

# LEGISLATIVE ASSEMBLY.

*Tuesday, 27th May, 1924.*

The Assembly met in the Assembly Chamber at Eleven of the Clock. The Officiating President (The Honourable Sir Chimanlal Harilal etalvad, Kt.) was in the Chair.

Mr. President, standing, took the Oath.

## MEMBERS SWORN.

The Honourable Sir Alexander Phillips Muddiman, Kt., C.S.I., I.E. (Home Member) ; The Honourable Sir Bhupendra Nath Mitra, C.I.E., C.B.E. (Industries Member) ; Mr. Henry Reginald Pate, M.L.A. (Army Secretary) ; Mr. Denys de Saumarez Bray, C.S.I., C.I.E., C.B.E., L.A. (Foreign Secretary) ; Mr. Joseph William Bore, C.I.E., C.B.E., L.A. (Secretary, Department of Education, Health and Lands) ; Mr. Hubert Arthur Sams, C.I.E., M.L.A. (Director General of Posts and Telegraphs) ; Mr. Clement Daniel Maggs Hindley, M.L.A. (Chief Commissioner, Railways) ; Mr. Alexander Robert Loftus Tottenham, M.L.A. (Member, Central Board of Revenue) ; Mr. Richard Littlehales, M.L.A. (Madras : Nominated Official) ; Rao Bahadur Calamur Viravalli isvanatha Sastri, M.L.A. (Madras : Nominated Official) ; Mr. Walter Rank Hudson, C.I.E., M.L.A. (Bombay : Nominated Official) ; Mr. George Harold William Davies, M.L.A. (Bengal : Nominated Official) ; Mr. Crewe Armand Hamilton Townsend, C.I.E., M.L.A. (Punjab : Nominated Official) ; Mr. James Hezlett, M.L.A. (Assam : Nominated Official) ; Mr. Wali Mahomed Hussanally, M.L.A. (Sind : Muhammadan) ; Mr. Edward Francis Sykes, M.L.A. (Bombay : European) ; Mr. A. Cochran, C.B.E., M.L.A. (Bengal : European) ; ~~Mr. Thomas Andrew Chalmer, C.S.I., M.L.A. (Assam : European).~~

## EXPRESSIONS OF CONDOLENCES AND CONGRATULATIONS.

DEATHS OF MR. SATISH CHANDRA GHOSH, MAULVI MIYAN ASJADULLAH AND SIR ASHUTOSH MUKHARJI.

CONGRATULATIONS TO MR. PRESIDENT, THE HONOURABLE SIR ALEXANDER MUDDIMAN AND THE HONOURABLE SIR BHUPENDRA NATH MITRA.

**Dr. H. S. Gour** (Central Provinces Hindi Divisions : Non-Muhammadan) : Sir, as an old elected Member of this House I wish to interrupt the proceedings at this stage for a moment. In the first place, I regret to have to bring to your notice and through you, Sir, to the Members of this House the sad tidings which have reached this morning of the death of Mr. Satish Chandra Ghosh, son of the late Sir Chandra Madhab Ghosh, who was an esteemed Member of the last Assembly. He represented, Sir, in this House the Bengal Landholders' constituency. His simple and unostentatious life, devoted to the cause of the country, and his warm adherence to the Reforms and to the procedure and practice of this House will be remembered by those who were Members

[Dr. H. S. Gour.]

of the last Assembly. His brother, Mr. Surendra Chandra Ghosh, who succeeded him, is a Member of this House. He received a telegram that his brother expired yesterday morning. Sir, I have no doubt that Members of this House feel the loss which this Central Legislature and the country have suffered by his untimely death and, I ask you, Sir, to convey to his son, Mr. S. C. Ghosh, Barrister-at-Law, the sympathy and condolence of the Members of this Legislature.

Another Member of the old House and also a Member of the present Assembly, whose flowing eloquence in Urdu was well known to the Members of this Assembly, has also expired since we last met. Maulvi Asjadullah was one of the few Members who carefully watched the proceedings of this House and occasionally contributed to its discussions. Sir, I request you to convey to his family the feeling of loss which this House has sustained by his death.

Another death I have to bring to your notice. Sir Ashutosh Mukharji was a Member of the late Imperial Legislative Council. He was one of the most distinguished Judges of the Calcutta High Court. As Vice-Chancellor of the Calcutta University, he has rendered memorable service in the cause of higher education. After serving his full term, he reverted to his first love, the Bar; and, while in harness and in the actual discharge of his professional duty, he has suddenly expired. I request you, Sir, to convey to his son the sad loss which the country has suffered by his death.

And, now, Sir, I wish to take this opportunity to congratulate you as our first non-official President. As a distinguished member of my profession and one who has served the Government in many responsible capacities, you fully deserve to hold the place to which you have been appointed by His Excellency the Viceroy. (Applause.) We wish to convey to you our utmost confidence and we assure you that during your tenure of office we shall all support you as the occupant of the Presidential Chair.

In Sir Alexander Muddiman we do not spy a stranger in this House. Though a Member of another House, he has passed most of his spare time in the galleries of this House and I am sure that his predilection and his love have accelerated the pace which finds him as an occupant of the seat of the Leader of this Assembly. That is the fitting place for him and I think I am voicing the sentiments of all when I congratulate the Honourable Sir Alexander Muddiman upon his appointment as Home Member and upon the assumption of his office as Leader of this House. (Applause.)

**Pandit Shamlal Nehru** (Meerut Division : Non-Muhammadan Rural) : I would also like, Sir, to join in welcoming the new Home Member to this House. I have not the honour of knowing him personally yet, but his speech at the Viceroy's dinner has won over my heart. Like him, Sir, I am also a lover of peace and like him I hate war and I hope, Sir, he will be able to give us the peace we are all yearning for. If, however, it has to be war, I can assure the Honourable gentleman that he will find the Swarajists always in the thick of the fight.

**Dr. H. S. Gour** : Sir, I apologise to the House for having made an omission. I wish to convey on behalf of the Members of this House their warm congratulations upon the appointment of Sir Bhupendra Nath Mitra as a Member of the Executive Council. (Applause.)

**Mr. Bipin Chandra Pal** (Calcutta : Non-Muhammadan Urban) : I desire, Sir, to associate myself with the statement of my Honourable friend Dr. Gour in regard to the friends whom we have lost since we met last time.

The news of the death of Sir Ashutosh Mukharji came to us yesterday at about 3 or 4 o'clock through the Associated Press and it literally stunned those of his countrymen who heard of it last evening. We have not as yet fully recovered from the shock which that news gave us when we have got the news of the death of one of the Members of the last Assembly ; Babu Satish Chandra Ghosh. As regards Mian Asjadullah we had heard of his death during the recess.

I will not detain this House by dilating upon the excellent services which all these gentlemen rendered to their country in the various spheres of their public activity. The one thing that most impresses us all is the irreparable loss which the cause of Indian education, the cause of University education, and I might add the cause of the Indian political progress also, has suffered from the death of Sir Ashutosh Mukharji. He was the maker of the present Indian Calcutta University and we were looking forward eagerly and with great hopes to the day when he would come to this House, either on this side—who knows that he was not coming on the other side also—but whichever side of the House he would have elected to come to and occupy, we were all looking forward to having him as a great pillar of strength to the cause which we all have at heart. But God has willed otherwise. The Calcutta University, my *Alma Mater*, stands widowed, Sir, to-day, and the place which has been left vacant by the death of Sir Ashutosh Mukharji will never be filled in our time. The cause of Indian education, the cause of Indian progress, the cause of Indian culture has suffered a loss which it will be impossible to repair in the lifetime of this generation. I will not dilate upon the great character of Sir Ashutosh, but this only I will venture to say, and I think we will all agree in saying it, that he was one of the best, one of the strongest, and one of the most capable administrators, educationists and public men that India has had for many and many years past.

**Sir P. S. Sivaswamy Aiyer** (Madras : Nominated Non-Official) : Sir, I desire to associate myself with the tribute which has been paid to the memory of Sir Ashutosh Mukharji. The news of his death has come to us all as a great shock. It was only the other day that he retired from the Bench of the Calcutta High Court, and we had looked forward to a long career of public usefulness before him. Unfortunately our hopes have been disappointed. As one who knew him for over 20 years, and as one who belonged to the profession which he adorned, I desire to pay my humble tribute to his great work as a lawyer, as a Judge, and as an educationist. He was a man of brilliant intellect, of varied accomplishments, of prodigious industry and great energy. He had no difficulty whatever in making his mark whether in the academic world or in the legal profession in which he occupied a conspicuous place to the admiration of all. As a lawyer and as a Judge he was a commanding figure. His death removes one of the most outstanding personalities of this generation of Indians. The history of University education in India and especially in Bengal during the last quarter of a century is practically identified with the activities of Sir Ashutosh Mukharji. He was largely instrumental in shaping the Universities Act of 1904, and he took a predominant part in

[Sir P. S. Sivaswamy Aiyer.]

the management and guidance of the Calcutta University. His was a dominant personality and it is an irreparable loss that the country has sustained by his death. I cannot hope to emulate my friend, Dr. Gour, in the speech that he has made, which is a marvellous illustration of the sudden changes in life, of the quick succession in which joy and woe chase each other. But because I do not follow Dr. Gour in that varied collocation of condolences and congratulations, I should not be understood as in any way not sharing in the sentiments which he has expressed with reference to other persons.

**The Honourable Sir Alexander Muddiman** (Home Member) : Sir, I desire to associate myself with the expressions of regret that have fallen from my Honourable friend, Dr. Gour, at the loss of several Members of this House. I may claim perhaps to do so on rather special grounds. Two of the three Members who have been lost to this House are Bengalis, and I claim also to be a Bengali, if not by birth, at any rate, by naturalization. Sir Chandra Madhab Ghosh was Chief Justice of the Calcutta High Court when I was Registrar. He was officiating at the time and I had great respect for him. Although I had not the honour of knowing his son it was with extreme regret I learnt of his death. As to Sir Ashutosh Mukharji I had the highest admiration for his wonderful powers of industry, for his capacity and his devotion to all forms of learning. He was the most industrious man that I ever knew. As Registrar I saw a great deal of his work. He devoted hours to elucidating points of law with the utmost care. It was with the greatest regret that I heard of his death, which came to me with a great shock.

Sir, it is difficult after dealing with matters of that kind to turn to other points, but I do not wish to detain the House from their business. I would like to say how greatly I appreciate the kind remarks that have been made with regard to myself.

I particularly appreciate those of the gentleman who has now left the Chamber, who was good enough to praise my peaceful habits. I can assure the House that my habits are exceedingly peaceful, and I trust that if by any misfortune we should be led to war, which I think is almost impossible, the war will be conducted on the best lines prescribed by the League of Nations. I hope there will be no lethal bombs and no gas attacks.

Sir, I should like to refer to one other subject, and that is to add my congratulations to you on your appointment to the post of President. I can lay claim to be a brother of the brush, for I was a President once, and then I used to sleep undisturbed and unworried, and sometimes I wish, and I dare say I shall wish even more as time goes on, that I still occupied the President's Chair. But, apart from that, Sir, I have known you for many years, though it is more years ago than I care to count since we sat on Select Committees together and endeavoured to unravel legal problems. It is therefore with great pleasure that I offer you my most hearty congratulations and I am sure the congratulations of those who sit beside me.

**Mr. W. S. J. Willson** (Associated Chambers of Commerce : Nominated Non-Official) : Sir, I desire on behalf of the non-official European Members of this House to associate ourselves with all that has been said

in the expression of sympathy with the relatives of the deceased distinguished Indian gentlemen whose names have been mentioned this morning. Their public services have been testified too amply by the previous speakers, and we desire to express our concurrence with them. We also desire to congratulate Sir Bhupendra Nath Mitra, the Home Member and yourself, Sir, on the high appointment to which you have been called, and I need scarcely say that you may at all times count upon our continued support.

**Mr. Devaki Prasad Sinha** (Chota Nagpur Division : Non-Muhamadan) : Sir, on behalf of Members coming from the Province of Bihar and Orissa, I desire to associate myself with what has been said with regard to the late Maulvi Miyan Asjadulla, who was a Behari. Simple and unostentatious as he was, he was thoroughly independent and fearless in his views. In the last Assembly of which he was a Member for three years, his vote was always cast on the side of what is known as the popular cause, and his services as such were very much appreciated in the Province of Bihar and Orissa.

Sir, coming from Bihar, I think a word of tribute is due from me to the memory of the great Sir Ashutosh Mukharji, who died at Patna, the capital of Bihar and Orissa. Only four days before I started for this place, I had the honour of attending a party which was given by the President of the Bar Association of Patna in his honour. Then he mixed with us and talked to us freely, and no one suspected that in a few days the country would hear the news of the terrible loss caused by his death. In his death, Sir, India has undoubtedly lost one of the greatest men of this generation, and this loss is irreparable.

**Mr. President** : I beg to associate myself with what has been said with regard to the loss sustained by this Assembly and by the country in the deaths of Mr. Ghosh, Maulvi Asjadullah and also of Sir Ashutosh Mukharji. In Sir Ashutosh Mukharji the country loses a great lawyer, a great educationist and a great patriot.

You will permit me, gentlemen, to tender my thanks to you for all the kind references that have been made to my appointment as temporary President. I assure you, gentlemen, that I realise the responsibility that I have undertaken in taking this office, though for a temporary period, because the President, besides being the spokesman of this House, is also the custodian of the privileges and dignity of the House ; and I may assure you, gentlemen, that during the short term that I will be occupying this Chair, I will endeavour to do all that lies in my power to maintain the dignity, the privileges, and above all the independence of this House. I am sure, gentlemen, that in the discharge of my duties, I will receive from you all the co-operation, the assistance and the indulgence that are necessary to enable me to discharge my duties in a proper manner, and I am sure I will receive such assistance and co-operation from all sections of this House for the Chair is outside and above all parties. Gentlemen, during the course of the debates in which we will be soon launching, there may be occasions on which I may have to decide matters, and my decisions may not meet with the commendation or approval of some of you, but of this I may assure you, that whatever decisions I give, they will be the result of anxious and impartial consideration according to my own lights. And if, as I have said, any of those decisions do not commend themselves to some of you, I will beg of you to put it down to the fact that no human being is infallible not even the President of this Assembly.

## QUESTIONS AND ANSWERS.

LETTER OF THE BOMBAY HUMANITARIAN LEAGUE, DATED 10TH MARCH, 1924.

1044. \*Mr. Syamacharan : (a) Has the attention of the Government been drawn to the letter of the Bombay Humanitarian League, dated the 10th March 1924, which has been issued to the Members of the Assembly.

(b) Has the attention of the Government been drawn to the statements made in the aforesaid letter ?

Sir Henry Moncrieff Smith : The Government of India have not seen the letter referred to.

LETTER OF THE BOMBAY HUMANITARIAN LEAGUE, DATED 30TH JANUARY, 1924.

1045. \*Mr. Syamacharan : Will Government be pleased to state the reason for not complying with the request made in the letter, dated the 30th January 1924, of the Bombay Humanitarian League addressed to the Secretary of the Legislative Assembly.

Sir Henry Moncrieff Smith : The Secretary of the Legislative Assembly cannot, for obvious reasons, undertake the circulation to Members of papers received from private individuals or associations.

LATRINES ON THE BENGAL AND NORTH-WESTERN RAILWAY STATIONS.

1046. \*Mr. Syamacharan : Is it a fact that the latrines on the B. N. W. Railway Stations are without shutters ?

Mr. C. D. M. Hindley : The latrines provided on the Bengal and North-Western Railway stations prior to, 1921 are of the old type—Horbury pattern—with surrounding screen and no shutters to individual compartments, but those erected since 1921 are provided with shutters to each compartment.

### RECRUITMENT OF THE INDIAN MEDICAL SERVICE.

1047 \*Mr. K. G. Lohokare : Will Government be pleased to say :

- (1) What is the number of vacancies to be filled in this year in the I. M. S., and how many were filled in last year ?
- (2) What is the method of filling these vacancies to be followed this year, whether by (a) the results of the usual examination, (b) selection to the permanent posts—or (c) selection or otherwise, enlisting for a short term service ?
- (3) What was the number of vacancies filled in last year, and the number given to Indians according to the classification under part (2) ?
- (4) What is the number to be filled in this year and the number of vacancies available for Indians according to this classification ?
- (5) How many of these were given last year to Indians serving on the temporary list, and how many are they likely to have this year ?

- (6) How long are the temporary posts in the I. M. S. likely to continue, and what number is expected to be reduced every year, and in the near future ?
- (7) Have the Government of India, and the Secretary of State come to any definite decision on the question of absorbing to Permanent Cadre, Indian graduates serving on the temporary list—with active and foreign service to their account—and capable of satisfying all the other conditions of enlistment except a foreign qualification ? If not, will the Government say what decision they are likely to arrive at in this matter ?

**Mr. H. B. Pate :** (1) It is not possible to say how many permanent appointments will be made in the Indian Medical Service this year. The vacancies will be filled as suitable candidates are obtainable. The answer to the second part of the question is 29.

(2) The method of granting permanent commissions at present is by selection on the recommendation of the Selection Board.

(3) As already stated in reply to part 1 of the Honourable Member's question, 29 permanent appointments were made during the last year. No Indians were amongst those appointed.

(4) With regard to the first part of this question, I would invite the attention of the Honourable Member to the reply given to part 1 of his question. With regard to the second part, the grant of permanent commissions to Indians is at present in abeyance.

