not know how we can make that more clear even by putting it in the Act Even if it were put in the Act that, so long as the Improvement Trust requires the proceeds are to be utilised solely for the Improvement Trust, I do not know how that could help us You would still have to repeal this Act when the necessity arose, and utilise the proceeds for something else if you wish to do so I suggest it should be quite sufficient for the purposes of this honourable House understanding the position for Government to give an undertaking that the proceeds of this Bill will be utilised, for so long a period as may be necessary, for the purposes of the Improvement Trust I believe that is the procedure which has been followed also in the case of the Improvement Trust in Calcutta, where certain revenues which have been put on by the Province have been earmarked by the Provincial Government for the purposes of the Improvement Trust

Dr J A COLLACO On a point of information What happens when the liabilities of the Improvement Trust are satisfied after 20 years? Does this tax still remain, or will it be repealed?

The Honourable the PRESIDENT That has been explained. The implications of the Bill in all its aspects have been explained The House now understands what the intentions of Government are and what the language of the law as it will become, will be, and it is for the House to decide

Dr J A COLLACO My only fear is——

The Honourable the PRESIDENT Is the honourable member making a speech on the first reading, or asking for some information?

Dr J A COLLACO I am not making a speech

Rao Bahadur G V PRADHAN Will the life of the Bill be treated as the principle of the Bill? If that is so, any amendment as regards the life of the Bill will have to be considered at the first reading

The Honourable the PRESIDENT The honourable member has given an amendment to me, to limit the life of the Bill to 7 years But as the Finance Secretary has pointed out, the Bill might have to be continued for 20 years, and I do not know whether it would be right for any honourable member to say, 3 years or 5 years or 7 years, unless they wish to have this Bill brought up before the House from time to time

Dr M D GILDER At the present moment it is stated that the proceeds of the tobacco tax are given to the Municipality Are they given under any contract, or as a dole ?

The Honourable Sir GHULAM HUSSAIN It is a dole

Mr B P WADKE It was a promise It is clearly mentioned that Government clearly realised the position of the Improvement Trust when it was created, and promised that a substantial measure of assistance would be given to the Trust

The Honourable the PRESIDENT Order, order The honourable member has not understood the question The existing revenue that is collected on tobacco is being given to the Municipality A question was asked whether it was on some contract or legal basis, or as a dole

Mr B P WADKE When the Improvement Trust was started Government promised to give assistance in some form

The Honourable Sir GHULAM HUSSAIN Yes, that is also correct

Mr B P WADKE It is not a dole

Mr G WILES This tax has, for over 70 years, been given to the Municipality as a "dole"

Mr V N JOG (Dharwar District) If the object of the Bill is to relieve the finances of the Improvement Trust, the House may accept the following amendment

"At the end of clause 2, add the words 'and will remain in force for 10 years in the first instance, and the Government may extend it for a further period not exceeding 10 years"

According to their own calculation the finances of the Improvement Trust will be set right in 20 years Therefore, if in the first instance the life of the Bill is made 10 years, and permission is given to Government to extend it for another period of 10 years, if necessary, I think it will meet the case

The Honourable the PRESIDENT It is no use wasting time I will allow honourable members to speak

Mr A N SURVE (Bombay City, North) Sir, I am not speaking on the Bill——

The Honourable the PRESIDENT I want the honourable member to speak on the Bill and along with it to say anything he wants to say

Mr A N SURVE But the position——

The Honourable the PRESIDENT Let the honourable member speak on the Bill and clear the position as he likes

Mr A N SURVE The debate that is going on may be curtailed, if I am permitted to read from this book It contains the whole position from the year 1857 up to the present day and it also states the arrangement that has existed between the Government of India and the Bombay Government It is stated in the Gazetteer

"The collections from the special tobacco duty originally formed a portion of the Imperial revenue In 1857 the proceeds were made over to the Board of Conservancy as a State contribution, but this arrangement was discontinued at the close of the official year 1858 59, in consequence of an impression prevailing that the Act contemplated the absolute and unconditional surrender to that Board of the special duty on tobacco This

[Mr A N Surve]

action of Government was approved by the Secretary of State for India To the end of 1865 the revenue derived from this tax was credited to Government In November of that year the Bench of Justices (the predecessor of our Municipality) renewed their application for the transfer of the proceeds of the special duty on tobacco to themselves, and being supported by the Government of Bombay the revenue was restored to the municipality by the Government of India with effect from the 1st January 1866 The control of the Department has since rested with Government while the revenue has been handed over to the Municipality"

This is most important

"It has always been recognised as a state contribution towards the municipal funds and can be withheld at any time"

I congratulate the Honourable Minister for obtaining the credit of having brought to a definite stage the amalgamation between the Municipality and the Improvement Trust I think it should have been done long long ago At least now Government have recognised it and they are now compelled to seek a source from which to draw upon Better late than never I request Government to continue and persevere in the wise course they have adopted Government should take into their confidence this House in allotting amounts to the municipality.

The reason for this request is to have a comprehensive view We do not know what will be the exact proceeds from any Bills or sources of revenue that may be allotted to the municipality at this moment

Coming to the Bill itself, the present rate has been in force since 1891 At that time the rate was low We are now trying to increase it by nearly 300 per cent. Whether that burden will not be terrible requires to be considered In this connection I may mention that in the statement of objects and reasons, it is stated that this Bill has been brought forward at the desire of the corporation So far, the statement is all right But we would like to know what the recommendation of the municipality was, whether it was that the duty should be increased by three hundred per cent or by any lesser increase This question is very material, because increase of taxation is likely to have action and re-action Unless we know the position exactly as to what effect this abnormal or rather this enormous increase is going to have on the trade itself and on the people of the city, we will be in a very difficult position to make up our minds To me at least the experiment appears hazardous, because the present rate was imposed in 1857

The honourable member representing the Bombay University (Rao Bahadur Kale) has called the using of tobacco a luxury But it is a necessity in the case of the working class To the rich people it may be a luxury

Another point that has to be considered is that there is depression at the present time People have reduced wages all round When there is unemployment everywhere, if the duty is to be raised by 300 per cent we must see that the rate does not work harshly against those people who use bidis We are told that the duty will come to half an anna per 100 But poor men do not purchase bidis in lots of 100 But they go and purchase for one pice or so When you consider the increase for these retail purchases, it will not be 6 pies but it will be 2 annas.

[Mr A N Surve]

Then, we must look to the effect of this duty on the trade itself and on the well-being of the city Now, it is admitted that tobacco is a controlled commodity The implication is that it is subject to the Excise Department It is subject to the control of the Health Department of the municipality and also to the exactions of the landlords As regards the excise duty it is going to be increased by 300 per cent As regards the Health Department, it must be understood that every bidi shop is a miniature 'actory, though it does not come under the Factory Act, because the bidi-makers are made to make bidis in the shop itself The Health Department of the Municipality has a control over the place where bidis are made Certain sanitary requirements have to be observed So, the bidi merchants have to satisfy not only the Health Department, but also the Excise Department The tobacco shops being licensed premises, the landlord will make his exactions Therefore the lot of a small trader is very hard I may state that the licensees of bidi shops are poor widows and crippled persons who work there to earn their livelihood If this duty is raised, I am afraid that the rich may survive and the poor may be squeezed out of the trade There is another aspect also Whenever an article is brought under heavy excise, our experience shows that people go in for cheap foreign things such as cigarettes rather than to swadeshi bidis, if the bidis are made dearer They will go in for cigarettes and the revenue from cigarettes goes to the Government of India

The Honourable Sir GHULAM HUSSAIN The import duty on tobacco goes to the Government of India Cigarettes are also taxed This will affect that also

Mr A. N SURVE If I am informed that if this duty is sanctioned at the rate of 300 per cent the merchants will try to import manufactured bidis from tobacco districts outside The result will be that about 15,000 people, men and women, will be thrown out of employment in the city [*Interruption*] I am not speaking about the taxes I am speaking about the persons who will be thrown out of employment It will be hard for them

I understand that 28 lakhs which are required by the municipality will be made up partly by the proceeds of this Act and partly by the increase in the general taxes of the municipality I am told that the municipality has agreed to raise their tax by one per cent If these 15,000 persons are thrown out of employment, there will be additional vacancies in the residential buildings The ultimate result will be that the municipality will not realise the additional revenue it expects Therefore, I submit that though we may support the principle of the Bill we should consider to what extent the duty should be increased That matter will have to be considered before the House passes this Bill

Mr V N JOG (Dharwar District) Sir, I beg to move

"At the end of clause 2, add the following words—' and shall remain in force for ten years in the first instance, and Government may extend it for a further period not exceeding ten years'."

The Honourable the PRESIDENT Are the words "in the first instance, and Government may extend it to a further period not exceeding ten years" necessary ? Government will come to the House and ask for the extension of the Act if they think it necessary

Mr V N JOG We want to give them that power even under this Act

Rao Bahadur G K CHITALE Do not give them that power Delete those words

Mr V. N JOG In the first instance, it should be for ten years If they think it necessary, they can by an executive order extend it to a further period of ten years, without coming to the Council again I have moved this amendment, because according to the statement prepared by Mr Delves the deficits of the Improvement Trust will disappear by the the end of 1949-50, and there will be a balanced budget According to Mr Shivdasani, it will be balanced earlier As the Improvement Trust is in difficulty, this additional revenue may be given to them for a period of ten years in the first instance, and then Government can see what the state of affairs of the Improvement Trust is, and if they think it necessary, give them this revenue for a further period of ten years—not more than ten years, because according to their own estimates by then the finances of the Improvement Trust will improve

The Honourable the PRESIDENT Is the honourable member in favour of the Bill ?

Mr V N JOG I am for the Bill, because Government have already given the Improvement Trust loans to the extent of eight crores Moreover, this tax will be levied in Bombay City only, which is immensely benefited by the improvements made in the city by the trust and I think this revenue should be given to them to adjust their affairs by way of relief

Question proposed

Rao Bahadur S K BOLE Sir, I want to offer a few general remarks. But at the outset I would ask the Honourable Minister for Local Self-Government, who stated that it was at the instance of the Corporation that he introduced this Bill, to tell us what the proposal of the Corporation was , was it to increase the duty from Rs 7-8-0 to Rs 30 at one stretch or to increase it only to Rs 15 ? I think, Sir, this increase of duty to Rs 30 is too big a jump The Honourable Minister said that the incidence of this duty will not fall on the working classes But I will tell him that it will fall heavily on the working classes who will be hard hit Mostly it is these people who use tobacco They use it with *pan* , they use it for smoking bidies , they use it as a tooth-powder also [*Laughter*] They burn it, reduce it to powder, and use it for cleaning their teeth [*An Honourable Member* "For snuff also"] So, it is these men who will be hard hit My honourable friend Syed Miran Mahomed Shah, who is not here now, preached a sermon on smoking I wanted to tell him that it is very easy to preach but very difficult to practise I wanted to ask him whether he himself has given up the habit of smoking [*Interruption*] I want to tell those who say that it is a luxury that for these men it is not a luxury but a necessity ; it is a

[Rao Bahadur S K Bole]

relaxation to them, it gives them relief from their hard work. So it is not a luxury

The prices of tobacco, Sir, vary from Rs 5 to Rs 40 a maund, and this duty will work out in practice from 150 per cent to 1,200 per cent That is a heavy increase Then, there is no such duty in the suburbs If this duty is increased to this extent, smuggling will go on on a high scale Hundreds of passengers come every day from Kalyan, Thana, Kurla, Andheri and other suburban railway stations, and they will bring tobacco and bidies and supply them to their friends and others in the city They will carry on a regular business, which I think it would be impossible for the excise department to check So, I quite agree with the honourable member Sir Reginald Spence that this trade also will be diverted from Bombay Other trades are being diverted from Bombay, and if Government increase the duty to Rs 30 a maund, I am sure this trade also will be diverted from Bombay And what will be the effect of that? There are nearly 1,800 retail shopkeepers, as pointed out by the honourable member Mr Surve, the majority of whom are widows, disabled soldiers, backward class and depressed class men In these days of depression they are hardly able to make both ends meet If the duty is increased, then they will have to close their shops and they will be thrown out of employment The number of bidi-makers is nearly 25,000 The bidi-makers who are daily wage-earners will also be thrown out of employment There will be a great deal of unemployment among them and they will add to the number of the unemployed These unemployed are already swelling the ranks of the Congress. If Government want to help the Congress they may increase the duty to Rs 30 The retail shopkeepers are poor men and they buy tobacco on credit, and if they close their shops, then the warehouse-men who sell tobacco to these men on credit and who have invested large amounts in the trade will also be ruined along with the retail shopkeepers What will be the fate of their outstandings? They will also go to dogs. In these circumstances, I think Government should think twice before taking this big jump

Mr HOOSENALLY M RAHIMTOOLA (Bombay City) Mr President, in the beginning of this session we had two full-dress debates on the affairs of the Improvement Trust The financial position of the Improvement Trust was fully discussed, and it was pointed out that some additional sources of revenue were necessary to be provided to the Improvement Trust to enable the Improvement Trust to reduce its deficits I believe that at that time the Honourable the Finance Member stated that Government were considering proposals of fresh sources of taxation to enable the Improvement Trust to reduce its deficits Government have now come forward with a proposal to raise revenue to enable the Improvement Trust to meet part of its deficits From that point of view, the proposal would be most welcome There is general agreement in this honourable House for supporting this measure Therefore, I need not dilate on this question and waste the time of the

[Mr Hoosenally M Rahimtoola]

House But the Honourable Minister, when moving this Bill, made one or two statements which require further elucidation He stated that this was a Government tax and it was at the option of Government to give a part or the whole of it to the municipality I think the Honourable Minister stated that Government could take away the tax for themselves whenever they liked This question has been raised only to-day in this House I was not aware, and I am not aware yet, of the actual position as regards this matter, but I am sure the Corporation will not accept the position taken up by the Honourable Minister that the tobacco duty belongs to Government I myself was all along under the impression that the tobacco duty was a municipal duty for the benefit of the municipality. However, I do not want at this stage, being not fully aware of all the literature on the subject, to enter into the technicalities of the question The Act, I must say, says that it is a municipal duty I do not know what position the Corporation will take up as regards this matter, but I don't think they will accept the Government contention The commonsense meaning of this word is that it is a duty to be used for municipal purposes The Honourable Minister stated that it was the intention of Government to hand over the extra revenue to the Municipality in order to enable it to meet the deficits of the Improvement Trust when the Improvement Trust was amalgamated with the Municipality Now, Sir, the Municipality had asked from Government three or four different sources of revenue One was the duty on cotton, the other was a terminal tax on passengers and the third was the tobacco duty, and the fourth was, I believe, a cess on land revenue which they subsequently gave up I want to point out that even if the Corporation increased their general tax by 1 per cent and they got an extra revenue of about 11 to 12 lakhs and even if this tax were to produce 11 to 12 lakhs making a total of 22 to 24 lakhs, that would not be sufficient to meet the deficits of the Improvement Trust entirely In the financial forecast prepared by the Chief Officer of the Improvement Trust——

The Honourable the PRESIDENT How does that arise ?

Mr HOOSENALLY M RAHIMTOOLA The Honourable Minister said that if the House accepts this tax and if the Corporation increases its general tax by 1 per cent, further sources of taxation may not be necessary, or words to that effect That is why———

The Honourable the PRESIDENT The question before the House is this The amount is being raised to be given over to the Municipality to meet some of its needs in connection with the Improvement Trust Now, the question as to how much the Improvement Trust needs and that this amount would only serve partially to meet its deficit is not before the House

Mr HOOSENALLY M RAHIMTOOLA I am merely stating this because the Honourable Minister said that after this tax is passed by the House and after the Municipality has raised the general tax by 1 per cent, it is possible that further sources may not be necessary

The Honourable the PRESIDENT That is not the point

Mr HOOSENALLY M RAHIMTOOLA I am replying to that argument I am merely pointing out that even after these two increases in taxation are given, the needs of the Improvement Trust will not be satisfied fully, because the deficits, as forecasted by the Chief Officer of the Improvement Trust are heavier than the 23 or 24 lakhs which both these taxes will produce I hope, Sir, that before the amalgamation takes place, Government will give the Municipality further sources of revenue in order to meet completely the deficit of the Improvement Trust

Mr J B PETIT (Bombay Millowners' Association) . Mr. President, I think the principle underlying the Bill is sound and ought to be accepted by this honourable House

As everyone knows, the Improvement Trust was started at the time of the plague in Bombay, when the whole town was in a state of panic, and when the entire population to a man was determined to wipe off the slums which were held primarily responsible for the scourge and all the havoc that it brought in its train It was during those dark days, when life was more precarious than ever, when people were dying like flies, when our normal routine was seriously dislocated, when all our activities were at a standstill, when our trade and industries had closed down, when our position as an important commercial centre and a great port was seriously threatened, when the inhabitants had forsaken the city in their tens of thousands, when all was sombre and desolate, when everybody's patience was strained to the utmost extent, that it was felt and realised, both by the Government and the people, that the only way to save the situation was to bring into existence, with the least possible delay, an independent body, armed with wide powers and unlimited discretion, that would have the courage to ruthlessly pull down the hovels and all the insanitary spots of the town wherever they existed, and to found a new city upon the debris Such a body was immediately created in the shape of the City Improvement Trust, and charged with the important and onerous duties of securing this end Its constitution was so framed and its powers so devised as to ensure quick and expeditious work So pressing was the necessity and so grave the crisis, that all sections of the community, willingly discarding their predilections and prejudices, were unanimous in the immediate enactment and completion of the scheme Even the Municipality—always jealous of its rights and privileges—whose duties very largely overlapped those of the contemplated body, willingly allowed itself to be shunted aside for the time being in the larger interests of the city, with the consent and active support of the founder and father of the Corporation, the late Sir Pherozeshah Mehta, who was the foremost to recognise the importance and urgency of the scheme, and who in his usual masterful way, made short work of such protests as were raised against the encroachment thus made upon the legitimate sphere of the Municipality

Such were the happy auspices under which the Trust took its birth and entered upon its great work It set about fulfilling the duties entrusted to it in two particular among other methods, one by the opening up of

[Mr J. B Petit]

big streets, wherever possible, and another by the carrying out of vast improvement schemes, largely brought about by the complete and wholesale demolition of old and insanitary localities By the former, wide arterial roads were made where none existed before, and narrow lanes were widened and converted into large and beautiful streets, thus bringing the joys of air and sunshine within the reach of those who had never known them before By the latter, miserable and insanitary slums were mercilessly levelled to the ground on a comprehensive scale, and beautiful and sanitary structures were erected in their place on the latest and most modern lines In the hurry and scurry of its work, there is no doubt that some very serious mistakes were committed by the Trust, which at the time evoked very bitter opposition from the people, but the errors were soon rectified and public indignation was very largely allayed.

The result was that in a few short years, the operations of that body, thus inaugurated with the full support and benedictions of the public, even though frequently functioning in the teeth of public opposition, radically changed the face of Bombay and soon brought about very wide and far-reaching improvements, from the wholesome effects of which, all sections of the community alike benefited, to an extent which is only now being slowly but surely recognised It was understood and realised from the very beginning, that such comprehensive alterations in the very structure of the city would entail enormous liabilities which would have to be faced and met, the resources for which, having regard to the special conditions of the case, the Government promised to find in the first instance As it was the primary and statutory duty of the Municipality to develop the city and maintain its sanitary efficiency, it was felt and finally provided in the Act that the financial liability of the Trust should ultimately fall upon the shoulders of the Municipality, which in its turn should be enabled by the Goverment to find additional sources of revenue to recoup itself against all possible losses arising out of these special and comprehensive operations

The Trust has now practically achieved its purpose It has almost entirely destroyed the slums, it has opened up dark and ill-ventilated localities, it has created sanitary conditions where there were none before, it has given us large, wide and arterial roads, it has developed localities which were formerly lying useless and neglected; it has beautified the city beyond recognition; it has substantially added to the amenities of the town, in short, it has practicaly rebuilt Bombay on modern lines and helped to make her position secure as the first city in the Indian Empire All these have necessarily cost huge sums of money. There have no doubt been large losses in the operations of the Trust. These were inevitable But under ordinary circumstances, they could have been wiped off very easily from the profits which would have resulted from the sale of the vast areas of land which the Trust has acquired, developed and created But the unexpected world-depression has made it impossible to do so, with the result that the Trust now finds itself in a somewhat embarrassed condition, with annual deficit-budgets,

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recurring year after year, and with enormous areas on its hands of valuable land, both developed and undeveloped, which cannot be disposed of for the moment I have no doubt in my mind that with the improvement in the world conditions, and the return of our city's prosperity, it will be possible to dispose of these areas with profit, when the Trust will be able to come out of its difficulty, perfectly sound, and unscathed But meanwhile it must be financed and enabled to meet the two ends of its budget The Municipality which is very soon going to take up the financial responsibility and the uncompleted work of the Trust, must be immediately put in possession of the requisite funds to enable it to complete the transfer, and to shoulder the heavy burden of this additional liability. That is why this proposal is now before this honourable House It is a source of revenue which has already been by common consent made over to the Municipality for the last 70 years It is news to me that it is now sought to be regarded by the Government, primarily as a source of Provincial revenue, alleged to have been made over by them merely as a dole to the Municipality all these years I do not think that the Municipal Corporation will be prepared to accept this position In any case, this is not the time to enter into a discussion on the merits or otherwise of this question All that I wish to urge upon the most earnest attention of this honourable House at the present moment, is the immediate necessity of placing this additional revenue at the disposal of the Municipality to enable it to meet this liability and to hasten the completion of the transfer of the Trust to itself at the earliest possible moment

Among the objections advanced against the Bill, one was raised by my honourable friend, the member for the European Community (Sir Reginald Spence), on the ground that it will cause a diversion of the trade to other ports, which will thus not only put Bombay to a loss but also fail to secure the additional revenue expected from the Bill He has accordingly urged that the idea of raising this duty be therefore abandoned But I am afraid that he has failed to recognise the fact that this is going to be essentially a tax, imposed by the citizens of Bombay upon themselves, and that all duties paid on tobacco, cigars and cigarettes, that are exported, would be refunded There is no reason to suppose that such refunds will not be applied for, or that they will not be easily obtained, if demanded I see no difficulty in this matter, on the honourable member's own showing, and I am unable to admit that there is anything in this argument I am willing to assume, however, that there will be some evasion and also that there will be a certain amount of smuggling These features are almost always the necessary accompaniments of all measures of taxation But I am sure that with effective supervision and vigilant care, it will be possible, if not altogether to suppress them, at least to reduce both these to the lowest possible level As to the possibility of people getting their supplies in small quantities from places immediately adjoining Bombay and thus escaping the duty, the probability, if any, is so remote and is likely to be so troublesome and costly in the end, that it may safely be considered

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as negligible For all these reasons, I feel bound to say that there is not much force in the objections urged by my honourable friend and that this House may well disregard the same

With regard to the objection raised by my honourable friend representing the University (Rao Bahadur Kale), I think there is considerable force in what he said But I am inclined to believe that it will be met by the acceptance by the Honourable the Minister for Local Self-Government, of the amendment moved by the honourable member from Dharwar (Mr Jog) It may be taken as absolutely certain that the Municipality will not be able within the next 20 years, to wipe off, out of the additional revenue to be obtained from this tax, all the deficits that it will have to bear in consequence of the operations of the Trust To limit the life of this Bill in the first instance, as proposed, to a period of 10 years, with the power of extending it for another period of 10 years vested in the Government, will therefore practically have the effect of limiting the benefit of its revenue to the Municipality only for the period during which it will have to bear the losses of the Trust If however later on, it is found necessary for the Government to help the Municipality in this respect for a longer period than 20 years, the Government will have to come back before this House for its sanction in that behalf This amendment therefore ought to satisfy the honourable member for the University and meet the objections he has raised

It has also been urged during the debate that it should be clearly laid down in the Bill that this additional revenue is being expressly given to the Municipality to enable it to meet the losses which it will have to incur from the operations of the Improvement Trust and that it is not to be used for its general purposes I admit that there is something in this point also, and that if this is the intention of the Government and of this honourable House,—as appears to be the case,—then it should be made quite clear in the Bill The mere mention of this fact in the statement of objects and reasons is of no consequence and will never carry conviction in the courts of law It has been repeatedly held in legal judgments, that it is only the wording of the Act itself, that counts in a court of law and nothing more The statements of objects and reasons, or the speeches and declarations, either of non-official members or even of members of the Government, moving the Bill, do not count in the courts of law and are always unceremoniously brushed aside The late Sir Pherozeshah Mehta always laid down this rule, and invariably advised his colleagues and co-workers in public life never to rely on these statements or the speeches accompanying them but to take their stand only on the wording of the Act itself If honourable members of this House have strong views on this point, my advice to them is to make the matter quite clear by effecting the necessary alterations in the wording of the Act itself and definitely making the object free from all doubt

As I have said before, I am in favour of the Bill, and have accordingly much pleasure in supporting the first reading thereof. I trust that the

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honourable members who have raised the several objections I have referred to, are now satisfied and will also do likewise

Rao Bahadur G K Chitale *rose*

Mr C W A TURNER I move the closure

The Honourable the PRESIDENT I accept the closure, unless, of course, the honourable member Rao Bahadur Chitale has any legal point to urge

Rao Bahadur G K CHITALE (Ahmednagar District) Sir, I thought that this measure was non-contentious and I was under the impression that we would be able to go away much earlier, but some of the statements made by the Honourable Minister have rather confused us in the legal interpretation of the Bill now before us So far as I have been able to read the old Act, it appears that the present interpretation, which is not borne out by the Act, may be borne out by the practice but is not a proper interpretation to be put on the old enactment of 1857 It appears from section 3 and section 4 of the old Act that the marginal note of section 2 contains the words "Municipal duty on tobacco for consumption in Bombay" and the marginal note to section 3 says that "the said municipal duty may be paid" My interpretation of the Act is that the practice which is now stated to be an act of "dole" and not by way of a right under which this amount is being paid, is not in consonance with the Act itself Of course, it may be argued that the marginal notes are not law, and my difficulty was that if the Act had confined itself to the marginal notes, then we should have been bound by the ruling that they do not form part of the Act itself, but I find that in section 3 it is said definitely "said municipal duty" Therefore on the true interpretation of the Act itself, it is not a "dole" which is to be doled out by Government but for certain reasons it has been deliberately omitted from the Bombay Act of 1888, i e the Bombay Municipal Act Under section 192 of that Act, wherein the town duties are defined, we find in schedule H certain other matters are included but tobacco is taken out You will find on page 319 "grain of all sorts, flour of all sorts, wines and spirits, beer, sugar, molasses and gur, ghi, timber exclusive of railway sleepers, firewood," but tobacco is omitted It is omitted because it was already provided for under the old Act which was considered to be a municipal source of revenue Under these circumstances, unless the other side is prepared to take back their interpretation and leave it to the courts to decide as to what was meant by the Municipal Act——

The Honourable the PRESIDENT How does that interpretation affect or how is it relevant to the present Bill ?