(5) *Nil.* It is not possible to say when the recruitment of Indians to the Indian Medical Service will be re-opened.

(6) The temporary appointments must continue until a sufficient number of suitable candidates can be obtained to take their place. With regard to the second part of this question, the number of temporary commissioned officers in the Indian Medical Service will be reduced approximately by 45 this year, and by 30 next year.

(7) When recruitment of Indians to the Indian Medical Service is re-opened, the claims of those temporary officers who apply for permanent commissions will be considered by the Selection Board.

#### RESIDENCE OF A GERMAN SCHOLAR AT BOLPUR.

1018. \***Dr. S. K. Datta :** Did the Government of India receive an application from Dr. Rabindra Nath Tagore asking for permission for a German scholar to reside at Bolpur for purposes of teaching at the University of Vishvabharati ? What reply was given ? If the application was refused, will Government state the reasons ?

**The Honourable Sir Alexander Muddiman :** The Government of India received no such application from Dr. Rabindra Nath Tagore. They were approached by Mr. Andrews and Mr. Nariman. Permission was refused in pursuance of the general policy of excluding from India *ex-enemy* aliens for a period of five years from the termination of the war.

**Dr. S. K. Datta :** May I ask what *ex-enemy* alien means ?

**Mr. President :** I cannot hear the Honourable Member.

**Dr. S. K. Datta :** May I ask what *ex-enemy* alien refers to ? Does it include Turkish subjects ?

**The Honourable Sir Alexander Muddiman :** I think I must ask for notice of that. My own belief is that Turkey was not included.

**Mr. Chaman Lal :** May I ask the Honourable Member whether there is a German Consul.....

**Mr. President :** I cannot hear a word the Honourable Member is saying.

**Mr. Chaman Lal :** May I ask the Honourable the Home Member whether there is a German Consul in residence in Calcutta at this moment ?

**The Honourable Sir Alexander Muddiman :** To the best of my belief there is not, but I shall verify it.

**Mr. Chaman Lal :** May I assure him that there is a German Consul at present ?

**Mr. President :** That is not seeking information ; that is giving information.

#### TREATMENT OF PROFESSOR HERZFELD, A GERMAN SCHOLAR, AT BOMBAY.

1049. **\*Dr. S. K. Datta :** Is it a fact that a Professor Herzfeld, a German scholar on a scientific mission on his way to Persia, was refused permission to go ashore at Bombay ? Is it also a fact that his baggage was searched and a quantity of blank paper necessary for his work was seized ? If these facts are as stated, will Government give the reasons for this action ?

**The Honourable Sir Alexander Muddiman :** Professor Herzfeld was given a *visâ* to allow him to land for transshipment only. He left Bombay for Basra on the day of his arrival. His baggage was not searched.

#### POLICY AND STANDARD OF RECRUITMENT FOR THE NORTHERN INDIA SALT DEPARTMENT.

1050. **\*Mr. C. S. Ranga Iyer :** Will the Government be pleased to state the policy and the standard of recruitment for the Northern India Salt Department ?

**The Honourable Sir Basil Blackett :** The Northern India Salt Revenue Department is recruited in India from among statutory natives of India. The policy laid down by Government is that at least one nomination in every three should be reserved for an Indian of unmixed Asiatic descent ; one vacancy in every three is also given to a promoted subordinate provided a suitable officer is available. Outsiders are admitted by competitive examination from among nomination candidates, the educational qualifications required of candidates being either a university degree, the Cambridge senior examination, the European high school examination or the civil engineer's certificate of the Rurki College.

#### SUPERSESSION OF SARDAR BAHADUR LAKSHMIR SINGH, ASSISTANT COMMISSIONER, NORTHERN INDIA SALT DEPARTMENT.

1051. **\*Mr. C. S. Ranga Iyer :** (a) Will the Government be pleased to state on what grounds Sardar Bahadur Lakshmir Singh, M.A., Assistant Commissioner, Northern India Salt Department, was superseded by Mr. Lyon ?

(b) Is it a fact that Mr. Lyon's promotion was stopped for some time or for a long time owing to certain charges brought against him by Mr. Buckley, the Deputy Commissioner ?



(c) Has any Indian been promoted to the grade of Deputy Commissioner ?

(d) Is it a fact that Sardar Lakhshmir Singh was superseded even for Assistant Commissionership ?

**The Honourable Sir Basil Blackett :** (a) The Government of India have been unable to trace any supersession of Sardar Bahadur Lakhshmir Singh by Mr. Lyon.

(b) It is a fact that Mr. Lyon's promotion was stopped for a time, but not that the stoppage was due to charges made by Mr. Buckley.

(c) No.

(d) Yes. The Assistant Commissioners are appointed by selection. Mr. Reid, now General Manager of Salt Mines, was given special promotion to an Assistant Commissionership before the Sardar Bahadur, delaying his promotion by five months.

**STRENGTH OF INSPECTORS AND CLERKS IN THE NORTHERN INDIA SALT DEPARTMENT.**

1052. \*Mr. C. S. Ranga Iyer : (1) Will the Government be pleased to state the strength of the Northern India Salt Department under the following heads :

(i) *Inspector*.—Hindus, Mahomedans, Christians. Vacant.

(a) Permanent.—Hindus, Mahomedans, Christians. Vacant.

(b) Temporary and Officiating.

(ii) *Clerks*.—Hindus, Mahomedans, Christians. Vacant.

(a) Permanent.—Hindus, Mahomedans, Christians. Vacant.

(b) Temporary and Officiating.

(iii) Inspectors confirmed as Superintendents—Hindus, Mahomedans, Christians. Vacant.

(iv) Inspectors approved for Superintendentship—Hindus, Mahomedans, Christians. Vacant.

(2) Have any fresh recommendations been made for promotions in the superior executive grade of the Northern India Salt Department ? What are these recommendations ? When are they likely to come into effect ?

**The Honourable Sir Basil Blackett :** This involves somewhat lengthy answers in figures and with the permission of the House I will cause it to be circulated.

**ABOLITION OF THE POST OF DEPUTY COMMISSIONER, NORTHERN INDIA SALT DEPARTMENT.**

1053. \*Mr. C. S. Ranga Iyer : Have the Government any intention of abolishing the post of the Deputy Commissioner in the Northern India Salt Department ? Is it not a fact that according to the retrenchment scheme there will be only one Assistant Commissioner for the whole of the Internal Branch from the Punjab to Bihar ?

**The Honourable Sir Basil Blackett :** The Government of India have not considered the abolition of the post of Deputy Commissioner.

The Indian Retrenchment Committee made no proposals in regard to the Internal Branch, the future of which is still under consideration.

SHARE OF THE PROVINCIAL GOVERNMENTS IN THE REVENUE FROM "TAXES ON INCOME."

1054. \*Mr. K. C. Neogy : (a) Will Government be pleased to state the extent of benefit derived annually by each Province, since 1921, from the working of Devolution Rule No. 15 ?

(b) Is it a fact that the Joint Parliamentary Committee was led to make a recommendation for the insertion of such a rule, with a view to meeting the demand for a share of the income-tax revenue which had been put forward on behalf of Bombay and Bengal particularly, and that this object has not so far been realised, in regard to these two presidencies ?

(c) Are Government in a position to state, in the light of experience, whether there is any possibility of Bombay and Bengal deriving a substantial benefit, in the near future, from the working of this rule ?

(d) Do Government propose to take any steps to amend this rule so as to enable Bombay and Bengal to derive some tangible benefit as originally intended by the Joint Parliamentary Committee ?

The Honourable Sir Basil Blackett : (a) A statement is laid on the table giving the share of the revenue from "Taxes on income" for each of the years 1921-22 and 1922-23 paid to the several Local Governments.

(b) The intention of the Committee was "to grant to all provinces some share in the growth of revenue from taxation on incomes so far as that growth is attributable to an increase in the amount of income assessed." That object has been secured.

(c) The effect of the rule in the past is shown by the statement laid on the table. The Government cannot forecast its effect in the future. Bombay has reaped a very tangible benefit already (*An Honorable Member* : "Question"), and a revival of business would bring about a similar result in Bengal.

(d) Does not arise.

Statement showing the amounts paid to Provincial Governments under Rule 15 of the Devolution Rules for the years 1921-22 and 1922-23.

	1921-22.	1922-23.
Madras .. .. .	4,07,842	Nil.
Bombay .. .. .	14,71,244	16,49,585
Bengal .. .. .	93,892	Nil.
United Provinces .. .. .	3,20,419	31,092
Punjab .. .. .	29,722	5,74,979
Burma .. .. .	2,66,504	Nil.
Bihar and Orissa .. .. .	57,502	2,86,408
Central Provinces .. .. .	51,170	1,48,790
Assam .. .. .	1,776	1,15,130
	27,00,071	28,05,984

LETTER IN THE "DAILY GAZETTE," SINDH, re "DISENFRANCHISED EUROPEANS OF SINDH."

1055. \*Mr. Bhabendra Chandra Roy : (a) Has the attention of Government been drawn to the letter published in the "Daily Gazette, Sindh" ?

in its issue of the 14th February last under the head "Disenfranchised Europeans of Sindh" ?

(b) If so, do Government propose to take steps to amend the rules ?

**Sir Henry Moncrieff Smith :** (a) Yes.

(b) The Honourable Member's attention is invited to Legislative Department Notification No. 99, dated the 24th March 1924, from which it will be seen that the Legislative Assembly (Bombay) Electoral Regulations have been amended to admit of nomination papers for this constituency being received either at Bombay by the Returning Officer or at Karachi by the Collector. The question of amending the Electoral Rules in this connection will be considered in due course together with certain other suggestions for the amendment thereof.

WAGON SUPPLY FOR COAL.

1056. \***Mr. Bhabendra Chandra Roy :** (a) Has the attention of Government been drawn to the letter published under the head "Mr. Khitish Chandra Neogy's Resolution on wagon supply", in the "Forward" in its issue of the 11th March ?

(b) If so, will the Government be pleased to state what action has been taken to ease the situation created by the system of rake supplies ?

(c) Are the Government aware that small collieries owned by Indians have not the full or half rake sidings ?

(d) If so, will the Government be pleased to state the reasons of enforcing this system of wagon supply ?

(e) Will the Government be pleased to state whether they propose to introduce the system of wagon distribution *pro rata* according to the requirements ?

(f) If not will they be pleased to state the reasons ?

**Mr. C. D. M. Hindley :** (a) Yes.

(b), (c), (d), (e), and (f). The attention of the Honourable Member is invited to the reply given to Question No. 411 asked by Mr. C. Duraiswami Aiyangar in this Assembly on the 25th February, 1924.

DISMISSAL OF EMPLOYEES OF THE AUDIT OFFICE OF THE BENGAL AND NORTH-WESTERN RAILWAY.

1057. \***Mr. Bhabendra Chandra Roy :** (a) Is it a fact that 69 employees of the Audit Office of the B. & N. W. Railway, have been summarily dismissed ? Is it a fact that they have been dismissed simply because they stayed out of office for a few minutes ?

(b) If so, will the Government be pleased to state whether they propose to inquire into the alleged highhandedness of the officer concerned ?

(c) Is it a fact that such dismissals have caused a great stir in the B. & N. W. Railway Men's Association ?

(d) Do Government propose to make an impartial inquiry and avoid a deadlock or strike ?

(e) If not, will the Government be pleased to state the reasons ?

**Mr. C. D. M. Hindley :** (a), (b), (c), (d) and (e). Government have no information. The matters referred to by the Honourable Member relate to the internal administration of the Railway and are purely domestic

with which the Company are fully competent to deal and in which Government do not interfere.

**Mr. K. Ahmed :** Have the representatives of the country no voice in this matter which is termed internal affairs ?

**Mr. President :** The Honourable Member has put no supplementary question.

**Mr. K. Ahmed :** Are the representatives of the country in this Assembly not entitled to enter into those household affairs to which my Honourable friend referred ?

**Mr. N. M. Joshi :** May I ask whether the capital with which this Railway has been constructed is the capital of this country ?

**Mr. K. Ahmed :** I rise to a point of order. In internal matters, in the matter of dismissal of servants, may I ask whether the representatives of the country have any voice ?

**Mr. President :** That is not a point of order.

**Mr. N. M. Joshi :** I wanted to know whether the capital with which this Railway has been constructed is State capital, and if so, whether it would be affected or not by the dismissal of such a large number of people as sixty nine ?

**Mr. C. D. M. Hindley :** I do not think, Sir, that that question arises, but I should like to have notice of it.

**Mr. N. M. Joshi :** May I ask on what question my Honourable friend asks notice, whether the capital with which the Railway has been constructed is State capital, or whether.....

**Mr. President :** You have put the question and Mr. Hindley has stated that he wants notice.

**Mr. K. Ahmed :** Is it not a rule that the Honourable Member when he answers the main question should also answer supplementary questions as well ?

**Mr. President :** That is not a supplementary question.

**Mr. Chaman Lal :** May I ask the Honourable Member whether Honourable Members of this House are not entitled to gain information on subjects of this kind ?

**Mr. President :** That is not a supplementary question.

#### DIRECT RECRUITMENT OF ACCOUNTANTS IN THE MILITARY ACCOUNTS DEPARTMENT.

1958. \***Mr. K. G. Lohokare :** (a) Will the Government of India please state whether certain temporary clerks who had not passed the subordinate account service examination, with or without any special educational qualifications, have been permanently appointed from 1st April, 1922, as Accountants in the Military Accounts Department in preference to several clerks with better experience and longer service, who were qualified for promotion by passing the subordinate accounts service examination ?

(b) If so, will they state the special reason for this method of marrying the prospects of men already in service ?

(c) Do they propose to discontinue the direct recruitment in future ?

**The Honourable Sir Basil Blackett :** (a) and (b). About 50 selected temporary clerks whose work was of a special nature, e.g., Factory and Marine Accounts, were absorbed permanently as accountants in the increased cadre of the subordinate Accounts Service which was sanctioned on the reorganisation of the Military Accounts Department from the 1st April 1922. This was done in the general interests of the service and in consideration of the meritorious services rendered and the special experience gained during the late war by the men concerned.

(c) There is no intention of discontinuing direct recruitment.

**MEDICAL OFFICERS IN CHARGE OF CANTONMENT HOSPITALS.**

\* 1059. **Mr. Ismail Khan :** (a) How many Cantonment Hospitals are there in India and how are they classified ?

(b) What are the duties of Medical Officers in charge of these Hospitals ? What allowances are they paid and who pays these allowances ? What qualifications are required of these Medical Officers ?

(c) What is the respective number of I. M. S. and R. A. M. C. Officers at present in charge of Hospitals in each class ? How many of these officers are of Indian domicile.

(d) Are the Government aware that in a number of cases these charges have been given to European Officers (even of the same service) who are not qualified according to rules in preference to Indian I. M. S. Officers duly qualified in the same station ?

**Mr. H. R. Pate :** (a) There are 46 cantonment hospitals in India classified as follows :

Class A.—12 ; Class B.—17 ; and Class C.—17.

In addition, there are 9 dispensaries.

(b) The duties of the Medical Officer in charge of a Cantonment Hospital are laid down in paragraph 109, Army Regulations, India, Volume VI, while the allowances admissible are shown in the Pay and Allowance Regulations, Part I, paragraph 18 (iv). Copies of the regulations referred to can be obtained from the Library of the House. The allowances are paid from Cantonment funds.

The qualifications required for appointment to the charge of a Cantonment hospital are shown in Appendix I, Army Regulations, India, Volume VI, to which I would invite the attention of the Honourable Member.

(c) The appointment of medical officers to the charge of a cantonment hospital is sanctioned by the District Commander and, as it is a collateral charge, complete information is not available. According to the latest returns, however, the number of Indian Medical Service and Royal Army Medical Corps officers shown as holding charge of cantonment hospital is as follow :

Indian Medical Service 22 ; Royal Army Medical Corps 9.

Total 31.

Of this number, 14 are officers of Indian domicile.

(d) No.

RESOLUTION *re* THE RELEASE OF MAULANA HASRAT MOHANI.

1060. \*Maulvi Sayad Murtuza Sahib Bahadur : Will Government be pleased to state as to what action has been taken to give effect to the Resolution relating to the release of Maulana Hasrat Mohani ?

The Honourable Sir Alexander Muddiman : The Governor General in Council was unable to accept the recommendation contained in the Resolution.

Since the Resolution was passed, the High Court, Bombay, on appeal reduced the sentences of two years and six months rigorous imprisonment, respectively, awarded Hasrat Mohani for breach of jail discipline to six months on each count to run concurrently. Subsequently the Governor in Council in exercise of the power vested in him under section 401 (1) of the Code of Criminal Procedure granted the further remissions indicated in the Bombay Government's Resolution, dated the 26th March 1924, a copy of which is laid on the table.

*Bombay Government Resolution, dated 26th March 1924.*

In exercise of the power vested in him under section 401 (1) of the Code of Criminal Procedure, 1898, the Governor-in-Council hereby remits, with effect from the 13th February, 1924, the remainder of the sentence of 2 years' rigorous imprisonment passed upon Hasrat Mohani under section 124-A. on the 4th May, 1922, and commutes under section 402 of the said Code, the sentence of 6 months' rigorous imprisonment passed upon him on the 1st October, 1923, under section 161, read with section 109 of the Indian Penal Code, and section 42 of the Prison Act, IX of 1894, read with Article 485 of the Bombay Jail Manual, to one of simple imprisonment for the same period, the latter sentence to commence from the 13th February 1924.

His Excellency is further pleased to select Hasrat Mohani for treatment in a separate division sanctioned under the orders contained in Government Resolution No. 123, dated the 6th February 1923.

Mr. V. J. Patel : Why are Government unable to carry out the recommendation of this Assembly ?

The Honourable Sir Alexander Muddiman : I have explained the reductions granted by the Government of Bombay and the Government of India consider that the case has been adequately dealt with.

Mr. C. S. Ranga Iyer : Is this the manner in which the Government propose to work the reforms ? Is this the manner in which they propose to introduce responsible government in this country ?

Mr. President : I cannot hear your question.

Mr. C. S. Ranga Iyer : Is this the manner in which the Government propose to introduce responsible government in this country and to work the reforms by rejecting a Resolution of this Assembly carried by an overwhelming majority ?

Mr. President : This is not a supplementary question.

Mr. C. S. Ranga Iyer : I am asking for information.

Maulvi Muhammad Yakub : Are the Government aware that the facilities to which Maulana Hasrat Mohani is entitled according to the orders of the Government of Bombay were refused to him by the jail authorities ?

The Honourable Sir Alexander Muddiman : Government are not aware of that.

**Mr. C. S. Ranga Iyer :** Is it a fact that Hasrat Mohani is not treated like an ordinary prisoner but is treated like a felon ?

**The Honourable Sir Alexander Muddiman :** That does not arise.

**Mr. C. S. Ranga Iyer :** Are the Government aware that Hasrat Mohani is one of the most respected leaders of the country and is entitled to a better kind of treatment ?

**Mr. M. A. Jinnah :** Why was it that the Government were unable to accept the recommendation of this House ? What was the reason ?

**The Honourable Sir Alexander Muddiman :** I have already explained the position. Government have considered the case and they think that the reductions granted by the Bombay Government were sufficient.

**Mr. Gaya Prasad Singh :** Have the Government started the game of non-co-operation with this Assembly ?

**Mr. Devaki Prasad Sinha :** Were the action taken by the Government of Bombay and the judgment of the Bombay High Court the only reasons why the Government of India took no action ?

**The Honourable Sir Alexander Muddiman :** I did not quite hear the Honourable Member's question, but as far as I gather he wishes to know what were the reasons which led the Government of India to take no action. I have already stated the reasons.

**Mr. Devaki Prasad Sinha :** My question was this. Were the actions taken by the Government of Bombay and the Bombay High Court the only reasons why the Government of India took no action ?

**Mr. President :** The Honourable the Home Member has already answered that question in the best manner he could.

**Maulvi Muhammad Yakub :** Are the Government of India aware that the Muslim community is greatly agitated at the action of the jail authorities in not obeying the orders of the Government of Bombay ?

**The Honourable Sir Alexander Muddiman :** On that I have no information.

DIFFERENCE IN RATE OF PAY OF POSTMEN EMPLOYED IN THE MOFUSSIL, AND IN PRESIDENCY TOWNS.

1061. **\*Maulvi Sayad Murtuza Sahib Bahadur :** (a) Will Government be pleased to state if it is a fact that there is a difference between the scale of pay of the postmen of the Mofussil towns and those of the Presidency towns ?

(b) Are they aware that this has dissatisfied the postmen of the Mofussil to a great extent ?

(c) Are Government prepared to remove their dissatisfaction ?

**The Honourable Sir Bhupendra Nath Mitra :** Before I answer Question No. 1061, I should like, with your permission, to thank the Members of the Assembly for the congratulations which they have been kind enough to offer me on my temporary appointment to the Executive Council of the Governor General and for the kind welcome they accorded to me on my entry into this Assembly.

I shall now proceed to answer the different parts of Question No. 1061.

(a) The reply is in the affirmative.

(b) Government are not aware of such dissatisfaction, though they are aware that the All-India Postal and Railway Mail Service Union have demanded that there should be a single scale of pay for all the postmen in the Madras Circle and that the men at Howrah and Alipore should be on the same scale as those in Calcutta.

(c) Government are of opinion that the scales of pay provided for postmen in various parts of the country are appropriate.

#### REPORTS OF THE FRONTIER COMMITTEE AND THE BAR COMMITTEE.

1062. \*Dr. H. S. Gour : (a) Will the Government be pleased to state when the Frontier Committee and Bar Committee's reports were released by Government for issue to the public ?

(b) When were they published in the public press ?

(c) Are the Government aware that the summary of these Reports was published in the newspapers in their issue of the 26th March last ?

(d) If so, why were not Members of the Assembly supplied with copies before they were made available to the public ?

**The Honourable Sir Alexander Muddiman :** (a) and (b). The reports of the North-West Frontier Inquiry Committee and the Indian Bar Committee were published on the 25th and 26th March 1924, respectively. Copies of these reports were however supplied to the Press a few days in advance with instructions that they should not be published in any edition of a newspaper on sale anywhere in India before the dates just mentioned.

(c) Yes.

(d) Copies of the Bar Committee's report were supplied on the evening of the 25th March to those Members of the Legislative Assembly and the Council of State who were present in Delhi on that date, and a few copies were placed in the Legislative Assembly Library on the 26th idem. Copies of the other report were also placed in the Legislative Assembly Library on the morning of the 25th March, the date on which it was published. It is not usual to supply advance copies of such reports to the Members of the Indian Legislature.

#### PUBLICATION OF THE REPORT OF THE LEE COMMISSION.

1063. \*Dr. H. S. Gour : (a) Have the Government received the report of the Lee Commission ? If so, when ?

(b) Will the Government be pleased to state when they are going to publish that report ?

(c) Will it be published simultaneously in India and in England ?

**The Honourable Sir Alexander Muddiman :** The Report of the Lee Commission was presented to Parliament last night and is being published this morning both in India and England. I hope all Honourable Members are already in possession of a copy.

#### DISCUSSION OF THE REPORTS OF THE FRONTIER COMMITTEE, THE BAR COMMITTEE AND THE LEE COMMISSION.

1064. \*Dr. H. S. Gour : (a) Do the Government propose to give the Members of the House an opportunity to discuss the reports, namely, the



Frontier Committee's Report, the Bar Committee's report and the report of the Lee Commission ?

(b) Do the Government intend to set apart special days for this purpose ?

**The Honourable Sir Alexander Muddiman :** So far as the discussion of the report of the Lee Commission is concerned, I propose, Sir, with your permission, and with the permission of the House, to make a statement after the conclusion of questions to-day.

So far as the other two reports are concerned I can say little more than what has been said by my predecessor on previous occasions.

So far as is possible and practicable, action will not be taken on the reports until the Indian Legislature has had an opportunity of expressing its views. Such an opportunity will not be available, I am afraid, during the course of the present sittings.

I can say nothing more as regards the report of the Frontier Committee.

As regards the report of the Indian Bar Committee many of the recommendations can probably be given effect to by the various High Courts in India but probably other recommendations will necessitate legislation which will give this House a full opportunity of discussing such recommendations apart from any other previous opportunity which it may be found possible to give to this House.

**Mr. Jamnadas M. Mehta :** May I know what is the meaning of the qualification "so far as is possible and practicable" ?

**The Honourable Sir Alexander Muddiman :** That is a question of the interpretation of English.

**Mr. Chaman Lal :** Will the Honourable Member give an undertaking that the recommendations of this House on the Lee Commission Report will be carried out ?

**The Honourable Sir Alexander Muddiman :** That is an undertaking I cannot give.

PRICE OF IRON, STEEL AND OTHER PRODUCTS PURCHASED BY GOVERNMENT FROM THE TATA IRON AND STEEL COMPANY AND FROM OTHER FIRMS.

1065. **Dr. H. S. Gour :** (a) Will the Government be pleased to state the amount of iron, steel and other products manufactured by the Tata Iron and Steel Co., supplied to Government and the price at which their materials were supplied to Government ?

(b) Will the Government be pleased to state the current market prices for similar materials ruling in the market at the time at which the Government purchased them from other firms in and outside India ?

(c) Will the Government be pleased to give the names of firms other than the Tata Iron and Steel Co. from whom iron, steel and other products manufactured by them were purchased and the rates at which such purchases were made during the period of the War ?

(d) Will the Government be pleased to state the total amount of sacrifice made by Messrs. Tata Iron and Steel Co. by selling their goods to Government at below the then ruling rates ?

(e) Are the Government aware that the Tata Iron and Steel Co. have paid no dividend to their shareholders ?

(f) Are they aware that the precarious condition of the industry is due to the dumping of goods by European and other manufacturers ?

**The Honourable Sir Charles Innes :** (a), (b) and (c). The questions do not state for what period the information is required. In any case, information of this kind is not available, and the Government of India are not prepared to try to collect it. I have just discovered from the evidence before the Tariff Board that the Company claim to have supplied during the war 2,91,562 tons of different kinds of steel.

(d) The only information in the possession of Government on the point referred to by the Honourable Member is contained in the footnote at page 60 of the Tariff Board's report.

(e) On the contrary, the Company has paid away Rs. 348 lakhs in dividends since its inception in 1907-08. It has, however, paid no dividend on ordinary shares since the year 1921-22, and it passed its dividend on the second preference shares in 1922-23.

(f) This question is fully discussed in the Tariff Board's Report, and the Honourable Member can draw his own conclusions.

#### PRICE OF JUTE, COTTON AND OTHER GOODS PURCHASED BY GOVERNMENT.

1066. \***Dr. H. S. Gour :** (a) Will the Government be pleased to state whether they acquired other materials such as jute, cotton and other goods manufactured by Companies in India managed by European Agents at the same rates at which Messrs. Tata Iron and Steel Co. sold their goods to Government ?

(b) Are the Government aware that several of the Jute Mills in Calcutta have practically written off their block from the heavy profits made by them during the period of the War ?

(c) Is it a fact that Messrs. Tata Iron and Steel Co. were promised protection by Government against dumping of goods by foreign competitors ?

**The Honourable Sir Charles Innes :** (a) The Government do not understand the question. They do not understand how or why the prices of articles so widely different as Jute, Steel and Cotton could or should be the same.

(b) The Government are aware that Jute and Cotton Mills made large profits during the war.

(c) The Government are not aware that any such promise was made.

#### CHARGEMEN AND JOURNEYMEN IN THE OUDH AND ROHILKHAND RAILWAY WORKSHOPS AT LUCKNOW.

1067. \***Mr. C. S. Ranga Iyer :** (a) Will the Government be pleased to state how many persons are employed as Chargemen and Journeymen on the Oudh and Rohilkhand Railway Workshops at Lucknow.

(b) Will the Government be pleased to give the information under the following heads regarding the appointment of Chargemen and Journey-

men in the Oudh and Rohilkhand Railway Loco. Workshops, Mechanical Section :

Post (Chargeman or Journeyman).	Date of appointment.	Name of persons holding the post.	Race or Extraction.	Present Emoluments.	Qualifications.

(c) Is it a fact that all the Chargemen and Journeymen are of European or Anglo-Indian extraction ? Have the Government any intention of assigning the posts to Indians also ?

**Mr. C. D. M. Hindley :** (a) The number of men employed as Chargemen and Journeymen in the Locomotive and Carriage and Wagon Workshops at Lucknow is :

Chargemen	..	..	..	..	45
Journeymen	..	..	..	..	79

(b) Government cannot undertake to furnish detailed information on the scale suggested but may mention for the Honourable Member's information that of 124 men of the classes referred to on the Oudh and Rohilkhand Railway, 67 are pure Indians.

(c) No, all the Chargemen and Journeymen are not of European or Anglo-Indian extraction. As I have already stated Indians are freely admitted to these posts.

**EUROPEAN, ANGLO-INDIAN AND INDIAN APPRENTICES IN THE OUDH AND ROHILKHAND RAILWAY WORKSHOPS AT LUCKNOW.**

1068. **\*Mr. C. S. Ranga Iyer :** (a) Are the Government aware that there are only two institutions in the United Provinces which send apprentices to the Loco. shops, namely, the United Provinces Government Technical School and the Railway Technical Institute, for the posts of Journeymen and Chargemen ?

(b) Are the Government aware that apprentices in the Loco. shops who notwithstanding the fact of their having obtained the Final Examination Certificate of the Government Technical School are not given any posts in the shops and that on the contrary Anglo-Indian or European apprentices hailing from the Railway Institute invariably secure them ?

(c) Are the Government aware that the Indian youths coming as apprentices from the United Provinces Government Technical School are given Rs. 17 per mensem as their pay while the Anglo-Indians and Europeans are given Rs. 50 per mensem ?

(d) Will the Government be pleased to state if they propose to issue strict instructions that the distinctions referred to are contrary to the professions and principles of the Government ?

**Mr. C. D. M. Hindley :** The facts of the case are as follows :

Arrangements have been made whereby selected students in mechanical engineering from (1) Government Technical School, Lucknow, (2) Government Technical School, Gorakhpur, (3) the Arts and Crafts School, Lucknow, and (4) the Engineering College, Benares, complete their training in the Oudh and Rohilkhand

**Railway Workshops.** These students are paid by the Railway stipends of Rs. 17 a month in the first year and Rs. 20 a month in the second year in addition to any scholarships they may receive from the Colleges mentioned. They are not strictly railway apprentices, and though occasionally the best of them are provided with employment on the Railway, they are not guaranteed railway appointments. They are admitted to the shops in order that they may undergo the practical portion of their training in mechanical engineering. In addition, Europeans and Anglo-Indians who have passed the junior Cambridge and have also passed the railway entrance examination are admitted to the Locomotive and Carriage Workshops as railway apprentices. Their apprenticeship is for 5 years and their stipends rise from Rs. 50 to Rs. 100 a month. Apparently these are the apprentices which the Honourable Member refers to as coming from the Railway Institute. The railway administration prepared a scheme for admitting Indians as railway apprentices sometime ago, but it was abandoned in view of the fact that the Local Government intended to establish a Technical College at Lucknow.

**ADMISSION OF EUROPEAN, ANGLO-INDIAN AND INDIAN STUDENTS TO THE RAILWAY TECHNICAL INSTITUTE, UNITED PROVINCES.**

1069. \***Mr. C. S. Ranga Iyer** : Will the Government be pleased to state (a) how many Indian students have been admitted to the Railway Technical Institute, (b) how many Europeans and Anglo-Indians ?

**Mr. C. D. M. Hindley** : (a) None, as the Indian apprentices forthcoming are generally sons of *Mistris* who are not sufficiently educated to comply with the entrance test and curriculum of the Railway Technical School. These youths attend the day classes held for them three days a week at the Government Technical School, Lucknow.

(b) The average number based on the figures for the last 3 years is 19.

**ADMISSION OF INDIANS TO THE POSTS OF JOURNEYMEN AND CHARGEMEN ON THE OUDH AND ROHILKHAND RAILWAY.**

1070. \***Mr. C. S. Ranga Iyer** : (a) Did the Government ever send an order or orders to the Agent, Oudh and Rohilkhand Railway at Lucknow to open the posts of Journeymen and Chargemen to Indians ? If the answer is in the affirmative, will the Government be pleased to state when the order or orders were issued ? Will the Government be further pleased to place before the House the result of the order or orders ?

**Mr. C. D. M. Hindley** : The reply is in the negative.

**UNSTARRED QUESTIONS AND ANSWERS.**

**CONSTRUCTION OF THE PROPOSED ISHURDI-PABNA-SADHUGANJ RAILWAY.**

231. **Mr. K. C. Neogy** : (a) Are Government aware that on the 6th February 1922, a Resolution was moved in the Bengal Legislative Council recommending to the Government of India to take up the construction of the Ishurdi-Pabna-Sadhuganj railway in the district of Pabna in Bengal, at an early date and the Resolution was accepted by the Local Government ?

(b) Is it a fact that this Resolution was conveyed to the Government of India by the Honourable the Minister in charge of the Department of Public Works, Bengal, by his letter dated the 20th February 1922 ?

(c) Will the Government be pleased to state what steps have been taken, or progress been made, to give effect to the Resolution referred to in (b) above ? When is the construction of this railway likely to be taken up by the Railway Board ?

**Mr. C. D. M. Hindley :** (a) and (b). Yes.

(c) Orders were issued for the revision of the estimates of the line, which were out of date.

The revised estimates have just been received, and until they have been considered, it is not possible to say whether, and if so, when the construction of the line will be undertaken.

#### FINANCING OF THE PROPOSED ISHURDI-PABNA-SADHUGANJ RAILWAY.

232. **Mr. K. C. Neogy :** (a) Is it a fact that Messrs. Gillanders Arbuthnot and Co., were invited by the Railway Board by its letter No. 67-P.—17, dated the 17th November, 1921, to submit proposals for the financing of the Ishurdi-Pabna-Sadhuganj railway ?

(b) Is it a fact that Messrs. Gillanders Arbuthnot and Co., in their letter No. R.G.-1472, dated the 22nd December, 1921, proposed to the Railway Board to negotiate a concession in respect of the above-mentioned project on the basis of a rebate up to 8 p. c. ?

(c) Is it a fact that the Railway Board in its letter No. 67-P.—17, dated the 24th January 1922, informed Messrs. Gillanders Arbuthnot and Co. that " the Railway Board find themselves unable at present to consider proposals for the construction of the project in question by private enterprise " ?