Rao Bahadur G K CHITALE It affects us in this way that this House is not prepared to accept their interpretation and this portion of the House is not prepared to give them this money if Government says that it is a dole which it will give to the municipality That is the position in which we find ourselves, but if it is a legitimate source of

[Rao Bahadur G K Chitale]

revenue as a municipal duty as it has been in practice and in law,—that is exactly where I differ from them,—which is to be continued, then surely the House will vote for it

Mr G S GANGOLI (Kanara District) : Sir, I move an amendment to the amendment moved by the honourable member Mr Jog

That the words " in the first instance " and the words " and Government may extend it to a further period not exceeding ten years " be deleted

My object in moving this amendment to the amendment moved by my honourable friend Mr Jog is that the present Bill is a sort of an emergency measure and the power of extending it for a further period of ten years should not be given absolutely into the hands of the executive Government They should not be entrusted with a blank cheque of this character This power of enlarging the operation of the bill for a second term of ten years or so, if necessary, should rest with this honourable House, and we should not tie the hands of our successors in this uncontrolled fashion, especially in the case of a taxation and a revenue measure of this kind I think the powers of the House should not be restricted by any unbridled check given in the hands of the executive for the further reason that we are promised full autonomy by that time Excepting this little change, I am in favour of the first reading of this Bill

Question proposed.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Sir, the financial condition of the Bombay City Improvement Trust has been fully explained on previous occasions It has also been stated that the Government and the Municipal Corporation of Bombay are also deeply involved financially in that scheme Now the question is how to meet that deficit of about 28½ lakhs As pointed out by me before, even if we are able to get about 12 lakhs of rupees out of this new tax and the Municipal Corporation is able to give us 11½ lakhs by increasing by one per cent. the general tax, it will be roughly about 24 lakhs and, as stated by my honourable friend Mr Hoosenally Rahimtoola, there will still be a deficit of about five lakhs of rupees Now the point is that if the duty is reduced, as proposed, from Rs 30 to something under Rs 30, then the difference would increase and that would involve my bringing before this honourable House two other proposals put forward by the Municipal Corporation themselves One is a terminal tax on passengers and another is a duty on cotton

Rao Bahadur R S ASAVALE On a point of information. Who says that the general tax will be increased ? Last time such are commendation was made to the Corporation, and the Corporation has thrown it out That is irrelevant

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL With regard to the last amendment, I cannot understand the object of the honourable mover of the amendment to the amendment, in restricting the period to 10 years, when this House is definitely told that it will be nothing less than 20 years before the Corporation, after its amalgamation

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with the Improvement Trust, is able to establish equilibrium I therefore request this honourable House not to worry about the period at all I do not see any advantage even in limiting the period to 20 years, though I have no objection personally to 20 years, but I do not see very great force in that point, for this reason. In the first place, limiting it to 20 years would be no consolation to the poor consumer for whose benefit so many speeches have been made here this afternoon, because he will continue to pay the increased duty for another 20 years, nor would it be any consolation to the dealers who will be thrown out of employment, because they will continue to be out of employment for another 20 years So, I do not see any particular point in limiting the period to 20 years or any period at all If at any time this honourable House is in a position to find that this tax is no longer necessary, it is quite open to it to bring forward a proposal for its discontinuance

Dr M D GILDER That will require the sanction of the Governor

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL One more point is that, by limiting the period to 10 years or 20 years, you will be putting your successors in a very inconvenient position This is a source of provincial revenue You will be getting something like 12 to 13 lakhs of rupees, and I am perfectly certain that your successors will not at all thank you for putting them in that position when there might be considerable opposition to the continuance of this tax

Sir, I have a short amendment to move It is as follows

In clause 2, for the words " 1st day of April ", the words " 19th day of March " shall be substituted

The reasons for this, if the House wants to know, are so many, but the principal amongst them is that, even during the last 10 days that the intention of the Government has been made public, that the duty was going to be increased, the warehouse where tobacco is deposited is very nearly empty, and it is quite possible that within a few days there will be tons of tobacco coming in, at the present low rate of duty, which will result in very unfair competition with the *bona fide* dealers of Bombay who have been dealing in this commodity for years and years past There would also be serious administrative difficulties For this reason, Sir, as the rate of Imperial duty on salt and other commodities is put up immediately, it is necessary, I consider, that this duty also should come into force, if the Bill is passed, from the 19th of March 1932

Dr M D GILDER Is the Honourable Minister moving this as an amendment of principle ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Yes, it is an amendment of principle

Rao Bahadur G K CHITALE Government is coming forward with a proposition that the duty should come into force from tomorrow

The Honourable the PRESIDENT The honourable member understands the difficulty The Bill has to be passed If honourable members so choose, this business can be finished by this evening In that case,

[The President]

the amendment might be moved If the House was in a mood that this taxation should be allowed, there is good reason in what the Honourable Minister proposes If the taxation is allowed, it should be brought into force as early as possible But the Bill is still hanging fire, and how can it be said that it shall come into force from tomorrow when only the first reading of the Bill is going on ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL. Is it not according to the procedure ? My difficulty was this I had no desire to move this amendment earlier than absolutely necessary I thought this was the proper stage when the amendment should come

Rao Bahadur R R KALE The amendment has to be properly drafted Government may ask the Remembrancer of Legal Affairs to do it in a proper way, so that we may dispose of it

The Honourable the PRESIDENT I have not the amendment in my hand

Rao Bahadur R R KALE This is an important point Honourable members on this side may have to say something

Mr G DAVIS Apparently, there is a desire on the part of honourable members to put forward other amendments, for which I shall want time, but as regards this particular amendment, there is nothing in it It is merely substituting one day for another That is all, and there is no difficulty about that

Question proposed

Rao Bahadur G K CHITALE I want to speak on this amendment

The Honourable the PRESIDENT I would advise the House to consider the main question whether to allow this taxation or not, it is in their hands If they do allow it to be passed in the second reading, the Act can take effect from the 19th March

Rao Bahadur G K CHITALE That is reasonable

The Honourable the PRESIDENT I am merely going to put this amendment to the House, so that if this amendment is passed, the subsequent amendments which may be moved would be changed accordingly

Amendment put, and agreed to

Amendment to the amendment put, and negatived

Amendment that

"and shall remain in force for ten years in the first instance but Government may extend it for a further period not exceeding ten years."

put, and agreed to

Bill read a first time

Question, "That Bill No III of 1932 [A Bill to amend the Tobacco Duty (Town of Bombay) Act, 1857] be read a first time," put, and agreed to.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Sir, I move that Bill No III of 1932 [A Bill to amend the Tobacco Duty (Town of Bombay) Act, 1857] be read a second time

Second reading

Question proposed

Mr V A SURVE (Ratnagiri District) (Addressed the House in Marathi) Sir, I move that the Bill be published for eliciting public opinion and that further consideration be adjourned to the next session In the City of Bombay those people who smoke bidis——

The Honourable the PRESIDENT That argument has already been advanced I should put the amendment to vote

Amendment put, and negatived

Question, "That Bill No III of 1932 be read a second time," put, and agreed to.

Bill read a second time

Clause 1 (*Short title*) ordered to stand part of the Bill

Clause 2 (*Commencement*).

This Act shall come into force on the 19th day of March 1932, and shall remain in force for 10 years in the first instance but Government may extend it for a further period not exceeding 10 years

Mr V N JOG (Dharwar District) Sir, I move

"That the words 'by a notification in the *Bombay Government Gazette*' be inserted after the words 'ten years' occurring a second time in clause 2"

Question put, and agreed to

Clause, as amended, ordered to stand part of the Bill

Clause 3 (*Amendment of section 2 of IV of 1857*)

In section 2 of the Tobacco Duty (Town of Bombay) Act, 1857, hereinafter referred to as the said Act, for the words "seven rupees and eight annas" the words "thirty rupees" shall be substituted

Mr A N SURVE (Bombay City, North) Sir, I move

"In clause 3 for the words 'thirty rupees' occurring in the 4th line, substitute the words 'fifteen rupees'"

I have already stated my reasons

Question proposed

Rao Bahadur S K BOLE Sir, I support the amendment I have given notice of a similar amendment I wish again to repeat my question whether the Corporation proposed this heavy duty of Rs 30

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL The original proposals came before the Government from the Corporation As I have already stated, there were four proposals and it was intended that the amount of 28½ lakhs should be made up from the proceeds likely to be recovered from the four taxes At that time, on the assumption that all the four proposals would be placed before the House, the Municipal Corporation had mentioned Rs 15 duty I admit that

Rao Bahadur S K BOLE That was the proposal

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL But later on, in the light of most severe criticism with regard to the other proposals, as there was very little time for eliciting the considered

[Sirdar Sir Rustom Jehangir Vakil]

opinion of the Corporation, the leading members of the Bombay Municipal Corporation were called and consulted It was pointed out to them that the tobacco duty might be increased to such an extent as to enable Government not to rely upon the other proposals Those members who assembled gave an assurance, not on behalf of the Corporation, but as the leading members of the Corporation, that this course, namely, to increase the duty to Rs 30 would be the most advisable Depending on the opinion of the leading corporators and also in view of the fact that it was probable that we might not perhaps have to bring before this honourable House the other very inconvenient proposals, we decided to increase the duty from Rs 15 to Rs 30

The Honourable the PRESIDENT Does the Honourable Minister accept the amendment or does he not ?

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL I do not accept

Amendment put, and negatived

Clause 3 ordered to stand part of the Bill

Clause 4 (Amendment of sections 8 and 9 of IV of 1857)

In sections 8 and 9 of the said Act for the words "four seers" the words "half a seer" shall be substituted

Mr A N SURVE (Bombay City, North) Sir, I move the amendment which stands in my name——

In clause 4, substitute the words "two seers" for the words "half a seer"

Question proposed

Mr G S GANGOLI (Kanara District) Sir, I had also tabled an amendment to the like effect before I openly supported the first reading To-day, I find that we are all in a hurry to pass this taxation measure

The Honourable the PRESIDENT When did the honourable member give notice of the amendment ?

Mr G S GANGOLI Even before the first reading was passed

In the first place, by passing the third clause of this Bill we have increased the duty to four times the present rate This clause seeks to reduce the maximum allowance free of duty from four seers to half a seer, that is to one-eighth of the present maximum I think that it would be very hard Personally, I am not addicted to any form of tobacco But it does seem to me that this is too big a jump I do not know where we will be , I do not know what to say, because it is all being carried in a hurry I do not know what the people affected may have to say So, I wished to afford them an opportunity , I think the maximum of two seers should be accepted by Government

Sir REGINALD SPENCE Sir, I spoke against this Bill, but I must speak against this amendment It is absolutely absurd If you are going to have two seers, chuck your Bill altogether.

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Sir, if there is any measure which is calculated to inflict severe hardship upon the small dealers whom, I understand, it is the general desire of this House to protect, it is an amendment of this nature If we allow more than half a seer of tobacco to be exempted, then there is every likelihood of large quantities being imported into Bombay and a very unfair competition being started with the *bona fide* dealers of the town

Amendment put, and negatived

Clause 4 ordered to stand part of the Bill

Preamble

"Whereas it is expedient to amend the Tobacco Duty (Town of Bombay) Act, 1857, for the purpose hereinafter appearing, It is hereby enacted as follows —"

Mr G DAVIS Sir, I move—

In the preamble, after the word "appearing" the following words shall be inserted

"and whereas the previous sanction of the Governor required by section 80C of the Government of India Act has been obtained for the passing of this Act"

It has been held that although the duty is a tax to be handed over to the municipality, yet it is part of the revenues of Government, and therefore the Bill will affect the public revenues of the province Therefore, the sanction of the Governor was obtained, and, by drafting practice, it should be mentioned in the preamble

Amendment put, and agreed to

Preamble, as amended, ordered to stand part of the Bill

Third reading

The Honourable Sirdar Sir RUSTOM JEHANGIR VAKIL Sir, I move that Bill No III of 1932 [A Bill to amend the Tobacco Duty (Town of Bombay) Act, 1857] be read a third time and passed

Bill read a third time

Question put, and agreed to

The Honourable the PRESIDENT I have now to intimate to the House that I have received a Commission from His Excellency directing me to announce that he is pleased to order that the present session of the Legislative Council should be prorogued Accordingly, by virtue of this Commission of His Excellency, I declare the Council prorogued until the date of which due notice shall be given This Council is now prorogued

MO Hb 226—6

BOMBAY PRINTED AT THE GOVERNMENT CENTRAL PRESS.

APPENDIX 1

BILL No. I OF 1932.

A Bill to provide for the levy of a duty on consumption of electrical energy in the Presidency of Bombay and to amend the Court-fees Act, 1870, and the Indian Stamp Act, 1899, in their application to the said Presidency.

(As published in the "Bombay Government Gazette" of the 4th February 1932.)

WHEREAS it is expedient to provide for the levy of a duty on consumption of electrical energy in the Presidency of Bombay and to amend the Court-fees Act, 1870, and the Indian Stamp Act, 1899, in their application to the said Presidency for the purposes hereinafter appearing; and whereas the previous sanction of the Governor General required by sub-section (*3*) of section 80A of the Government of India Act and the previous sanction of the Governor required by section 80C of the said Act have been obtained for the passing of this Act, It is hereby enacted as follows :— VII of 1870 II of 1899 5 & 6 Geo V, c 61

PART I—*Preliminary*

1. *Short title.*—This Act may be called the Bombay Finance Act, 1932.

2. *Extent and commencement.*—(*1*) Except where it is otherwise provided in this Act, this Act extends to the whole of the Presidency of Bombay.

(*2*) It shall come into force on the 1st day of April 1932.

PART II—*Electricity Duty*

3. *Extent of Part II.*—This Part extends to the whole of the Presidency of Bombay except Aden.

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

(*a*) "consumer" means any person who is supplied with energy by a licensee,

(*b*) "energy" means electrical energy when generated, transmitted, supplied or used for any purpose except the transmission of a message,

(*c*) "licensee" means any person licensed under Part II of the Indian Electricity Act, 1910, to supply energy, IX of 1910

(*d*) "prescribed" means prescribed by rules made under this Part.

[Appendix I—*contd*]

5 *Duty on units of energy consumed*—There shall be levied and paid to the Government of Bombay, on the units of energy consumed excluding losses of energy in transmission and transformation, a duty (hereinafter referred to as "electricity duty") at the rates specified in the schedule to this Part

Provided that electricity duty shall not be leviable on the units of energy consumed by Government o by a tramway company, or by a railway administration as defined in clause (*6*) of section 3 of the Indian Railways Act, 1890, or by or in respect of any concern, undertaking institution, premises, body, person or any class of persons or thing which the Government may exempt from payment thereof by a notification in the *Bombay Government Gazette*

IX of 1890

6 *Payment of electricity duty*—(*1*) Every licensee shall collect and pay to the Government, at the time and in the manner prescribed, the proper electricity duty payable under this Part on the units of energy supplied by him to consumers The duty so payable shall be a first charge on the amount recoverable by the licensee for the energy supplied by him and shall be a debt due by him to the Government

Provided that where the licensee has been unable to recover his dues for the energy supplied by him, he shall not be liable to pay the duty in respect of the energy so supplied

(*2*) Where any person fails or neglects to pay, at the time and in the manner prescribed, the amount of electricity duty due from him, the licensee may, without prejudice to the right of Government to recover the amount under section 9, and after giving not less than seven clear days notice in writing to such person, cut off the supply of energy to such person, and he may, for that purpose, exercise the power conferred on him by sub-section (*1*) of section 24 of the Indian Electricity Act, 1910, for recovery of any charge or sum due in respect of energy supplied by him

IX of 1910

(*3*) The licensee shall be entitled, for his cost of collection of the duty, to a rebate of such percentage as may be determined by the Government on the amount of the duty collected and paid by him under sub-section (*1*)

7. *Licensee to keep books of account and submit returns*—Every licensee shall, unless he is exempt from payment of electricity duty under the proviso to section 5, keep books of account in the prescribed form and submit to the Government or to the prescribed officer returns in such form and at such times as may be prescribed, showing the units of energy supplied by him to each consumer or consumed by him as the case may be, and the amount of the duty payable thereon and recovered or paid by him under section 6"

8 *Inspecting officers*—The Government may, by notification in the *Bombay Government Gazette*, appoint inspecting officers to inspect the books of accounts of licensees Such officers shall perform such duties and exercise such powers as may be prescribed for the purpose of

[Appendix 1—*contd*]

carrying into effect the provisions of this Part and the rules made thereunder

9. *Recoveries*—Any sum due on account of electricity duty, if not paid at the time and in the manner prescribed, shall be recoverable, at the discretion of Government, either from the consumer, or, subject to the proviso to section 6 (*1*), from the licensee, and either through civil court or as an arrear of land revenue

10 *Penalties*—If any person liable under section 7 to keep books of account or to submit returns fails to keep or submit the same in the manner prescribed or obstructs an inspector in the exercise of his powers and duties under this Part and the rules thereunder or contravenes any rule made under section 11, he shall, on conviction, be punishable with fine which may extend to fifty rupees

11 *Power to make rules*—(*1*) The Government may make rules, not inconsistent with the provisions of this Part, for the purpose of carrying into effect the provisions of this Part

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may

(*a*) prescribe the time and manner of payment of the electricity duty under section 6,

(*b*) prescribe the form of the books of account to be kept and the times at which, the form in which and the officers to whom the returns required by section 7 shall be submitted,

(*c*) prescribe the powers and duties of inspecting officers, and

(*d*) provide for any other matter for which there is no provision or insufficient provision in this Part and for which provision is, in the opinion of the Government, necessary for giving effect to the provisions of this Part

(*3*) Such rules shall be published in the *Bombay Government Gazette*

SCHEDULE.

(See Section 5)

For lights and fans

(*a*) Commercial and business premises, clubs, restaurants, hotels, residential premises and all other premises not falling under clauses (*b*) and (*c*) and not exempted under section 5	Six pies for each unit of energy consumed
(*b*) Theatres and illuminated signs	Three pies for each unit of energy consumed.
(*c*) When flat rates are charged by the licensee the following duty shall be payable —	
For a 20 watt light	Two annas per mensem
For a 30 watt light	Three annas per mensem
For a 40 watt light	Four annas per mensem
For a 60 watt light	Six annas per mensem.

[Appendix I—*contd.*]

PART III—*Court-fees*

12. *Amendment of section 7 of VII of 1870*—In section 7 of the Court-fees Act, 1870, in its application to the Presidency of Bombay, in this Part referred to as the said Act,— VII of 1870

(*a*) to clause (*d*) of paragraph (*iv*) the words "or other consequential relief" shall be added,

(*b*) after the word "appeal" in paragraph (*iv*) the words "with a minimum fee of rupees fifteen in each case" shall be inserted, and

(*c*) in clauses (1), (2) and (3) of the proviso to paragraph (*v*) for the words "five", "ten" and "ten" the words "ten", "twenty" and "twenty" shall, respectively, be substituted.

13. *Amendment of Schedule I to VII of 1870*—For articles, 1, 8, 11, 12 and 12-A of, and the Table of rates of *ad valorem* fees in Schedule I to the said Act the following shall be substituted, namely —

SCHEDULE I

Ad Valorem Fees

Number	—	Proper fee
1 Plaint, written statement pleading a set off or counterclaim or memorandum of appeal (not otherwise provided for in this Act) or of cross-objection presented to any Civil or Revenue Court except those mentioned in section 3	When the amount or value of the subject matter in dispute does not exceed five rupees	Six annas
	When such amount or value exceeds five rupees, for every five rupees, or part thereof, in excess of five rupees, up to one hundred rupees	Six annas
	When such amount or value exceeds one hundred rupees, for every ten rupees, or part thereof, in excess of one hundred rupees, up to one thousand rupees	Twelve annas
	When such amount or value exceeds one thousand rupees, for every one hundred rupees, or part thereof, in excess of one thousand rupees, up to five thousand rupees	Seven rupees and eight annas
	When such amount or value exceeds five thousand rupees, for every two hundred and fifty rupees, or part thereof, in excess of five thousand rupees, up to ten thousand rupees	Fifteen rupees
	When such amount or value exceeds ten thousand rupees, for every five hundred rupees or part thereof, in excess of ten thousand rupees, up to twenty thousand rupees	Twenty two rupees and eight annas.

[Appendix 1—*contd*]

Number	—	Proper fee	
	When such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part thereof, in excess of twenty thousand rupees, up to thirty thousand rupees	Thirty rupees	
	When such amount or value exceeds thirty thousand rupees, for every two thousand rupees, or part thereof, in excess of thirty thousand rupees, up to fifty thousand rupees	Thirty rupees	
	When such amount or value exceeds fifty thousand rupees, for every five thousand rupees, or part thereof, in excess of fifty thousand rupees	Thirty rupees	
	Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be ten thousand rupees		
8 Copy of any document liable to stamp duty under the Indian Stamp Act, 1899, when left by any party to a suit or proceeding in place of the original withdrawn.	(*a*) When the stamp-duty chargeable on the original does not exceed one rupee	The amount of the duty chargeable on the original	
	(*b*) In any other case	One rupee	II of 1899
11 Probate of a will or letters of administration with or without will annexed	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand rupees, on the part of the amount or value in excess of one thousand rupees, up to five thousand rupees	Two per centum	
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds five thousand rupees, on the part of the amount or value in excess of five thousand rupees, up to ten thousand rupees.	Two and a half per centum	
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds ten thousand rupees, on the part of the amount or value in excess of ten thousand rupees, up to fifty thousand rupees	Three per centum	
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds fifty thousand rupees, on the part of the amount or value in excess of fifty thousand rupees, up to one lakh of rupees	Three and a half per centum	

[Appendix 1—*contd.*]

Number	—	Proper fee
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one lakh of rupees, on the part of the amount or value in excess of one lakh of rupees, up to one lakh and fifty thousand rupees	Four per centum
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one lakh and fifty thousand rupees, on the part of the amount or value in excess of one lakh and fifty thousand rupees, up to two lakhs of rupees.	Four and a half per centum
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds two lakhs of rupees, on the part of the amount or value in excess of two lakhs of rupees, up to two lakhs and fifty thousand rupees.	Five per centum
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds two lakhs and fifty thousand rupees on the part of the amount or value in excess of two lakhs and fifty thousand rupees, up to three lakhs of rupees	Five and a half per centum
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds three lakhs of rupees, on the part of the amount or value in excess of three lakhs of rupees, up to four lakhs of rupees	Six per centum
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds four lakhs of rupees, on the part of the amount or value in excess of four lakhs of rupees, up to five lakhs of rupees	Six and a half per centum
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds five lakhs of rupees, on the part of the amount or value in excess of five lakhs of rupees	Seven per centum

[Appendix 1—*contd*.]

Number	—	Proper fee	
	Provided that when, after the grant of a certificate under Part X of the Indian Succession Act, 1925, or under Bombay Regulation VIII of 1827, in respect of any property included in an estate, a grant of probate or letters of administration is made in respect of the same estate, the fee payable in respect of the latter grant shall be reduced by the amount of the fee paid in respect of the former grant		XXXIX of 1925
12 Certificate under Part X of the Indian Succession Act, 1925		The fees leviable in the case of a probate (article 11) on the amount or value of any debt or security specified in the certificate under section 374 of the Act, and one and a half times this fee on the amount or value of any debt or security to which the certificate is extended under section 376 of the Act *Note*.—(*1*) The amount of a debt is its amount, including interest on the day on which the inclusion of the debt in the certificate is applied for, so far as such amount can be ascertained (2) Whether or not any power with respect to a security specified in a certificate has been conferred under the Act, and where such a power has been so conferred, whether the power is for the receiving of interest or dividends on, or for the negotiation or transfer of the security, or for both purposes, the value of the security is its market value on the day on which the inclusion of the security in the certificate is applied for, so far as such value can be ascertained	XXXIX of 1925
12 A Certificate under Bombay Regulation VIII of 1827		The fee leviable in the case of a probate (article 11) on the amount or value of the property in respect of which the certificate is granted	

[Appendix 1—*contd*.]

Table of rates of ad valorem *fees levyable on the institution of suits.*

When the amount or value of the subject matter exceeds—	But does not exceed—	Proper fee	When the amount or value of the subject matter exceeds—	But does not exceed—	Proper fee
Rs	Rs	Rs a	Rs	Rs	Rs. a
	5	0 6	460	470	35 4
5	10	0 12	470	480	36 0
10	15	1 2	480	490	36 12
15	20	1 8	490	500	37 8
20	25	1 14	500	510	38 4
25	30	2 4	510	520	39 0
30	35	2 10	520	530	39 12
35	40	3 0	530	540	40 8
40	45	3 6	540	550	41 4
45	50	3 12	550	560	42 0
50	55	4 2	560	570	42 12
55	60	4 8	570	580	43 8
60	65	4 14	580	590	44 4
65	70	5 4	590	600	45 0
70	75	5 10	600	610	45 12
75	80	6 0	610	620	46 8
80	85	6 6	620	630	47 4
85	90	6 12	630	640	48 0
90	95	7 2	640	650	48 12
95	100	7 8	650	660	49 8
100	110	8 4	660	670	50 4
110	120	9 0	670	680	51 0
120	130	9 12	680	690	51 12
130	140	10 8	690	700	52 8
140	150	11 4	700	710	53 4
150	160	12 0	710	720	54 0
160	170	12 12	720	730	54 12
170	180	13 8	730	740	55 8
180	190	14 4	740	750	56 4
190	200	15 0	750	760	57 0
200	210	15 12	760	770	57 12
210	220	16 8	770	780	58 8
220	230	17 4	780	790	59 4
230	240	18 0	790	800	60 0
240	250	18 12	800	810	60 12
250	260	19 8	810	820	61 8
260	270	20 4	820	830	62 4
270	280	21 0	830	840	63 0
280	290	21 12	840	850	63 12
290	300	22 8	850	860	64 8
300	310	23 4	860	870	65 4
310	320	24 0	870	880	66 0
320	330	24 12	880	890	66 12
330	340	25 8	890	900	67 8
340	350	26 4	900	910	68 4
350	360	27 0	910	920	69 0
360	370	27 12	920	930	69 12
370	380	28 8	930	940	70 8
380	390	29 4	940	950	71 4
390	400	30 0	950	960	72 0
400	410	30 12	960	970	72 12
410	420	31 8	970	980	73 8
420	430	32 4	980	990	74 4
430	440	33 0	990	1,000	75 0
440	450	33 12	1,000	1,100	82 8
450	460	34 8	1,100	1,200	90 0

[Appendix 1—*contd*]

When the amount or value of the subject matter exceeds—	But does not exceed—	Proper fee		When the amount or value of the subject matter exceeds—	But does not exceed—	Proper fee	
Rs	Rs	Rs	a	Rs	Rs	Rs	a
1,200	1,300	97	8	7,750	8,000	555	0
1,300	1,400	105	0	8,000	8,250	570	0
1,400	1,500	112	8	8,250	8,500	585	0
1,500	1,600	120	0	8,500	8,750	600	0
1,600	1,700	127	8	8,750	9,000	615	0
1,700	1,800	135	0	9,000	9,250	630	0
1,800	1,900	142	8	9,250	9,500	645	0
1,900	2,000	150	0	9,500	9,750	660	0
2,000	2,100	157	8	9,750	10,000	675	0
2,100	2,200	165	0	10,000	10,500	697	8
2,200	2,300	172	8	10,500	11,000	720	0
2,300	2,400	180	0	11,000	11,500	742	8
2,400	2,500	187	8	11,500	12,000	765	0
2,500	2,600	195	0	12,000	12,500	787	8
2,600	2,700	202	8	12,500	13,000	810	0
2,700	2,800	210	0	13,000	13,500	832	8
2,800	2,900	217	8	13,500	14,000	855	0
2,900	3,000	225	0	14,000	14,500	877	8
3,000	3,100	232	8	14,500	15,000	900	0
3,100	3,200	240	0	15,000	15,500	922	8
3,200	3,300	247	8	15,500	16,000	945	0
3,300	3,400	255	0	16,000	16,500	967	8
3,400	3,500	262	8	16,500	17,000	990	0
3,500	3,600	270	0	17,000	17,500	1,012	8
3,600	3,700	277	8	17,500	18,000	1,035	0
3,700	3,800	285	0	18,000	18,500	1,057	8
3,800	3,900	292	8	18,500	19,000	1,080	0
3,900	4,000	300	0	19,000	19,500	1,102	8
4,000	4,100	307	8	19,500	20,000	1,125	0
4,100	4,200	315	0	20,000	21,000	1,155	0
4,200	4,300	322	8	21,000	22,000	1,185	0
4,300	4,400	330	0	22,000	23,000	1,215	0
4,400	4,500	337	8	23,000	24,000	1,245	0
4,500	4,600	345	0	24,000	25,000	1,275	0
4,600	4,700	352	8	25,000	26,000	1,305	0
4,700	4,800	360	0	26,000	27,000	1,335	0
4,800	4,900	367	8	27,000	28,000	1,365	0
4,900	5,000	375	0	28,000	29,000	1,395	0
5,000	5,250	390	0	29,000	30,000	1,425	0
5,250	5,500	405	0	30,000	32,000	1,455	0
5,500	5,750	420	0	32,000	34,000	1,485	0
5,750	6,000	435	0	34,000	36,000	1,515	0
6,000	6,250	450	0	36,000	38,000	1,545	0
6,250	6,500	465	0	38,000	40,000	1,575	0
6,500	6,750	480	0	40,000	42,000	1,605	0
6,750	7,000	495	0	42,000	44,000	1,635	0
7,000	7,250	510	0	44,000	46,000	1,665	0
7,250	7,500	525	0	46,000	48,000	1,695	0
7,500	7,750	540	0	48,000	50,000	1,725	0