(d) Is it a fact that the Railway Board further added in its letter referred to in (c) above, that " in any case the Railway Board would not have been prepared to consider the grant of a rebate up to 8 p. c. " ?

(e) Will the Government be pleased to state whether the State will be able to provide funds for the construction of this branch line ? If so, when is it proposed to take up its construction ?

**Mr. C. D. M. Hindley :** (a), (b), (c) and (d). Yes.

(e) I would refer the Honourable Member to my reply to (c) of his previous question. If the prospects of the line are found to be satisfactory, Government anticipate no difficulty in providing funds for its construction.

#### RAILWAY SIDING AT FENY RIVER GHAT.

233. **Mr. K. C. Neogy :** (a) Is it a fact that owing to the opening out of Ramgarh Sub-division in Chittagong Hill Tracts, and the opening out of three Indian tea gardens near by, and the booking of bamboos for paper pulp and cotton, etc., the outward and inward traffic of Dhoom station on the A. B. Ry. has considerably increased ?

(b) Is it a fact that in view of this increased traffic and in consideration of the station being 2½ miles distant from the Feny River Ghat near the bridge without any communications, and hand shunting of wagons being extremely inconvenient and exorbitantly expensive, the Traffic Manager

arranged to open siding at the Feny River Ghat two years back, but no action has been taken in this direction as yet ?

(c) Is it a fact that there is no special rate for tea, etc., in this part of the Assam Bengal Railway, whereas this is allowed to other parts of this Railway ? If so, why ? Is it true that no concession rates of coolies under the credit note system is allowed by the A. B. Ry. to the Indians, which is generally enjoyed by the Europeans ?

**Mr. C. D. M. Hindley :** (a) The reply is in the negative.

(b) A proposal to provide a riverside siding has been under the consideration of the Railway authorities for several years. The provision, however, has been held over as it cannot be financially justified.

(c) There are no special rates for tea from stations on this section of the Assam Bengal Railway as the lead is short. The reply to the second part of the question is in the negative.

**CONTRACT FOR PRINTING WORK FOR THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.**

234. **Sardar V. N. Mutalik :** Will Government be pleased to state :

(a) Whether it is intended to give the contract for printing work for the B., B. and C. I. Railway to only two presses, namely, the "Times of India" and the "British India Press" by private arrangement ?

(b) Is it a fact that the "Times of India" had refused to tender rates for printing when market conditions were unsettled ?

(c) Is it a fact that presses which accepted and executed the contracts before, when the market conditions were unsettled, and suffered losses both owing to fluctuating prices and retrenchment during the last two years, are now refused the contracts ?

(d) Is it a fact that no open tenders for the printing work were invited as usual and the contracts are being given without any consideration of competitive rates ?

(e) Is it a fact that some of the printing presses which have been refused the contracts have offered reduced rates for future work ?

(f) Do Government intend to ask the Railway authorities concerned to stop entering into such contracts before the Railway Board examines the question from the point of economy, equity and justice ?

**Mr. C. D. M. Hindley :** (a) to (e). Government have no information.

(f) The Railway Authorities concerned have full powers in respect of such contracts and Government see no reason to interfere.

**PROPOSAL TO RECONSTRUCT NELLORE RAILWAY STATION.**

235. **Haji S. A. K. Jeelani :** Are the Government aware of the inconveniences to the public on account of the railway station at Nellore on the Madras and Southern Mahratta Railway being too small to meet the requirements of the public ? If so, are the Government prepared to advise the Railway authorities to reconstruct it at an early date ?

**Mr. C. D. M. Hindley :** Government are not aware of the alleged inconvenience and do not propose to take the action suggested. But a copy of the question and answer will be sent to the Agent.

**CONSTRUCTION OF WAITING ROOMS AT KOVUR AND KAVALI RAILWAY STATIONS.**

**236. Haji S. A. K. Jeelani :** Are the Government aware that the two stations on the Madras and Southern Mahratta Railway, Kovur and Kavali, the headquarters of the Tahsildar and Revenue Divisional Officer, contain no waiting rooms at all ? If so, are the Government prepared to advise the Railway authorities to put up waiting rooms at an early date ?

**Mr. C. D. M. Hindley :** Government understand that the average daily number of upper class passengers at these two stations is very small, the 1st and 2nd class being less than 0.01 per train. In the circumstances Government are not prepared to suggest any action in the matter to the Madras and Southern Mahratta Railway Company.

The question of providing additional third class waiting accommodation will be considered in connection with the general programme for improving passenger facilities.

**INDISTINCT POSTMARKING OF LETTERS.**

**237. Mr. W. S. J. Willson :** (a) Is it a fact that the postmarking of letters at the office of posting is frequently so indistinct as to be useless for the information of the recipients of letters ? (b) If so, are the Government prepared to issue orders to remedy the defect ?

**Mr. H. A. Sams :** (a) The Government of India are not aware that the stamping of letters is frequently indistinct.

(b) The rules of the P. O. require postmasters to see daily, before the stamps are used, that their impressions are clear and distinct. Steps will be taken to ensure that the stamping of articles is done properly.

**EXERCISE OF THE SECRETARY OF STATE'S POWERS OF SUPERINTENDENCE, DIRECTION AND CONTROL OF THE CIVIL AND MILITARY GOVERNMENT OF INDIA, ETC.**

**238. Diwan Bahadur M. Ramachandra Rao :** (a) Will the Government be pleased to lay on the table the rules, if any, framed by the Secretary of State for India in Council under section 33 of the Government of India Act in the matter of the exercise of his powers of superintendence, direction and control of the Civil and Military Government of India vested in the Governor General in Council ?

(b) Will the Government be pleased to place on the table a statement of the cases from April 1921 to April 1924 in which the Secretary of State exercised his powers of superintendence, direction and control in relation to transferred subjects under the rules framed under sections 33 and 19-A of the Government of India Act (Secretary of State's powers transferred subjects) ?

**The Honourable Sir Alexander Muddiman :** (a) Under section 33 of the Government of India Act, the Governor General is required to pay due obedience to all such orders as he may receive from the Secretary of State. This provision of the Act apparently relates to general

or special orders issued by the Secretary of State to govern particular cases or classes of cases. Special orders could not be reduced to rules and, so far as we are aware, no general orders issued under this section have been reduced to the form of rules either.

(b) It would not be in accord with established usage to make any statement as to the cases in which differences of opinion have been manifested between the Governments in India and the Secretary of State in the discharge by the latter of his responsibilities. Government are, therefore, not prepared to place on the table a statement of the cases in which the Secretary of State has exercised his limited powers of superintendence, direction and control in relation to transferred subjects.

#### RECOMMENDATIONS OF THE INDIAN BAR COMMITTEE.

239. **Mr. Bhabendra Chandra Roy :** (a) Will the Government be pleased to state what action they propose to take on the report of the Indian Bar Committee ?

(b) Is it a fact that the recommendations of the said Committee were communicated to the Calcutta High Court and the other High Courts before the formal publication of the report ? If so, when were the recommendations so communicated ?

(c) Have the Government addressed any communication suggesting that the High Courts should frame rules under their Letters Patent, or amend existing rules so as to give effect to those recommendations of the Committee that can be carried out by such rules ? If so, has any action been taken in the matter by any High Court ?

(d) Will the Government be pleased to place on the table any communication which they may have addressed to the Calcutta High Court regarding the report of the Indian Bar Committee, and any reply that may have been received ?

**The Honourable Sir Alexander Muddiman :** (a) and (c). The Local Governments have been asked to furnish the Government of India with their views as well as the views of the High Courts, Judicial Commissioners' courts, and of legal associations on the recommendations of the Indian Bar Committee. The Government of India propose to await their replies before taking any further action in the matter. They have also asked for information as to the extent to which the High Courts are prepared to give effect at once to the proposals of the Committee which are within their competence, but this information has not yet been received.

(b) Yes, on the 19th February 1924 through Local Governments except in the case of the Calcutta High Court to whom a copy of the report was sent direct.

(d) The substance of the letter is given in the reply to parts (a) and (c) of the question, and no useful purpose will be served by laying a copy of the letter on the table. So far no reply has been received.

#### PAY OF VETERINARY ASSISTANTS OF THE ARMY REMOUNT DEPARTMENT AND OF THE ARMY VETERINARY CORPS.

240. **Sardar Kartar Singh :** (a) Is it a fact that the Veterinary Assistants of the Army Veterinary Corps start with Rs. 60 per mensem



while those of the Army Remount Department with the same qualifications start with Rs. 30 per mensem only? And is it also a fact that house rent, ration and clothing is allowed to the former only?

(b) Will the Government be pleased to state the reasons for this differential treatment between the Veterinary Assistants of the two departments which are subordinate to the same Quarter Master General?

(c) Is it a fact that the starting pay of the Veterinary Assistants of both the departments used to be the same before 1918?

(d) Will the Government be pleased to state why the claims of the Veterinary Assistants of the Army Remount Department were ignored when the starting pay of the Veterinary Assistants of the Army Veterinary Corps was increased in 1918?

(e) Is it a fact that the Punjab Civil Veterinary Department, also following the lead of the Army Veterinary Corps Department, has doubled the starting pay of its Veterinary Assistants since 1920?

(f) Is it a fact that the Veterinary Assistants of the Army Remount Department had submitted in 1921 a memorial to the Director of the Army Remount Department to grant them an increase in pay similar to the Veterinary Assistants of the other Departments?

(g) Is it a fact that the temporary allowance which was given to the Veterinary Assistants of the Army Remount Department has been stopped since 1922?

(h) What action if any has been taken on the above mentioned memorial?

(i) What steps do the Government propose to take to remove the grievances of the Veterinary Assistants of the Army Remount Department?

**Mr. H. R. Pate :** (a) The answer to both parts of the question is in the affirmative.

(b) The pay of the veterinary assistants in the Army Remount Department was revised in 1917. A further revision has been under consideration since 1922, but a final decision on the subject has been suspended on account of the lack of funds and also the imperative necessity of first giving effect to the various measures of retrenchment recommended by the Indian Retrenchment Committee and accepted by the Government of India in respect of the Remount Department.

The veterinary assistants in the Army Veterinary Corps are enrolled and attested and serve as combatants under military regulations. They are accordingly entitled to free accommodation, rations and clothing. The veterinary assistants of the Army Remount Department, on the other hand, are civilians serving under the Civil Service Regulations and are, therefore, not entitled to the concessions admissible under military regulations.

(c) The Army Veterinary Corps was not in existence before 1918.

(d) This question does not now arise.

(e) The Government of India have no information on the point, but are making inquiries of the Local Government. I will let the Honourable Member know the result.

(f) Yes.

(g) Yes.

(h) and (i). The attention of the Honourable Member is invited to the reply given to part (b) of his question. As most of the orders in regard to retrenchment have now been issued, the question of revising the pay of the veterinary assistants in question is again being proceeded with.

PROCEEDINGS OF THE IMPERIAL ECONOMIC CONFERENCE AND REPORT OF THE HONOURABLE SIR CHARLES INNES IN REGARD TO HIS DELEGATION TO THE SAME.

241. **Diwan Bahadur M. Ramachandra Rao** : (a) Will the Government be pleased to place a copy of the proceedings of the Imperial Economic Conference on the table and also a copy of the report, if any, of the Honourable Sir Charles Innes to the Government of India in regard to his delegation to the conference ?

(b) Do the Government intend placing the resolutions of the above-mentioned conference so far as they relate to India before the Central Legislature for its consideration ?

**The Honourable Sir Charles Innes** : (a) A copy of proceedings has been placed in the Library. No report was submitted by me to the Government of India.

(b) The Assembly will no doubt have an opportunity of discussing any of the proposals made by the Conference and accepted by the Government of India which involve expenditure or legislation. But the Government of India do not propose to place the other Resolutions before the Legislature.

PARTICIPATION BY RETIRED GOVERNMENT SERVANTS AND RETIRED ARMY OFFICERS IN POLITICAL PROPAGANDA OR AGITATION.

242. **Diwan Bahadur M. Ramachandra Rao** : (a) Will the Government be pleased to state whether there are any regulations prohibiting retired Government servants and retired officers of the army from taking part in political propaganda or agitation ? Will the Government lay the regulations on the table ?

(b) Will the Government be pleased to state whether the pension of any retired Sikh officers has been withheld in 1923, or in this year on the ground of their participation in political propaganda ?

(c) If so, will the Government be pleased to lay on the table a statement containing the names of these officers and the amount of pension they were drawing ?

**The Honourable Sir Alexander Muddiman** : (a) There are no such regulations, but under article 351, Civil Service Regulations and paragraph 569 of the Pay and Allowance Regulations of the Army in India, Part II, an implied condition on the grant of a pension is future good conduct. Certain forms of political agitation cannot be regarded as compatible with such good conduct.

(b) There have been four such cases.

(c) The names of the officers concerned will be supplied privately to the Honourable Member on application to the Secretary in the Army Department.

ASSESSMENT TO INCOME-TAX OF LALA SITA RAM.

243. **Lala Duni Chand** : (a) Will the Government be pleased to state if the Income-tax Officer of Sargodha has in his assessment order

of 25th January 1924, made certain remarks about the conduct and character of L. Sita Ram, formerly Executive Engineer in the Punjab, and then a State Engineer in Alwar State, and said that "with this past history he would be well expected to have amassed sufficient wealth" ?

(b) Is it a fact that with regard to the incident relied on by the Income-tax Officer, L. Sita Ram was exonerated by the Secretary of State in Council on appeal and was compensated ?

(c) Is it a fact that the said Income-tax Officer asserted that L. Sita Ram got a job on Rs. 2,500 a month while as a fact it was only Rs. 1,200 a month, that he joined Alwar, and is it also a fact that besides the deposits admitted by L. Sita Ram, he assumed an income of Rs. 3,400 from a sum of Rs. 70,000 (seventy thousand only), as having been lent by him on interest at 12 per cent., and on the basis of these and other similar assumptions assessed him ?

(d) Are the Government prepared to make an inquiry into the matter ?

**The Honourable Sir Basil Blackett :** (a), (b), (c) and (d). The Government have no information on the subject. If the gentleman referred to thinks that he has been over assessed his remedy lies in an appeal to the Assistant Commissioner as provided by law.

If he has any cause for complaint regarding the conduct of the Income-tax Officer when acting in his official capacity he should bring the matter to the notice of the Commissioner of Income-tax. I would suggest to the Honourable Member that the floor of this House is not a suitable place for discussing details of individual assessments.

#### APPOINTMENTS OF INDIANS AND EUROPEANS TO THE CANTONMENTS DEPARTMENT.

244. **Lala Duni Chand :** (a) Will the Government be pleased to state if out of forty-one Executive Officers recently appointed to the Cantonments Department under the New Cantonment Scheme, thirty-seven are Europeans and only four are Indians ?

(b) Will the Government be pleased to state the total number of European and Indian officers respectively in the Indian Army and on this basis how does the proportion of the appointment of Indian officers to the European officers work out ?

(c) Is it a fact that the above mentioned forty-one appointments were open both to officers holding the King's Commission and the Viceroy's Commission whether on effective or non-effective lists and if so, how many appointments have gone to the former and how many to the latter ?

(d) Does any of the four Indians belong to the non-effective list and if not, will the Government be pleased to state the reasons for ignoring the claims of non-effective Services ?

(e) Is it a fact that one of the conditions of appointment to the above posts was that the knowledge of English language possessed by the candidates must be of a high order and their intellectual and educational attainments should be such that they can understand and work the new Cantonment Act and if so, has the selection been made with due observance of this rule ?

(f) Is it not a fact that one of the Indian officers appointed has not passed even the Matriculation Examination ?

**Mr. H. R. Pate :** (a) Yes. The 37 British Officers were serving in the late Cantonment Magistrates' Department and have been transferred to the new Cantonments Department.

(b) The number of British Officers in the Indian Army is 3,349 ; the number of Indian Officers (including those holding Viceroy's Commissions) is 3,360. The proportion of the appointments in the new Cantonments Department held by Indian Officers to those held by British Officers is approximately 1 to 9.

(c) To the first part of the question the answer is in the negative. As stated above, of the 41 appointments 37 were filled by Officers of the late Cantonment Magistrates' Department and 4 were allotted to Indian Officers.

(d) One of the Indian officers in question is on the non-effective list.

(e) To both parts of the question the answer is in the affirmative.

(f) Yes. There is more than one such officer.

#### RECOVERY OF MONEY DUE TO GOVERNMENT BY THE ESOCIET COMPANY.

245. **Mr. A. Rangaswami Iyengar :** (a) Is there a sum of about Rs. 75,000 due to the Government by the Esociet Company, *alias* Eastern States of Central India Export, Trust, Limited, Maihar, Central India, the registered office of the Company being in Cawnpore, care of Allen Brothers (India), Limited ?

(b) What steps have been taken by the Government to recover this sum ?

(c) With what results ?

(d) What hopes are entertained for recovery of the Government dues ?

**Mr. Denys Bray :** (a) According to the calculations of the Government of India the sum due to them by the Esociet Company is Rs. 66,427-13-5.

(b), (c) and (d). The Government of India addressed the Company regarding the repayment of the amount (Rs. 66,427-13-5) due by it to the Government, and also extended the time for repayment with a view to enabling the Company to wind up its accounts in as satisfactory a manner as possible. They called for a statement of the position of the Company certified by a firm of chartered accountants, and, after careful consideration of all the facts bearing on the case, have waived the recovery of the debt due to them, less such balance as may remain after all liabilities of the Company, other than those pertaining to the Government of India, have been met. It is understood that there is not likely to be any such balance.

#### 'AFFAIRS OF THE ESOCIET COMPANY, ETC.

246. **Mr. A. Rangaswami Iyengar :** (a) Will the Government be pleased to place on the table for the information of the Assembly the correspondence that passed in July, 1922, between Mr. E. H. Kealy, M.A., I.C.S., Political Agent in Baghalband (Chairman of the Esociet-Company) and the Secretary to the Hon'ble the Agent to the Governor General in Central India ?

(b) Will the Government state who was the Agent to the Governor General in Central India, at the time, and whether he acted in this matter under instructions given to him by the Government of India or on his own initiative ?

(c) Whether any and if so, what special inducements were offered in the year 1916, during the war, and, if so, on whose recommendation they were made to an Austrian or German gentleman called Freymouth, who was employed in Umaria in the Rewa State and then at Maihar in the Esociet Company ?

(d) Whether the Government of India are aware of the great loss going into many lakhs to the shareholders of the Esociet Company excluding the Government debt ?

**Mr. Denys Bray :** (a) The Government of India do not propose to place a copy of the correspondence on the table.

(b) The Agent to the Governor General in Central India at the time was Mr. (now Sir Oswald) Bosanquet. The Government of India approved the proposals made by him in the matter of the formation of the Esociet.

(c) The Government of India have no information.

(d) The Government of India are aware of the losses which have been sustained. The total amount appears to be about four lakhs exclusive of the debt referred to.

#### ARRESTS IN CONNECTION WITH THE KHILAFAT PROCESSION AT PESHAWAR ON THE 16TH NOVEMBER, 1923.

**247. Mr. S. Sadiq Hasan :** (1) Are the Government aware that Haji Abdul Rahim, Vice President and Maulvi Ali Gul Khan, Secretary of the Khilafat Committee, Peshawar, were arrested on the Jaziratul Arab Day (16th November 1923) and on the same day convicted by the City Magistrate for having organised the Khilafat procession without previous permission having been obtained ?

(2) Is it a fact that no written order prohibiting the procession was served on anyone concerned and no restrictions were laid on any Khilafat procession before ?

**The Honourable Sir Alexander Muddiman :** (1) These persons were arrested and convicted as described on 24th November 1923.

(2) No written order was issued, but direct verbal orders were given by the Assistant Superintendent of the Police to these two persons under section 30 (2) of the Police Act requiring them not to take out the procession without first obtaining a licence. The Government of India are not in a position to say whether such restrictions were placed on similar processions before.

#### MINIMUM AND MAXIMUM SALARIES OF CERTAIN CLASSES OF POSTAL EMPLOYEES.

**248. Mr. S. Sadiq Hasan :** (1) Will the Government be pleased to state the minimum and maximum salaries drawn by the following postal employes in the year 1913 and now ?

(a) Inspectors of Post Offices.

(b) Sub-Postmasters.

(c) Branch Postmasters.

(d) Overseers.

(e) Postmen.

(2) Is it a fact that while the pay of all these officials has been doubled the Branch Postmasters have not obtained corresponding increment ?

(3) Is it a fact that the maximum salaries of Overseers are higher than that of Branch Postmasters ?

(4) If the answers to (2) and (3) are in the affirmative, do the Government propose to consider this grievance of the Branch Postmasters ?

**Mr. H. A. Sams :** (1) A statement containing the information asked for by the Honourable Member is placed on the table.

(2) No.

(3) No, except in Burma and with respect to the scale of Rs. 32—40 which in course of time will cease to exist.

(4) Does not arise. The question, however, whether the scale of pay for Branch Postmasters in Burma should be raised or, in the alternative, whether the scale for Overseers in that Province should be lowered will receive consideration.

*Statement.*

	1913.		PRESENT TIME.	
	Minimum.	Maximum.	Minimum.	Maximum.
	Rs.	Rs.	Rs.	Rs.
Inspectors of Post Offices ..	60	*150	100	175
Sub-postmasters .. ..	20	300	40	350
Branch postmasters ..	†10	†30 India excluding Baluchistan Baluchistan Burma	24 <sup>‡</sup> 25 25	32 40 35
Overseers .. ..	15	‡50 India  Burma	22 32 <sup>‡</sup> 35	30 40 45
Postmen .. ..	8	30	16	45

\* It was only in Burma that Inspectors drew a higher pay than Rs. 100.

† 5 per cent. of the total staff drew less than Rs. 15, while 6·8 per cent. were on a pay exceeding Rs. 20 and the large majority of these were employed in Burma.

‡ There was only 1 appointment on this rate of pay and 7 on Rs. 40, and out of a total staff of 1,028 men only 11·7 per cent. drew more than Rs. 20.

§ This scale will gradually disappear.

ACTION TAKEN ON NON-OFFICIAL RESOLUTIONS PASSED BY THE ASSEMBLY DURING LAST SESSION.

249. **Mr. S. Sadiq Hasan :** Will the Government be pleased to lay on the table of the Assembly a statement showing (a) non-official Resolutions passed by the Assembly in the last session (b) and the action that the Governor General in Council has taken thereon ?

**Sir Henry Moncrieff Smith** ; The statement asked for by the Honourable Member is laid on the table.

*Statement showing non-official Resolutions adopted by the Legislative Assembly during the Delhi Session, 1924, and action taken by Government thereon.*

Serial No.	Date on which moved.	By whom.	Subject of Resolution.	Department concerned.	Action taken by Government.
1	5th February 1924.	Mr. B. Venkatapatiraju	Amalgamation of the Indian Territorial Forces with the Auxiliary Force.	Army Department.	A Committee has been appointed, and will assemble shortly.
2	7th February 1924.	Mr. K. C. Neogy ..	Countervailing duty on South African Coal.	Commerce Department.	The Government have as yet taken no action on this Resolution.
3	5th, 8th, 13th and 18th February, 1924.	Diwan Bahadur T. Rangachariar.	Full Self-Governing Dominion Status for India.	Home Department.	A copy of the Resolution adopted by the Assembly together with the debates thereon was communicated to the Secretary of State on the 6th March 1924. The subsequent action taken in conformity with the undertaking of the Hon'ble Sir Malcolm Hailey given in the discussion of the Resolution has been announced in communiqués which have been issued.
4	12th February 1924.	Mr. K. Ahmed ..	Answering of all questions in the Assembly regarding subjects over which Government of India have power of superintendence and control.	Home Department.	The question is under consideration.
5	12th February 1924.	Hajj Wajihuddin ..	Measures for the convenience of Indian passengers.	Railway Department.	A copy of the discussion on the subject in the Assembly was forwarded to all Railway Administrations for consideration.
6	14th February 1924.	Diwan Bahadur M. Ramachandra Rao.	Assembly's approval in regard to certain contracts.	Department of Industries and Labour.	The Government of India have decided that they cannot be bound by the Resolution but that should they consider it in the public interest to do so, they may at their discretion consult an appropriate committee of the Legislature before entering into a contract of the nature contemplated.

*Statement showing non-official Resolutions adopted by the Legislative Assembly during the Delhi Session, 1924, and action taken by Government thereon—contd.*

Serial No.	Date on which moved.	By whom.	Subject of Resolution.	Department concerned.	Action taken by Government.
7	14th February 1924.	Mr. M. A. Jinnah ..	Purchase of stores	Department of Industries and Labour.	The matter is under consideration.
8	14th February 1924.	Maulvi Mohammad Yakub.	Greetings to the Labour Party.	Home Department.	A copy of the Resolution adopted by the Assembly together with the debates thereon was duly communicated to the Secretary of State.
9	19th February 1924.	Mr. V. J. Patel ..	Removal of restrictions in the way of Mr. B. G. Horniman to return to India.	Home Department.	The Government of India have not been able to accept the recommendations contained in the Resolution. No action has accordingly been taken other than to report the result of the debate to the Secretary of State.
10	26th February 1924.	Sardar Gulab Singh ..	Appointment of a Committee to inquire into the grievances of the Sikh community.	Ditto ..	Ditto.
11	26th February 1924.	Sardar Kartar Singh ..	Release of Sardar Kharak Singh.	Ditto ..	In accordance with the undertaking given by the Hon'ble the Home Member during the debate, the Punjab Government were consulted and it has been decided that there are no grounds for interference at present.
12	26th February 1924.	Mr. S. Sadiq Hasan ..	Release of Maulana Hasrat Mohani.	Ditto ..	The Governor General in Council has not accepted the recommendations made in the Resolution and no action has accordingly been taken thereon.
13	20th March 1924.	Mr. Amar Nath Dutt	Repeal of Bengal Regulation III of 1818.	Ditto ..	For the reasons stated in the course of the debate, the Government of India have been unable to accept the Resolution and no action has been taken other than to communicate a report on the debate to the Secretary of State.



**CASE OF AKBAR ALI, TIME-KEEPER, KOUR STATION ON THE KALABAGH RAILWAY.**

250. **Mr. S. Sadiq Hasan :** (1) Are the Government aware that one Akbar Ali, a time-keeper, who had worked for 6½ years in Rawalpindi Division to the entire satisfaction of his superiors and who had supplied 110 recruits during the Great War was posted at Kour Station on the Kalabagh Railway without any quarters being provided for him ?

(2) Do the Government know that under such circumstances the said Akbar Ali asked for 3 months' privilege leave (which was due to him) or leave without pay or if that could not be done he offered to resign his place, but afterwards when a lodging was provided for him he withdrew his resignation ?

(3) Is it a fact that in spite of his withdrawal of his resignation tendered in such circumstances his resignation was accepted and no heed was paid to his withdrawal of his resignation ?

(4) Are the Government prepared to inquire into the matter ?

**Mr. C. D. M. Hindley :** This is a matter with which the local railway authorities are competent to deal. In the circumstances the Government are not prepared to interfere.

**TRAFFIC INSPECTORS ON THE NORTH-WESTERN RAILWAY.**

251. **Mr. S. Sadiq Hasan :** (1) How many posts of Traffic Inspectors are there on the North-Western Railway ? Out of these how many are there of Senior Grade and how many of Junior Grade ?

(2) How many Indians are there in the Junior Grade and Senior Grade of Traffic Inspectors ?

(3) How is seniority determined among the Traffic Inspectors ? If it is based on length of service and efficiency, is it not a fact that this principle was overlooked in the case of the only Indian Traffic Inspector on the Railway ?

(4) How many Traffic Inspectors were promoted to the post of Assistant Traffic Superintendents during the last 5 years ? How many of them were Europeans and what was the number of Indians so promoted ? Is there any Indian Traffic Inspector at present officiating as Assistant Traffic Superintendent ? If not, why ? How many European Traffic Inspectors are still officiating as Assistant Traffic Superintendents ?

(5) Is it a fact that there is no Indian working as a Controller ?

(6) Is it a fact that no Indian is appointed direct as C Class Guard while Europeans and Anglo-Indians are ? What are the special qualifications of Europeans and Anglo-Indians so appointed ?

**Mr. C. D. M. Hindley :** (1) Thirty-nine posts of Traffic Inspectors are provided for in the North-Western Railway Budget. The numbers of appointments are 2 special grade, 17 Senior and 20 Junior.

(2) There are three Indians in the Junior grade.

(3) The best qualified and most promising men are selected and promoted by the Railway authorities.

(4) From 1st January 1919, the following Traffic Inspectors have been promoted to the grade of Assistant Traffic Superintendents :

- (a) North-Western Railway .. 5 Statutory Indians  
 (b) Eastern Bengal Railway .. 2 Statutory Indians and one Indian.  
 (c) Oudh and Rohilkhand Railway 2 Statutory Indians.

At present there are seven Traffic Inspectors officiating as Assistant Traffic Superintendents on each of the North-Western and Eastern Bengal Railways and two on the Oudh and Rohilkhand Railway. All of them are statutory Indians.

(5) Yes.

(6) Practically all the posts in C Class guards are filled by selection from B Class and in any case selection depends on qualifications and not on race.

#### SALE OF NATIONALIST NEWSPAPERS AT RAILWAY STATIONS ON THE NORTH-WESTERN RAILWAY.

252. **Lala Duni Chand** : (a) Will the Government be pleased to state if it is a fact that on the North-Western Railway stations only pro-Government newspapers are allowed to be sold, and that the sale of Nationalist papers is prohibited ?

(b) If the reply to the above question be in the affirmative either wholly or partly, do the Government propose to take steps to remove this state of affairs ?

(c) Is it a fact that the sale of *Bandematarm*, a vernacular Nationalist daily of Lahore, on North-Western Railway stations is particularly prohibited ?

(d) If the reply to the above question be in the affirmative will the Government be pleased to state reasons for this prohibition and if the reply be in the negative, are the Government prepared to issue instructions to the authorities of the North-Western Railway to the effect that the sale of the said paper is allowed on all North-Western Railway stations ?

**Mr. C. D. M. Hindley** : (a) and (c). No such orders have been issued.

(b) Does not arise.

(d) The first part of this question does not arise. With regard to the second part, Government understand that the sale of all newspapers and periodicals is in the hands of contractors, who are not in any way restricted as to the literature they may offer for sale, and it is in the interests of the contractors themselves to stock papers that find a ready sale. In the circumstances no action on the part of Government is considered necessary.

#### DIFFERENCE IN TERMS OF SERVICE OF EMPLOYEES OF THE MADRAS SURVEY DEPARTMENT AND II CLASS OFFICERS OF THE SURVEY OF INDIA.

253. **Maulvi Muhammad Yakub** : (a) Is it a fact that there is a difference between the terms of service and advantages received by the employes of the Madras Survey Department and the II Class Officers of the Survey of India ?

(b) Is it a fact that the work done by both the Departments is practically the same ?

Mr. J. W. Bhore : (a) Yes.

(b) No. The system of survey in the Madras Presidency is more elaborate and detailed.

**RESPONSIBILITY OF GOVERNMENT SERVANTS FOR THE POLITICAL OPINIONS OR ACTIONS OF THEIR RELATIVES OR MEMBERS OF THEIR FAMILIES.**

254. Mr. A. Rangaswami Iyengar : (a) Has the attention of the Government of India been drawn to the case of dismissal of Mr. N. Subba Rao by the Postmaster General, Madras and the circumstances connected therewith, as set out in the *Swarajya* of 17th April last ?

(b) Have the Government of India laid down any instructions in the Public Servants' Conduct Rules or other orders defining the extent of responsibility of Government servants in regard to the political opinions or actions of the relations or members of families of Government servants ?

(c) Are the Government prepared to state to this House after a re-examination of the papers connected with this case their declared policy in this matter ?

The Honourable Sir Bhupendra Nath Mitra : (a) Yes.

(b) and (c). The policy of Government is expressed in the Government Servants Conduct Rules, from which the Honourable Member can make his own deduction.

**RULES re THE POWER OF MAKING APPOINTMENTS TO, AND PROMOTIONS IN, OFFICES UNDER THE CROWN IN INDIA.**

255. Mr. A. Rangaswami Iyengar : Will the Government be pleased to state :

(a) Whether the Secretary of State in Council or his predecessors the Board of Control and the Court of Directors had made any Rules under section 95 of the Government of India Act, 1915, or under section 78 of the Government of India Act of 1833 and sections 30 and 37 of the Government of India Act of 1858, for distributing between the several authorities in India the power of making appointments to, and promotions in, offices under the Crown in India ?

(b) Whether apart from such Rules there existed any regulations, directions, usage or custom under which appointments to and promotions in offices were made by the Government of India and by Local Governments under the superintendence, direction and control of the former ?

(c) Whether any such regulations or directions are treated by the Government of India as being in force with the Government of India and the Provincial Governments in respect of appointments and promotions made subsequent to 1919 ?

(d) Whether there are any provisions in the Despatches of the Court of Directors in 1847 laying down that it rests with the Governor General or the Governor as the case may be to select and nominate the individual whom he may consider best qualified and to have the best claims to supply

vacancies in office and that the concurrence of the Members of the Executive Council ought not to be withheld unless specific objections to the persons selected are of material importance on the ground of unfitness for the particular office ?

(e) Whether the provisions in those Despatches are treated by the Government of India as being in force ?

**The Honourable Sir Alexander Muddiman :** (a) Government are not aware of the existence of any regulations expressly made either under section 78 of the Government of India Act of 1833 by the Court of Directors, or under sections 30 or 37 of the Government of India Act of 1858 by the Secretary of State in Council or of any rules relating to officers in the Civil Service of the Crown in India similarly made by the Secretary of State in Council under section 95 of the Government of India Act, 1915.

(b) There were numerous regulations, directions, etc., relating to powers to make appointments and promotions in offices under the Crown in India in force in relation to the various Services.

(c) Pending the making of any rules regarding methods of recruitment under section 96-B, sub-section (2), of the Government of India Act, such rules would remain in force under the provisions of sub-section (4) of the same section.

(d) and (e). The point raised in these parts of the question is under the consideration of the Government of India. They have only recently seen extracts from despatches of the Court of Directors issued in 1846 and 1847 which appear to have some connection with this question. They have called for the complete papers from the Record Room in Calcutta, but at present they are unable to say whether the orders in those despatches should be regarded as being still in force.