[Appendix 1—*contd*]

and the fee increases at the rate of thirty rupees for every five thousand rupees, or part thereof, up to a maximum of ten thousand rupees for example—

Rs	Rs a	Rs.	Rs a.
1,00,000	2,025 0	9,00,000	6,825 0
2,00,000	2,625 0	10,00,000	7,425 0
3,00,000	3,225 0	11,00,000	8,025 0
4,00,000	3,825 0	12,00,000	8,625 0
5,00,000	4,425 0	13,00,000	9,225 0
6,00,000	5,025 0	14,00,000	9,825 0
7,00,000	5,625 0	15,00,000	10,000 0
8,00,000	6,225 0		

14 *Amendment of Schedule II to VII of 1870*.—For Articles 1, 6, 7, 12, 14, 17, 18, 19, 20 and 21 of Schedule II to the said Act the following shall be substituted, namely —

"SCHEDULE II

Fixed Fees

Number		Proper fee
1	Application or petition	(*a*) When presented to any officer of the Customs or excise Department or to any Magistrate by any person having dealings with the Government, and when the subject matter of such application relates exclusively to those dealings or when presented to any officer of land revenue by any person holding temporarily settled land under direct engagement with Government, and when the subject matter of the application or petition relates exclusively to such engagement or when presented to any Municipal Commissioner under any Act for the time being in force for the conservancy or improvement of any place, if the application or petition, relates solely to such conservancy or improvement or when presented to any Civil Court other than a principal Civil Court of original jurisdiction, or to any Court of Small Causes constituted under the Provincial Small Causes Courts Act, 1887, or to a Collector or other officer of revenue in relation to any suit or case in which the amount or value of the subject matter is less than fifty rupees, not being an application for assistance under section 86 of the Bombay Land Revenue Code, 1879	Four annas

IX of 1887

Bom V of 1879

[Appendix 1—*contd.*]

Number	—	Proper fee	
	or when presented to any Civil, Criminal or Revenue Court, or to any Board or executive officer for the purpose of obtaining a copy or translation of any judgment, decree or order passed by such Court, Board or officer, or of any other document on record in such Court or office		
	(*aa*) When presented to a Collector or other officer of revenue for assistance under section 86 of the Bombay Land Revenue Code, 1879, in relation to any case in which the amount or value of the subject matter is less than fifty rupees	Eight annas	Bom V of 1879
	(*b*) When containing a complaint or charge of any offence other than an offence for which police officers may, under the Criminal Procedure Code, 1898, arrest without warrant, and presented to any Criminal Court or when presented to a Civil, Criminal or Revenue Court, or to a Collector, or any Revenue officer having jurisdiction equal or subordinate to a Collector, or to any Magistrate in his executive capacity and not otherwise provided for by this Act or to deposit in Court revenue or rent or for determination by a Court of the amount of compensation to be paid by a landlord to his tenant	One rupee	V of 1898
	(*bb*) When presented to a Collector or other officer of revenue for assistance under section 86 of the Bombay Land Revenue Code, 1879, in relation to any case in which the amount or value of the subject-matter is or exceeds fifty rupees but is less than one hundred rupees	One rupee	Bom V of 1879
	(*c*) When presented to a Chief Commissioner or other Chief Controlling Revenue or Executive Authority, or to a Commissioner of Revenue or Circuit, or to any chief officer charged with the executive administration of a division and not otherwise provided for by this Act	Two rupees	

[Appendix 1—*contd*]

	Number.	—	Proper fee
Bom V of 1879		(*cc*) When presented to a Collector or other officer of revenue for assistance under section 86 of the Bombay Land Revenue Code, 1879, in relation to any case in which the amount or value of the subject-matter is or exceeds one hundred rupees	Two rupees
		(*d*) When presented to a High Court	Six rupees
V of 1898. V of 1908	6 Bail-bond or other instrument of obligation given in pursuance of an order made by a Court or Magistrate under any section of the Code of Criminal Procedure, 1898, or the Code of Civil Procedure, 1908, and not otherwise provided for by this Act		One rupee
IV of 1869	7 Undertaking under section 49 of the Indian Divorce Act, 1869		One rupee
	12 Caveat	When the amount or value of the property involved does not exceed two thousand rupees	Five rupees
		When the amount or value of the property involved exceeds two thousand rupees	Ten rupees
XXI of 1866	14 Petition in a suit under the Native Converts Marriage Dissolution Act, 1866		Ten rupees
	17 Plaint or memorandum of appeal in each of the following suits —		
	(*i*) to alter or set aside a summary decision or order of any of the Civil Courts not established by Letters Patent or of any Revenue Court,	When the amount or value of the property involved does not exceed five hundred rupees	Ten rupees
	(*ii*) to alter or cancel any entry in a register of the names of proprietors of revenue paying estates, and	When the amount or value of the property involved exceeds five hundred rupees	Fifteen rupees
	(*iii*) to obtain a declaratory decree or order, where no consequential relief is prayed,		Fifteen rupees
	(*iv*) to set aside alienation,		Fifteen rupees

[Appendix 1—*contd*.]

Number	—	Proper fee	
(*v*) to set aside a decree or award,	When the amount or value of the property involved does not exceed five hundred rupees	Ten rupees	
	When the amount or value of the property involved exceeds five hundred rupees	Fifteen rupees	
(*vi*) to set aside an adoption, and		Fifteen rupees	
(*vii*) any other suit where it is not possible to estimate at a money value the subject matter in dispute, and which is not otherwise provided for by this Act,		Fifteen rupees.	
18 Application—			
(*a*) under paragraph 17 of the Second Schedule to the Code of Civil Procedure, 1908,		Ten rupees.	V of 1908
(*b*) for probate or letters of administration or for revocation thereof under the Indian Succession Act, 1925,	When the amount or value of the Estate does not exceed two thousand rupees	Two rupees,	
	When it exceeds two thousand rupees, but does not exceed five thousand rupees	Five rupees	XXXIX of 1925
(*c*) for a certificate under Part X of the Indian Succession Act, 1925, or Bombay Regulation VIII of 1827,	When it exceeds five thousand rupees	Ten rupees	XXXIX of 1925
(*d*) for opinion or advice or for discharge from a Trust, or for appointment of new Trustees, under section 34, 72, 73 or 74 of the Indian Trusts Act, 1882,		Ten rupees	II of 1882.
(*e*) for the winding up of a Company, under section 166 of the Indian Companies Act, 1913,		Ten rupees	VII of 1913
(*f*) under rule 58 of Order XXI of the Code of Civil Procedure, 1908, regarding a claim to attached property	When the amount or value of the property exceeds five hundred rupees	Ten rupees	V of 1908
19 Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure, 1908		Twenty rupees	V of 1908

[Appendix 1—*contd.*]

Number.	——	Proper fee.
20. Every petition under the Indian Divorce Act, 1869, except petitions under section 44 of that Act and every memorandum of appeal under section 55 of that Act.		Thirty rupees.
21. Plaint or memorandum of appeal under the Parsi Marriage and Divorce Act, 1865.	....	Thirty rupees.

IV of 1869.

XV of 1865.

PART IV—*Stamp Duties.*

II of 1899.

15. *Amendment of II of 1899.*—In the Indian Stamp Act, 1899, in its application to the Presidency of Bombay, the following amendments shall be made, namely :—

(*1*) In section 2—

(*a*) after clause (*12*) the following shall be inserted, namely :—

"(*12A*) 'forward delivery' means, in relation to any transaction for the purchase or sale of any goods, merchandise or other thing, that no immediate delivery of the goods, merchandise or other thing purchased or sold is contemplated."

(*b*) to clause (*14*) the following explanation shall be added, namely :—

"*Explanation.*—An entry in a note-book, memorandum-book or book of accounts or other writing by which any right or liability is, or purports to be, created, transferred, limited, extended extinguished or recorded is an instrument within the meaning of this clause."

(*2*) *Amendment of sections 4 and 6 of II of 1899.*—In sub-section (*1*) of section 4, and in the proviso of section 6, for the words "one rupee" the words "two rupees" shall be substituted.

(*3*) *Amendment of sections 11, 32, 35, 40, 41, 69 and 74 of II of 1899.*—In clause (*a*) of section 11, proviso (*c*) to section 32, proviso (*a*) to section 35, sub-section (*1*) of section 40, section 41, clause (*b*) of section 69 and the proviso to section 74 before the words "one anna" the words "two annas" shall be inserted.

(*4*) *New section 19A of II of 1899.*—After section 19, the following section shall be inserted, namely :—

"*19A. Payment of duty on certain instruments liable to increased duty in Bombay Presidency.*—Where any instrument of the nature described in any article in Schedule I and relating to any property situate or to any matter or thing done or to be done in the Presidency

[Appendix 1—*contd.*]

of Bombay is executed out of the said Presidency and subsequently comes in the said Presidency—

(*a*) the amount of duty chargeable on such instrument shall be the amount of duty chargeable under Schedule I on a document of the like description executed in the Presidency of Bombay less the amount of duty, if any, already paid on such instrument in British India,

(*b*) and in addition to the stamps, if any, already affixed thereto, such instrument shall be stamped with the stamps necessary for the payment of the duty chargeable on it under clause (*a*) of this section, in the same manner and at the same time and by the same persons as though such instrument were an instrument received in British India for the first time at the time when it became chargeable with the higher duty, and

(*c*) the provisions contained in clause (*b*) of the proviso to sub-section (*3*) of section 32 shall apply to such instrument as if such were an instrument executed or first executed out of British India and first received in British India when it became chargeable to the higher duty aforesaid, but the provisions contained in clause (*a*) of the said proviso shall not apply thereto."

(*5*) *Amendment of section 28 of II of 1899.*—For the proviso to sub-section (*4*) of section 28 the following shall be substituted, namely :—

"Provided that notwithstanding anything contained in article 23 of Schedule I the duty on such last mentioned conveyance shall in no case be less than two rupees."

(*6*) *Amendment of section 32 of II of 1899.*—In proviso (*c*) to sub-section (*3*) of section 32 after the words "promissory note" the words "or an Agreement or Memorandum of an agreement chargeable under Article No. 5 (*aa*), 5 (*b*) or 5 (*bb*) or any Note or Memorandum chargeable under Article No. 43 (*b*), 43 (*bb*) or 43 (*c*) of Schedule I" shall be inserted.

(*7*) *Amendment of section 35 of II of 1899.*—In proviso (*a*) to section 35 after the words "promissory note" the words "or an Agreement or Memorandum of an agreement chargeable under Article No. 5 (*aa*), 5 (*b*) or 5 (*bb*) or a Note or Memorandum chargeable under Article No. 43 (*b*), 43 (*bb*) or 43 (*c*) of Schedule I" shall be inserted.

(*8*) *Amendment of section 40 of II of 1899.*—In sub-section (*1*) of section 40 after the words "promissory note" the words "or an Agreement or Memorandum of an Agreement chargeable under Article No. 5 (*aa*), 5 (*b*) or 5 (*bb*) or a Note or Memorandum chargeable under Article No. 43 (*b*), 43 (*bb*) or 43 (*c*) of Schedule I" shall be inserted.

(*9*) *Amendment of section 41 of II of 1899.*—In section 41 after the words "promissory note" the words "or an Agreement or Memorandum of an agreement chargeable under Article No. 5 (*aa*), (5) (*b*) or 5 (*bb*) or a Note or Memorandum chargeable under Article No. 43 (*b*), 43 (*bb*) or 43 (*c*) of Schedule I" shall be inserted.

[Appendix 1—*contd.*]

(*10*) *Amendment of Schedule I of II of 1899.*—In Schedule I,—

(*a*) in column 1 of article 12 clauses (*a*) and (*b*) shall be repealed;

(*b*) for the entries in column 2 of the said Schedule relating to Articles 2 (*b*), 3, 4, 8 (*b*), 9, 12, 14, 15, 16, 18, 20, 22, 23, 24, 25 (*b*), 26 (*b*), 29, 30 (*b*), 35, 39, 40 (*c*), 41, 42, 44, 46, 48, 50, 51, 54, 55 (*b*), 57 (*b*), 58, 62 (*c*) (*ii*) and 65 and shown in column 2 of the Schedule to this Part the entries shown in column 3 of the latter Schedule shall be substituted;

(*c*) for articles 5 and 43, the following shall, respectively, be substituted, namely :—

"5. Agreement or Memorandum of an Agreement—	
(*a*) if relating to the sale of a bill of exchange;	Four annas.
(*aa*) if relating to the sale of a Government security;	Subject to a maximum of twenty rupees, two annas for every Rs. 10,000 or part thereof of the value of the security.
(*b*) if relating to the sale of a share in an incorporated company or other body corporate;	One anna for every Rs. 1,000 or part thereof of the value of the share.
(*bb*) if for or relating to the sale or purchase of goods or merchandise for forward delivery;	One anna for every unit of transaction or part thereof. *Explanation.*—For the purposes of this article and article No. 43 (Note or Memorandum) 'unit of transaction' shall mean,— (i) in transactions relating to the purchase or sale of cotton,—fifty bales of cotton, a bale of cotton being equivalent to the quantity of cotton weighing approximately 392 pounds; (ii) in transactions relating to the purchase or sale of wheat,—25 tons of wheat; (iii) in transactions relating to the purchase or sale or linseed,—25 tons of linseed; (iv) in transactions relating to the purchase or sale of cotton seeds,—25 tons of cotton seeds; (v) in transactions relating to the purchase or sale of groundnuts,—25 tons of groundnuts; (vi) in transactions relating to the purchase or sale of castor seeds,—25 tons of castor seeds; (vii) in transactions relating to the purcase or sale of silver bullion,—one bar of silver, a bar being equivalent in weight to 2,800 tolas; (viii) in transactions relating to the purchase or sale of gold bullion,—250 tolas of gold, a tola being equivalent in weight to 180 grains Troy; (ix) in transactions relating to the purchase or sale of any other goods, merchandise or thing,—such unit as the Governor in Council may, by notification in the *Bombay Government Gazette*, fix in this behalf.
(*c*) if not otherwise provided for.	One rupee.

[Appendix 1—*contd.*]

Exemptions.

Agreement or Memorandum of agreement,—

(*a*) for or relating to the sale of goods or merchandise exclusively, not being an agreement or memorandum of agreement chargeable under clause (*bb*) of this Article or a Note or Memorandum chargeable under No. 43;

(*b*) made in the form of tenders to the Government of India for or relating to any loan;

(*c*) made under the European Vagrancy Act, 1874, section 17. IX of 1874.

"43. Note or Memorandum sent by a Broker or Agent to his principal intimating the purchase or sale on account of such principal,—

(*a*) of any goods exceeding in value twenty rupees, not being goods chargeable under clause (*c*);	Four annas.
(*b*) of any stock or marketable security exceeding in value twenty rupees, not being a Government security;	One anna for every Rs. 1,000 or part thereof of the value of the stock or security.
(*bb*) of a Government security; ..	Subject to a maximum of twenty rupees, two annas for every 10,000 rupees or part thereof of the value of the security.
(*c*) of goods for forward delivery ..	One anna for every unit of transaction or part thereof. *Note.*—For a definition of 'unit of transaction' see explanation to Article No. 5 (*bb*)."

and

(*d*) for Articles 7 and 10 the following shall, respectively, be substituted, namely:—

"7. Appointment in execution of a power, where made by any writing not being a will—

(*a*) of trustees	Fifteen rupees.
(*b*) of property, moveable or immoveable.	Thirty rupees.

"10. Articles of Association of a Company—

(*a*) where the company has no share capital or the nominal share capital does not exceed Rs. 2,500;	Twenty-five rupees.
(*b*) where the nominal share capital exceeds Rs. 2,500 but does not exceed Rs. 1,00,000.	Fifty rupees.
(*c*) where the nominal share capital exceeds Rs. 1,00,000.	One hundred rupees.

Exemption.

Articles of any Association not formed for profit and registered under section 26 of the Indian Companies Act, 1913.

See also Memorandum of Association of a Company (No. 39)." VII of 1913.

[Appendix 1—*contd.*]

(*e*) in clause (*a*) in column (1) of Article 25 for the words "one rupee" the words "two rupees" shall be substituted; and

(*f*) in provisos (*a*) and (*c*) in column 2 of Article 45, for the words "eight annas" the words "one rupee" shall be substituted.

SCHEDULE.

[*See section 15 (10).*]

1	2	3
2. Administration Bond—		
(*b*) in any other case ..	.. Five rupees ..	Ten rupees.
3. Adoption Deed ..	.. Ten rupees ..	Twenty-rupees.
4. Affidavit ..	.. One rupee ..	Two rupees.
8. Appraisement, etc.—		
(*b*) in any other case ..	.. Five rupees ..	Ten rupees.
9. Apprenticeship-Deed ..	.. Five rupees ..	Ten rupees.
12. Award ..	.. The same duty as a Bond (No. 15) for such amount.	The same duty as a Bond (No. 15) for the amount or value of the property to which the award relates as set forth in such award subject to a maximum of twenty rupees.
	Five rupees ..	
14. Bill of Lading	Four annas ..	Eight annas.
	N.B.—If a bill of lading is drawn in parts, the proper stamp therefor must be borne by each one of the set.	*N.B.*—If a bill of lading is drawn in parts, the proper stamp therefor must be borne by each one of the set.
15. Bond—		
where it exceeds Rs. 200 and does not exceed Rs. 300.	One rupee eight annas.	One rupee fourteen annas.
where it exceeds Rs. 300 and does not exceed Rs. 400.	Two rupees ..	Two rupees eight annas.
where it exceeds Rs. 400 and does not exceed Rs. 500.	Two rupees eight annas.	Three rupees eight annas.
where it exceeds Rs. 500 and does not exceed Rs. 600.	Three rupees ..	Four rupees eight annas.
where it exceeds Rs. 600 and does not exceed Rs. 700.	Three rupees eight annas.	Five rupees four annas.
where it exceeds Rs. 700 and does not exceed Rs. 800.	Four rupees ..	Six rupees.
where it exceeds Rs. 800 and does not exceed Rs. 900.	Four rupees eight annas.	Six rupees twelve annas.
where it exceeds Rs. 900 and does not exceed Rs. 1,000.	Five rupees ..	Seven rupees eight annas.
and for every Rs. 500 or part thereof in excess of Rs. 1,000.	Two rupees eight annas.	Three rupees twelve annas.

[Appendix 1—*contd.*]

16. Bottomry Bond, that is to say, any instrument whereby the master of a sea-going ship borrows money on the security of the ship to enable him to preserve the ship or prosecute her voyage.	The same duty as a Bond (No. 15) for the same amount.	Where the amount or value secured does not exceed Rs. 10 .. Three annas. where it exceeds Rs. 10 and does not exceed Rs. 50 .. Six annas. where it exceeds Rs. 50 and does not exceed Rs. 100 .. Twelve annas. where it exceeds Rs. 100 and does not exceed Rs. 200 .. One rupee eight annas. where it exceeds Rs. 200 and does not exceed Rs. 300 .. Two rupees four annas. where it exceeds Rs. 300 and does not exceed Rs. 400 .. Three rupees. where it exceeds Rs. 400 and does not exceed Rs. 500 .. Three rupees twelve annas. where it exceeds Rs. 500 and does not exceed Rs. 600 .. Four rupees eight annas. where it exceeds Rs. 600 and does not exceed Rs. 700 .. Five rupees four annas. where it exceeds Rs. 700 and does not exceed Rs. 800 .. Six rupees. where it exceeds Rs. 800 and does not exceed Rs. 900 .. Six rupees twelve annas. where it exceeds Rs. 900 and does not exceed Rs. 1,000 .. Seven rupees eight annas. and for every Rs. 500 or part thereof in excess of Rs. 1,000 .. Three rupees twelve annas.	
18. Certificate of Sale—			
(*a*) where the purchase-money does not exceed Rs. 10.		Two annas	Four annas.
(*b*) where the purchase-money exceeds Rs. 10 but does not exceed Rs. 25.		Four annas	Eight annas.
(*c*) in any other case		The same duty as a conveyance (No. 23) for a consideration equal to the amount of the purchase-money only.	The same duty as a conveyance (No. 23) for a consideration equal to the amount of the purchase-money only.
20. Charter-Party		One rupee ..	Two rupees.
22. Composition-Deed		Ten rupees ..	Twenty-rupees.
23. Conveyance—			
where the amount or value of the consideration for such conveyance as set forth therein does not exceed Rs. 50.		Eight annas ..	Twelve annas.
where it exceeds Rs. 50 but does not exceed Rs. 100.		One rupee ..	One rupee eight annas.
where it exceeds Rs. 100 but does not exceed Rs. 200.		Two rupees ..	Three rupees.
where it exceeds Rs. 200 but does not exceed Rs. 300.		Three rupees ..	Four rupees eight annas.
where it exceeds Rs. 300 but does not exceed Rs. 400.		Four rupees ..	Six rupees.
where it exceeds Rs. 400 but does not exceed Rs. 500.		Five rupees ..	Seven rupees eight annas.
where it exceeds Rs. 500 but does not exceed Rs. 600.		Six rupees ..	Nine rupees.
where it exceeds Rs. 600 but does not exceed Rs. 700.		Seven rupees ..	Ten rupees eight annas.
where it exceeds Rs. 700 but does not exceed Rs. 800.		Eight rupees ..	Twelve rupees.
where it exceeds Rs. 800 but does not exceed Rs. 900.		Nine rupees ..	Thirteen rupees eight annas.

[Appendix 1—*contd.*]

where it exceeds Rs. 900 but does not exceed Rs. 1,000,	Ten rupees	Fifteen rupees.
and for every Rs. 500 or part thereof in excess of Rs. 1,000.	Five rupees	Seven rupees eight annas.
24. Copy or Extract—		
(*i*) if the original was not chargeable with duty or if the duty with which it was chargeable does not exceed one rupee.	Eight annas ..	One rupee.
(*ii*) in any other case ..	One rupee ..	Two rupees.
25. Counterpart or Duplicate—		
(*b*) in any other case ..	One rupee ..	Two rupees.
26. Customs Bond—		
(*b*) in any other case	Five rupees ..	Ten rupees.
29. Divorce	One rupee ..	Five rupees.
30. Entry as an Advocate, Vakil or Attorney on the roll of any High Court—		
(*b*) in the case of an Attorney ..	Two hundred and fifty rupees.	Five hundred rupees.
35. Lease, including an under-lease or sub-lease and any agreement to let or sub-let—		
(*a*) where by such lease the rent is fixed and no premium is paid or delivered—		(*a*) where by such lease the rent is fixed and no premium is paid or delivered—
(*i*) where the lease purports to be for a term of less than one year;	The same duty as a Bond (No. 15) for the whole amount payable or deliverable under such lease.	(*i*) where the lease purports to be for a term of less than one year: The same duty as a Bottomry Bond (No. 16) for the whole amount payable or deliverable under such lease.
(*ii*) where the lease purports to be for a term of not less than one year but not more than three years;	The same duty as a Bond (No. 15) for the amount or value of the average annual rent reserved.	(*ii*) where the lease purports to be for a term of not less than one year, but not more than five years; The same duty as a Bottomry Bond (No. 16) for the amount or value of the average annual rent reserved.
(*iii*) where the lease purports to be for a term in excess of three years;	The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of the average annual rent reserved.	(*iii*) where the lease purports to be for a term exceeding five years but not exceeding ten years; The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of the average annual rent reserved.

[Appendix 1—*contd.*]

(*iv*) where the lease does not purport to be for any definite term;	The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of the average annual rent which would be paid or delivered for the first ten years if the lease continued so long.	(*iv*) where the lease purports to be for a term exceeding ten years but not exceeding twenty years; The same duty as a Conveyance (No. 23) for a consideration equal to twice the amount or value of the average annual rent reserved.
(*v*) where the lease purports to be in perpetuity;	The same duty as a Conveyance (No. 23) for a consideration equal to one-fifth of the whole amount of rents which would be paid or delivered in respect of the first fifty years of the lease.	(*v*) where the lease purports to be for a term exceeding twenty years but not exceeding thirty years; The same duty as a Conveyance (No. 23) for a consideration equal to three times the amount or value of the average annual rent reserved. (*vi*) where the lease purports to be for a term exceeding thirty years but not exceeding one hundred years; The same duty as a Conveyance (No. 23) for a consideration equal to four times the amount or value of the average annual rent reserved. (*vii*) where the lease purports to be for a term exceeding one hundred years or in perpetuity; The same duty as a Conveyance (No. 23) for a consideration equal in the case of a lease granted solely for agricultural purposes to one-tenth and in any other case to one-sixth of the whole amount of the rents which would be paid or delivered in respect of the first fifty years of the lease. (*viii*) where the lease does not purport to be for any definite term;

[Appendix 1—*contd.*]

		The same duty as a Conveyance (No. 23) for a consideration equal to three times the amount or value of the average rent which would be paid or delivered for the first ten years if the lease continued so long.
(*b*) where the lease is granted for a fine or premium or for money advanced and where no rent is reserved;	The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of such fine or premium or advance as set forth in the lease.	(*b*) where the lease is granted for a fine or premium, or for money advanced and where no rent is reserved; The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of such fine or premium or advance as set forth in the lease.
(*c*) where the lease is granted for a fine or premium or for money advanced in addition to rent reserved.	The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of such fine or premium or advance as set forth in the lease, in addition to the duty which would have been payable on such lease if no fine or premium or advance had been paid or delivered; Provided that, in any case when an agreement to lease is stamped with the *ad valorem* stamp required for a lease, and a lease in pursuance of such agreement is subsequently executed, the duty on such lease shall not exceed eight annas.	(*c*) where the lease is granted for a fine or premium or for money advanced in addition to rent reserved; The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of such fine or premium or advances as set forth in the lease in addition to the duty which would have been payable on such lease, if no fine or premium or advance had been paid or delivered; Provided that in any case when an agreement to lease is stamped with the *ad valorem* stamp required for a lease and a lease in pursuance of such agreement is subsequently executed, the duty on such lease shall not exceed one rupee.
39. Memorandum of Association of a Company—		
(*a*) if accompanied by articles of association under section 17 of the Indian Companies Act, 1913.	Fifteen rupees	.. Thirty rupees.
VII of 1913. (*b*) if not so accompanied	.. Forty rupees	.. Eighty rupees.

[Appendix 1—*contd.*]

40. Mortgage-Deed—			
(*c*) when a collateral or auxiliary or additional or substituted security or by way of further assurance for the abovementioned purpose where the principal or primary security is duly stamped—			
for every sum secured not exceeding Rs. 1,000;	Eight annas	..	One rupee.
and for every Rs. 1,000 or part thereof secured in excess of Rs. 1,000.	Eight annas	..	One rupee.
41. Mortgage of a crop—			
(*a*) when the loan is repayable not more than three months from the date of the instrument for every sum secured not exceeding Rs. 200,	One anna	..	Two annas.
and for every Rs. 200 or part thereof secured in excess of Rs. 200;	One anna	..	Two annas.
(*b*) when the loan is repayable more than three months, but not more than eighteen months, from the date of the instrument—			
for every sum secured not exceeding Rs. 100,	Two annas	..	Four annas.
and for every Rs. 100 or part thereof secured in excess of Rs. 100;	Two annas	..	Four annas.
42. Notarial Act	One rupee	..	Two rupees.
44. Note of protest by the Master of a Ship.	Eight annas	..	One rupee.
46. Partnership—			
(A) Instrument of—			
(*a*) where the capital of the partnership does not exceed Rs. 500,	Two rupees eight annas.		Five rupees.
(*b*) in other cases	Ten rupees	..	Twenty rupees.
(B) Dissolution of	Five rupees	..	Ten rupees.
48. Power of Attorney—			
(*a*) when executed for the sole purpose of procuring the registration of one or more documents in relation to a single transaction or for admitting execution of one or more such documents.	Eight annas	..	One rupee.
(*b*) when required in suits or proceedings under the Presidency Small Cause Courts Act, 1882.	Eight annas	..	One rupee.
(*c*) when authorising one person or more to act in a single transaction other than the case mentioned in clause (*a*).	One rupee	..	Two rupees.
(*d*) when authorising not more than five persons to act jointly and severally in more than one transaction or generally.	Five rupees	..	Ten rupees.
(*e*) when authorising more than five but not more than ten persons to act jointly and severally in more than one transaction or generally.	Ten rupees	..	Twenty rupees.
(*f*) when given for consideration and authorising the attorney to sell any immoveable property.	The same duty as a Conveyance (No. 23) for the amount of the consideration.		The same duty as a Conveyance (No. 23) for the amount of the consideration.