#### COMPENSATION TO MILITARY MEDICAL PUPILS REFUSED ENLISTMENT IN THE INDIAN MEDICAL DEPARTMENT, ETC.

256. **Lieut.-Colonel H. A. J. Gidney :** (a) Has the Government's attention been drawn to a notification which appeared in the "Statesman" of 7th May inviting applications for the Assistant Surgeon Branch of the I. M. Department ? If so, will the Government be pleased to state (i) what have been the final orders of the Army Department regarding compensating the passed Military Medical pupils, who, having passed the necessary examinations, were, early this year, refused enlistment into the I. M. D. and are now still unemployed ? (ii) What do Government intend doing to alleviate the condition of these unfortunate medical men ?

(b) Before enlisting any more students into the Medical Colleges for employment in the I. M. D., do Government propose to assure all intending candidates of the stability of their future and enlistment into the I. M. D., and that at the end of their course they will not be discarded on the plea of economy or retrenchment ?

(c) Will Government be pleased to state how many I. M. D. men have been retired on the A. G.'s Circular letter No. Z-18-1-D.M.S. I.A., dated 17th January 1924 ?

**Mr. H. R. Pate :** (a) Government are aware that such a notification has appeared in the press.

(i) and (ii). Government have now decided that those military medical pupils who passed out of Colleges and were refused admittance to the assistant surgeon branch of the Indian Medical Department, shall be admitted to this service forthwith.

(b) No such assurance or guarantee has been given in the past and Government see no special reason for doing so now.

(c) So far, no members of the Indian Medical Department have been retired under the terms of the circular referred to by the Honourable Member.

**CASE OF MR. GIRDHARI LAL, SUB-RECORD CLERK, RAILWAY MAIL SERVICE.**

257. **Mr. S. Sadiq Hasan :** (a) Will the Government be pleased to state whether (i) Mr. Girdhari Lal, Sub-Record Clerk, Railway Mail Service, Jullundur City, who made over charge of Sub-Record Office, Jullundur City, on 15th September 1920, under a clear charge report was subsequently placed under suspension on 27th December 1921, and challenged by the Police, on 11th April 1922 under section 409 of the I. P. C., i.e., after more than 18 months, (ii) he was kept in Havalat for 13 days, (iii) he was found innocent by the Court and discharged under section 253 of the Cr. P. Code, on 18th November 1922 by the trying Magistrate without even framing any charge against him and was subsequently reinstated on 13th January 1923 ?

(b) If the reply to the above questions is in the affirmative was any suspension allowance paid to him, as required by Rule 53 of the Fundamental Rules, if not, for what reasons ?

(c) Is it a fact that the said Mr. Girdhari Lal after being discharged by the Court, the department in contravention of the judicial findings still held him guilty of misappropriation and ordered him to make good the sum of Rupees 30-9-2, if so, why ? and under what law ? Why was not the same ground proved in the Court to secure his conviction ? What are the circumstances under which his pay from 27th December 1921 to 12th January 1923, is being forfeited ?

(d) If he was reinstated, will the Government be pleased to state the reasons why the officer ordering his reinstatement did not settle the question of his pay, for the suspension period, as laid down in Rule 54 of the Fundamental Rules, although he had recommended full pay to the Director General, Posts and Telegraphs, who finally decided on 24th March 1924, i.e., after more than 1½ year, that no allowance can be given to him ?

**The Honourable Sir Bhupendra Nath Mitra :** The case has not come up on appeal before the Government of India, who are unaware of the facts. They understand, however, that the question of granting subsistence allowance to Mr. Girdhari Lal is under the Director-General's consideration.

**INDIANISATION OF THE MILITARY ENGINEERING SERVICES.**

258. **Mr. S. Sadiq Hasan :** Will Government be pleased to state what steps they have taken to Indianise the Military Engineering Services, since the inauguration of Reforms ?

**Mr. H. R. Pate :** With the exception of commissioned officers, certain sub-divisional officers, and the personnel of the Barrack Department, the Military Engineer Services are manned by Indians.

**STRENGTH OF GARRISON ENGINEERS AND SUB-DIVISIONAL OFFICERS,  
(MILITARY AND CIVIL).**

259. **Mr. S. Sadiq Hasan :** Will Government be pleased to lay on the table a statement showing the strength of sanctioned cadres for—

- (i) Garrison Engineers,
- (ii) Sub-divisional officers (Military and Civil).

Giving the number of posts held by Europeans and Indians in each cadre, respectively, together with rates of pays drawn ?

**Mr. H. R. Pate :** (i) The question of fixing the post-war cadre of Garrison Engineers is still under consideration. The number at present is 129, all of whom are British. The rates of pay range from 700 to Rs. 1,100 per mensem.

(ii) The sanctioned cadre of sub-divisional officers is 239, but this has since been reduced to 192, of which 69 may be civilians. The distribution of posts is as follows :

*British—*

Military	..	158.
Civilian	..	40.

*Indian—*

Military	..	Nil.
Civilian	..	35.

The pay drawn by sub-divisional officers averages Rs. 440 per mensem for a military man and Rs. 300 per mensem for a civilian, whether European or Indian.

**APPOINTMENT OF INDIANS AS SUB-DIVISIONAL OFFICERS IN CANTONMENTS  
OCCUPIED BY INDIAN TROOPS.**

260. **Mr. S. Sadiq Hasan :** (a) Will Government be pleased to state the reasons for not giving effect to Circular No. 2-F. of 1923, in so far as it is applicable to Civil S. D. Os., i.e., to increase their number up to 74 ?

(b) Is it correct that Government have since changed their attitude and wish to man the cadre almost entirely with British N. C. Os. who are being trained in Thomason College, Roorkee ?

(c) If so, will Government be pleased to explain the reasons for this change of views ?

(d) Does the Circular referred to above accept the view that it is economical to have Indian S. D. Os. in Cantonments where Indian troops are stationed as they get about half what Military (British) S. D. Os. are paid ?

(e) Do Government propose to consider the advisability of filling the vacancies in the cadre by qualified and deserving Indians, already serving in the Department, with due regard to communal rights ?

**Mr. H. E. Pate :** (a) The circular in question was not issued under the orders of Government. It was issued by the Quartermaster General in India with a view to enabling him to submit certain proposals on the subject to Government.

(b) No.

(c) This question does not arise.

(d) The circular contains the following statement —“ Wherever British troops are concerned, military sub-divisional officers have been given ; but in other cases, civilians, as being cheaper, should be employed.” The sub-divisional officers in charge of lines occupied by Indian troops are usually Indians.

(e) There has been no change of policy and consequently there is no ground for an alteration in the existing method of recruitment.

#### RETRENCHMENTS IN THE MILITARY ENGINEERING SERVICE.

261. **Mr. S. Sadiq Hasan :** (a) Will Government be pleased to lay on the table a statement showing the retrenchment effected in the establishment of the Military Engineering Service under the following heads :

- (i) Officers,
- (ii) Subordinates (British and Indian),
- (iii) Clerks ?

(b) Is it correct that the brunt of retrenchment in the M. E. S. establishment has fallen upon Indians ?

(c) Do the Government contemplate further retrenchment in the establishment, if so, under which head ?

**Mr. H. E. Pate :** (a) A statement is laid on the table.

(b) No. The reduction amounts approximately to 14 per cent. of the British, and 17 per cent. of the Indian, establishment.

(c) Further retrenchment is now being considered under all heads.

#### Statement showing retrenchment effected in the M. E. S.

	1922.	1924.
(i) Officers .. .. .	238	206
(ii) Subordinates (British) .. .. .	252	216
(ii) Subordinates (Indian) .. .. .	333	349
(iii) Clerks .. .. .	1518	1228

#### LORD OLIVIER'S SPEECH IN THE HOUSE OF LORDS.

262. **Mr. A. Rangaswami Iyengar :** (a) Will the Government of India be pleased to state whether any consultations have taken place in pursuance of the statement made by Lord Olivier in the House of Lords on 26th February last in the following passage :

“ His Majesty's Government, while they are open to consider any practical proposals, are not yet satisfied as to what may be the best means for establishing that closer contact and better understanding that is so manifestly desirable. Some means of arriving at that closer contact must, they are convinced, be sought, and they hope after due consultation with the Government of India to be able with the least avoidable delay to decide upon the means they will desire to adopt.”

(b) If so, have any and if so what steps been taken to give effect to the intentions of the Secretary of State?

(c) If no steps have been taken, when are such steps proposed to be taken?

The Honourable Sir Alexander Muddiman : (a), (b) and (c). The Honourable Member is referred to the Communiqués issued on the 16th and 23rd May copies of which are annexed.

#### PRESS COMMUNIQUE.

The Governor General in Council, with the approval of the Secretary of State in Council, has decided to appoint a Committee consisting of official and representative non-official members—

- (1) to inquire into the difficulties arising from, or defects inherent in, the working of the Government of India Act and the Rules thereunder; and
- (2) to investigate the feasibility and desirability of securing remedies for such difficulties or defects, consistent with the structure, policy and purpose of the Act,

(a) by action taken under the Act and the Rules, or

(b) by such amendments of the Act as appear necessary to rectify any administrative imperfections.

2. The personnel of the Committee and the date and place of sitting will be announced later. Invitations are about to be issued to certain prominent non-officials.

3. A memorandum summarising the legal and constitutional possibilities of securing remedies for difficulties arising from or defects inherent in the working of the Government of India Act and the Rules thereunder by action taken under the Act and Rules is being prepared and will be communicated to the Committee for its guidance. This memorandum will be based on the report submitted by the Committee appointed by His Excellency the Viceroy, the personnel of which has already been announced and which has been occupied for some time in examining the constitutional position.

4. As already announced Local Governments have been addressed on the subject and any proposals received from Local Governments will be referred to the Committee for examination.

5. The Committee will be empowered to receive written representations and if necessary to hear oral explanations upon them. It will report to the Governor General in Council.

Home Department,  
Simla, the 23rd May, 1924.

#### INVESTIGATION INTO THE WORKING OF THE REFORMS.

263. Mr. A. Rangaswami Iyengar : Will the Government be pleased to state :

(a) Whether it is the intention of the Government of India that the official investigation into the working of the Reforms should precede not only "any general inquiry into the policy and scheme of the Act or general advance within the Act itself," as stated by the Home Member in the Assembly on the 8th February last, but also the taking of the steps announced by Lord Olivier for establishing "that closer contact and better understanding," etc.?

(b) If so, when they expect this investigation to be completed and when they expect the latter process to begin?

(c) Whether it is a fact that the Government of India intend not only the Special Committee appointed in this behalf but also



the investigation to be made by it and by the Local Governments, to be purely official? If not, do they propose to constitute a mixed Committee?

**The Honourable Sir Alexander Muddiman:** The Honourable Member is referred to the reply given to his Question No. 262.

**QUALIFICATIONS OF INSPECTORS OF THE RAILWAY MAIL SERVICE.**

264. **Mr. A. Rangaswami Iyengar:** Will the Government be pleased to state:

(a) Whether the following are the qualifications required for Inspectors of Railway Mail Service:

“The chief qualification required of an Inspector, Railway Mail Service, is that he should be a man of active habits and physically able to stand the strain of constant railway travelling by night as well as by day; that he must be a good sorter himself, must be acquainted with the positions of the Mail offices, the beats of the sections and the nature and extent of the work done by each office and sections in the Division; also with different train services and the mail routes off the line of railway in the division. Above all he must possess a thorough knowledge of the sorting arrangements and of the rules in the Post Office Manual relating to the work of sorters. He must also be able to conduct efficiently investigations that are entrusted to him.”

(b) Whether it is a fact that a qualifying examination has been instituted in some R. M. S. Circles under the orders of the Director-General, for which selections have been made both inside and outside the body of those who are Sorters possessing the primary qualifications?

(c) Whether having regard to the special training and experience of the R. M. S. Sorters, the Government propose to take steps to see that their claims in the Inspectorate under the Rules are not superseded by the requirements of the new examination test?

! **Mr. H. A. Sams:** (a) Yes.

(b) A qualifying examination has been instituted, but the examination is confined to sorters and ordinarily to those who have passed the efficiency bar.

(c) The new arrangement in no way affects the rules regarding the qualifications required for Inspectors.

**EXPENDITURE ON THE LEE COMMISSION.**

265. **Seth Govind Das:** Will Government be pleased to state the total expenditure hitherto incurred over the Lee Commission?

**The Honourable Sir Alexander Muddiman:** The estimated cost of the total expenditure on the Royal Commission including the cost of printing is, as stated by the Commission in their Report, Rs. 4,70,000.

**POWERS OF LOCAL GOVERNMENTS TO PURCHASE LOCALLY MANUFACTURED STATIONERY AND STORES.**

266. **Seth Govind Das:** (a) Will Government be pleased to state if the Local Governments have got no option to give preference to local

manufacturers in the matter of purchasing stationery and stores required for their departments ?

(b) If the answer to the above be in the affirmative will Government be pleased to state, after inquiry if necessary :

- (1) If the Ink-Factory at Khandwa approached the Local Government for patronage, and
- (2) If the Factory was asked to submit samples to the Government Chemical analyser for opinion.
- (3) If the samples submitted were approved of and certified to be good by the Chemical analyser.
- (4) If despite this fact the Local Government referred the Factory to the Central Stationery Department.
- (5) And if ultimately the offer of the Factory to supply ink to the Government Departments was not accepted because the Central Stationery Department did not choose to patronise the local factory on the ground that the supply was being received from England ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) Local Governments have full powers to purchase locally manufactured stationery and stores in any manner they please.

(b) The matter is one entirely within the discretion of the Local Government, and the Government of India have no information on the subject, nor do they propose to inquire.

#### EARNINGS FROM ADVERTISEMENT ON TELEGRAPH FORMS AND ENVELOPES.

267. **Seth Govind Das :** Will Government be pleased to state the total earning up to the close of the last financial year from the advertisements on telegraph forms and envelopes since the first appearance of these advertisements ?

**Mr. H. A. Sams :** Rs. 13,395.

#### RESTAURANT CARS FOR HINDUS ON MAIL AND EXPRESS TRAINS.

268. **Seth Govind Das :** Will Government be pleased to state if the Railway authorities have ever considered the necessity and desirability of attaching a restaurant car for Hindus to the Mail and Express trains ?

**Mr. C. D. M. Hindley :** The Honourable Member is referred to the answer given in this Assembly to Question No. 161 asked by Mr. Bhubanananda Das on 21st February 1924. The information which was furnished to Mr. Bhubanananda Das, as promised in the reply given to his question, is being sent to the Honourable Member separately.

#### INDIAN DISTRICT ENGINEERS, ASSISTANT ENGINEERS AND DISTRICT TRAFFIC SUPERINTENDENTS ON INDIAN RAILWAYS.

269. **Seth Govind Das :** Will Government be pleased to state the number of Indian gentlemen holding posts of :

- (a) District Engineers

(b) Assistant Engineers.

(c) District and Traffic Superintendents on the Indian Railways ?

**Mr. C. D. M. Hindley** : The Honourable Member is referred to the Railway Board Classified List of State Railway Establishment and Distribution Return of Establishment of all railways a copy of which is available in the Members' Library.

#### EXPENDITURE ON THE BRITISH EMPIRE EXHIBITION.

270. **Seth Govind Das** : Will Government be pleased to state the total expenditure hitherto incurred by the Government of India on account of the British Empire Exhibition ?

**The Honourable Sir Charles Innes** : The attention of the Honourable Member is invited to my answer to Question No. 85 on 4th February 1924—Legislative Assembly Debates—Volume IV, No. 4, to which I have nothing to add.

#### INDEBTEDNESS OF INDIAN AGRICULTURIST.

271. **Seth Govind Das** : Will Government be pleased to state if and when was any inquiry made as to the indebtedness of agriculturists in India ?

(a) When was the last inquiry made and with what result ?

(b) Was there any committee appointed under the presidentship of Mr. Maclagan ? Was the report of this committee published ? If not, will Government be pleased to place the same on the table ?

**Mr. J. W. Bhore** : (a) No formal inquiry by a Committee or otherwise has ever been made into the question of agricultural indebtedness in India. Sir Edward Maclagan wrote an exhaustive note on the subject in 1911 which, I am sorry to say, is out of print, but I will be glad to send the Honourable Member a copy of it for his perusal, if desired.

(b) Sir Edward Maclagan was the President of the Committee on Co-operation in India, whose report was published in 1915.

#### PROVISION OF FACILITIES FOR TECHNOLOGICAL STUDIES IN INDIA.

272. **Seth Govind Das** : Will Government be pleased to state what facilities have been provided in this country for technological studies from an industrial point of view beyond granting stipends to students going out to foreign countries for such studies ?

**The Honourable Sir Bhupendra Nath Mitra** : The Honourable Member is reminded that technical education is now mainly a provincial transferred subject and the development of technical education and provision of facilities for such education are primarily the functions of the Local Governments. The Government of India are unable to give details of the facilities for technological training in the Provinces. The Central Government provides facilities for technical training in the State Railway and Telegraph Workshops, the Ordnance Factories, the Forest Research Institute at Dehra Dun, the Agricultural Research Institute and College at Pusa, the Imperial Institute of Animal Husbandry

and Dairying at Bangalore and the Imperial Bacteriological Laboratory at Muktesar. A scheme for the establishment of a high grade School of Mining and Geology at Dhanbad has been started.

#### INDIAN TECHNOLOGICAL STUDENTS ABROAD.

273. **Seth Govind Das** : Will Government be pleased to state the number of students sent out during the last three years for technological studies to foreign countries and the subjects they have taken up, and the places where they studied and are studying ? What facilities they have for practical training ? How many of them have by this time returned and how are they now employed ?

**The Honourable Sir Bhupendra Nath Mitra** : A statement giving particulars regarding students sent by the Central Government during the last three years is laid on the table. Details regarding scholars sent by the Provincial Governments in recent years are not available, as the State Technical Scholarships were provincialized with effect from 1918. Certain information regarding these scholarships awarded during the year 1923-24 was, however, recently collected by the Government of India and is contained in the statement laid on the table.

*State Technical Scholarships awarded by the Central Government during the years 1921-22 and 1923-24.*

Year.	No. of students sent.	Subject of study.	Places where studied or are studying.	Facilities available for practical training.	How many have returned to India and how they are employed.
1921-22 ..	5	Veterinary	Royal Veterinary College, London.	Not known ..	Not yet returned.
1923-24 ..	1	Mining ..	Royal School of Mines, London.	Facilities for practical training arranged for by the High Commissioner for India.	Do.
Do. ..	1	Geological Surveying.	Royal College of Science, London.	Do. ..	Do.
Do. ..	1	Metallurgy	Royal School of Mines, London.	Do. ..	Do.

Statement showing the number of State Technical Scholarships tenable abroad, which were awarded during the year 1923-24.

Awarded by	Subjects of study.	Number.	Total.
Govt. of India ..	Mining .. .. .	1	}
	Geological surveying .. .. .	1	
	Metallurgy .. .. .	1	
Govt. of Madras ..	Ceramics .. .. .	1	}
	Manufacture of paints and varnishes ..	1	
	Textile chemistry with particular reference to bleaching, dyeing and finishing of silk and cotton fabrics.	1	
Govt. of Bombay ..	Chemical manufacture (pharmaceutical) ..	1	}
	Textile industry (spinning) .. .. .	1	
Govt. of Bengal ..	Silk weaving, reeling and dyeing ..	1	}
	Manufacture and refining of vegetable and fish oils.	1	
Govt. of the U. P. ..	Textile dyeing, printing and bleaching ..	1	1
Govt. of the Punjab	....	Nil.	Nil.
Govt. of B. & O. ..	Chemistry of oils and fats .. .. .	1	}
	Steel casting .. .. .	1	
Govt. of Burma ..	Agricultural chemistry .. .. .	1	}
	Oil mining .. .. .	1	
Govt. of the C. P. ..	Coal mining .. .. .	1	1
Govt. of Assam ..	.....	Nil.	Nil.
	TOTAL	..	16

#### GRIEVANCES OF SECOND CLASS RAILWAY PASSENGERS.

274. **Seth Govind Das** : Will Government be pleased to state ?

(a) If it has been brought to the notice of the Railway authorities that second class passengers are generally put to inconvenience for want of accommodation in second class compartments by reason of railway employees travelling with free passes occupying a good deal of space in the compartments ?

(b) If the answer to (a) be in the affirmative will Government be pleased to state if the Railway authorities have done anything to remedy this grievance of second class passengers travelling on payment ?

**Mr. C. D. M. Hindley** : (a) and (b). Government are not aware that second class passengers are generally put to inconvenience because of Railway employees travelling on passes and orders are in force that pass holders should give way to paying traffic. Complaints of shortage of accommodation on any particular section receive attention from the railway administration concerned.

## STATEMENTS LAID ON THE TABLE.

**Mr. H. R. Pate (Army Secretary) :** Sir, I beg to lay on the table the information promised on the 24th March, 1924, in reply to Colonel Gidney's Question No. 957 regarding the position of members of the domiciled community in the British and Indian Army.

(a), (i), (ii) and (iii). The Government of India understand that legally members of the domiciled community are eligible to enlist in the ranks of the British Army. They are not, however, actually enlisted in the British Army as a matter of regular practice, the reason being that recruitment for the British Army, which is controlled by the War Office, is ordinarily carried out in the United Kingdom. In individual cases, permission has in the past been given to enlist men in India, and members of the domiciled community were enlisted in some numbers during the Great War : but recruitment in India has recently been stopped altogether under the orders of His Majesty's Government on the ground that the whole policy of carrying out enlistment for the British Services in India is being examined by the War Office. The Government of India have no further information in regard to this part of the Honourable Member's question.

Members of the domiciled community being European British subjects as defined in the Code of Criminal Procedure, are not, and, it is understood, cannot under the existing law be regarded as eligible to enrol themselves in the ranks of an Indian Unit of the Indian Army. To use the Honourable Member's phrase, they are not ranked as Indians for this purpose, and consequently the remainder of the Honourable Member's question on this point does not arise.

(b) No changes are in contemplation in the composition or the organization of the Army in India which would affect the present position of the domiciled community in regard to enlistment in that Army.

**The Honourable Sir Alexander Muddiman (Home Member) :** Sir, I beg to lay on the table a statement showing the number of licences granted for fire-arms during 1923, including renewals, in supersession of the statement laid on the table by my predecessor on the 25th March, 1924.

*Statement showing the number of licences granted for fire-arms during 1923, including renewals.*

*(In supersession of that laid on the table on the 25th March, 1924.)*

Provinces	Number.
Madras .. .. .	58,075
Bombay .. .. .	36,239
Bengal .. .. .	44,563
United Provinces .. .. .	58,795
Punjab .. .. .	32,503
Burma .. .. .	15,851
Bihar and Orissa .. .. .	17,573
Central Provinces .. .. .	19,148
Assam .. .. .	18,865
North-West Frontier Province .. .. .	13,982
Coorg .. .. .	1,933
Delhi .. .. .	421
Baluchistan .. .. .	500
Andaman and Nicobar Islands .. .. .	49
<b>Total .. .. .</b>	<b>3,13,206</b>

## STATEMENT REGARDING THE REPORT OF THE ROYAL COMMISSION ON THE SUPERIOR SERVICES IN INDIA.

**The Honourable Sir Alexander Muddiman** (Home Member) : Sir, I would ask your permission and the indulgence of the House to make a statement in regard to the Report of the Royal Commission on the Superior Services in India which is now in the hands of Honourable Members. Several questions have been asked in connection with this Report and it will probably be easier for me to make a general statement. When Honourable Members have had an opportunity of reading the Report they will no doubt observe that the recommendations of the Commission are unanimous on all main points. They cover a wide field, including the Indianization of the Services, the establishment of a Public Services Commission and the control by Ministers of the Services which the Report recommends should be recruited provincially in the future and the remedy of grievances of the Services. I should point out to the House that the Report is of an urgent character, that its main recommendations are interdependent and that this interdependence was the basis of its unanimity. The Assembly has already been assured by the Government that they propose to give an opportunity to Honourable Members to express their views on the Report, but the House will no doubt understand that neither the Government nor the Secretary of State can suspend consideration of the Report in the meanwhile. However, if after Honourable Members have had an opportunity of examining the Report there is any strong feeling in the House in favour of discussion during the current Session, Government will be glad to give an opportunity for this and will consider what arrangements could be made, although of course, it will not be possible for them to express their definite views at such short notice.

Honourable Members will understand that the Provincial Governments are vitally interested in many of the recommendations and that their views will have to be obtained by us. While the Government are anxious to obtain the views of the Assembly at the earliest possible date, it may be necessary for the Secretary of State to take decisions on matters of urgency, and in this connection I must refer the House to what my predecessor said in July 1923 and again in March 1924. I will quote what he said last July :

"We cannot here either as an Assembly or as a Government of India limit the constitutional and statutory powers of the Secretary of State in this respect, and if there are matters pressed upon him by the Royal Commission which require immediate orders, then it will be necessary to recognize his power to take a decision in advance of any discussion by the Assembly. For the rest we shall be quite prepared to allow the Assembly an opportunity of discussing the main recommendations of the Royal Commission ; we shall meet any views it may advance in discussion in the usual way, and shall forward its recommendations to the Secretary of State."

I take this opportunity of announcing in connection with one of the recommendations of the Committee that the Secretary of State and the Government of India are of opinion that whatever measures of relief recommended by the Commission may be finally sanctioned, that effect, as recommended by the Commission, should be given to them from the 1st April 1924.

**Diwan Bahadur M. Ramachandra Rao** (Godavari *cum* Kistna : Non-Muhammadan Rural) : Sir, may I ask the Leader of the House whether he has seen in the newspapers the statement made by Mr. Richards in the

[Diwan Bahadur Ramachandra Rao.]

House of Commons in which he seems to have given an undertaking that no orders on this Report will be passed until it was discussed in this House? It seems to me, Sir, that that statement is somewhat in conflict with the statement which has been made by the Honourable the Leader of the House. I should like to know definitely whether it is not possible to postpone the consideration of this Report definitely to September, and, if not, in what respects the Government of India and the Secretary of State propose to take action and what parts of that Report they propose to deal with immediately? It seems to me, Sir, that this report imposes considerable financial burdens on this country, and I should think that it is very desirable that suitable opportunities should be furnished to this House before either the Government of India or the Secretary of State come to conclusions in regard to this matter. In these circumstances I should like to know definitely if the Secretary of State proposes, notwithstanding the statement made by Mr. Richards, to deal immediately with any portion of this Report. The Honourable the Leader of the House has stated that a suitable opportunity would be provided in the current Session if necessary for the discussion of some of the topics in the Report. May I point out, Sir, that, if that was the intention of the Government, it would have been far better if this Report had been published a month before it actually was published and placed in our hands. It was certainly possible for the Government to have taken that course. I submit, therefore, that these considerations should be borne in mind, and if there are matters which must inevitably be disposed of in this Session, I trust the Honourable the Leader of the House will make a further statement on the subject after due consideration of the whole position.

**The Honourable Sir Alexander Muddiman :** My attention has been drawn to a telegraphic report of a statement made in the House of Commons by Mr. Richards, but I have seen nothing more on the subject than that. We have had no official communication on that subject, only the telegraphic statement in Reuters. I am not, therefore, sure whether it is a correct report or not.

On the second point—it is far from my desire to force a discussion of this Report on an unwilling House. That is not my point at all. What I said was that if Honourable Members desire to discuss this Report, then we will do our best to give them an opportunity.

The third point made by the Honourable Member was as to what points of the Report would be dealt with. I think I have made that clear. In my statement I said it may be necessary for the Secretary of State to take decisions on matters of urgency. That is the case, but I will consider what the Honourable Member has said.

**Diwan Bahadur M. Ramachandra Rao :** May I know whether the Leader of the House is in a position now to say what those matters of urgency are on which the Government of India and the Secretary of State wish to take action.

**The Honourable Sir Alexander Muddiman :** I am not in a position to say at the present moment. I would add with reference to the Honourable Member's remark that it would have been a good thing if the Report had been published earlier, that I myself saw a copy of the Report for the first time on the 21st of May, and it would have been quite impossible for it to have been published earlier. It was not received in India till the 21st of May.



**Diwan Bahadur M. Ramachandra Rao** : The Honourable Member may kindly indicate to us—I do not say immediately—if there are any matters of urgency on which they should take action at once. We should like to know this as early as possible, so that we may consider the question whether any points in the Report should be discussed in advance of the debate which must inevitably come in September. That is all that we are anxious about.

**The Honourable Sir Alexander Muddiman** : I should like to take time.

**Dr. H. S. Gour** (Central Provinces Hindi Divisions : Non-Muhammadan) : May I ask the Honourable the Home Member to be good enough to convey to the Secretary of State that it is the wish of the non-official Members of this House that no action should be taken upon this Report before that Report is considered by this House.

**Mr. M. A. Jinnah** (Bombay City : Muhammadan Urban) : Sir, the view that I wish to place before this House is this. Either the Government desire to give this House a real opportunity of expressing their opinion on the matters raised in this Report, urgent or otherwise, or not. That is the first question. If the Government desire to take immediate action in accordance with the recommendations of that Report on the ground that there are certain matters which cannot brook delay, then I would urge upon the Government to formulate those particular items of the Report which they consider are urgent and cannot wait until the September Session. When you have formulated those items and if we have no choice, we must make the best of the position and we must be given an opportunity during the current Session to raise a discussion on those particular urgent items. If the Government really desire not to exercise their power, if they think that the opinion of this House is going to receive real consideration, then no item should be determined by the Government without obtaining the opinion of this House.

**The Honourable Sir Alexander Muddiman** : The reply to the point just mentioned is practically what I said to my Honourable friend opposite. Government will consider the point. I am not in a position to say more than that.

**Mr. M. A. Jinnah** : Will the Honourable Member be good enough, seeing that we have got only 10 days, to communicate to this House as soon as possible his decision ?

**The Honourable Sir Alexander Muddiman** : Certainly.

**Mr. V. J. Patel** (Bombay City : Non-Muhammadan Urban) : And meantime will the Government be pleased to convey to the Secretary of State, as suggested by my Honourable friend Dr. Gour, the desire of this Assembly that no action should be taken on this Report by the Secretary of State without giving an opportunity to this House to express its opinion on the various recommendations. (After a pause.) Will the Government of India be pleased to convey the wish of this House ? That is the question.

**The Honourable Sir Alexander Muddiman** : We have not had an opportunity of ascertaining the wishes of this House in the matter.

**Mr. A. Rangaswami Iyengar** (Tanjore *cum* Trichinopoly : Non-Muhammadan Rural) : You would not give us an opportunity to express our opinion.

**Mr. V. J. Patel :** Are the Government of India in any doubt as to the desire of this House that no action should be taken by the Secretary of State on these recommendations unless this House has got an opportunity to express its opinion ?

**The Honourable Sir Alexander Muddiman :** The Government of India are well aware of that.

**Mr. V. J. Patel :** That being so, will they convey that wish of this House to the Secretary of State ? (There was no answer.) May I take it, then, that the Government of India have no reply ?

**Dr. H. S. Gour :** It is certainly not unconstitutional for the Honourable the Home Member, as the Leader of this House to convey to the Secretary of State the strongly expressed desire that no action should be taken under the statutory powers conferred on the Secretary of State unless, and until the opinions of this House are collected, heard and transmitted to the Secretary of State for his consideration. I think the Honourable the Home Member should have no hesitation whatever in acceding to the very reasonable desire expressed by this House.

**The Honourable Sir Alexander Muddiman :** The Honourable Member is treating this matter as if a Resolution had been moved and carried ; and without notice at all.

**Dr. H. S. Gour :** Sir, it is not a question of Resolution. It is a question of the unanimously expressed desire on the part of the non-official Members of this House. It is not a question of Resolution. And if it is a question of Resolution, is the Honourable the Home Member prepared to give us an opportunity to move a Resolution to that effect ? I understand that no non-official business is to be transacted during the next few days. If it is a question of Resolution and if the Honourable the Home Member thinks that a Resolution to this effect is called for, we are prepared to table a Resolution if the Honourable the Home Member will give us facilities for it.

**Mr. V. J. Patel :** Is it then that the Government of India want to drive this House to move an adjournment to express an opinion on this point ?

**The Honourable Sir Alexander Muddiman :** It is not the desire of the Government of India.

**Mr. President :** Are the Government of India prepared to convey to the Secretary of State the desire of this House as expressed by various Members that no action should be taken on any part of the Report till this House has been able to express its opinion ?

**The Honourable Sir Alexander Muddiman :** Certainly.

**Mr. President :** I take it that the Government of India are prepared to communicate the desire of this House to the Secretary of State.

**The Honourable Sir Alexander Muddiman :** As expressed by certain Members.

**Mr. President :** As the general opinion of the House.

**The Honourable Sir Alexander Muddiman :** That is rather a different proposition.

**Mr. V. J. Patel :** That means we should move an adjournment of the House to-morrow.

**Mr. M. A. Jinnah :** Sir, I do ask the Honourable the Leader of the House to do this much, that he should communicate to the Secretary of State for India that it is the desire of a very large body of the non-official Members on this side (*Voices* : " All " and " All non-officials.") the whole body of non-officials (*Mr. V. J. Patel* : " And also the officials.") The point Sir, that I want to make clear is this. Although we have not formally obtained the vote of this House, it is obvious that there is a very strong feeling in this House that no action should be taken unless an opportunity is given to this House.

**The Honourable Sir Alexander Muddiman :** I am prepared to give an undertaking in the form put by Mr. Jinnah, namely, that we should inform the Secretary of State that a large number of non-officials desire that an opportunity should be given to this House for discussion before any action is taken on the Report even on points of urgency.

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#### GOVERNOR GENERAL'S ASSENT TO BILLS.

**Mr. President :** I have to announce to the House that the following Bills which were passed by both Chambers of the Indian Legislature have been assented to by His Excellency the Governor General under the provisions of sub-section (1) of section 68 of the Government of India Act :

(1) The Indian Coinage (Amendment) Act, 1924 ; (2) The Indian Income-tax (Amendment) Act, 1924.

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#### THE STEEL INDUSTRY (PROTECTION) BILL.

**The Honourable Sir Charles Innes** (Commerce Member) : Sir, I beg to introduce the Bill to provide for the fostering and development of the steel industry in British India.