XV of 1882.

[Appendix I—*contd.*]

(*g*) in any other case	One rupee for each person authorised.	Two rupees for each person authorised. *N.B.*—The term "registration" includes every operation incidental to registration under the Indian Registration Act, 1908.

XVI of 1908.

50. Protest of Bill or Note ..	One rupee ..	Two rupees.
51. Protest by the Master of a Ship ..	One rupee ..	Two rupees.
54. Reconveyance of Mortgaged Property—		
(*a*) if the consideration for which the property was mortgaged does not exceed Rs. 1,000;	The same duty as a Conveyance (No. 23) for the amount of such consideration as set forth in the Reconveyance.	The same duty as a Bond (No. 15) for the amount of such consideration as set forth in the Reconveyance.
(*b*) in any other case	Ten rupees ..	Fifteen rupees.
55. Release—		
(*b*) in any other case ..	Five rupees ..	Ten rupees.
57. Security Bond or Mortgage Deed—		
(*b*) in any other case ..	Five rupees ..	Ten rupees.
58. Settlement—		
A.—Instrument of (including a deed of dower).	The same duty as a Bond (No. 15) for a sum equal to the amount or value of the property settled as set forth in such settlement;	The same duty as a Bottomry Bond (No. 16) for a sum equal to the amount or value of the property settled as set forth in such settlement;
	Provided that, where an agreement to settle is stamped with the stamp required for an instrument of settlement, and an instrument of settlement in pursuance of such agreement is subsequently executed, the duty on such instrument shall not exceed eight annas.	Provided that, where an agreement to settle is stamped with the stamp required for an instrument of settlement, and an instrument of settlement in pursuance of such agreement is subsequently executed, the duty on such instrument shall not exceed one rupee.
B—Revocation of—	The same duty as a Bond (No. 15) for a sum equal to the amount or value of the property concerned as set forth in the Instrument of Revocation, but not exceeding ten rupees.	The same duty as a Bottomry Bond (No. 16) for a sum equal to the amount or value of the property concerned as set forth in the Instrument of Revocation but not exceeding fifteen rupees.

[Appendix 1—*contd.*]

62.	Transfer—			
	(*c*) of any interest secured by a bond, mortgage-deed or policy of insurance—			
	(*ii*) in any other case	..	Five rupees	.. Ten rupees.
65.	Warrant for Goods ..	..	Four annas	.. Eight annas.

PART V.—*Stamp-duties on certain instruments in certain cities.*

16. *Extent of Part V.*—This Part extends to the Cities of Bombay, Ahmedabad, Poona and Karachi only.

17. *Amendment of Schedule I to II of 1899.*—Notwithstanding anything contained in Part IV, in Schedule I to the Indian Stamp Act, 1899, in its application to the cities of Bombay, Ahmedabad, Poona and Karachi, for the entries in columns 1 and 2 relating to Articles 6, 23, 58 and 63, the following entries shall, respectively, be substituted, namely :— II of 1899.

In column 1.	*In column 2.*	If drawn singly.	Each part of set of two.	Each part of set of three.
		Rs.	Rs. a. p.	Rs. a. p.	Rs. a. p.
6. AGREEMENT RELATING TO DEPOSIT OF TITLE-DEEDS, PAWN OR PLEDGE, that is to say, any instrument evidencing an agreement relating to—					
(1) the deposit of title-deeds, or instruments constituting or being evidence of the title to any property whatever (other than a marketable security), or					
(2) the pawn or pledge of moveable property, where such deposit, pawn or pledge has been made by way of security for the repayment of money advanced or to be advanced by way of loan or an existing or future debt—					
(*a*) if such loan or debt is repayable on demand or more than three months from the date of the instrument evidencing the agreement :	(i) When the amount of the loan or debt does not exceed ..	200	0-4-6	0-3-0	0-1-6
	(ii) When it exceeds Rs. 200 but does not exceed	400	0-9-0	0-4-6	0-3-0
	Do. 400 do. ..	600	0-13-6	0-7-6	0-4-6
	Do. 600 do. ..	800	1-2-0	0-9-0	0-6-0
	Do. 800 do. ..	1,000	1-6-6	0-12-0	0-7-6
	Do. 1,000 do. ..	1,200	1-11-0	0-13-6	0-9-0
	Do. 1,200 do. ..	1,600	2-4-0	1-2-0	0-12-0
	Do. 1,600 do. ..	2,500	3-6-0	1-11-0	1-2-0
	Do. 2,500 do. ..	5,000	6-12-0	3-6-0	2-4-0
	Do. 5,000 do. ..	7,500	10-0-0	5-1-0	3-6-0
	Do. 7,500 do. ..	10,000	13-8-0	6-12-0	4-8-0
	Do. 10,000 do. ..	15,000	20-4-0	10-2-0	6-12-0
	Do. 15,000 do. ..	20,000	27-0-0	13-8-0	9-0-0
	Do. 20,000 do. ..	25,000	33-12-0	16-14-0	11-4-0
	Do. 25,000 do. ..	30,000	40-8-0	20-4-0	13-8-0
	and for every additional Rs. 10,000 or part thereof in excess of ..	30,000	13-8-0	6-12-0	4-8-0

[Appendix 1—*contd.*]

(*b*) if such loan or debt is repayable not more than three months from the date of such instrument.	Half of the duty payable under No. 6 (*a*) above for the amount secured.
Exemption.	
Instrument of pawn or pledge of goods if unattested.	
23. Conveyance [as defined by section 2 (10)], not being a Transfer charged or exempted under No. 62,—	

	Rs.	a.	p.
Where the amount or value of the consideration for such conveyance as set forth therein does not exceed Rs. 50 ..	0	8	0
Where it exceeds Rs. 50 but does not exceed Rs. 100 ..	1	0	0
Where it exceeds Rs. 100 but does not exceed Rs. 200 ..	2	0	0
Where it exceeds Rs. 200 but does not exceed Rs. 300 ..	8	8	0
Where it exceeds Rs. 300 but does not exceed Rs. 400 ..	12	0	0
Where it exceeds Rs. 400 but does not exceed Rs. 500 ..	15	8	0
Where it exceeds Rs. 500 but does not exceed Rs. 600 ..	19	0	0
Where it exceeds Rs. 600 but does not exceed Rs. 700 ..	22	8	0
Where it exceeds Rs. 700 but does not exceed Rs. 800 ..	26	0	0
Where it exceeds Rs. 800 but does not exceed Rs. 900 ..	29	8	0
Where it exceeds Rs. 900 but does not exceed Rs. 1,000 ..	33	0	0
and for every Rs. 500 or part thereof in excess of Rs. 1,000 ..	17	8	0

58. Settlement—	
A.—Instrument of (including a deed of dower).	The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of the property settled as set forth in such settlement. Provided that, where an agreement to settle is stamped with the stamp required for an instrument of settlement, and an instrument of settlement in pursuance of such agreement is subsequently executed, the duty on such instrument shall not exceed eight annas.
Exemptions.	
(*a*) Deed of dower executed on the occasion of a marriage between Muhammadans.	
(*b*) Hudassa, that is to say, any settlement of immoveable property executed by a Buddhist in Burma for a religious purpose in which no value has been specified and on which a duty of Rs. 10 has been paid.	
B.—Revocation of—	The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of the property concerned as set forth in the instrument of revocation but not exceeding ten rupees.
See also Trust (No. 64).	
63. Transfer of Lease by way of assignment and not by way of underlease.	The same duty as a Conveyance (No. 23) for a consideration equal to the amount of the consideration for the transfer.
Exemption.	
Transfer of any lease exempt from duty.	

Bom. II of 1926.

18. *Repeal of Bombay II of 1926.*—The Indian Stamp (Bombay Amendment) Act, 1926, is hereby repealed.

[Appendix 1—*contd.*]

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to provide for the levy of a surcharge on the consumption of electrical energy and to enhance the Court-fees and stamp duties in certain cases for the purpose of increasing the revenue of Government. The detailed provisions are explained in the following notes on clauses.

1. PART I.—*Preliminary.*

The intention is that the provisions in Part II relating to electricity duty should apply to the whole of the Bombay Presidency except Aden; those in Parts III and IV relating to Court-fees and certain stamp duties should apply to the whole Presidency; and those in Part V relating to the levy of enhanced stamp duties on certain transfers of property should apply to the cities of Bombay, Ahmedabad, Poona and Karachi only.

2. PART II.—*Electricity Duty.*

This Part provides for the levy of a small surcharge on the consumption of electrical energy. It contemplates the collection of the duty by the supply Companies with the monthly bills. The collection will thus be simple and inexpensive and will fall for the most part on those who can best afford to contribute to the revenues. At the same time the duty is fixed so low that it is believed that it will not affect the establishment of cheap power facilities, nor handicap the users of electricity.

The responsibility for collecting the duty is imposed where the energy is supplied to a consumer, on the supplier of such energy and, where the licensee is the consumer himself, on such consumer. The supplier is to collect the duty along with his monthly bills and pay it to Government at the time and in the manner prescribed. In the latter case, the consumer will himself pay the duty direct to Government. If there is default in paying the amount of duty due, it shall be recoverable, at the option of Government, either from the consumer or from the supplier, as an arrear of land revenue. It will thus be seen that although the supplier of energy is primarily responsible for collecting the duty, the consumer is not thereby absolved from his liability to pay it.

Persons responsible for collecting the duty are to keep books of accounts and to submit returns to Government in the prescribed form and these will be open to inspection of inspecting officers appointed by Government.

It is intended that Government, tramway companies and railways and any other person or class of persons, institution, body, concern, undertaking, or premises or thing notified by Government in this behalf should be exempt from liability to pay the duty.

3. PART III.—*Court-fees.*

The Court-fees (Bombay Amendment) Act, 1926, will expire on the 31st March 1932. Its duration, which was originally limited to two

[Appendix I—*contd.*]

years, has since been extended from year to year as it was intended that if at the end of the period specified the financial position still made it necessary, its life should be extended. The experience of the last six years has amply proved the necessity of enhancing the Court-fees in certain cases. It is, therefore, proposed to allow the Court-fees (Bombay Amendment) Act of 1926 to expire and to introduce a fresh Bill.

In enhancing the Court-fees the general principle followed is that where fixed fees are prescribed as in Schedule II of the Court-fees Act, 1870, the fees should be raised in consequence of the decreased value of the money. In the case of *ad valorem* fees prescribed in Schedule I of the Court-fees Act, an enhancement is made only where experience has shown that the fees levied are so inadequate that they lead to the abuse of judicial facilities or do not cover the actual cost to Government of the services rendered. The enhancement is effected by clauses 13 and 14 of the Bill which alter the fees in the case of those articles in Schedules I and II to the Court-fees Act in respect of which an enhancement of fee is considered necessary. A few applications have been added to Article 18 of Schedule II to that Act which, it is believed, should properly be brought under that Article as they are on the same footing as applications under paragraph 17 of the Second Schedule to the Code of Civil Procedure, 1908. The table of *ad valorem* fees is amended where the fee is altered.

Clause 12 of the Bill makes certain amendments in section 7 of the Court-fees Act which are based on the recommendation of the High Court and other judicial officers. The amendment in sub-clause (*a*) calls for no comment. The amendment in sub-clause (*b*) is intended to provide against undervaluation of the suits mentioned in clause (*iv*) of section 7 of the Act which exists at present with consequent loss of revenue. Sub-clause (*c*) amends the proviso to section 7 (*v*) so that the amounts payable may bear a better approximation to present-day values of land.

4. PART IV.—*Stamp-duties.*

The Indian Stamp (Bombay Amendment) Act, 1922, will expire on the 31st March 1932. The experience of the last ten years has amply proved the necessity for its retention. As the Act has been amended from time to time since it was passed and, as further changes are proposed to be made in it, it is considered desirable, from the legal point of view, to allow that Act to expire and to re-enact it in an up-to-date form. Such of the amendments as require an explanation are explained in the following notes on clauses. In revising the law, opportunity has been taken to bring the rates of duty leviable on a Bond, Bottomry-bond, Conveyance, Lease and a Reconveyance of Mortgaged Property to a certain extent in a line with those in force in Bengal.

Notes on Clauses.

Clause 15 (*1*).—The amendment in clause (*b*) is intended to make it clear that every entry in a note-book, memorandum book or book of

[Appendix 1—*contd.*]

accounts or other writing registering an agreement to sell or buy is an "instrument" within the meaning of the Act and, therefore, chargeable with duty just like an agreement in a prescribed form. If the same transaction is entered both in the buyer's as well as in the seller's books of accounts each entry relating to the transaction in each of the said books of accounts is an "instrument" within the meaning of section 2 (14) of the Act, and, therefore, separately liable to the stamp duty.

Clause 15 (7).—This clause provides that an agreement relating to the sale of a Government security or a share in an incorporated company or other body corporate or to forward delivery and a note or memorandum from a broker to his principal relating to the purchase or sale of any stock or security or to a forward transaction shall not be admissible in evidence unless it is duly stamped.

Amendments in sub-clauses (6), (8) and (9) are consequential.

Clause 15 (10).—This clause prescribes *inter alia* revised rates of stamp duty leviable on an agreement or memorandum of agreement under Article 5 and on broker's note under Article 43 of Schedule I to the Act. No alteration has been made in the duty levied at present under clauses (*a*) and (*c*) of Article 5. Clause (*b*) of Article 5 applies to transactions in the Stock Exchange and it is proposed to revise the rate of duty leviable under that clause on transactions in shares by prescribing a duty of one anna for every Rs. 1,000 or part thereof of the value of the share. At present the duty leviable is two annas for every Rs. 10,000 or part thereof of the value of the share. The duty leviable at present on transactions in Government securities is not revised. Clause (*bb*) purports to provide for the levy of duty on certain instruments which do not pay duty at present. Under Article 43 of Schedule I to the Act broker's notes are chargeable with duty; but the great bulk of what are known as "forward" contracts in the various markets is ordinarily *not* between broker and client but between member and member of the association, that is to say, between principal and principal. It is proposed to make these "forward" contracts or "futures" transactions liable to stamp duty. Clause (*bb*) provides for this. Such transactions are usually made by entries in note-books, memorandum-books or books of accounts. As explained in the notes on clause 15 (1) above, each of the entries relating to such a transaction in the respective books of the seller and buyer will be liable to duty.

No change has been made in exemptions (*b*) and (*c*). Exemption (*a*) has been slightly amended so as to accord with the provision made in clause (*bb*).

No change has been made in Article 43 (*a*). Clauses (*b*), (*bb*) and (*c*) make changes in relation to broker's notes corresponding to those made in Article 5 in relation to agreements or memoranda of agreements relating to transactions in shares or Government securities or for forward delivery.

[Appendix 1—*concld.*]

5. PART V.—*Stamp-duties on certain instruments in certain cities.*

This Part provides for the levy of an enhanced duty on certain instruments in the cities of Bombay, Ahmedabad, Poona and Karachi only. In revising the duty the rates have been brought, as far as appeared expedient, in a line with those in force in the other provinces. The Indian Stamp (Bombay Amendment) Act, 1926, is repealed as its provisions are substantially incorporated in this Part.

16th January 1932.

(Signed) G. B. PRADHAN.

APPENDIX 2.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

TRANSFERRED 1. Honourable Diwan Bahadur S. T. KAMBLI.

Payment to Mr. R. R. Chaudhari, Probationer, Bombay Forest Service, Class I, of the extra expenditure consequent on his undergoing a course of training at the University of Edinburgh instead of at the Forest College, Dehra Dun.

In accordance with the rules for direct appointment to the Bombay Forest Service, Class I, Mr. R. R. Chaudhari was selected as a probationer in May 1931. Under the terms of his appointment, after receiving practical training in the Bombay forests for a period of six months, Mr. Chaudhari was to take up the Indian Forest Service course at the Forest College, Dehra Dun, at his own cost. Just before the completion of the practical training intimation was, however, received from the Government of India that as a measure of retrenchment, fresh students would not be admitted for the Indian Forest Service course at Dehra Dun. Immediate arrangements had, therefore, to be made for Mr. Chaudhari's training at some other institution, and after consultation with the High Commissioner for India it was decided that he should proceed to Edinburgh. This change in the arrangement for training has thrown on Mr. Chaudhari extra expenditure which was not contemplated when he was selected for the post of probationer and for which he could not be held liable. The course at the Edinburgh University covers a period of 30 months and the extra cost is calculated at Rs. 3,600. Government have decided to bear this expenditure (in addition to the steamer and railway fares) by the payment to Mr. Chaudhari of a monthly stipend of Rs. 100 for 30 months and the balance of Rs. 600 after the completion of his training. Mr. Chaudhari started for Edinburgh by the P. and O. Mail boat which left Bombay on 3rd October 1931, and was given a second class passage and second

[Appendix 2—*contd.*]

class railway fare from Marseilles. The expenditure in the current year is estimated at Rs. 1,152 as shown below:—

	Rs.
Stipend	500
Passage and railway fare from Marseilles	652
Total ..	1,152

The charge on account of the stipend is debitable to the High Commissioner's budget, while that on account of the passage and the railway fare has been met from savings under the head "8, Forest." As the expenditure relates to a new service, the sanction of the Legislative Council is requested to the grant of a token sum of Rs. 10.

Demand voted and now increased.

Rs. 36,83,000 + Rs. 10.

FINANCE DEPARTMENT:
Bombay Castle, 15th January 1932.

APPENDIX 3.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

TRANSFERRED 2. TheHonourable Diwan Bahadur S. T. KAMBLI.

Strengthening and repairing the bridge over the Krishna river at Udgaon on Umba-Udgaon Section of Ratnagiri-Kolhapur-Miraj-Bijapur Road.

The bridge over the Krishna river at Udgaon which was built between 50 and 60 years ago has become unsafe for heavy traffic. With a view to render it capable of carrying the present day traffic without risk of collapse and to save the valuable property it is absolutely necessary to strengthen and repair it as soon as possible. This work is estimated to cost Rs. 32,595 (inclusive of Rs. 6,930 for Establishment and Tools and Plant charges) and it has been administratively approved by Government. As this bridge is on Ratnagiri-Kolhapur-Miraj-Bijapur Road which is a Class I road, it is eligible for being financed from the petrol tax fund. An allotment of Rs. 12,700 (Rs. 10,000 for works outlay and Rs. 2,700 for Establishment and Tools and Plant charges) has accordingly been sanctioned by Government in view of the immediate urgency of the work out of the provision of Rs. 23,28,000 voted by the Legislative

[Appendix 3—*contd.*]

Council during the current year for petrol tax works; and the amount required to complete it will be provided in the next year's Budget. As this is an item of new service, sanction of the Legislative Council is requested to the demand for the grant of a token sum of Rs. 10.

Demand voted and now increased.

41. Civil Works—Provincial—Partly Reserved and Partly Transferred.

Rs. 1,37,08,010 + Rs. 10.

FINANCE DEPARTMENT:
Bombay Castle, 27th January 1932.

APPENDIX 4.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT IN RESPECT OF NEW ITEM OF EXPENDITURE SANCTIONED DURING THE YEAR 1931-32 FROM SAVINGS UNDER THE HEAD "59-BOMBAY DEVELOPMENT SCHEME".

RESERVED 3. The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

Providing a thicker apron of big boulders for the rubble mound of the new sea wall at Marine Lines between chainages 1,000 to 2,000.

At the meeting held on 16th December 1930 the Standing Advisory Committee for the Back Bay Reclamation Scheme appointed a Sub-Committee of two members to submit a joint report regarding the condition of the sea wall and to advise regarding its future maintenance. The Sub-Committee recommended the provision of a thicker apron of large stones so as to prevent effectively the displacement of smaller stones behind. The Superintending Engineer, Northern Circle, agreed generally with the report of the Sub-Committee. He also reported that during the last monsoon the rubble mound under the sea wall was displaced and damaged and that, due to sea action, cavities were formed at several places under the sea wall. He accordingly proposed, to provide, at an estimated cost of Rs. 35,000 a thicker apron of big boulders for the rubble mound of the new sea wall at Marine Lines, between chainages 1,000 to 2,000 where the wave action is very intense and to watch the results before arriving at a decision as to whether the apron of large boulders should be extended further. In view of the urgency of the work, an estimate amounting to Rs. 34,914 was administratively approved by Government and technically sanctioned by the Superintending Engineer, Northern Circle, in December 1931 and an allotment of Rs. 10,000 was sanctioned for expenditure during the

[Appendix 4—*contd.*]

current year from the savings out of the current year's provision of Rs. 1,07,000 voted by the Legislative Council under the head "59, Bombay Development Scheme—Reserved". The balance of Rs. 25,000 required for the work has been provided under the same head in the next year's budget. As the expenditure on the work is of the nature of a new service, sanction of the Legislative Council is requested to the demand for a token grant of Rs. 10.

Demand voted and now increased.

"59, Bombay Development Scheme—Reserved."

Rs. 1,07,000 + Rs. 10.

FINANCE DEPARTMENT:
Bombay Castle, 1st February 1932.

APPENDIX 5.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

TRANSFERRED 4. The Honourable Sir RAFIUDDIN AHMAD.

Free grant of timber of the value of Rs. 2,000 to the Trustees of the Lord Reay Industrial Museum.

At the request of the Trustees of the Lord Reay Industrial Museum, Government sanctioned the free grant of timber of the value of Rs. 2,000 for the construction of furniture for the Museum subject to the condition that the cost of collection and transport and other incidental charges are borne by the Trustees of the Museum. The expenditure is debitable to the head "30, Scientific Departments (Transferred)" and as no provision exists in the budget under this Head for the expenditure in question, the sanction of the Legislative Council is requested to a supplementary demand of Rs. 2,000 to cover the excess over the total voted grant. No disbursement of funds is involved as there will be a corresponding credit under the revenue receipt head "VIII—Forest".

Demand voted and now increased.

"30, Scientific Departments (Transferred)."

Rs. 92,000 + Rs. 2,000.

FINANCE DEPARTMENT:
Bombay Castle, 3rd February 1932.

APPENDIX 6.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT UNDER THE HEAD "42, BOMBAY DEVELOPMENT SCHEME".

RESERVED 6. The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

Excess over the voted grant under the head "42, Bombay Development Scheme" on account of write-back of revenue expenditure incurred on certain schemes by debit to the head "59, Bombay Development Scheme" during 1929-30 and adjustment of municipal taxes on certain properties pertaining to the late Development Department debitable to the head "42, Bombay Development Scheme".

In accordance with the orders issued by the Government of India in February 1930, the receipts in the nature of revenue pertaining to Suburban Schemes No. 12—Suburban Trunk Roads, No. 17—Central Salsette Tramway, No. 19—Salsette Water Supply, and General Schemes Nos. I and II, which were classified under the Capital Receipt head "XLII—Bombay Development Scheme" during the year 1929-30 were transferred to the head "XXXI—Bombay Development Scheme" in the accounts of that year, but in the absence of specific orders for the opening of revenue accounts of those schemes and allotment of funds under the head "42, Bombay Development Scheme" the maintenance charges incurred on those schemes during that year were booked under the capital head "59, Bombay Development Scheme". From the accounts point of view, the procedure of charging the revenue expenditure to a capital head, viz. "59, Bombay Development Scheme", and crediting the revenue receipts to the revenue head, viz. "XXXI—Bombay Development Scheme", is anomalous, and the Accountant General has suggested that it should now be rectified. It is therefore proposed to write back in the accounts of 1931-32 to the revenue head "42, Bombay Development Scheme" by corresponding credit to the capital head "59, Bombay Development Scheme" the maintenance charges aggregating Rs. 2,29,297 incurred on the schemes mentioned above during the year 1929-30.

The details of the expenditure are as follows:—

	Rs.
Suburban Scheme No. 12—Suburban Trunk Roads ..	1,985
Suburban Scheme No. 19—Salsette Water Supply ..	2,13,059
General Schemes Nos. I and II	14,253
Total ..	2,29,297

2. The municipal taxes payable by Government on certain properties situated in Bombay and belonging to the late Development Department

[Appendix 6—*contd.*]

which are debitable to the head "42, Bombay Development Scheme" amounted to Rs. 7,412 for the year 1929-30 and Rs. 5,715 for the year 1930-31. The taxes in question have been paid by the Accountant General, Bombay, by debit to the head "47, Miscellaneous" in the first instance. As separate account heads are maintained in respect of properties of the late Development Department the Accountant General has suggested that the taxes in question should be debited to the heads concerned. No provision was made in the budget for payment of these taxes under the head "42, Bombay Development Scheme" during the years 1930-31 and 1931-32. An amount of Rs. 7,412 + 5,715 = Rs. 13,127 is accordingly necessary for carrying out the adjustment of municipal taxes in respect of properties debitable to that head during the current financial year.

3. The sanction of the Legislative Council is accordingly requested to a supplementary demand of Rs. 2,29,297 + Rs. 13,127 = Rs. 2,42,424.

Demand voted and now increased.

"42, Bombay Development Scheme—Reserved."

Rs. 6,46,000 + Rs. 2,42,424.

FINANCE DEPARTMENT:

Bombay Castle, 19th February 1932.

APPENDIX 7.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

RESERVED 5. The Honourable Mr. G. A. THOMAS.

Continuance of the establishment entertained for the 11th High Court Judge.

In 1930 the High Court represented that at least 12 Judges were necessary for the volume of work in the High Court, which was getting seriously into arrears. Of the 10 High Court Judges, three and sometimes four were required for criminal sessions and appeals, and the remainder were insufficient for the original and appellate civil work, which included a considerable number of important cases that were several years old. On a thorough examination of the state of work in the High Court, Government sanctioned the temporary appointment of an 11th Judge from 17th November 1930 to 18th October 1931 to relieve congestion and to avoid delays in the disposal of cases. The

[Appendix 7—*contd.*]

following temporary staff was entertained to work under the Additional Judge :—

	Cost per mensem.
	Rs.
1 Judicial clerk on Rs. 150 per mensem	150
1 Junior clerk and typist on Rs. 60 per mensem	60
2 Interpreters on Rs. 90 per mensem each	180
2 Chobdars on Rs. 28 per mensem *plus* house rent allowance of Rs. 7 per mensem each	70
4 Peons on Rs. 20 per mensem *plus* house rent allowance of Rs. 7 per mensem each	108
Total	568

In October 1931 the state of work in the High Court was reviewed, and it was found that, although substantial progress had been made in clearing off arrears, there had been an increase in criminal work and it was not yet possible to dispense with the Additional Judge. The period of the temporary appointment of the Additional Judge was therefore extended up to 13th October 1932.

In the current year's budget a provision of Rs. 6,816 (Rs. 568 per mensem × 12 months) has been made on account of the temporary establishment of the 11th High Court Judge, and after making a 10 per cent. cut in pay, a provision of Rs. 3,825 has been made in the budget estimate for the next year under "24, Administration of Justice" for the continuance of his establishment up to 13th October 1932.

As the expenditure in question relates to a new service, the Legislative Council is requested to sanction the demand for a token grant of Rs. 10.

Demand voted and now increased.

"24, Administration of Justice."

Rs. 66,09,010 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 17th February 1932.

APPENDIX 8.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

RESERVED 7.—The Honourable Mr. W. F. HUDSON.

Remuneration to the Secretary, Western India Turf Club, for collecting revenue from book-makers.

A new tax, viz. the betting tax, was introduced this year in this Presidency by Bombay Act IV of 1931. As the most convenient arrange-

[Appendix 8—*contd.*]

ment for collecting this tax was to entrust that duty to the Secretary of the Western India Turf Club Government empowered that official under section 9 (2) of the Bombay Betting Tax Act, 1925, to inspect and take copies of accounts kept by licensed book-makers, to collect the tax on behalf of Government and to submit certified returns. For this duty Government have sanctioned to the Secretary an inclusive fee of Rs. 300 per race day. The total expenditure this year is estimated to be Rs. 10,800 out of which a sum of Rs. 200 can be met by reappropriation from savings in other items under "9-A, Scheduled Taxes". A supplementary demand of Rs. 10,600 is accordingly asked for.

Demand voted and now increased.

"9-A, Scheduled Taxes."

Rs. 25,000 + Rs. 10,600.

FINANCE DEPARTMENT :

Bombay Castle, 19th February 1932.

APPENDIX 9.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

RESERVED 8. The Honourable Sir GOVIND B. PRADHAN,

45, Superannuation Allowances and Pensions.

The latest revised estimate of expenditure during the year 1931-32 under this head (including refunds) amounts to Rs. 68,12,000 (voted) against the sanctioned grant of Rs. 60,18,000. Of the excess rather more than four lakhs and a half is due to less recoveries from commercial departments (mainly irrigation) owing to the debit of pensionary charges to those Departments having been reduced from 14 per cent. to 7½ per cent. of establishment charges with effect from the current year. And the balance has been caused by an abnormal increase in expenditure under the minor head "Superannuation and retired allowances" (*see* also paragraph 212 of the Blue Book for 1932-33).

The Legislative Council is requested to sanction an additional grant of Rs. 7,94,000.

Demand voted and now increased.

"45, Superannuation Allowances and Pensions."

Rs. 60,18,000 + Rs. 7,94,000.

FINANCE DEPARTMENT :

Bombay Castle, 18th February 1932.

APPENDIX 10.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

TRANSFERRED 9. The Honourable Diwan Bahadur S. T. KAMBLI.

Expenditure in connection with the Sugarcane Research Scheme for the Bombay Deccan.

The Deccan is one of the finest sugarcane tracts in the world provided proper judgment in choosing the soil and in managing the crop is shown. In particular the climate is very favourable to cane, and prolific crops of the superior thick soft canes can be produced. The great obstacle in the way of this crop has been the high cost of production, incurred by the average cultivator. This has placed the Deccan at a great disadvantage as compared with Northern India, as a cane-field. Apart from its own intrinsic merits cane has a special value in Irrigation Agriculture. It has provided the stimulus to agriculturists to make their lands fit for irrigation by levelling and generally laying them out. It has also been the cause of grading-up the condition of the soil through heavy applications of bulky manures. In fact it is generally admitted that a limited area of cane is, in practice, an indispensable factor in the development of canal agriculture. Owing to several reasons, including the hitherto high cost of production the total area of cane on the main canals in the Deccan has never exceeded 35,000 acres. But the acreage is no criterion of the importance of the crop in the agriculture of the countryside. Moreover, in point of value, even this small area of crops means an annual crop value of over two crores of rupees. It is however a matter of great importance that the cost of production should be reduced.

2. The expansion of cane cultivation which in turn governs the expansion of irrigation in the Deccan depends upon the profits to be made out of—

(*a*) the gul industry or

(*b*) the sugar industry, or both.

There is a general consensus of opinion that the market for Deccan gul is saturated for a price level of Rs. 20 to Rs. 25 per palla (of 250 lbs.) of gul. There is no scope for expanding the cane area on a gul basis unless the cost of producing gul can be brought down, substantially below Rs. 20 per palla. As regards sugar the cost figure is still considerably higher than the cost in the North of India and hence if the Deccan is to become an important sugar producing country it is necessary to bring down the cost of production and for this reason to undertake much more fundamental research than has been possible in the past on the Manjri Experimental Station.

3. In August 1930, the Sugar Committee of the Imperial Council of Agricultural Research recommended that arrangements should be made

[Appendix 10—*contd.*]

which can be expanded and fitted into a general scheme of agricultural research for an immediate and co-ordinated attack under unified control of the main problems connected with sugarcane in the Deccan, namely, soil management, the production of better varieties and the physiology of the sugarcane plant. The Sugar Committee further expressed the view that sugarcane research should be located at a place which was representative of the environmental conditions obtaining in the Deccan Canals Zone, and considered that a site more representative than the Manjri Experimental Station, should be selected. The Director of Agriculture then framed a scheme of research into the problems of sugarcane cultivation in this area. Under the scheme a simultaneous attack is contemplated in the following spheres:—

1. Soil physics.
2. Sugarcane physiology.
3. Sugarcane breeding.
4. Economics.

As regards sugarcane breeding the primary stage (including hybridization) is intended to be carried out at Coimbatore by the Imperial Sugarcane Expert but the rest of the work including the testing of seedling canes is to be carried out in the Deccan. Hence it is proposed to organise this research scheme on the basis of one officer highly qualified in agriculture proper assisted by two colleagues who will deal with soil-physics and sugarcane physiology, respectively. The period of the scheme will be five years in the first instance.

4. The site chosen for the scheme is on the Nira Right Bank Canal near Lonand Railway Station and is representative of the following environmental conditions of the Deccan Canals tract:—

Soil
Rainfall
Temperature
Humidity,

while there are adequate perennial irrigation facilities. It is considered that provision should be made for 30 acres of cane annually so as to provide for the large programme of work that is contemplated and to permit of repetition of some of this work on different soil types. The area selected has therefore an area of 100 acres.

5. It is proposed to set up a temporary organisation consisting of three sections, as noted below, each in charge of an officer. The agricultural officer will in addition be responsible for the whole scheme:—

I. Agriculture proper.
II. Soil physics.
III. Sugarcane physiology.

[Appendix 10—*contd.*]

These sections would require the following staff :—

Staff required in the Agricultural section proper.

1 Officer in class I, Bombay Agricultural Service.

3 Graduate Assistants—

1 Senior in Grade I, Subordinate Agricultural Service (Rs. 220—10—300).

1 Junior in Grade III, Subordinate Agricultural Service (Rs. 105—5—140).

1 Junior in Grade III, Subordinate Agricultural Service (Rs. 105—5—140).

3 Non-graduate assistants in the grade of Rs. 30—5/2—80.

1 Store-keeper on Rs. 30—5/2—80.

1 Engine Driver on Rs. 60.

Staff required in the Soil-physics section.

1 Officer in class I of the Bombay Agricultural Service.

2 Graduate Assistants—

1 Senior in Grade I of Subordinate Agricultural Service (Rs. 220—10—300).

1 Junior in Grade II, Subordinate Agricultural Service (Rs. 150—5—200).

1 Non-graduate Assistant on Rs. 30—5/2—80.

2 Laboratory boys on Rs. 18.

Staff required for the Sugarcane physiology section.

1 Officer in class I of the Bombay Agricultural Service.

1 Graduate Assistant of Grade I, Subordinate Agricultural Service (Rs. 220—10—300).

2 Non-graduate Assistants (Rs. 30—5/2—80).

2 Laboratory boys on Rs. 18.

Staff required in office section.

1 Head clerk accountant on Rs. 105—5—140.

1 Junior clerk on Rs. 30—5/2—80.

1 Naik on Rs. 20.

3 Peons on Rs. 18.

2 Watchmen on Rs. 20.

[Appendix 10—*contd.*]

The posts of Soil Physicist and Crop Physiologist are in the process of being filled up by calling for applications. The salaries attached to both these appointments are Rs. 320—40—1,200 with starting pay according to qualifications but not exceeding Rs. 500 on the average for the two appointments.

6. Free quarters will not be provided for the officers but it is hoped to provide residential accommodation in existing Public Works Department buildings at a rent not exceeding 10 per cent. of the officer's salary. Most of the subordinate staff can also be accommodated in the Public Works Department buildings. The rest of the staff will be provided for in katcha buildings to be erected at the plot site. The laboratory and office will also be accommodated in temporary buildings. A shed to accommodate the sugarcane mill, engine and furnaces and katcha buildings for cattle, implements, stores and coolies will also be required.

7. The following equipment will be required :—

I. Live stock and Dead stock.

II. Land improvements, including fencing.

III. Laboratory fittings and apparatus.

8. The total cost for a five-year period amounts to Rs. 5,22,088 made up of Rs. 67,918 non-recurring, and Rs. 4,54,170 recurring as shown in the appended statement. The present staff and budget of the Manjri Experimental Station will be made available as a Provincial contribution to the scheme. For this purpose the Manjri Station will be closed temporarily. The Department of Agriculture will contribute Rs. 1,30,850 made up of Rs. 6,105 non-recurring and Rs. 1,24,745 recurring as shown in the margin*, the balance of the expenditure being met from the funds of the Imperial Council of Agriculture Research. The Imperial Council will receive the receipts from the cultivation of the lands taken up for the scheme.

**Non-recurring Expenditure.*

Item.	Value in Rs.	Rs.
Live stock	2,121	
Implements	2,000	
Bullock-mill ..	250	
Weighing machines	300	
Office furniture	745	
Laboratory fittings	689	
		6,105

Recurring Expenditure.

Item.	Amount in rupees for five years.	
Pay of establishment for five years	52,370	
Travelling allowance ..	2,375	
Contingencies	70,000	
		1,24,745
Total contribution by the Bombay Department of Agriculture		1,30,850

[Appendix 10—*concld.*]

9. The scheme was laid before the Provincial Agricultural Research Committee in October 1930. The Committee commended the scheme to the favourable consideration of the Imperial Council of Agricultural Research. The Council sanctioned the scheme on the understanding that its liability towards it will be limited to a total expenditure of Rs. 5,22,088 spread over a five-year period *minus* such amount as is represented by the budget of the Manjri Experimental Farm and the receipts from the cultivation of the land leased for the scheme. This condition was accepted by Government and the scheme has been brought into effect from the current year. The total expenditure on this account during the current year is estimated to amount to Rs. 52,032. Of this, an amount of Rs. 6,309 will be met by reappropriation from the sanctioned grants for the Manjri Farm under the head 34-A-Agriculture—Agricultural Research and Propaganda. The balance of Rs. 45,723 will be met from the grant of Rs. 57,473 allotted by the Imperial Council of Agricultural Research. As the expenditure in question 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.

Demand voted and now increased.

34-Agriculture (Transferred).

Rs. 27,89,000 + Rs. 10.

FINANCE DEPARTMENT:

Bombay Castle, 19th February 1932.

STATEMENT SHOWING SUMMARY ESTIMATES OF COST.

Non-recurring Expenditure.

	Rs.	Rs.
(1) Buildings	31,650	
(2) Equipment as under :—		
	Rs.	
(*a*) Live stock and dead stock ..	21,670	
(*b*) Land improvement ..	4,598	
(*c*) Laboratory fittings and apparatus	10,000	
	36,268	67,918

Recurring Expenditure.

	Rs.	
(1) Pay of officers	24,480	
(2) Pay of Establishment ..	22,464	
(3) Allowances and Honoraria ..	7,280	
(4) Contingencies	36,610	
Cost for five years (90,834×5) ..		4,54,170
Total cost for five years ..		5,22,088

APPENDIX 11.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

TRANSFERRED 10. The Honourable Diwan Bahadur S. T. KAMBE.

Grant-in-aid for the scheme of investigation of the virus diseases of plants.

Among plant diseases, the virus diseases constitute one of the most important groups, and some of them have been known to be the most destructive. In recent years, this group of plant diseases has assumed considerable importance, and as a result of extensive studies, the knowledge about these diseases has considerably advanced, but their causal nature still continues to be obscure. In addition to the work on the causal agent, a great deal has been accomplished with regard to the dissemination of virus diseases by such agencies as insects, seed, perennial parts of host plants and by perennial weeds. This subject offers a useful field of study, as by this means only is it possible to work out methods of control. Excepting the work in sugarcane mosaic, no investigation of any importance has been made on the virus diseases in India. In fact, no survey of the virus diseases of the hosts of agricultural importance has ever been attempted in this country, and there is no adequate information as to the importance of these diseases in relation to the major crops. But they cause great damage every year, and in certain cases have become limiting factors in the cultivation of crops. The work on the virus diseases of plants is therefore of great practical and scientific importance.

2. The Plant Pathologist to Government therefore framed a scheme of investigations into the virus diseases of plants. This consists of a general survey of the virus diseases of important crops in the Bombay Presidency and investigations into the specific virus diseases of these crops. It is proposed to investigate all the aspects of the virus diseases including pathological histology, physiology of the virus, insect or seed transmission, wild plants as hosts harbouring the virus, transmissibility of the virus to other hosts, etc., and control measures. To carry out the investigations extra staff as shown in the following paragraph is required.

[Appendix 11—*contd.*]

3. The full cost of the scheme for a five-year period is Rs. 65,390. The details of the expenditure are shown below :—

Recurring Expenditure.

Establishment.	1st year.	2nd year.	3rd year.	4th year.	5th year.	Total for 5 years.
I. Pay.	Rs.	Rs.	Rs.	Rs.	Rs.	
(1) Assistant Plant Pathologist or Assistant Mycologist (Rs. 300—25—400).	3,600	3,900	4,200	4,500	4,800	
(2) Clerk (Rs. 40—5/2—80)	480	480	540	540	600	
(3) Peon at Rs. 18 per mensem.	216	216	216	216	216	
(4) Graduate Assistant (Rs. 150—5—200).	1,800	1,860	1,920	1,980	2,040	
(5) Non-graduate Assistant (Rs. 40—5/2—80).	480	480	540	540	600	
(6) Laboratory Boy at Rs. 18 per mensem.	216	216	216	216	216	
II. Travelling allowance.						
(1) Assistant Mycologist and his peon.	1,600	1,600	1,600	1,600	1,600	
(2) Staff	400	400	400	400	400	
III. Contingencies.						
Including apparatus, chemicals and cultivation charges.	3,000	3,000	3,000	3,000	3,000	
Total	11,792	12,152	12,632	12,992	13,472	63
Non-recurring Expenditure.						
(1) One research microscope ..	750					2,350
(2) Frigidaire, Model M-12, capacity 12 cubic feet.	1,600	..	..	..	..	
Total for above (non-recurring and recurring).						65,390

The scheme was laid before the Provincial Agricultural Research Committee which supported it. The Imperial Council of Agricultural Research has sanctioned a grant-in-aid of this amount spread over a period of five years. It has already made available an amount of Rs. 2,650 for expenditure on the scheme during the current year. Though the work will be done by the Agricultural Department in this Presidency, no expenditure will be borne by that Department. As the expenditure in question 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.

Demand voted and now increased.

34-Agriculture (Transferred).

Rs. 27,89,000 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 19th February 1932.

APPENDIX 12.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

RESERVED 11. The Honourable Mr. W. F. HUDSON.

Excess expenditure under "V-Land Revenue—Refunds—1931-32".

The budget estimate for the current year under "Refunds" is Rs. 4,00,000. It is anticipated that the total for the whole year will amount to Rs. 6,50,000. The increase under this item is partly due to the refund of non-agricultural assessment on 'non-osik' lands in the village of Vile Parle in the Bombay Suburban District to the Khot of the village and to the refund of revenue collected before the issue of orders granting remissions in certain districts as a result of the slump in the prices of food-grains.

Savings to the extent of about Rs. 60,000 in the voted grants under 5, Land Revenue, are expected owing to the emergency cut in pay and other retrenchments. The sanction of the Legislative Council is requested to a supplementary grant of Rs. 1,90,000 under the head 5, Land Revenue.

Demand as voted and now increased.

"5, Land Revenue."

Rs. 61,47,000 + Rs. 1,90,000.

FINANCE DEPARTMENT:
Bombay Castle, 20th February 1932.

APPENDIX 13.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

TRANSFERRED 12. The Honourable Diwan Bahadur S. T. KAMBLI.

Excess under the head "60, Civil Works."

The demand for the grant voted by the Legislative Council under the head "60, Civil Works" for the year 1931-32, Rs. 8,17,000, was based upon expected progress of works in 1930-31. The actual progress on certain works, the bridges over the Gad, Muchkundi and Savitri rivers, and the police buildings in the Dadu district was however less advanced at the end of 1930-31 than had been anticipated when the budget estimates of the current year were framed. And consequently expenditure anticipated last year was actually incurred

[Appendix 13—*contd.*]

at the beginning of the current year, causing an excess of Rs. 79,000 over the current year's provision. Sanction of the Legislative Council is therefore requested to a supplementary grant of Rs. 79,000 under the head "60, Civil Works".

Demand voted and now increased.

"60, Civil Works—Transferred."

Rs. 8,17,000 + Rs. 79,000.

FINANCE DEPARTMENT :

Bombay Castle, 23rd February 1932.

APPENDIX 14.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

RESERVED 13. The Honourable Sir GOVIND PRADHAN.

Loan to Improvement Trust.

The Bombay Improvement Trust has reached a period in its programme of development when, owing to the large expenditure in acquisition and development of properties, it is bound to have a series of deficit years, pending full disposal of these properties and the estimated return on the capital expenditure. This position is one which was always anticipated in the sanctioned programme of the Trust and has hitherto been met by floating temporary loans. The situation has however been aggravated in the current year by the general financial distress. Government have therefore decided to sanction a loan of Rs. 35 lakhs in the current year. It will mostly be financed from anticipated savings in loan funds as explained in paragraph 269 of the Budget (Blue Book for 1932-33). Savings to the extent of Rs. 4,98,000 are available in the current year's grant of Rs. 27,24,000 under "Loans and Advances by Provincial Government". The sanction of the Legislative Council is now requested to an additional grant of Rs. 30,02,000 to meet the excess.

Demand voted and now increased.

"Loans and Advances by Provincial Government."

Rs. 27,24,000 + Rs. 30,02,000.

FINANCE DEPARTMENT :

Bombay Castle, 20th February 1932.

APPENDIX 15.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

RESERVED 14. The Honourable Mr. G. A. THOMAS.

Excess expenditure anticipated under "37, Miscellaneous Departments (Reserved)—Inspection of Motor Vehicles".

Excess expenditure amounting to Rs. 21,500 is anticipated under the sub-head "Inspection of Motor Vehicles" as follows:—

	Rs.
(1) Excess expenditure under the sub-head "Inspection of Motor Vehicles—Bombay City" ..	12,021
(2) Excess expenditure under the sub-head "Inspection of Motor Vehicles—Sind"	6,734
(3) Excess expenditure on account of Refunds	2,700
	21,455
or say ..	21,500

The excess expenditure mentioned at (1) is due to the appointment of a temporary staff of 3 Inspectors and 6 Clerks, since the introduction of a new scale of registration fees and the innovation of charging fees for the annual renewal of the registration certificates of motor vehicles made it necessary both to strengthen the clerical staff and also to appoint additional Inspectors to see that the new fees were not evaded. The excess expenditure mentioned at (2) is only technical, because when the new sub-head "Inspection of Motor Vehicles" was opened under "37, Miscellaneous Departments", the amount formerly provided for this purpose under "26, Police" should have been transferred to this sub-head, but through oversight the amount provided under "26, Police" for the regulation of public motor vehicles in Sind was not so transferred. The excess expenditure mentioned at (3) is also technical because when fees are paid in excess by mistake, the refunds of the excess payments are under the rules of public accounts treated as expenditure. Of this amount of Rs. 21,500, Rs. 17,500 will be met from savings within the same major head and the Legislative Council is requested to sanction a supplementary grant of Rs. 4,000 to cover the excess over the total voted grant.

Demand voted and now increased.

37. Miscellaneous Departments (Reserved)."

Rs. 4,60,000 + Rs. 4,000.

FINANCE DEPARTMENT:
Bombay Castle, 22nd February 1932.

APPENDIX 16.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

RESERVED 15. The Honourable Mr. W. F. HUDSON.

Payment of overtime allowance to the staff of the Posts and Telegraphs Department for overtime work done during the floods of 1929 in Sind.

In order to facilitate the transmission of urgent messages in connection with the situation caused by the floods in August and September 1929 in parts of Sind, instructions were issued to all telegraph offices to accept messages at all hours of the day or night. The staff of these telegraph offices which had to be kept open beyond their ordinary working hours was entitled to overtime pay in accordance with the rules in force in the Telegraphs Department as they had to remain on duty for more than the prescribed period of 8 hours per day. The Postal authorities have incurred an expenditure of Rs. 7,090-10-0 on this account and preferred a bill of this amount. The allowance, if calculated at the ordinary sanctioned rates, would have amounted to a much higher figure but, as in most cases, the work done was neither very arduous nor continuous, a special rate, equivalent to the daily pay of the official concerned, was allowed. Government were satisfied that the claim preferred by the Postal authorities was reasonable and authorised its payment, the charge being met from the provision of Rs. 2,00,000 made in the current year's budget under the head "43-A, Famine Relief". As the expenditure in question 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.

Demand voted and now increased.

"43-A, Famine Relief (Reserved)."

Rs. 2,00,000 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 22nd February 1932.

APPENDIX 17.

Bill No. XL OF 1931.

A Bill further to amend Bombay Act No. V of 1879.

(As introduced on the 2nd October 1931 and published in the "Bombay Government Gazette" of the 21st October 1931.)

WHEREAS it is expedient further to amend Bombay Act No. V of 1879 known as the Bombay Land Revenue Code, in manner hereinafter appearing; It is hereby enacted as follows :—

Bom. V of 1879.

1. *Short title.*—This Act may be called the Bombay Land Revenue Code (Amendment) Act, 1931.

[Appendix 17—*contd.*]

2. *Amendment of section 209 of Bombay Act No. V of 1879.*—In section 209 the following words "with reasons for the same" shall be added at the end of the words "appealed against".

STATEMENT OF OBJECTS AND REASONS.

In the interests of justice it is quite essential that when an appeal under the Land Revenue Code is decided, reasons for the decision should be given by the appellate authority. Under the Code it is not obligatory upon the appellate authority to give any reasons for the decision of an appeal. This amending Bill aims at making it obligatory upon an appellate authority to give reasons for any decision in the appeal.

(Signed) D. R. PATIL, M.L.C.

APPENDIX 18.

BILL No. I OF 1932.

(*A Bill to provide for the levy of a duty on consumption of electrical energy in the Presidency of Bombay and to amend the Court-fees Act, 1870, and the Indian Stamp Act, 1899, in their application to the said Presidency.*)

REPORT OF THE SELECT COMMITTEE.

We, the members* of the Select Committee, appointed to consider Bill No. I of 1932 (a Bill to provide for the levy of a duty on consumption of electrical energy in the Presidency of Bombay and to amend the Court-fees Act, 1870, and the Indian Stamp Act, 1899, in their application to the said Presidency), have the honour to report as follows :—

We have carefully considered the Bill and have made considerable alterations therein. We have also heard expert evidence from representatives of electricity supply companies and also the representatives of the Stock Exchange, the East India Cotton Association, the Bullion Exchange and of the wheat trade. The evidence of these witnesses and our discussions with them have been of the greatest assistance to us in our deliberations. The reasons for the principal changes that we have made in the Bill are detailed against the clauses in which they occur.

PART II—*Electricity Duty.*

Clause 5.—We have amended the clause to make it perfectly clear that the duty proposed to be imposed is only in respect of energy consumed for the purpose of lights and fans. We have altered the proviso to indicate in a general way the exemptions which are detailed in schedule II.

**Note.*—The signatures of Mr. G. L. Winterbotham, Thakor Saheb of Kerwada, Mr. Syed Miran Mahomed Shah, Rao Bahadur G. V. Pradhan and Rao Bahadur R. S. Asavale will be notified when received.

[Appendix 18—*contd.*]

As the exemptions have been described in detail in the second schedule, we do not think it is necessary to retain the provision in the original Bill giving Government the power to grant exemptions by executive orders.

Clause 8.—We have slightly modified this clause to make it clear that the inspecting officers appointed by Government should have power to inspect only the prescribed books of accounts of licensees and no other.

Clause 11.—We have provided that the rules to be framed by Government under this clause shall be laid on the table of the Bombay Legislative Council, and that they shall be liable to be rescinded or modified. If any rule is modified, Government may accept the modification and re-issue the rule accordingly or may rescind the rule.

Schedule I.—This Schedule provides for the rates of levy of the electricity duty. We do not think that theatres and illuminated signs should be chargeable with a smaller duty and have, therefore, suggested a uniform rate of 6 pies for each unit of energy consumed.

We have added an explanation to this Schedule to afford the same concession to the users of single lamps—as is granted by the Second Schedule to the user of electrical energy of 10 units and under.

Schedule II.—We have added this new schedule to specify in detail the exemptions which, in our opinion, should be granted. We think that all users of energy of 10 units and under should be entirely exempt from the payment of any electricity duty. We think such a provision would give real relief to the poorer classes who consume electrical energy. We are also of opinion that hospitals and dispensaries which are not run for private gain should also be exempt from the payment of this duty. As regards railways, we think that energy consumed in the residential premises should not be exempt from the levy of this duty. In the case of industrial undertakings, we think that the energy consumed both in the office premises and the residential buildings should be chargeable to duty.

PART III—*Court-fees.*

Clause 12 (b).—We are of opinion that the minimum fee of Rs. 15 under section 7 (*iv*) of the Court-fees Act should apply only in respect of (*c*), namely, to obtain a declaratory decree or order where consequential relief is prayed for.

Clause 12 (c).—We have substituted the words "seven and a half", "fifteen" and "fifteen" for the words "ten", "twenty" and "twenty" and we therefore suggest no change in the law as it stands to-day in the matter of valuation of lands under provisos (1), (2) and (3) to paragraph (*v*) of section 7 of the Court-fees Act, 1870.

Schedule I: Article 1.—We recommend that there should be no change in the present rates up to Rs. 10,000. We have accordingly substituted the word "five" for "seven rupees and eight annas" and the words "twelve rupees and eight annas" for "fifteen rupees" and have

[Appendix 18—*contd.*]

accordingly modified the table of rates of *ad valorem* fees on the institution of suits.

Clause 14: Schedule II.—We recommend that the fixed fee under article 1 (*a*) should be retained at the existing rate of 2 annas. We have accordingly modified the entry in the third column.

We think that the fee under article 1 (*aa*) should be four annas and not eight annas. We have modified the entry in the third column accordingly.

We are of opinion that the fee under article 1 (*b*) should be 8 annas and that under article (*bb*) should also be 8 annas. We have modified the entries in the third column accordingly.

We think that the fee under article 1 (*cc*) should be Re. 1 and not Rs. 2 as proposed in the Bill. We have altered the entry in the third column accordingly.

We are of opinion that the fee for applications or petitions when presented to the High Court should, under article 1 (*d*), be Rs. 4 and not Rs. 6 as proposed in the Bill. We have modified the entry in the third column against this article accordingly.

PART IV—*Stamp Duties.*

We have very carefully considered the proposal of levying a stamp duty on forward transactions and have come to the conclusion that this proposal should be omitted from the present Bill. We have been impressed with the difficulty which has been pointed out to us by several witnesses of distinguishing between genuine forward delivery contracts and other contracts which are essentially in the nature of futures. It is possible that a satisfactory definition, which would distinguish between these two kinds of contracts may later be devised; but the definition of "forward delivery", as it stands in clause 15, covers genuine forward delivery contracts which it has never been the intention of taxing. We also realise that there is considerable force in the contention that it is difficult to enforce the imposition of the proposed duty, as only about 1 per cent. of the contracts are or are likely to be taken to courts. We have, therefore, come to the conclusion that a taxation of this type should, if at all, be undertaken separately in which case the responsibility for enforcing the levy and the recovery of stamp duties might be laid on certain recognised bodies controlling the transactions in various commodity, bullion and share markets. We have, therefore, deleted the whole of the sub-clause (1) and sub-clauses (6), (7), (8) and (9). As a consequential change we have deleted the proposed new clause (*bb*) in article 5 in Schedule I of the Indian Stamp Act, 1899, and the proposed new clause (*c*) in article 43 in Schedule I of the same Act.

We think that the stamp duty for agreement or memorandum of an agreement if relating to the sale of a share in an incorporated company or other body corporate should be two annas for every Rs. 5,000 or part thereof of the value of the share and not one anna for every Rs. 1,000

[Appendix 18—*contd.*]

or part thereof of the value of the share as proposed in the Bill. We have accordingly altered the entry in column 2 against clause (*b*) in article 5 as mentioned in clause 15 (10) of the Bill. We have made a similar modification in respect of a note or memorandum sent by a broker or agent to his principal under clause (*b*) of article 43 as mentioned in clause 15 (10) of the Bill.

Schedule : Article 15.—We think that the rates of stamp duty for bonds from Rs. 200 to Rs. 300, from Rs. 300 to Rs. 400 and from Rs. 400 to Rs. 500 should be as they stand at present, namely Rs. 2-4, Rs. 3 and Rs. 3-12 respectively. We have altered the entries in column 3 accordingly.

Article 16.—We are of opinion that there should be no enhancement of the duty on bottomry bonds. We have, therefore, deleted all reference to this article in the Bill.

Article 23.—We think that there should be no enhancement of duty in respect of conveyances up to Rs. 200. We have, therefore, deleted the first three items under articles 23 as mentioned in the Bill.

Article 35.—We are of opinion that there should be no enhancement of stamp duty in respect of leases including an underlease, or a sub-lease and any agreement to let or sub-let. We have, therefore, deleted reference to article 35 in the Bill.

Article 54.—We think that a stamp duty under article 54 (*b*) should not be enhanced from Rs. 10 to Rs. 15. We have, therefore, deleted the reference to this article in the Bill.

Articles 58.—As we propose no distinction between the duty on bond and bottomry bonds we have deleted all reference to article 58 in the bill.

PART V—*Stamp duties on certain instruments in certain cities.*

Clause 17.—We have defined with more precision as to what exactly is comprised in the cities of Ahmedabad, Poona and Karachi to which this part of the Bill is proposed to be extended.

Clause 17.—We are of opinion that 50 per cent. enhancement of duty on agreements relating to deposits of title deeds, pawn or pledge is not justified even in respect of the cities of Bombay, Ahmedabad, Poona and Karachi, in the present circumstances of industrial depression. We have, therefore, deleted all mention of this article in this part of the Bill.

Article 23.—Inasmuch as we have recommended that the stamp duty on conveyances up to Rs. 50, from Rs. 50 to Rs. 100 and from Rs. 100 to Rs. 200 should be maintained at the present level of 8 annas, Re. 1 and Rs. 2 respectively, the mention of these three items under this article in this Part becomes unnecessary. We have accordingly deleted the first three items of the table set forth under this article.

We recommend that the report of the Select Committee, with the minutes of dissent, if any, and the Bill as amended, should be published

[Appendix 18—*contd.*]

in Marathi in the *Bombay Government Gazette* and in Sindhi in the *Sind Official Gazette.*

(Signed) G. B. PRADHAN
(subject to a minute of dissent).
(„) ABDUL LATIF HAJI HAJRATKHAN.
(„) JEHANGIR B. PETIT.
(„) M. A. KHUHRO.
(„) V. N. JOG
(subject to a minute of dissent).*
(„) G. WILES
(subject to a minute of dissent).
(„) HOOSENALLY M. RAHIMTOOLA
(subject to a minute of dissent).
(„) G. DAVIS
(subject to a minute of dissent).
(„) W. ELLIS JONES.
(„) F. O. J. ROOSE.
(„) D. R. PATIL
(subject to a minute of dissent).
(„) A. B. ACHREKAR
(subject to a minute of dissent).

(Joint minute of dissent by the Honourable Sir Govindrao B. Pradhan, Kt., Mr. G. Wiles, C.S.I., C.I.E., I.C.S., and Mr. G. Davis, I.C.S.)

The Finance Bill as framed in part III thereof proposed to raise above the existing level *ad valorem* fees only for suits the subject matter of which was between one thousand and ten thousand. The Select Committee in its report has retained the existing scale. We are prepared to agree to the lowering of the proposed rates for suits of the value of between Rs. 1,000 and Rs. 5,000 but we do not think there is sufficient justification for maintaining the existing scale for suits of the value of between Rs. 5,000 and Rs. 10,000. Poor or even lower middle class men are hardly ever sued for sums even up to Rs. 5,000 (five thousand.) The rise sought to be effected is also not very high. We, therefore, think that *ad valorem* fees for suits between Rs. 5,000 and Rs. 10,000 should be restored to the level mentioned in the draft bill.

(Signed) G. B. PRADHAN.
(„) G. WILES.
(„) G. DAVIS.

* Will be published when received.

[Appendix 18—*contd.*]

(Minute of dissent by Mr. Hoosenally M. Rahimtoola, M.L.C.)

In Bombay in properties of one or two room tenements the landlord takes the supply from the Electric Company and the meter is in his name. He charges the tenant a fixed sum per lamp per month. The total consumption of all tenants of a property will be more than ten units though each tenant will be consuming less than ten units. The landlord will have to pay the electricity duty and will recover the same from his tenants as an extra charge per month. The exemption will not therefore benefit the poor tenants of Bombay. An amendment will therefore be necessary so that these poor people may get the exemption.

(Signed) HOOSENALLY M. RAHIMTOOLA.

(A joint minute of dissent by Rao Bahadur D. R. Patil, M.L.C., and Mr. A. B. Achrekar, M.L.C., in connection with Bill No. I of 1932.)

1. As regards the insertion of the words "with a minimum fee of Rupees fifteen" in the case of suit falling under clause C of section 7 of the Court-fees Act, 1870, we are of opinion that the fee under the Act, i.e., Annas six should be maintained as the increase is very high and it is not justifiable.

2. On page 12 of the Bill in connection with application or petition new clauses (*aa*), (*bb*) and (*cc*) have been added. We are opposed to this addition as they are new additions to the Act and will work hardship on poor people.

3. The Stamp Duty on bond appearing on page 20 of the Bill has been increased from one rupee and annas fourteen to Rupees two and annas four where the bond exceeds Rs. 200 and does not exceed Rs. 300 and similarly that duty has been also increased from Rupees two and annas eight to Rupees three when the bond exceeds Rs. 300 and does not exceed Rs. 400. This increase is not fair inasmuch as Government themselves have reduced the Stamp Duty and this increase again will be hard upon the poor people.

4. The duty on a divorce deed was one rupee under the Act and it has been raised to five rupees. In the mofussil people from the backward and depressed classes especially execute divorce deeds. We know that the financial position of these people is far from satisfactory. So we think the increase is unjust.

(Signed) D. R. PATIL.

(" ") A. B. ACHREKAR.

[Appendix 18—*contd.*]

BILL No. I OF 1932.

A Bill to provide for the levy of a duty on consumption of electrical energy for the purpose of lights and fans *in the Presidency of Bombay and to amend the Court-fees Act, 1870, and the Indian Stamp Act, 1899, in their application to the said Presidency.*

(As amended by the Select Committee.)

WHEREAS it is expedient to provide for the levy of a duty on consumption of electrical energy *for the purpose of lights and fans* in the Presidency of Bombay and to amend the Court-fees Act, 1870, and the Indian Stamp Act, 1899, in their application to the said Presidency for the purposes hereinafter appearing; and whereas the previous sanction of the Governor-General required by sub-section (*3*) of section 80A of the Government of India Act and the previous sanction of the Governor required by section 80C of the said Act have been obtained for the passing of this Act; It is hereby enacted as follows:—

VII of 1870.

II of 1899.

5 & 6 Geo. V c. 61.

PART I—*Preliminary.*

1. *Short title.*—This Act may be called the Bombay Finance Act, 1932.

2. (*1*) *Extent and commencement and duration.*—Except where it is otherwise provided in this Act, this Act extends to the whole of the Presidency of Bombay.

(*2*) It shall come into force on the 1st day of April 1932.

(*3*) *This section and sections 3 to 15 containing Parts II, III and IV shall remain in operation for one year from the date on which this Act comes into force.*

PART II—*Electricity Duty.*

3. *Extent of Part II.*—This Part extends to the whole of the Presidency of Bombay except Aden.

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

(*a*) "consumer" means any person who is supplied with energy by a licensee;

(*b*) "energy" means electrical energy when generated, transmitted, supplied or used for any purpose except the transmission of a message;

(*c*) "licensee" means any person licensed under Part II of the Indian Electricity Act, 1910, to supply energy *and includes any person who has obtained the sanction of the Local Government under section 28 of that Act;*

IX of 1910.

(*d*) "prescribed" means prescribed by rules made under this Part.

5. *Duty on units of energy consumed.*—There shall be levied and paid to the Government of Bombay, on the units of energy consumed *for the*

[Appendix 18—*contd.*]

purpose of lights and fans excluding losses of energy in transmission and transformation, a duty (hereinafter referred to as "electricity duty") at the rates specified in the *first* schedule to this Part:

~~Provided that electricity duty shall not be leviable on the units of energy consumed by Government or by a tramway company, or by a railway administration as defined in clause (6) of section 3 of the Indian Railways Act, 1890, or by or in respect of any concern, undertaking, institution, premises, body, person or any class of persons or thing which the Government may exempt from payment thereof by a notification in the "Bombay Government Gazette".~~ IX of 1890.

Provided that electricity duty shall not be leviable on the units of energy consumed by Government or by or in respect of any local authority, railway administration, tramway company, industrial undertaking, institution or class of persons specified in the second schedule to this Part, except to the extent specified therein.

6. (*1*) *Payment of electricity duty.*—Every licensee shall collect and pay to the Government, at the time and in the manner prescribed, the proper electricity duty payable under this Part on the units of energy supplied by him to consumers. The duty so payable shall be a first charge on the amount recoverable by the licensee for the energy supplied by him and shall be a debt due by him to the Government:

Provided that where the licensee has been unable to recover his dues for the energy supplied by him, he shall not be liable to pay the duty in respect of the energy so supplied.

(*2*) Where any person fails or neglects to pay, at the time and in the manner prescribed, the amount of electricity duty due from him, the licensee may, without prejudice to the right of Government to recover the amount under section 9, and after giving not less than seven clear days' notice in writing to such person, cut off the supply of energy to such person; and he may, for that purpose, exercise the power conferred on ~~him~~ *a licensee* by sub-section (*1*) of section 24 of the Indian Electricity Act, 1910, for recovery of any charge or sum due in respect of energy supplied by him. IX of 1910.

(*3*) The licensee shall be entitled, for his cost of collection of the duty, to a rebate of such percentage as may be determined by the Government on the amount of the duty collected and paid by him under sub-section (*1*).

7. *Licensee to keep books of account and submit returns.*—Every licensee shall, unless he is exempt from payment of electricity duty under the proviso to section 5, keep books of account in the prescribed form and submit to the Government or to the prescribed officer returns in such form and at such times as may be prescribed, showing the units of energy supplied by him to each consumer or consumed by him as the case may be, and the amount of the duty payable thereon and recovered or paid by him under section 6.

[Appendix 18—*contd.*]

8. *Inspecting Officers.*—The Government may, by notification in the *Bombay Government Gazette*, appoint inspecting officers to inspect the *prescribed* books of accounts of licensees. Such officers shall perform such duties and exercise such powers as may be prescribed for the purpose of carrying into effect the provisions of this Part and the rules made thereunder.

9. *Recoveries.*—Any sum due on account of electricity duty, if not paid at the time and in the manner prescribed, shall be recoverable, at the discretion of Government, either from the consumer, or, subject to the proviso to section 6 (1), from the licensee, and either through a civil court or as an arrear of land revenue.

10. *Penalties.*—If any person liable under section 7 to keep books of account or to submit returns fails to keep or submit the same in the manner prescribed or obstructs an inspector in the exercise of his powers and duties under this Part and the rules thereunder or contravenes any rule made under section 11, he shall, on conviction, be punishable with fine which may extend to fifty rupees.

11. *Power to make rules.*—(*1*) The Government may make rules, not inconsistent with the provisions of this Part, for the purpose of carrying into effect the provisions of this Part.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may

(*a*) prescribe the time and manner of payment of the electricity duty under section 6 ;

(*b*) prescribe the form of the books of account to be kept and the times at which, the form in which and the officers to whom the returns required by section 7 shall be submitted ;

(*c*) prescribe the powers and duties of inspecting officers ; and

(*d*) provide for any other matter for which there is no provision or insufficient provision in this Part and for which provision is, in the opinion of the Government, necessary for giving effect to the provisions of this Part.

(3) ~~Such rules shall be published in the "Bombay Government Gazette"~~.

The working of rules under this section shall be subject to the condition of previous publication. Such rules shall be laid on the table of the Bombay Legislative Council for one month previous to the next session thereof and shall be liable to be rescinded or modified. If any rule is modified

[Appendix 18—*contd.*]

the Government may accept the modification and reissue the rule accordingly or may rescind the rule.

First Schedule.

(See Section 5.)

For lights and fans.

(*a*) ~~Commercial and business premises, clubs, restaurants, hotels, residential premises and~~ *In respect of* all ~~other~~ premises not falling under clause ~~s~~ (*b*) ~~and~~ (e) and not exempted under section 5 *and Second Schedule.*		Six pies for each unit of energy consumed.
(b) ~~Theatres and illuminated signs~~ ...		~~Three pies for each unit of energy consumed,~~
(e) (*b*) When flat rates are charged by the licensee ~~the following duty shall be payable~~ :—		
	For a 20 watt light	Two annas per mensem.
	For a 30 watt light	Three annas per mensem.
	For a 40 watt light	Four annas per mensem.
	For a 60 watt light	Six annas per mensem.

Explanation.—In calculating the rate of duty under clause (b) each 20 Watt light shall be presumed to have consumed three units during a month.

Second Schedule.

(See Section 5, proviso.)

Exemptions.

(1) Government, save in respect of premises used for residential purposes;

(2) a railway administration as defined in clause (6) of section 3 of the Indian Railways Act, 1890, save in respect of premises used for residential purposes;

(3) a local authority, save in respect of premises used for residential purposes;

(4) a tramway company, save in respect of premises used for residential and office purposes;

(5) an industrial undertaking, save in respect of premises used for residential and office purposes;

[Appendix 18—*contd.*]

(6) *a hospital or dispensary which is not maintained for private gain ;*

(7) *any consumer using not more than ten units in any one month.*

Explanation.—For the purpose of this Schedule,

(a) "industrial undertaking" means all buildings or premises wherein or within the precincts of which the manufacturing process is carried on ; and

(b) "manufacturing process" has the meaning assigned to it by section 2 (4) of the Indian Factories Act, 1911.

PART III—*Court-fees.*

12. *Amendment of section 7 of VII of 1870.*—In section 7 of the Court-fees Act, 1870, in its application to the Presidency of Bombay, in this Part referred to as the said Act,— VII of 1870.

(*a*) to clause (*d*) of paragraph (*iv*) the words "or other consequential relief" shall be added ;

(*b*) after the word "appeal" in paragraph (*iv*) the words "with a minimum fee of rupees fifteen in *the case of suits falling under clause* (*c*) ~~each case~~" shall be inserted ; and

(*c*) in clauses (1), (2) and (3) of the proviso to paragraph (*v*) for the words "five", "ten" and "ten" the words "~~ten~~" "*seven and a half*", "~~twenty~~" "*fifteen*" and "~~twenty~~" "*fifteen*" shall, respectively, be substituted.

13. *Amendment of Schedule I to VII of 1870.*—For articles 1, 8, 11, 12 and 12-A of, and the Table of rates of *ad valorem* fees in Schedule I to the said Act the following shall be substituted, namely :—

SCHEDULE I.

Ad Valorem Fees.

Number.	—	Proper fee.
1. Plaint, written statement pleading a set off or counterclaim or memorandum of appeal (not otherwise provided for in this Act) or of cross-objection presented to any Civil or Revenue Court except those mentioned in section 3.	When the amount or value of the subject-matter in dispute does not exceed five rupees.	Six annas.
	When such amount or value exceeds five rupees, for every five rupees, or part thereof, in excess of five rupees, up to one hundred rupees.	Six annas.
	When such amount or value exceeds one hundred rupees for every ten rupees, or part thereof, in excess of one hundred rupees up to one thousand rupees.	Twelve annas.

[Appendix 18—*contd.*]

Number.	—	Proper fee.
	When such amount or value exceeds one thousand rupees, for every one hundred rupees, or part thereof, in excess of one thousand rupees, up to five thousand rupees.	~~Seven rupees and eight annas~~ *Five rupees.*
	When such amount or value exceeds five thousand rupees, for every two hundred and fifty rupees, or part thereof, in excess of five thousand rupees up to ten thousand rupees.	~~Fifteen rupees.~~ *Twelve rupees and eight annas.*
	When such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of ten thousand rupees, up to twenty thousand rupees.	Twenty-two rupees and eight annas.
	When such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part thereof, in excess of twenty thousand rupees, up to thirty thousand rupees.	Thirty rupees.
	When such amount or value exceeds thirty thousand rupees, for every two thousand rupees, or part thereof, in excess of thirty thousand rupees, up to fifty thousand rupees.	Thirty rupees.
	When such amount or value exceeds fifty thousand rupees, for every five thousand rupees or part thereof, in excess of fifty thousand rupees. Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be ten thousand rupees.	Thirty rupees.
8. Copy of any document liable to stamp-duty under the Indian Stamp Act, 1899, when left by any party to a suit or proceeding in place of the original withdrawn. II of 1899.	(*a*) When the stamp-duty chargeable on the original does not exceed one rupee. (*b*) In any other case	The amount of the duty chargeable on the original. One rupee.
11. Probate of a will or letters of administration with or without will annexed.	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand rupees, on the part of the amount or value in excess of one thousand rupees, up to five thousand rupees.	Two per centum.

[Appendix 18—*contd.*]

Number.	—	Proper fee.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds five thousand rupees, on the part of the amount or value in excess of five thousand rupees, up to ten thousand rupees.	Two and a half per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds ten thousand rupees, on the part of the amount or value in excess of ten thousand rupees, up to fifty thousand rupees.	Three per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds fifty thousand rupees, on the part of the amount or value in excess of fifty thousand rupees, up to one lakh of rupees.	Three and a half per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one lakh of rupees, on the part of the amount or value in excess of one lakh of rupees, up to one lakh and fifty thousand rupees.	Four per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one lakh and fifty thousand rupees, on the part of the amount or value in excess of one lakh and fifty thousand rupees, up to two lakhs of rupees.	Four and a half per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds two lakhs of rupees, on the part of the amount or value in excess of two lakhs of rupees, up to two lakhs and fifty thousand rupees.	Five per centum.

[Appendix 18—*contd.*]

Number.	——	Proper fee.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds two lakhs and fifty thousand rupees, on the part of the amount or value in excess of two lakhs and fifty thousand rupees, up to three lakhs of rupees.	Five and a half per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds three lakhs of rupees, on the part of the amount or value in excess of three lakhs of rupees, up to four lakhs of rupees.	Six per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds four lakhs of rupees, on the part of the amount or value in excess of four lakhs of rupees, up to five lakhs of rupees.	Six and a half per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds five lakhs of rupees, on the part of the amount or value in excess of five lakhs of rupees :	Seven per centum.
	Provided that when, after the grant of a certificate under Part X of the Indian Succession Act, 1925, or under Bombay Regulation VIII of 1827, in respect of any property included in an estate, a grant of probate or letters of administration is made in respect of the same estate, the fee payable in respect of the latter grant shall be reduced by the amount of the fee paid in respect of the former grant.	XXXIX of 1925.

[Appendix 18—*contd.*]

Number.		Proper fee.
XXXIX of 1925.	12. Certificate under Part X of the Indian Succession Act, 1925.	The fee leviable in the case of a probate (article 11) on the amount or value of any debt or security specified in the certificate under section 374 of the Act, and one and a half times this fee on the amount or value of any debt or security to which the certificate is extended under section 376 of the Act. *Note.*—(*1*) The amount of a debt is its amount, including interest on the day on which the inclusion of the debt in the certificate is applied for, so far as such amount can be ascertained. (*2*) Whether or not any power with respect to a security specified in a certificate has been conferred under the Act; and where such a power has been so conferred, whether the power is for the receiving of interest or dividends on, or for the negotiation or transfer of the security, or for both purposes, the value of the security is its market-value on the day on which the inclusion of the security in the certificate is applied for, so far as such value can be ascertained.
	12-A. Certificate under Bombay Regulation VIII of 1827.	The fee leviable in the case of a probate (article 11) on the amount or value of the property in respect of which the certificate is granted.

[Appendix 18—*contd.*]

Table of rates of ad valorem *fees leviable on the institution of suits.*

When the amount or value of the subject matter exceeds—	But does not exceed—	Proper fee.		When the amount or value of the subject matter exceeds—	But does not exceed—	Proper fee.	
Rs.	Rs.	Rs. a.		Rs.	Rs.	Rs. a.	
....	5	0 6		510	520	39 0	
5	10	0 12		520	530	39 12	
10	15	1 2		530	540	40 8	
15	20	1 8		540	550	41 4	
20	25	1 14		550	560	42 0	
25	30	2 4		560	570	42 12	
30	35	2 10		570	580	43 8	
35	40	3 0		580	590	44 4	
40	45	3 6		590	600	45 0	
45	50	3 12		600	610	45 12	
50	55	4 2		610	620	46 8	
55	60	4 8		620	630	47 4	
60	65	4 14		630	640	48 0	
65	70	5 4		640	650	48 12	
70	75	5 10		650	660	49 8	
75	80	6 0		660	670	50 4	
80	85	6 6		670	680	51 0	
85	90	6 12		680	690	51 12	
90	95	7 2		690	700	52 8	
95	100	7 8		700	710	53 4	
100	110	8 4		710	720	54 0	
110	120	9 0		720	730	54 12	
120	130	9 12		730	740	55 8	
130	140	10 8		740	750	56 4	
140	150	11 4		750	760	57 0	
150	160	12 0		760	770	57 12	
160	170	12 12		770	780	58 8	
170	180	13 8		780	790	59 4	
180	190	14 4		790	800	60 0	
190	200	15 0		800	810	60 12	
200	210	15 12		810	820	61 8	
210	220	16 8		820	830	62 4	
220	230	17 4		830	840	63 0	
230	240	18 0		840	850	63 12	
240	250	18 12		850	860	64 8	
250	260	19 8		860	870	65 4	
260	270	20 4		870	880	66 0	
270	280	21 0		880	890	66 12	
280	290	21 12		890	900	67 8	
290	300	22 8		900	910	68 4	
300	310	23 4		910	920	69 0	
310	320	24 0		920	930	69 12	
320	330	24 12		930	940	70 8	
330	340	25 8		940	950	71 4	
340	350	26 4		950	960	72 0	
350	360	27 0		960	970	72 12	
360	370	27 12		970	980	73 8	
370	380	28 8		980	990	74 4	
380	390	29 4		990	1,000	75 0	
390	400	30 0					
400	410	30 12		1,000	1,100	~~82 8~~	*80 0*
410	420	31 8		1,100	1,200	~~90 0~~	*85 0*
420	430	32 4		1,200	1,300	~~97 8~~	*90 0*
430	440	33 0		1,300	1,400	~~105 0~~	*95 0*
440	450	33 12		1,400	1,500	~~112 8~~	*100 0*
450	460	34 8		1,500	1,600	~~120 0~~	*105 0*
460	470	35 4		1,600	1,700	~~127 8~~	*110 0*
470	480	36 0		1,700	1,800	~~135 0~~	*115 0*
480	490	36 12					
490	500	37 8					
500	510	38 4					

[Appendix 18—*contd.*]

When the amount or value of the subject matter exceeds—	But does not exceed—	Proper fee.			
Rs.	Rs.	Rs.	a.	Rs.	a.
1,800	1,900	142	8	*120*	*0*
1,900	2,000	150	0	*125*	*0*
2,000	2,100	157	8	*130*	*0*
2,100	2,200	165	0	*135*	*0*
2,200	2,300	172	8	*140*	*0*
2,300	2,400	180	0	*145*	*0*
2,400	2,500	187	8	*150*	*0*
2,500	2,600	195	0	*155*	*0*
2,600	2,700	202	8	*160*	*0*
2,700	2,800	210	0	*165*	*0*
2,800	2,900	217	8	*170*	*0*
2,900	3,000	225	0	*175*	*0*
3,000	3,100	232	8	*180*	*0*
3,100	3,200	240	0	*185*	*0*
3,200	3,300	247	8	*190*	*0*
3,300	3,400	255	0	*195*	*0*
3,400	3,500	262	8	*200*	*0*
3,500	3,600	270	0	*205*	*0*
3,600	3,700	277	8	*210*	*0*
3,700	3,800	285	0	*215*	*0*
3,800	3,900	292	8	*220*	*0*
3,900	4,000	300	0	*225*	*0*
4,000	4,100	307	8	*230*	*0*
4,100	4,200	315	0	*235*	*0*
4,200	4,300	322	8	*240*	*0*
4,300	4,400	330	0	*245*	*0*
4,400	4,500	337	8	*250*	*0*
4,500	4,600	345	0	*255*	*0*
4,600	4,700	352	8	*260*	*0*
4,700	4,800	360	0	*265*	*0*
4,800	4,900	367	8	*270*	*0*
4,900	5,000	375	0	*275*	*0*
5,000	5,250	390	0	*287*	*8*
5,250	5,500	405	0	*300*	*0*
5,500	5,750	420	0	*312*	*8*
5,750	6,000	435	0	*325*	*0*
6,000	6,250	450	0	*337*	*8*
6,250	6,500	465	0	*350*	*0*
6,500	6,750	480	0	*362*	*8*
6,750	7,000	495	0	*375*	*0*
7,000	7,250	510	0	*387*	*8*
7,250	7,500	525	0	*400*	*0*
7,500	7,750	540	0	*412*	*8*
7,750	8,000	555	0	*425*	*0*
8,000	8,250	570	0	*437*	*8*
8,250	8,500	585	0	*450*	*0*

When the amount or value of the subject matter exceeds—	But does not exceed—	Proper fee.			
Rs.	Rs.	Rs.	a.	Rs.	a.
8,500	8,750	600	0	*462*	*8*
8,750	9,000	615	0	*475*	*0*
9,000	9,250	630	0	*487*	*8*
9,250	9,500	645	0	*500*	*0*
9,500	9,750	660	0	*512*	*8*
9,750	10,000	675	0	*525*	*0*
10,000	10,500	697	8	*547*	*8*
10,500	11,000	720	0	*570*	*0*
11,000	11,500	742	8	*592*	*8*
11,500	12,000	765	0	*615*	*0*
12,000	12,500	787	8	*637*	*8*
12,500	13,000	810	0	*660*	*0*
13,000	13,500	832	8	*682*	*8*
13,500	14,000	855	0	*705*	*0*
14,000	14,500	877	8	*727*	*8*
14,500	15,000	900	0	*750*	*0*
15,000	15,500	922	8	*772*	*8*
15,500	16,000	945	0	*795*	*0*
16,000	16,500	967	8	*817*	*8*
16,500	17,000	990	0	*840*	*0*
17,000	17,500	1,012	8	*862*	*8*
17,500	18,000	1,035	0	*885*	*0*
18,000	18,500	1,057	8	*907*	*8*
18,500	19,000	1,080	0	*930*	*0*
19,000	19,500	1,102	8	*952*	*8*
19,500	20,000	1,125	0	*975*	*0*
20,000	21,000	1,155	0	*1,005*	*0*
21,000	22,000	1,185	0	*1,035*	*0*
22,000	23,000	1,215	0	*1,065*	*0*
23,000	24,000	1,245	0	*1,095*	*0*
24,000	25,000	1,275	0	*1,125*	*0*
25,000	26,000	1,305	0	*1,155*	*0*
26,000	27,000	1,335	0	*1,185*	*0*
27,000	28,000	1,365	0	*1,215*	*0*
28,000	29,000	1,395	0	*1,245*	*0*
29,000	30,000	1,425	0	*1,275*	*0*
30,000	32,000	1,455	0	*1,305*	*0*
32,000	34,000	1,485	0	*1,335*	*0*
34,000	36,000	1,515	0	*1,365*	*0*
36,000	38,000	1,545	0	*1,395*	*0*
38,000	40,000	1,575	0	*1,425*	*0*
40,000	42,000	1,605	0	*1,455*	*0*
42,000	44,000	1,635	0	*1,485*	*0*
44,000	46,000	1,665	0	*1,515*	*0*
46,000	48,000	1,695	0	*1,545*	*0*
48,000	50,000	1,725	0	*1,575*	*0*

[Appendix 18—*contd.*]

and the fee increases at the rate of thirty rupees for every five thousand rupees, or part thereof, up to a maximum of ten thousand rupees, for example—

Rs.	Rs.	a.	Rs.	a.	Rs.	Rs.	a.	Rs.	a.
1,00,000	~~2,025~~	~~0~~	*1,875*	*0*	9,00,000	~~6,825~~	~~0~~	*6,675*	*0*
2,00,000	~~2,625~~	~~0~~	*2,475*	*0*	10,00,000	~~7,425~~	~~0~~	*7,275*	*0*
3,00,000	~~3,225~~	~~0~~	*3,075*	*0*	11,00,000	~~8,025~~	~~0~~	*7,875*	*0*
4,00,000	~~3,825~~	~~0~~	*3,675*	*0*	12,00,000	~~8,625~~	~~0~~	*8,475*	*0*
5,00,000	~~4,425~~	~~0~~	*4,275*	*0*	13,00,000	~~9,225~~	~~0~~	*9,075*	*0*
6,00,000	~~5,025~~	~~0~~	*4,875*	*0*	14,00,000	~~9,825~~	~~0~~	*9,675*	*0*
7,00,000	~~5,625~~	~~0~~	*5,475*	*0*	15,00,000	~~10,000~~	~~0~~"	*10,000*	*0*
8,00,000	~~6,225~~	~~0~~	*6,075*	*0*					

14. *Amendment of Schedules II to VII of 1870.*—For articles 1, 6, 7, 12, 14, 17, 18, 19, 20 and 21 of schedule II to the said Act the following shall be substituted, namely :—

'SCHEDULE II.

Fixed Fees.

Number.	—	Proper fee.
1. Application or petition.	(*a*) When presented to any officer of the Customs or Excise Department or to any Magistrate by any person having dealings with the Government and when the subject-matter of such application relates exclusively to those dealings : or when presented to any officer of land-revenue by any person holding temporarily settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively to such engagement : or when presented to any Municipal Commissioner under any Act for the time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such conservancy or improvement : or when presented to any Civil Court other than a principal Civil Court of original jurisdiction, or to any Court of Small Causes constituted under the Provincial Small Causes Courts Act, 1887, or to a Collector or other officer of revenue in relation to any suit or case in which the amount or value of	~~Four~~ *Two* annas.

IX of 1887.

[Appendix 18—*contd.*]

Number.	—	Proper fee.	
	the subject-matter is less than fifty rupees, not being an application for assistance under section 86 of the Bombay Land Revenue Code, 1879:		Bom. V of 1879.
	or when presented to any Civil, Criminal or Revenue Court, or to any Board or executive officer for the purpose of obtaining a copy or translation of any judgment decree or order passed by such Court, Board or officer, or of any other document on record in such Court or office.		
	(*aa*) When presented to a Collector or other officer of revenue for assistance under section 86 of the Bombay Land Revenue Code, 1879, in relation to any case in which the amount or value of the subject-matter is less than fifty rupees.	~~Eight~~ *Four* annas.	Bom. V of 1879.
	(*b*) When containing a complaint or charge of any offence other than an offence for which police officers may, under the Criminal Procedure Code, 1898, arrest without warrant, and presented to any Criminal Court:	~~One rupee~~ *Eight annas.*	V of 1898.
	or when presented to a Civil, Criminal or Revenue Court, or to a Collector or any Revenue-officer having jurisdiction equal or subordinate to a Collector or to any Magistrate in his executive capacity and not otherwise provided for by this Act:		
	or to deposit in Court revenue or rent:		
	or for determination by a Court of the amount of compensation to be paid by a landlord to his tenant.		
	(*bb*) When presented to a Collector or other officer of revenue for assistance under section 86 of the Bombay Land Revenue Code, 1879, in relation to any case in which the amount or value of the subject-matter is or exceeds fifty rupees but is less than one hundred rupees.	~~One rupee~~ *Eight annas.*	Bom. V of 1879.

[Appendix 18—*contd.*]

Number.		Proper fee
	(*c*) When presented to a Chief Commissioner or other Chief Controlling Revenue or Executive Authority, or to a Commissioner of Revenue or Circuit, or to any chief officer charged with the executive administration of a division and not otherwise provided for by this Act.	Two rupees.
Bom. V of 1879.	(*cc*) When presented to a Collector or other officer of revenue for assistance under section 86 of the Bombay Land Revenue Code, 1879, in relation to any case in which the amount or value of the subject-matter is or exceeds one hundred rupees.	~~Two rupees.~~ *One rupee.*
	(*d*) When presented to a High Court.	~~Six~~ *Four* rupees.
	6. Bail-bond or other instrument of obligation given in pursuance of an order made by a Court or Magistrate under any section of the Code of	One rupee.
V of 1898. V of 1908.	Criminal Procedure, 1898, or the Code of Civil Procedure, 1908, and not otherwise provided for by this Act.	
	7. Undertaking under section 49 of the Indian	One rupee.
IV of 1869.	Divorce Act, 1869.	
	12. Caveat .. When the amount or value of the property involved does not exceed two thousand rupees.	Five rupees.
	When the amount or value of the property involved exceeds two thousand rupees.	Ten rupees.
	14. Petition in a suit under the Native Converts'	Ten rupees.
XXI of 1866.	Marriage Dissolution Act, 1866.	
	17. Plaint or memorandum of appeal in each of the following suits:—	
	(*i*) to alter or set aside a summary decision or order of any of the Civil Courts not established by Letters Patent or of any Revenue Court;	When the amount or value of the property involved does not exceed five hundred rupees. — Ten rupees.
	(*ii*) to alter or cancel any entry in a register of the names of proprietors of revenue paying estates; and	When the amount or value of the property involved exceeds five hundred rupees. — Fifteen rupees.

[Appendix 18 —*contd.*]

Number.	——	Proper fee.	
(*iii*) to obtain a declaratory decree or order, where no consequential relief is prayed;	....	Fifteen rupees.	
(*iv*) to set aside alienation;	....	Fifteen rupees.	
(*v*) to set aside a decree or award;	When the amount or value of the property involved does not exceed five hundred rupees.	Ten rupees.	
	When the amount or value of the property involved exceeds five hundred rupees.	Fifteen rupees.	
(*vi*) to set aside an adoption; and	....	Fifteen rupees.	
(*vii*) any other suit where it is not possible to estimate at a money value the subject-matter in dispute, and which is not otherwise provided for by this Act.		Fifteen rupees.	
18. Application—			
(*a*) under paragraph 17 of the Second Schedule to the Code of Civil Procedure, 1908;		Ten rupees.	
(*b*) for probate or letters of administration or for revocation thereof under the Indian Succession Act, 1925;	When the amount or value of the Estate does not exceed two thousand rupees.	Two rupees.	V of 1908.
	When it exceeds two thousand rupees, but does not exceed five thousand rupees.	Five rupees.	XXXIX of 1925.
(*c*) for a certificate under Part X of the Indian Succession Act, 1925, or Bombay Regulation VIII of 1827;		Ten rupees.	XXXIX of 1925.
	When it exceeds five thousand rupees.		
(*d*) for opinion or advice or for discharge from a Trust, or for appointment of new Trustees, under section 34, 72, 73 or 74 of the Indian Trusts Act, 1882;		Ten rupees.	II of 1882.
(*e*) for the winding up of a Company, under section 166 of the Indian Companies Act, 1913;		Ten rupees	VII of 1913.
(*f*) under rule 58 of Order XXI of the Code of Civil Procedure, 1908, regarding a claim to attached property.	When the amount or value of the property exceeds five hundred rupees.	Ten rupees.	V of 1908.
19. Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure, 1908.		Twenty rupees.	V of 1908.

[Appendix 18 —*contd.*]

Number.	——	Proper fee.
IV of 1869.	20. Every petition under the Indian Divorce Act, 1869, except petitions under section 44 of that Act and every memorandum of appeal under section 55 of that Act.	....	Thirty rupees.
XV of 1865.	21. Plaint or memorandum of appeal under the Parsi Marriage and Divorce Act, 1865.		Thirty rupees."

PART IV—*Stamp Duties.*

II of 1899. **15.** *Amendment of II of 1899.*—In the Indian Stamp Act, 1899, in its application to the Presidency of Bombay, the following amendments shall be made, namely :—

~~(1) In section 2—~~

~~(a) after clause (12) the following shall be inserted, namely :—~~

~~" (12A) 'forward delivery' means, in relation to any transaction for the purchase or sale of any goods, merchandise or other thing, that no immediate delivery of the goods, merchandise or other thing purchased or sold is contemplated."~~

~~(b) to clause (14) the following explanation shall be added, namely :—~~

~~" Explanation.—An entry in a note book, memorandum book or book of accounts or other writing by which any right or liability is, or purports to be, created, transferred, limited, extended, extinguished or recorded is an instrument within the meaning of this clause."~~

(2) *Amendment of sections 4 and 6 of II of 1899.*—(*1*) In sub-section (*1*) of section 4, and in the proviso to section 6, for the words " one rupee " the words " two rupees " shall be substituted.

(3) *Amendment of sections 11, 32, 35, 40, 41, 69 and 74 of II of 1899.*—(*2*) In clause (*a*) of section 11, proviso (*c*) to section 32, proviso (*a*) to section 35, sub-section (*1*) of section 40, section 41, clause (*b*) of section 69 and the proviso to section 74 before the words " one anna " the words " two annas " shall be inserted.

(4) *New section 19A of II of 1899.*—(*3*) After section 19, the following section shall be inserted, namely :—

" *19A.—Payment of duty on certain instruments liable to increased duty in Bombay Presidency.*—Where any instrument of the nature described in any article in Schedule I and relating to any property

[Appendix 18 —*contd.*]

situate or to any matter or thing done or to be done in the Presidency of Bombay is executed out of the said Presidency and subsequently ~~comes~~ *received* in the said Presidency—

(*a*) the amount of duty chargeable on such instrument shall be the amount of duty chargeable under Schedule I on a document of the like description executed in the Presidency of Bombay less the amount of duty, if any, already paid on such instrument in British India,

(*b*) and in addition to the stamps, if any, already affixed thereto, such instrument shall be stamped with the stamps necessary for the payment of the duty chargeable on it under clause (*a*) of this section, in the same manner and at the same time and by the same persons as though such instrument were an instrument received in British India for the first time at the time when it became chargeable with the higher duty, and

(*c*) the provisions contained in clause (*b*) of the proviso to sub-section (*3*) of section 32 shall apply to such instrument as if such were an instrument executed or first executed out of British India and first received in British India when it became chargeable to the higher duty aforesaid, but the provisions contained in clause (*a*) of the said proviso shall not apply thereto."

~~(5)~~ *Amendment of section 28 of II of 1899.*—(*4*) For the proviso to sub-section (*4*) of section 28 the following shall be substituted, namely :—

"Provided that notwithstanding anything contained in article 23 of Schedule I the duty on such last mentioned conveyance shall in no case be less than two rupees."

~~(6) Amendment of section 32 of II of 1899. In proviso (c) to sub-section (3) of section 32 after the words " promissory note " the words " or an Agreement or Memorandum of an agreement chargeable under Article No. 5 (aa), 5 (b) or 5 (bb) or any Note or Memorandum chargeable under Article No. 43 (b), 43 (bb) or 43 (c) of Schedule I " shall be inserted.~~

~~(7) Amendment of section 35 of II of 1899. In proviso (a) to section 35 after the words " Promissory note " the words " or an Agreement or Memorandum of an agreement chargeable under Article No. 5 (aa), 5 (b) or 5 (bb) or a Note or Memorandum chargeable under Article No. 43 (b), 43 (bb) or 43 (c) of Schedule I " shall be inserted.~~

~~(8) Amendment of section 40 of II of 1899. In sub section (1) of section 40 after the words " promissory note " the words " or an Agreement or Memorandum of an Agreement chargeable under Article No. 5 (aa), 5 (b) or 5 (bb) or a Note or Memorandum chargeable under Article No. 43 (b), 43 (bb) or 43 (c) of Schedule I " shall be inserted.~~

~~(9) Amendment of section 41 of II of 1899. In section 41 after the words " promissory note " the words " or an Agreement or Memorandum of an agreement chargeable under Article No. 5 (aa),~~

[Appendix 18—*contd.*]

~~5 (b) or 5 (bb) or a Note or Memorandum chargeable under Article No. 43 (b), 43 (bb) or 43 (c) of Schedule I" shall be inserted.~~

Amendment of Schedule I of II of 1899.—(5) In Schedule I—

(*a*) in column 1 of article 12 clauses (*a*) and (*b*) shall be repealed;

(*b*) for the entries in column 2 of the said Schedule relating to Articles 2 (*b*), 3, 4, 8 (*b*), 9, 12, 14, 15, ~~16~~, 18, 20, 22, 23, 24, 25 (*b*), 26 (*b*), 29, 30 (*b*), ~~35~~, 39, 40 (*c*), 41, 42, 44, 46, 48, 50, 51, 54 (*a*), 55 (*b*), 57 (*b*), ~~58~~, 62 (*c*) (*ii*) and 65 and shown in column 2 of the Schedule to this Part the entries shown in column 3 of the latter Schedule shall be substituted;

(*c*) for articles 5 and 43, the following shall, respectively, be substituted, namely:—

"5. Agreement or Memorandum of an Agreement—

(*a*) if relating to the sale of a bill of exchange;	Four annas.
(*aa*) if relating to the sale of a Government security;	Subject to a maximum of twenty rupees, two annas for every Rs. 10,000 or part thereof of the value of the security.
(*b*) if relating to the sale of a share in an incorporated company or other body corporate;	~~One anna for every Rs. 1,000.~~ *Two annas for every Rs. 5,000*, or part thereof of the value of the share.
~~(bb) if for or relating to the sale or purchase of goods or merchandise for forward delivery;~~	~~One anna for every unit of transaction or part thereof.~~

~~Explanation.—For the purposes of this article and article No. 43 (Note or Memorandum) 'unit of transaction' shall mean,—~~

~~(i) in transactions relating to the purchase or sale of cotton, fifty bales of cotton, a bale of cotton being equivalent to the quantity of cotton weighing approximately 392 pounds;~~

~~(ii) in transactions relating to the purchase or sale of wheat, 25 tons of wheat;~~

~~(iii) in transactions relating to the purchase or sale of linseed, 25 tons of linseed;~~

~~(iv) in transactions relating to the purchase or sale of cotton seeds, 25 tons of cotton seeds;~~

[Appendix 18—*contd.*]

~~(v) in transactions relating to the purchase or sale of groundnuts, 25 tons of groundnuts;~~

~~(vi) in transactions relating to the purchase or sale of castor seeds, 25 tons of castor seeds;~~

~~(vii) in transactions relating to the purchase or sale of silver bullion, one bar of silver, a bar being equivalent in weight to 2,800 tolas;~~

~~(viii) in transactions relating to the purchase or sale of gold bullion, 250 tolas of gold, a tola being equivalent in weight to 180 grains Troy;~~

~~(ix) in transactions relating to the purchase or sale of any other goods, merchandise or thing, such unit as the Governor in Council may, by notification in the Bombay Government Gazette, fix in this behalf.~~

(c) if not otherwise provided for .. One rupee.

Exemptions.

Agreement or Memorandum of agreement,—

(a) for or relating to the sale of goods or merchandise exclusively, not being ~~an agreement or memorandum of agreement chargeable under clause (bb) of this Article~~ or a Note or Memorandum chargeable under No. 43; Four annas.

(b) made in the form of tenders to the Government of India for or relating to any loan;

(c) made under the European Vagrancy Act, 1874, section 17. IX of 1874.

"43. Note or Memorandum sent by a Broker or Agent to his principal intimating the purchase or sale on account of such principal,—

(a) of any goods exceeding in value twenty rupees, ~~not being goods chargeable under clause (e)~~; Four annas.

[Appendix 18—*contd.*]

~~5 (b) or 5 (bb) or a Note or Memorandum chargeable unde Article No. 43 (b), 43 (bb) or 43 (c) of Schedule I" shall b inserted.~~

Amendment of Schedule I of II of 1899.—(5) In Schedule I—

(*a*) in column 1 of article 12 clauses (*a*) and (*b*) shall be repealed;

(*b*) for the entries in column 2 of the said Schedule relating to Article 2 (*b*), 3, 4, 8 (*b*), 9, 12, 14, 15, ~~16~~, 18, 20, 22, 23, 24, 25 (*b*), 26 (*b*), 29, 30 (*b*) ~~35~~, 39, 40 (*c*), 41, 42, 44, 46, 48, 50, 51, 54 (*a*), 55 (*b*), 57 (*b*), ~~58~~, 62 (*c*) (*ii*), and 65 and shown in column 2 of the Schedule to this Part the entries shown in column 3 of the latter Schedule shall be substituted;

(*c*) for articles 5 and 43, the following shall, respectively, be substituted, namely:—

"5. Agreement or Memorandum of an Agreement—

(*a*) if relating to the sale of a bill of exchange;	Four annas.
(*aa*) if relating to the sale of a Government security;	Subject to a maximum of twenty rupees, two annas for every Rs. 10,000 or part thereof of the value of the security.
(*b*) if relating to the sale of a share in an incorporated company or other body corporate;	~~One anna for every Rs 1,000.~~ *Two annas for every Rs. 5,000* or part thereof of the value of the share.
~~(bb) if for or relating to the sale or purchase of goods or merchandise for forward delivery;~~	~~One anna for every unit of transaction or part thereof.~~

~~Explanation.—For the purposes of this article and article No. 43 (Note or Memorandum) 'unit of transaction' shall mean,—~~

~~(i) in transactions relating to the purchase or sale of cotton, fifty bales of cotton, a bale of cotton being equivalent to the quantity of cotton weighing approximately 392 pounds;~~

~~(ii) in transactions relating to the purchase or sale of wheat, 25 tons of wheat;~~

~~(iii) in transactions relating to the purchase or sale of linseed, 25 tons of linseed;~~

~~(iv) in transactions relating to the purchase or sale of cotton seeds, 25 tons of cotton seeds;~~

[Appendix 18—*contd.*]

~~(v) in transactions relating to the purchase or sale of groundnuts, 25 tons of groundnuts;~~

~~(vi) in transactions relating to the purchase or sale of castor seeds, 25 tons of castor seeds;~~

~~(vii) in transactions relating to the purchase or sale of silver bullion, one bar of silver, a bar being equivalent in weight to 2,800 tolas;~~

~~(viii) in transactions relating to the purchase or sale of gold bullion, 250 tolas of gold, a tola being equivalent in weight to 180 grains Troy;~~

~~(ix) in transactions relating to the purchase or sale of any other goods, merchandise or thing, such unit as the Governor in Council may, by notification in the Bombay Government Gazette, fix in this behalf.~~

(c) if not otherwise provided for .. One rupee.

Exemptions.

Agreement or Memorandum of agreement,—

(a) for or relating to the sale of goods or merchandise exclusively, not being ~~an agreement or memorandum of agreement chargeable under clause (bb) of this Article~~ or a Note or Memorandum chargeable under No. 43; Four annas.

(b) made in the form of tenders to the Government of India for or relating to any loan;

(c) made under the European Vagrancy Act, 1874, section 17. IX of 1874.

"43. Note or Memorandum sent by a Broker or Agent to his principal intimating the purchase or sale on account of such principal,—

(a) of any goods exceeding in value twenty rupees, ~~not being goods chargeable under clause (e)~~; Four annas.

[Appendix 18—*contd.*]

(*b*) of any stock or marketable security exceeding in value twenty rupees, not being a Government security;	~~One anna for every Rs. 1,000~~ *Two annas for every Rs. 5,000 or part* thereof of the value of the stock or security.
(*bb*) of a Government security;	Subject to a maximum of twenty rupees, two annas for every 10,000 rupees or part thereof of the value of the security.
~~(c) of goods for forward delivery.~~	~~One anna for every unit of transaction or part thereof.~~
	~~Note.—For a definition of 'unit of transaction' see explanation to Article No. 5 (bb).~~"

and

(*d*) for Articles 7 and 10 the following shall, respectively, be substituted, namely :—

"7. Appointment in execution of a power, where made by any writing not being a will—

(*a*) of trustees	Fifteen rupees.
(*b*) of property, moveable or immoveable.	Thirty rupees.

"10. Articles of Association of a Company—

(*a*) where the company has no share capital or the nominal share capital does not exceed Rs. 2,500;	Twenty-five rupees.
(*b*) where the nominal share capital exceeds Rs. 2,500 but does not exceed Rs. 1,00,000;	Fifty rupees.
(*c*) where the nominal share capital exceeds Rs. 1,00,000.	One hundred rupees.

Exemption.

Articles of any Association not formed for profit and registered under section 26 of the Indian Companies Act, 1913. VII of 1913.

See also Memorandum of Association of a Company (No. 39)."

(*e*) in clause (*a*) in column (1) of Article 25 for the words "one rupee" the words "two rupees" shall be substituted; and

(*f*) in provisos (*a*) and (*c*) in column 2 of Article 45, for the words "eight annas" the words "one rupee" shall be substituted.

SCHEDULE.

[*See section* 15 (~~10~~) (*5*)]

1	2	3
2. Administration Bond—		
(*b*) in any other case ..	Five rupees ..	Ten rupees.
3. Adoption Deed ..	Ten rupees ..	Twenty rupees.
4. Affidavit ..	One rupee ..	Two rupees.

[Appendix 18—*contd.*]

1	2	3
8. Appraisement, etc.—		
(*b*) in any other case ..	Five rupees ..	Ten rupees.
9. Apprenticeship-Deed ..	Five rupees ..	Ten rupees.
12. Award	The same duty as a Bond (No. 15) for such amount.	The same duty as a Bond (No. 15) for the amount or value of the property to which the award relates as set forth in such award subject to a maximum of twenty rupees.
	Five rupees ..	
14. Bill of Lading	Four annas ..	Eight annas.
	N.B.—If a bill of lading is drawn in parts, the proper stamp therefor must be borne by each one of the set.	*N.B.*—If a bill of lading is drawn in parts, the proper stamp therefor must be borne by each one of the set.
15. Bond—		
where it exceeds Rs. 200 and does not exceed Rs. 300.	One rupee eight annas.	~~One rupee fourteen annas.~~ *Two rupees four annas.*
where it exceeds Rs. 300 and does not exceed Rs. 400.	Two rupees ..	~~Two~~ *Three* rupees ~~eight annas.~~
where it exceeds Rs. 400 and does not exceed Rs. 500.	Two rupees eight annas.	Three rupees ~~eight~~ *twelve* annas.
where it exceeds Rs. 500 and does not exceed Rs. 600.	Three rupees ..	Four rupees eight annas.
where it exceeds Rs. 600 and does not exceed Rs. 700.	Three rupees eight annas.	Five rupees four annas.
where it exceeds Rs. 700 and does not exceed Rs. 800.	Four rupees ..	Six rupees.
where it exceeds Rs. 800 and does not exceed Rs. 900.	Four rupees eight annas.	Six rupees twelve annas.
where it exceeds Rs. 900 and does not exceed Rs. 1,000.	Five rupees ..	Seven rupees eight annas.
and for every Rs. 500 or part thereof in excess of Rs. 1,000.	Two rupees eight annas.	Three rupees twelve annas.

16. ~~Bottomry Bond, that is to say, any instrument whereby the master of a sea going ship borrows money on the security of the ship to enable him to preserve the ship or prosecute her voyage.~~	~~The same duty as a Bond (No. 15) for the same amount.~~	~~Where the amount or value secured does not exceed Rs. 10 ... Three annas.~~ ~~where it exceeds Rs. 10 and does not exceed Rs. 50 ... Six annas.~~ ~~where it exceeds Rs. 50 and does not exceed Rs. 100 ... Twelve annas.~~ ~~where it exceeds Rs. 100 and does not exceed Rs. 200 ... One rupee eight annas.~~ ~~where it exceeds Rs. 200 and does not exceed Rs. 300 ... Two rupees four annas.~~ ~~where it exceeds Rs. 300 and does not exceed Rs. 400 ... Three rupees.~~ ~~where it exceeds Rs 400 and does not exceed Rs. 500 ... Three rupees twelve annas.~~ ~~where it exceeds Rs. 500 and does not exceed Rs. 600 ... Four rupees eight annas.~~ ~~where it exceeds Rs. 600 and does not exceed Rs. 700 ... Five rupees four annas.~~ ~~where it exceeds Rs. 700 and does not exceed Rs. 800 ... Six rupees.~~ ~~where it exceeds Rs. 800 and does not exceed Rs. 900 ... Six rupees twelve annas.~~ ~~where it exceeds Rs. 900 and does not exceed Rs. 1,000 ... Seven rupees eight annas.~~ ~~and for every Rs. 500 or part thereof in excess of Rs. 1,000 ... Three rupees twelve annas.~~

[Appendix 18—*contd.*]

18. Certificate of Sale—		
(*a*) where the purchase-money does not exceed Rs. 10.	Two annas	Four annas.
(*b*) where the purchase-money exceeds Rs. 10 but does not exceed Rs. 25.	Four annas	Eight annas.
(*c*) in any other case	The same duty as a conveyance (No. 23) for a consideration equal to the amount of the purchase-money only.	The same duty as a conveyance (No. 23) for a consideration equal to the amount of the purchase-money only.
20. Charter-Party	One rupee	Two rupees.
22. Composition-Deed	Ten rupees	Twenty rupees.
23. Conveyance—		
where the amount or value of the consideration for such conveyance as set forth therein ~~does not exceed Rs. 50.~~	~~Eight annas~~	~~Twelve annas.~~
~~where it exceeds Rs. 50 but does not exceed Rs. 100.~~	~~One rupee~~	~~One rupee eight annas.~~
~~where it exceeds Rs. 100 but does not exceed Rs. 200.~~	~~Two rupees~~	~~Three rupees.~~
~~where it~~ exceeds Rs. 200 but does not exceed Rs. 300.	Three rupees	Four rupees eight annas.
where it exceeds Rs. 300 but does not exceed Rs. 400.	Four rupees	Six rupees.
where it exceeds Rs. 400 but does not exceed Rs. 500.	Five rupees	Seven rupees eight annas.
where it exceeds Rs. 500 but does not exceed Rs. 600.	Six rupees	Nine rupees.
where it exceeds Rs. 600 but does not exceed Rs. 700.	Seven rupees	Ten rupees eight annas.
where it exceeds Rs. 700 but does not exceed Rs. 800.	Eight rupees	Twelve rupees.
where it exceeds Rs. 800 but does not exceed Rs. 900.	Nine rupees	Thirteen rupees eight annas.
where it exceeds Rs. 900 but does not exceed Rs. 1,000.	Ten rupees	Fifteen rupees.
and for every Rs. 500 or part thereof in excess of Rs. 1,000.	Five rupees	Seven rupees eight annas.
24. Copy or Extract—		
(*i*) if the original was not chargeable with duty or if the duty with which it was chargeable does not exceed one rupee.	Eight annas	One rupee.
(*ii*) in any other case	One rupee	Two rupees.
25. Counterpart or Duplicate—		
(*b*) in any other case	One rupee	Two rupees.
26. Customs Bond—		
(*b*) in any other case	Five rupees	Ten rupees.
29. Divorce	One rupee	Five rupees.
30. Entry as an Advocate, Vakil or Attorney on the roll of any High Court—		
(*b*) in the case of an Attorney	Two hundred and fifty rupees.	Five hundred rupees.

5. Lease, including an underlease or sub-lease and any agreement to let or sub-let—		
(a) where by such lease the rent is fixed and no premium is paid or delivered—		(a) where by such lease the rent is fixed and no premium is paid or delivered—
(i) where the lease purports to be for a term of less than one year ;	The same duty as a Bond (No. 15) for the whole amount payable or deliverable under such lease.	(i) where the lease purports to be for a term of less than one year ; The same duty as a Bottomry Bond (No. 16) for the whole amount payable or deliverable under such lease ;
(ii) where the lease purports to be for a term of not less than one year but not more than three years ;	The same duty as a Bond (No. 15) for the amount or value of the average annual rent reserved.	(ii) where the lease purports to be for a term of not less than one year, but not more than five years ; The same duty as a Bottomry Bond (No. 16) for the amount or value of the average annual rent reserved.
(iii) where the lease purports to be for a term in excess of three years ;	The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of the average annual rent reserved.	(iii) where the lease purports to be for a term exceeding five years but not exceeding ten years ; The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of the average annual rent reserved.
(iv) where the lease does not purport to be for any definite term ;	The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value	(iv) where the lease purports to be for a term exceeding ten years but not exceeding twenty years ;

~~of the average annual rent which would be paid or delivered for the first ten years if the lease continued so long.~~

~~(v) where the lease purports to be in perpetuity;~~

~~The same duty as a Conveyance (No. 23) for a consideration equal to one fifth of the whole amount of rents which would be paid or delivered in respect of the first fifty years of the lease.~~

~~The same duty as a Conveyance (No. 23) for a consideration equal to twice the amount or value of the average annual rent reserved.~~

~~(v) where the lease purports to be for a term exceeding twenty years but not exceeding thirty years;~~

~~The same duty as a Conveyance (No. 23) for a consideration equal to three times the amount or value of the average annual rent reserved.~~

~~(vi) where the lease purports to be for a term exceeding thirty years but not exceeding one hundred years;~~

~~The same duty as a Conveyance (No. 23) for a consideration equal to four times the amount or value of the average annual rent reserved.~~

~~(vii) where the lease purports to be for a term exceeding one hundred years or in perpetuity;~~

~~The same duty as a Conveyance (No. 23) for a consideration equal in the case of a lease granted solely for agricultural purposes to one tenth and in any other case to one sixth of the whole amount of the rents which would be paid or delivered in respect of the first fifty years of the lease.~~

~~(viii) where the lease does not purport to be for any definite term~~

		The same duty as a Conveyance (No. 23) for a consideration equal to three times the amount or value of the average rent which would be paid or delivered for the first ten years if the lease continued so long.
(b) where the lease is granted for a fine or premium or for money advanced and where no rent is reserved;	The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of such fine or premium or advance as set forth in the lease.	(b) where the lease is granted for a fine or premium, or for money advanced and where no rent is reserved; The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of such fine or premium or advance as set forth in the lease.
(c) where the lease is granted for a fine or premium or for money advanced in addition to rent reserved.	The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of such fine or premium or advance as set forth in the lease, in addition to the duty which would have been payable on such lease if no fine or premium or advance had been paid or delivered; Provided that, in any case when an agreement to lease is stamped with the ad valorem stamp required for a lease, and a lease in pursuance of such agreement is subsequently executed, the duty on such lease shall not exceed eight annas.	(c) where the lease is granted for a fine or premium, or for money advanced in addition to rent reserved; The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of such fine or premium or advance as set forth in the lease in addition to the duty which would have been payable on such lease, if no fine or premium or advance had been paid or delivered; Provided that in any case when an agreement to lease is stamped with the ad valorem stamp required for a lease, and a lease in pursuance of such agreement is subsequently executed, the duty on such lease shall not exceed one rupee.

[Appendix 18—*contd.*]

39. Memorandum of Association of a Company—			
(*a*) if accompanied by articles of association under section 17 of the Indian Companies Act, 1913;	Fifteen rupees	..	Thirty rupees.
(*b*) if not so accompanied	Forty rupees	..	Eighty rupees.
40. Mortgage-Deed—			
(*c*) when a collateral or auxiliary or additional or substituted security or by way of further assurance for the abovementioned purpose where the principal or primary security is duly stamped—			
for every sum secured not exceeding Rs. 1,000;	Eight annas	..	One rupee.
and for every Rs. 1,000 or part thereof secured in excess of Rs. 1,000.	Eight annas	..	One rupee.
41. Mortgage of a crop—			
(*a*) when the loan is repayable not more than three months from the date of the instrument for every sum secured not extending Rs. 200,	One anna	..	Two annas.
and for every Rs. 200, or part thereof secured in excess of Rs. 200;	One anna	..	Two annas.
(*b*) when the loan is repayable more than three months, but not more than eighteen months, from the date of the instrument—			
for every sum secured not exceeding Rs. 100.	Two annas	..	Four annas.
and for every Rs. 100 or part thereof secured in excess of Rs. 100.	Two annas	..	Four annas.
42. Notarial Act ..	One rupee	..	Two rupees.
44. Note of protest by the Master of a Ship.	Eight annas	..	One rupee.
46. Partnership—			
(A) Instrument of—			
(*a*) where the capital of the partnership does not exceed Rs. 500;	Two rupees eight annas.		Five rupees.
(*b*) in other cases ..	Ten rupees	..	Twenty rupees.
(B) Dissolution of ..	Five rupees	..	Ten rupees.
48. Power of Attorney—			
(*a*) when executed for the sole purpose of procuring the registration of one or more documents in relation to a single transaction or for admitting execution of one or more such documents;	Eight annas	..	One rupee.
(*b*) when required in suits or proceedings under the Presidency Small Cause Courts Act, 1882;	Eight annas	..	One rupee.
(*c*) when authorising one person or more to act in a single transaction other than the case mentioned in clause (*a*);	One rupee	..	Two rupees.
(*d*) when authorising not more than five persons to act jointly and severally in more than one transaction or generally;	Five rupees	..	Ten rupees.

VII of 1913.

XV of 1882.

[Appendix 18—*contd.*]

(*e*) when authorising more than five but not more than ten persons to act jointly and severally in more than one transaction or generally ;	Ten rupees	Twenty rupees.
(*f*) when given for consideration and authorising the attorney to sell any immoveable property ;	The same duty as a Conveyance (No. 23) for the amount of the consideration.	The same duty as a Conveyance (No. 23) for the amount of the consideration.
(*g*) in any other case	One rupee for each person authorised.	Two rupees for each person authorised.
		N.B.—The term "registration" includes every operation incidental to registration under the Indian Registration Act, 1908.
XVI of 1908.		
50. Protest of Bill or Note ..	One rupee	Two rupees.
51. Protest by the Master of a Ship.	One rupee	Two rupees.
54. Reconveyance of Mortgaged Property—		
(*a*) if the consideration for which the property was mortgaged does not exceed Rs. 1,000 ;	The same duty as a Conveyance (No. 23) for the amount of such consideration as set forth in the Reconveyance.	The same duty as a Bond (No. 15) for the amount of such consideration as set forth in the Reconveyance.
~~(b) In any other case ...~~	~~Ten rupees ..~~	~~Fifteen rupees.~~
55. Release—		
(*b*) in any other case ..	Five rupees ..	Ten rupees.
57. Security Bond or Mortgage Deed—		
(*b*) in any other case ..	Five rupees ..	Ten rupees.
~~58. Settlement—~~		
~~A.—Instrument of (including a deed of dower.)~~	~~The same duty as a Bond (No. 15) for a sum equal to the amount or value of the property settled as set forth in such settlement.~~	~~The same duty as a Bottomry Bond (No. 16) for a sum equal to the amount or value of the property settled as set forth in such settlement ;~~
	~~Provided that, where an agreement to settle is stamped with the stamp required for an instrument of settlement, and an instrument of settlement in pursuance of such agreement is subsequently~~	~~Provided that, where an agreement to settle is stamped with the stamp required for an instrument of settlement, and an instrument of settlement in pursuance of such agreement is subsequently execu-~~

[Appendix 18—*contd.*]

		executed,—the duty on such instrument shall not exceed eight annas.	ted, the duty on such instrument shall not exceed one rupee.
B.—Revocation of—	...	The same duty as a Bond (No. 15) for a sum equal to the amount or value of the property concerned as set forth in the Instrument of Revocation, but not exceeding ten rupees.	The same duty as a Bottomry Bond (No. 16) for a sum equal to the amount or value of the property concerned as set forth in the instrument of Revocation but not exceeding fifteen rupees.
62. Transfer—			
(c) of any interest secured by a bond, mortgage-deed or policy of insurance—			
(ii) in any other case	..	Five rupees	.. Ten rupees.
65. Warrant for Goods	..	Four annas	.. Eight annas.

PART V—*Stamp-duties on certain instruments in certain cities.*

16. *Extent of Part V.*—This Part extends to the cities of Bombay, Ahmedabad, Poona and Karachi only.

17. Definitions.—In this Part, unless there is anything repugnant in the subject or context,

(*a*) *'City of Ahmedabad' means the municipal district of Ahmedabad, the cantonment of Ahmedabad, and the notified areas of Kankaria Asarva, Ellis Bridge and Sabarmati,*

(*b*) *'City of Poona' means the municipal district of Poona, the suburban municipal district of Poona, and the cantonment of Poona, and*

(*c*) *'City of Karachi' means the municipal district of Karachi, the cantonments of Karachi and Manora and the limits of the Karachi Port Trust.*

~~17.~~ *18. Amendment of Schedule I to II of 1899.*—Notwithstanding anything contained in Part IV, in Schedule I to the Indian Stamp Act, 1899, in its application to the cities of Bombay, Ahmedabad, Poona and Karachi, for the entries in columns 1 and 2 relating to Articles, 6 23, 58 and 63, the following entries shall, respectively, be substituted, namely :— II of 1899.

In column 1:	*In column 2.*	If drawn singly.	Each part of set of two.	Each part of set of three.
		Rs.	Rs.a.p.	Rs.a.p.	Rs.a.p.
6. AGREEMENT RELATING TO DEPOSIT OF TITLE DEEDS, PAWN OR PLEDGE, that is to say, any instrument evidencing an agreement relating to—					
(1) the deposit of title deeds, or instruments constituting or being evidence of the title to any property whatever (other than a marketable security), or					
(2) the pawn or pledge of moveable property, where such deposit, pawn or pledge has been made by way of security for the repayment of money advanced or to be advanced by way of loan or an existing or future debt—					
(*a*) if such loan or debt is repayable on demand or more than three months from the date of the instrument evidencing the agreement:	(i) When the amount of the loan or debt does not exceed	200	0 4 6	0 3 0	0 1 6
	(ii) When it exceeds Rs. 200 but does not exceed ...	400	0 9 0	0 4 6	0 3 0
	Do. 400 do. ...	600	0 13 6	0 7 6	0 4 6

					If drawn singly.	Each part of set of two.	Each part of set of three.
					Rs.	Rs. a. p.	Rs. a. p.	Rs. a. p.
(ii) When it exceeds Rs. 600 but does not exceed			...	800	1 2 0	0 9 0	0 6 0
Do.	800	do.	...	1,000	1 6 6	0 12 0	0 7 6
Do.	1,000	do.	...	1,200	1 11 0	0 13 6	0 9 0
Do.	1,200	do.	...	1,600	2 4 0	1 2 0	0 12 0
Do.	1,600	do.	...	2,500	3 6 0	1 11 0	1 2 0
Do.	2,500	do.	...	5,000	6 12 0	3 6 0	2 4 0
Do.	5,000	do.	...	7,500	10 0 0	5 1 0	3 6 0
Do.	7,500	do.	...	10,000	13 8 0	6 12 0	4 8 0
Do.	10,000	do.	...	15,000	20 4 0	10 2 0	6 12 0
Do.	15,000	do.	...	20,000	27 0 0	13 8 0	9 0 0
Do.	20,000	do.	...	25,000	33 12 0	16 14 0	11 4 0
Do.	25,000	do.	...	30,000	40 8 0	20 4 0	13 8 0
and for every additional Rs. 10,000 or part thereof in excess of			...	30,000	13 8 0	6 12 0	4 8 0

(*b*) If such loan or debt is repayable not more than three months from the date of such instrument.	Half of the duty payable under No. 6 (a) above for the amount secured.
Exemption.	
Instrument of pawn or pledge of goods if unattested.	

[Appendix 18—*contd.*]

		Rs. a. p.
23. Conveyance [as defined by section 2 (10)], not being a Transfer charged or exempted under No. 62.—		
	Where the amount or value of the consideration for such conveyance as set forth therein ~~does not exceed Rs. 50~~ ..	~~0 8 0~~
	~~Where it exceeds Rs. 50 but does not exceed Rs. 100~~ ..	~~1 0 0~~
	~~Where it exceeds Rs. 100 but does not exceed Rs. 200~~ ..	~~2 0 0~~
	~~Where it~~ exceeds Rs. 200 but does not exceed Rs. 300	8 8 0
	Where it exceeds Rs. 300 but does not exceed Rs. 400	12 0 0
	Where it exceeds Rs. 400 but does not exceed Rs. 500	15 8 0
	Where it exceeds Rs. 500 but does not exceed Rs. 600	19 0 0
	Where it exceeds Rs. 600 but does not exceed Rs. 700	22 8 0
	Where it exceeds Rs. 700 but does not exceed Rs. 800	26 0 0
	Where it exceeds Rs. 800 but does not exceed Rs. 900	29 8 0
	Where it exceeds Rs. 900 but does not exceed Rs. 1,000	33 0 0
	and for every Rs. 500 or part thereof in excess of Rs. 1,000	17 8 0
8. Settlement—		
A.—Instrument of (including a deed of dower).	The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of the property settled as set forth in such settlement. Provided that, where an agreement to settle is stamped with the stamp required for an instrument of settlement, and an instrument of settlement in pursuance of such agreement is subsequently executed, the duty on such instrument shall not exceed eight annas.	
Exemptions. (*a*) Deed of dower executed on the occasion of a marriage between Muhammadans. (*b*) Hudassa, that is to say, any settlement of immoveable property executed by a Buddhist in Burma for a religious purpose in which no value has been specified and on which a duty of Rs. 10 has been paid.		
B.—Revocation of—	The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of the property concerned as set forth in the instrument of revocation but not exceeding ten rupees.	
See also Trust (No. 64).		

[Appendix 18—*concld.*]

63. Transfer of Lease by way of assignment and not by way of underlease.	The same duty as a Conveyance (No. 23) for a consideration equal to the amount of the consideration for the transfer.
Exemption:	
Transfer of any lease exempt from duty.	

~~18.~~ *19. Repeal of Bom. II of 1926.*—The Indian Stamp (Bombay Amendment) Act, 1926, is hereby repealed. Bom. II of 1926.

G. S. RAJADHYAKSHA,

Secretary to the Legislative Council of the Governor of Bombay.

Bombay, 11th March 1932.

APPENDIX 19.

BILL No. II OF 1932.

A Bill to extend certain provisions relating to intestate and testamentary succession of the Indian Succession Act, 1925, in its application to the Presidency of Bombay, to certain communities.

(As published in the "Bombay Government Gazette" of the 4th February 1932.)

WHEREAS it is expedient to amend the Indian Succession Act, 1925, XXXIX in its application to the Presidency of Bombay for the purpose of extending of 1925. certain provisions of that Act relating to intestate and testamentary succession to certain communities; and whereas the previous sanction of the Governor General required by sub-section (*3*) of section 80A of the Government of India Act and the previous sanction of the Governor 5 & 6, Geo. V, required by section 80C of the said Act have been obtained for the passing c. 61. of this Act: It is hereby enacted as follows:—

1. *Short title.*—This Act may be called the Indian Succession (Bombay Amendment) Act, 193 .

2. *Extent.*—This Act extends to the whole of the Presidency of Bombay.

3. *Sections 212 (1) and 213 (1) of XXXIX of 1925, to apply to Hindus, etc.*—Notwithstanding anything contained in sections 29, 57, 58, 212 (*2*), 213 (*2*) and Schedule III of the Indian Succession Act, 1925, sections 212 XXXIX (*1*) and 213 (*1*) of that Act shall apply whenever and wherever any right of 1925. to any part of the property of a person who has died intestate or any right as executor or legatee is sought to be established in any Court of Justice within the Presidency of Bombay.

[Appendix 19—*contd.*]

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to make probates and letters of administration necessary to establish any right in any Court of Justice in the Bombay Presidency in the case of those communities which are exempted from liability to obtain the same under sections 213 (*1*), 212 (*1*) and 57 of the Indian Succession Act, 1925.

19th January 1932.

(Signed) G. B. PRADHAN.

APPENDIX 20.

BILL No. III OF 1932.

A Bill to amend the Tobacco Duty (Town of Bombay) Act, 1857.

(As published in the "Bombay Government Gazette" of the 10th March 1932.)

IV of 1857. WHEREAS it is expedient to amend the Tobacco Duty (Town of Bombay) Act, 1857, for the purpose hereinafter appearing; It is hereby enacted as follows:—

1. *Short title.*—This Act may be called the Tobacco Duty (Town of Bombay) Amendment Act, 1932.

2. *Commencement.*—This Act shall come into force on the 1st day of April 1932.

IV of 1857. 3. *Amendment of section 2 of IV of 1857.*—In section 2 of the Tobacco Duty (Town of Bombay) Act, 1857, hereinafter referred to as the said Act, for the words "seven rupees and eight annas" the words "thirty rupees" shall be substituted.

4. *Amendment of sections 8 and 9 of IV of 1857.*—In sections 8 and 9 of the said Act for the words "four seers" the words "half a seer" shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to increase the rate of duty on tobacco imported into the town of Bombay levied under section 2 of the Tobacco Duty (Town of Bombay) Act, 1857, so as to enable the Bombay Municipal Corporation to meet its increased liabilities on account of the proposed amalgamation of the Bombay City Improvement Trust with the Municipality. The Corporation is anxious to take over the Improvement Trust as early as possible and it is obvious that it cannot meet its consequent liabilities without increased taxation. The Bill is brought forward at the desire of the Corporation.

[Appendix 20—*contd.*]

2. Since an increase in the duty may increase the incentive to evade it, it is necessary simultaneously to reduce the limit of exemption which is now placed as high as four seers. Clause 4 makes the necessary provision.

9th March 1932.

(Signed) RUSTOM JEHANGIR VAKIL.

APPENDIX 21.

AGENDA.

Supplementary Agenda for the First Session of the Bombay Legislative Council which commenced on Wednesday, the 17th February 1932.

[*Vide* Standing Order X, 1 (1) (*d*).]

Resolution by Mr. J. G. More, M.L.C.

1. "This Council recommends to Government that they should allot a sum of Rs. 10,000 in the Budget for the year 1932-33 for expenditure over the inauguration of a campaign to buy and sell only Indian made goods."

Resolutions by Mr. V. N. Patil, M.L.C.

1. "This Council recommends to Government that the land revenue of the district of East Khandesh for this year be either wholly or partially remitted and that the land revenue so far collected for this year be returned to the agriculturists."

2. "This Council recommends to Government that they should take steps to change the present dates for the collection of land revenue to some other dates between the 20th of March and the 20th of May."

Resolutions by Mr. J. G. More, M.L.C.

2. "This Council recommends to Government (*a*) to grant remissions to the agriculturists of all the past arrears of land revenue; and (*b*) to suspend the collection of the current year's revenue dues in those districts where the crops are not above the average for a reasonable period."

3. "This Council recommends to Government that, except in the Departments of Medicine and Education, non-provincial persons should not be admitted to the provincial and subordinate services in this presidency."

Resolution by Syed Miran Mahomed Shah, M.L.C.

1. "This Council recommends to Government that they should be pleased to grant remission of land revenue to the zamindars in Sind for the current year (1931-32) to the same extent to which they did last year."

[Appendix 21—*contd.*]

Resolutions by Mr. Shaikh Abdul Majid, M.L.C.

1. "This Council recommends to the Governor in Council to appoint a committee of officials and non-officials to inquire into the complaints of the khatedars in the Malir Tract of the Karachi Taluka regarding the encroachments made by the Karachi Municipality upon the sources of their water supply and to recommend to Government—

(*i*) the measures to be adopted by the khatedars to prevent any further encroachment by the Municipality upon the sources of their water supply;

(*ii*) the amount of compensation which the khatedars and the Government may be entitled to for the loss suffered by them in the past; and

(*iii*) the steps to be taken by each for the recovery of the compensation."

2. "This Council recommends to the Governor in Council to convey an assurance to the zamindars and khatedars in the Karachi District that in the event of any loss accruing to the cultivation of their lands on account of the withdrawals of water in the canals within the Lloyd Barrage Zone, due compensation will be given to them in accordance with the recommendations of a committee to be appointed hereafter for the purpose and representing the Karachi District Zamindars' and Jagirdars' Association and the Government."

3. "This Council recommends to the Governor in Council to appoint a commission of experts representing the Government, the Karachi Municipality, the Karachi Port Trust and the Karachi District Zamindars' and Jagirdars' Association to solve the problem of water supply for the Karachi City, including all such areas as depend for the supply of their water on the water works of the Karachi Municipality, and to submit their report to Government within a prescribed period."

4. "This Council recommends to the Governor in Council to urge upon the Government of India the imperative necessity and advisability of accepting and incorporating the demands of the Indian minorities in the future constitution of the country as defined and stated in the Minorities Pact mutually agreed to by the delegates of the various minorities to the second Round Table Conference, London, and to impress upon the Government of India that the minorities in the Bombay Presidency will not accept any constitution which does not comply with the terms of the Pact referred to above."

Resolution by Mr. Haji Mir Mahomed Baloch, M.L.C.

1. (As No. 1 of Rao Bahadur G. K. Chitale in the main agenda.)

Resolution by Mr. G. S. Gangoli, M.L.C.

1. "This Council recommends to Government that a Finance Act should be in operation for one year only and that fresh or increased taxes covered by a Finance Act should not be in force for more than

[Appendix 21—*concld.*]

one year at the end of which they should be submitted to the vote of Legislature."

Bombay, 10th March 1932.

G. S. RAJADHYAKSHA,
Secretary to the Legislative Council
of the Governor of Bombay.

APPENDIX 22. [*Vide page 299—Debates of 22/2/32.*]

THE EAST INDIA COTTON ASSOCIATION LIMITED,
TAJ BUILDING, HORNBY ROAD:
Bombay, 19th February 1932.

A Petition from—

The East India Cotton Association Ltd.;

To

THE HONOURABLE THE PRESIDENT AND
THE HONOURABLE MEMBERS,
Bombay Legislative Council,
Bombay.

Sirs,

The Directors of the East India Cotton Association having resolved to submit a petition to you in connection with Finance Bill No. 1 of 1932, which provides for amending the Indian Stamp Act, 1899, in its application to the Bombay Presidency, I have the honour on behalf of the East India Cotton Association to submit to you the following as bearing on the said Bill.

The Bill seeks to tax all transactions in cotton in Bombay for delivery in future or in other words all transactions in cotton in Bombay except those which are transactions relating to spot cotton. The Association beg to draw the attention of the Council to the result of the non-refundable duty of Re. 1 per bale on raw cotton imported into Bombay as levied by Bombay Act 20 of 1920. As the Council knows the said duty was opposed in the Bombay Legislative Council by representatives of the cotton trade of Bombay and within a few years of the said Act being passed every commercial body in Bombay including the Bombay Port Trust came to the conclusion that the imposition of the said non-refundable duty was helping to divert the cotton trade of Bombay to other ports. As a result of such diversion of trade the cotton grower of India, the bulk of whose crop is marketed in Bombay, has lost the advantage of having the charges on cotton in Bombay reduced as would have been the case with a larger turn-over in the Bombay market.

[Appendix 22—*contd.*]

As honourable members are aware, the bulk of the cotton which is handled in the Bombay cotton market is grown outside Bombay City and outside the Bombay Presidency and it was unfair to the cotton grower of India as a whole to have the duty levied on cotton which might have come to Bombay in transit and the net result of this policy has been that the trade of Bombay, an important City, has been adversely affected. The Bombay Port Trust naturally shared this adverse effect and the Association believe that they can without fear of contradiction submit that although the said non-refundable duty still remained in force, the Government of Bombay have also perceived the hardship and injustice to the cotton grower of India caused by its continuance.

2. The Association have dealt with this non-refundable duty in the paragraph above at some length as they are convinced the way that duty has handicapped the cotton trade of Bombay in general and the cotton grower of India in particular is a special lesson at this juncture and must be submitted to the Council for their serious consideration. Forward trading in cotton on an organised scale is recognised as an unavoidable and inevitable adjunct to marketing of actual cotton during the cotton season months when the grower must sell his crop. If forward trading in cotton were stopped the Association submit that the marketing of actual cotton would be seriously jeopardized. Generally speaking in all countries where cotton crops are marketed the Government of each respective country has given the utmost facility for forward trading in cotton to be conducted with the minimum of charges and taxation of any nature whatsoever. To levy any tax on such forward contracts has been recognised all over the civilised world as practically to be a tax on the grower of cotton in that country and the Association submit that the Bill before the Council requires to be seriously considered from this point of view.

3. The tax proposed by the Government in the Bill before the Council is one anna per contract of 50 bales, but the present unit for a forward contract is 100 bales and it is very likely that for years to come it will be the popular unit for trading. On a hundred bales contract the stamp required therefore will be two annas. The Association are anxious that the Council should know that the system in vogue in the Bombay cotton market involves that in a hundred bales transaction there may be six to eight parties who may have to pass on their notes of purchase or sale or memoranda of such purchase or sale. This can be fully explained to the honourable members if they desire, but it has been explained on behalf of this Association to a representative of the Government in the Finance Department and it is hoped that this will be made clear to the Council by some honourable members intimate with the system of forward contracts in Bombay. The burden, therefore, involved on a hundred-bale transaction by the Bill before the Council will mean a cost of twelve to sixteen annas per transaction to the parties concerned. It may be pointed out in this connection that cotton transactions in the Liverpool Cotton Association and the New York Cotton Exchange are liable to a Stamp Duty of a similar nature but the Association wish to point out

[Appendix 22—*contd.*]

that stamp duties in England and in America are being levied not for the purpose of general taxation at all but for the purpose of the finances of the cotton trade and of their organizations in these two countries. This Association here would have resorted to this sort of charge on forward transactions in Bombay if they felt convinced that by such a charge on the volume of forward business they would not handicap the cotton grower of India. The Liverpool Cotton Association has a comparatively small annual fee for its members and makes up for the finances required by means of this stamp duty referred to above. The East India Cotton Association have on the other hand preferred to have a more substantial fee for their members (Rs. 200 per year against £3-3-0 in Liverpool). They, therefore, submit that there is no parallel between the stamp duty in England on the one hand and on the other the stamp duty which the Bombay Government suggest to the Council should be levied by the Bill before the current Council Sessions. Indeed, the measure which is now before the Council for their consideration proves the total departure which the Government of Bombay seek to make from the recognised principle adopted in the cotton markets of the world.

4. 'The Association beg to point out that the business which is being done in the Bombay futures market by persons who deal in forward transactions continuously, and, who are known as jobbers, is of a highly risky and technical nature requiring great experience, and, is almost a fine art, requiring the most continued vigilance by the operator in the tendency of the market from hour to hour all through the day. The turn-over of this class in a day may be a few hundred or a few thousand bales according to the person's standing and his profit or loss at the end of the day may be a few tens or hundreds of rupees depending upon his reading of the fluctuations on that day. If such a person is expected to pay the proposed tax it is not improbable that the tax payable by him on his turn-over for the day may considerably reduce his comparatively small earnings of the day or substantially increase his losses on the working of the day. The effect of such tax would affect this class of operators to such an extent that it is not unlikely that there may be a serious set back to people engaged in this very useful task of creating and continuing the forward market. If the Council have any sort of impression that the tax involved in the Bill will be a tax mainly on those who speculate in forward cotton on a large scale, the Association wish to point out to them that such speculators can only pay the tax when they operate but the humbler and more useful section of the trade, namely, the jobber is not a person who should be in any way handicapped and the Association submit that the proposed tax will act as an assured and definite tax on him which is both unjustified and unfair. The Association wish to point out that if such jobbers as referred to above find that they cannot continue in the Bombay market owing to the new impost which is proposed there will be no option to them but to resort to transactions in unorganised markets outside this Presidency where gambling in forward transactions is being carried on.

[Appendix 22—*concld.*]

6. The Association have always held the conviction that any impost on cotton either in forward or ready must be an All-India impost, and not a provincial one, as, if a provincial impost is sought to be levied it only results in driving the trade from that province to another province. The Association, therefore, submit that it is not in the interests of the Bombay Presidency to have this tax on forward trading in cotton in Bombay or Karachi or any other part of the Bombay Presidency and they beg to submit with deference that it can without exaggeration be called a short-sighted and suicidal step taken for the purpose of securing to Government a comparatively small amount by way of taxation at the expense of the welfare of the teeming agricultural population of not only this Presidency but of the whole of India.

7. The Association understand that it may be advisable for them to suggest some alternative method of raising money in view of the present financial position of the Government of Bombay. They submit that it is not for them to examine the question of the finances of the Presidency but they consider it their duty to the Legislature of Bombay to submit to them in all earnestness that under the cloak of taking money out of the commercial community of Bombay and Karachi the measure will really mean a handicap on the system of marketing the produce of the cotton grower of India including the Bombay Presidency, a measure which is bound for many years to come to be reflected in the comparatively low prices available to the cotton grower for his crop. The Association feel convinced that it cannot be the intention of the Council to impose such handicap and they, therefore, beg to lodge their emphatic protest against the measure as introduced by the Government and to appeal to the Council to reject this Bill.

I have the honour to be,

Sirs,

For and on behalf of the Board of Directors
of the East India Cotton Association Ltd.,
Your most obedient servant,
PURSHOTAMDAS THAKURDAS,
President.

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