Before I proceed to the next motion which stands in my name on the paper, I would ask your permission to make some preliminary observations. In the first place, I wish to say just a word or two about the Tariff Board. Honourable Members are no doubt aware that quite recently publicity has been given to certain criticisms of the Tariff Board. It has been suggested that their procedure was needlessly elaborate and therefore unduly dilatory, that they travelled too much, that they might well have sat down in one place and left the people to come before them and make their representations. We have already published our views on criticisms of that kind, and I do not want to traverse again the whole ground. But I do wish to emphasise certain points. The Tariff Board is charged with the most responsible functions. It is the duty of the Board to advise the Government of India not merely whether a particular industry requires protection but whether on the whole the balance of advantages lies in giving it protection. It is their business to weigh all the interests not merely of the particular industry claiming protection but also of all other industries which may be affected. And above all it is their duty to consider the effect of any proposals which they may make upon the general consumer and the general tax-payer. Publicity is their main safeguard and it is also our main safeguard, and I say that it is the duty of the Tariff Board so to order their procedure as to facilitate in every possible

[Sir Charles Innes.]

way representations to it. It is for them to decide how best to discharge these responsible functions. I say again that the Government of India are not prepared to fetter their discretion by any instructions on this matter. In particular, we are not prepared to issue to them instructions which might be interpreted as requiring them to sacrifice care and thoroughness to expedition. As regards the particular Report which is the subject of our consideration to-day, it is a report of probably the most difficult and most complicated investigation the Tariff Board will ever have to make. Personally, I do not think that eight months were at all too long for an investigation which deals with so many industries, some of which industries affect practically the whole of the population of India and for the preparation of a report which covers so wide a range. Indeed, I may say that I am personally aware that the members of the Tariff Board could not have submitted their report within that period of time if they had not worked extremely hard. I will say more. Opinions may legitimately differ as to the soundness or otherwise of the Tariff Board's conclusions. But I make bold to say that no one who has read that report can fail to acknowledge the great ability, the care, the impartiality which the Tariff Board brought to bear upon a very intricate task. I want to make another preliminary observation of a rather more delicate kind. One of the difficulties which confronted the Tariff Board and which confronts us is the fact that the steel industry in India is represented at present by a single firm, the Tata Iron and Steel Company. It was that Company which applied for protection and quite rightly it placed its books unreservedly at the disposal of the Tariff Board. The result is that the Tariff Board's Report is very largely taken up with the affairs of that one Company. All the mistakes, misfortunes and the difficulties of this Company have been brought into the pitiless glare of publicity. It was right, of course, that it should be so. As I have just said, publicity is our main safeguard. The Company applied for protection, and it was for the Company to prove its case. But the Bill that I am submitting for the consideration of the House is bound to arouse controversy. And what I fear is that that controversy may tend to centre round the affairs of this one Company. Partisan feelings may be aroused and the issue may be complicated or even obscured. I think, therefore, that at the very outset I ought to try to express very briefly the views of the Government on this question in its broadest aspect. On the one hand, Jamshedpur must capture the imagination of every one. I can vouch for it that it catches the imagination of anyone who goes there and sees the place. Where 17 years ago there was desolate, silent, jungle, there are to-day the noise and life of a busy manufacturing town. That town has grown up round the works of the greatest single manufacturing concern in India. Those works owe their existence to the genius and the foresight and imagination of a great Indian. They are big with promise for the industrial development of India, and they are just reaching a stage which is always difficult and always critical for a manufacturing concern—I mean the stage when the labour is still being trained and when the maximum output has not yet been attained. Moreover, unfortunately for the Company, that stage has been reached just at a time when world conditions are most difficult and when competition is fierce in the steel markets of the world. Every one will sympathise with difficulties of that kind, and it is only natural that there should be a general desire in India that the Company should win through its difficulties to an assured prosperity. On the other

hand, we must get the matter into its proper perspective. Protection imposes a burden on the country. It may be to the ultimate advantage of the country that that burden should be borne. And if we go in for protection at all, naturally the protection must be adequate to the end in view. But equally it must not be higher than is necessary for that end. Now, the end in view here is the establishment of a steel industry in India and, moreover, of a healthy steel industry. We want, of course, to preserve the existing Company, but the Company itself must co-operate. That was the reason why the Tariff Board were not able in all matters entirely to accept the figures of the Tata Iron and Steel company. For instance, for their purposes they had to make calculations of fixed capital expenditure, and in making these calculations they did not accept the fixed capital expenditure of the Tata Iron and Steel Company. They found that it had been inflated by various causes and, among other things, they cut it down by 4 crores of rupees for the purpose of their own estimates and calculations. Their object was to ensure that the tax-payer in India should not be required to pay for the misfortunes or the mistakes of a single Company, and the result is that, though their proposals are drastic as I shall presently show, they do not, if I may use the expression, place the Company on velvet. On the contrary, they impose upon the Company the obligation of exercising rigid economy in order that as soon as may be they may reduce their works cost as low as possible. Now, the Government entirely agree in the view which the Tariff Board have taken in this matter. If the Legislature is prepared to assist the steel industry at an expense to the tax-payer which is estimated at a crore and a half of rupees per annum, then it is up to the industry to play its part and to co-operate in order to make it worth while for the tax-payer to undertake that burden. It is up to the industry to do all it can to make the policy successful. That is to say, it is up to it to exercise economy in every possible way, to work for efficiency and to do all it can to place itself upon a proper basis.

I come now, Sir, to my task this morning. The difficulty, of course, is to know how to tackle it. But knowing this House as I do and judging also, I may add, by the number of amendments I have received, I think I may assume that every Member of the House has studied the Tariff Board Report and is familiar with the provisions of the Bill that I am placing before the House. On this assumption I propose to confine myself mainly to what I consider to be the crucial points of the case. I do not propose to argue, for instance, the question whether the steel industry in India has a comparative or natural advantage. I think we need have no difficulty in accepting the findings of the Tariff Board in that matter. The natural advantages lie, for example, in inexhaustible deposits of rich iron ore situated close to the coal fields. Now do I propose to address myself to the question whether the steel industry can be expected eventually to face world competition without assistance. Here again I have no difficulty myself in accepting the opinion of the Tariff Board; but I should like to say a word of warning to the House. Experience in other protectionist countries shows that it is easier to put on these protective duties than to take them off. One of the disadvantages of protective duties is that they tend to create vested interests, and those vested interests very naturally oppose tooth and nail any reduction of the protective duties, even though the apparent need for them may have disappeared. I do not propose to spend time on questions like these. I will come first to what I regard as the first crucial point of the case, namely, the question

[Sir Charles Innes.]

whether the steel industry of India needs protection. As regards the past, I think that question is a comparatively simple one. We can all accept the finding of the Tariff Board that with prices at their present level and with works costs as high as they are now, steel cannot be made at Jamshedpur except at a loss. The future trend of costs and prices is a much more difficult matter to assess. I have already mentioned some of the factors that govern the problem. I have mentioned the labour point, and the point about maximum output. Much again will depend upon the success of the new duplex process at Jamshedpur, and the Tata Iron and Steel Co. has still to solve the problem of combining quality with quantity. All this may be summed up in the remark that the Tata Iron and Steel Co. is passing through a difficult transitional stage. The future course of prices is even more difficult. I think we can only take a broad view on this part of the question. The broad outstanding fact is this: if we leave the United States of America out of consideration, we know that the productive capacity of steel plants in Great Britain and on the Continent has been greatly increased by the war. We know also that markets have been diminished as the result of the war. We know also that at the present time much steel plant is lying idle, and we may assume that, if there is any marked rise in prices, that idle plant will come into operation. On all these grounds then we may assume that for the next year or two the world prices of steel are likely to remain at a low level. This, then, is the position. On the one hand you have these powerful, mature, efficient steel firms in England, Scotland and on the Continent fighting for very existence in a contracted market, and cutting their prices in the struggle. On the other hand you have the Tata Iron and Steel Co. passing through, as I have said, the most difficult stage of its existence. It has not yet attained its full stature or its full strength. If we look at the matter in this way, it must be evident to all of us that the steel industry in India, if it is to survive, must have temporary assistance during the present transitional period, and that if it does not, it will be squeezed out. Nor can it be said that the need for protection arises out of inefficient technical management. Mistakes have been made, and the Tariff Board have pointed out directions in which economy can be secured, notably in fuel consumption. But they expressly dissociate themselves from the view that costs have been raised to an unjustifiable level by failure on the part of the technical management at Jamshedpur, and their definite conclusion is that during this transitional period it is not likely that the Steel Company, unless something is done, will be able to manufacture steel except at a loss. That is the Board's conclusion and the Government of India are prepared to accept it. But it is not enough to arrive at the conclusion that the steel industry requires protection, and that it fulfils other conditions laid down by the Fiscal Commission. The two most difficult questions still remain. The first is, what is the amount of protection required; and the second is whether on the whole the balance of advantage lies in according to the industry that protection. Now the question of the amount of protection raises a number of other subsidiary questions, all important, all difficult, all controversial. There is the question of the extent of the protection; the question of the form of protection; and the question of the period of protection. Now I take the question of the extent first for, if we are to make a start along the primrose path of protection, it is well that we should realise at the

outset how far this first journey is likely to take us. The Tariff Board eliminate from the scope of their proposals such kinds of steel which are not made in India now and which are not likely to be made in the near future, but even so they spread their net very wide. They deal first with raw steel, that is, the classes of steel made at Jamshedpur. The principal classes are such common kinds of steel as rails, structural shapes, angles, tees, channels, common bar, common rod, etc. On all these kinds of steel which are the common kinds, the Tariff Board propose to impose heavy duties. But they could not stop here. Steel is the raw material of many other industries, and the Tariff Board had to consider the effect of their proposals on those other industries, in particular upon important engineering industries. They recommend on fabricated steel that the duty should be raised from 10 to 25 per cent. It should be noted that in this proposal they do not merely compensate engineering industries for the imposition of duties on raw steel; they go further and give the engineering industries a measure of substantive protection. It stands to reason, of course, if you are going to protect your steel industry, you must go further and secure to it its markets. They do not stop even here. Subsidiary industries, such as wagons, tinplate, agricultural implements, and the like, also had to be considered. Sooner or later and sooner rather than later, the question of machinery will have to be taken up, and it will be evident that, when the stone of protection is thrown into the pond, more ripples will be set up than it is possible now to foresee. But it was inevitable that, when the Tariff Board were dealing with the steel industry, the scope of their proposals should be wide. I pass on to the next question, namely, the amount of protection required. Here we come at once to difficulty. The Tariff Board had to make definite recommendations as to the amount of protection. The general principle, of course, was clear; it was that the protection afforded should be the minimum required to tide the industry over this transitional period. But, as I say, the Tariff Board had to make concrete proposals as to the amount of protection necessary. For this purpose they required a criterion, and they took as their criterion the gap between the fair selling price in India and the average import price. This was their criterion. Now I do not criticise the method adopted by the Tariff Board. It is quite obvious that they had to have some criterion, and it seems to me that the criterion they settled on was eminently a reasonable one. But their method is open to obvious difficulties. In the first place it involved the Tariff Board in intricate calculations as to costs of production and in forecasts necessarily speculative about the trend of future prices. It leads also to other difficulties, to which I shall have occasion to refer later. I shall just make a passing reference to one. The Tariff Board selected as their fair selling price Rs. 150 a ton, and it has been suggested it was their intention to guarantee to the industry an average of Rs. 180 per ton for steel during the period, but this is putting it too high. For instance, if you add the bounty proposed by the Tariff Board to the contract prices for Tata's rails, you find the sum total does not make Rs. 180 per ton, nor did the Tariff Board intend that it should. But I do not wish to enlarge on difficulties of this kind. They were inherent in the task before the Tariff Board. Nor do I wish to quarrel with the Tariff Board's results. What I do wish to impress upon the House is the fact that the Tariff Board's proposals are drastic. I will not go into all the details because they are set out in the Bill itself, but let me give one or two examples. Take common steel bar for instance, a thing which is

[Sir Charles Innes.]

in common use in India. 155,000 tons is the estimated annual consumption of common bar steel in India, and of this amount the Tata Steel Company expect to supply 30,000 tons this year. On this a duty of Rs. 40 per ton is proposed. That, if you convert it to *ad valorem* on the basis of the present tariff valuations, represents an *ad valorem* duty of nearly 30 per cent., that is, treble the existing duty. On structural steel again the duty proposed is Rs. 30 per ton. That represents an *ad valorem* duty of 20 per cent., or double the existing duty. On fabricated steel again the duty goes from 10 to 25 per ton, an increase of 150 per cent. If you convert all these specific duties to *ad valorem* on the basis of the present tariff valuations, you will find that, with one unimportant exception, they represent *ad valorem* duties of from 15 to 28 per cent. and I well remember with what misgivings and with what doubts and hesitation we went up to 10 per cent. in 1922. In no case is the increase of duty less than 50 per cent. In some cases it is 100 per cent. In other cases it is 150 per cent. In one case it is nearly 200 per cent. Now I am well aware that countries which have gone in for protection have had to impose high protective duties. I do not wish to weary the House by giving detailed comparisons, but I will give two instances drawn from Australia. I have just mentioned that the duty proposed in India on common steel bars is Rs. 40 a ton. The corresponding duty in Australia rises from Rs. 33 to Rs. 60 a ton, according as the bar steel comes under the British Preferential tariff or the Intermediate tariff or the General tariff. The rate is the same in Australia for structural steel. In India the rate proposed is Rs. 30 a ton. Now it will be said that, judged by the Australian standard, the duties proposed are nothing out of the way. That is quite true. But I would ask the House to remember the difference between Australia and India. In Australia there are four million inhabitants. In India there are 315 million inhabitants. In Australia the standard of living, the standard of wealth, the standard of taxation is high. I believe the national debt works out at no less than £160 per head of population in Australia. I will not venture any estimates as to incomes in India, but I will say this, that having regard to the relative poverty of India, we must admit that the duties proposed by the Tariff Board are in themselves very heavy duties. I doubt indeed whether the Tariff Board could properly have gone higher.

I come now to the question of the form of the proposals. There are two points which require notice here. The first is that, on raw steel at any rate, the Tariff Board have elected for specific in preference to *ad valorem* duties. I notice that this has aroused the ire of Mr. Belni, but I think the Tariff Board have given good reasons for this preference. Protective duties on an *ad valorem* basis have one serious disadvantage. When prices are high and the need for protection is least the duties are high. Conversely, when prices are low and the need for protection is most, the duties are low. But the other point is more important in view of the expression of opinion by the Fiscal Commission, that in respect of basic industries, the most suitable form of protection may often be found to be bounties instead of high duties. That expression of opinion moreover has received support from the Associated Chambers of Commerce, and also, as I learn from representations which I received only last night, from the Bengal Chamber of Commerce. The Tariff Board examined this question of bounties and came to the conclusion, which conclusion I may say was at that time shared by the Bengal Chamber of Commerce, that



for practical reasons the idea of bounties must be ruled out. Well, I think there can be no doubt about that. Let me put it in this way. Let us assume for purpose of argument that the gap that we have got to cover by protection or by bounties is Rs. 35 a ton. Now the Tata production is estimated at 250,000 tons of steel this year, 325,000 tons of steel next year, and 400,000 tons of steel hereafter. If we gave a bounty of Rs. 35 a ton on steel, it would mean that the bounties would amount to Rs. 87 lakhs the first year, Rs. 117 lakhs the second year, and Rs. 140 lakhs the third year. It is claimed for this plan, in the first place, that we should know exactly what we were doing. In the second place, that we should be limiting the burdens on the consumer to the very minimum, and in the third place, that at the end of three years, when the bounties had done their work, they could be taken off. I think that some of these arguments might possibly be challenged. For instance, the argument that we should be limiting the burdens to exactly these figures might be valid if Sir Basil Blackett could put his hand into his capacious pocket and pull out Rs. 87 lakhs this year, Rs. 117 lakhs next year, and Rs. 140 lakhs the following year without any additional taxation. But that would be impossible. The ideal tax is the tax which brings to the coffers of the Treasury precisely the same amount of burden as it places on the consumer. We do not always get this ideal tax, and I rather doubt whether the amount of taxation that would be necessary to find the amount of these bounties would place precisely that amount of burden on the consumer. However I pass that point. The plan may have attractions, but I do not know where my Honourable Colleague on my right would find the money. It would mean taxation all round and another Finance Bill. Moreover, the statement that at the end of three years the bounties could be taken off seems to me to betray a fundamental misconception of the whole object of this scheme of protection. As I have said, we wish of course to preserve the existing industry, but our real object is the establishment of a steel industry. If we are going to have protection, we want internal competition behind our tariff wall. We want other firms to come in. Now it takes five years for a firm embarking on the manufacture of steel to produce steel, and it is perfectly obvious that, if we contented ourselves with a system of bounties limited to three years, that system would offer no attractions to new capital to come into the industry. I must confess that I myself was very much attracted to the idea that we might be able to combine the system of slightly higher duties, plus bounties. The Tariff Board also considered this proposal and also dismissed it as impracticable, but I have had the matter calculated out in my own office. I will not weary the House with the details of my calculations, but I will just give the House a summary of them. I assume roughly that we should raise the duties only to 15 per cent., and that we should make up the balance of protection required by means of bounties, the additional customs duty derived from our enhancement to 15 per cent. being allocated to the bounties. Well, the result of our calculations in my office have only been to confirm the opinion arrived at by the Tariff Board. We found that the burden on the consumer would be very considerable indeed. We found in addition that, instead of gaining customs revenue, we should lose it, and that we should require for these bounties to find additional taxation amounting to about Rs. 40 lakhs in the first year and rising to about Rs. 60 lakhs in the third year. So we had to give up that plan also, and we have been driven to the conclusion that, if we are going to protect the steel industry at all, we must do it mainly by high protective duties.

[Sir Charles Innes.]

What I have said about the desirability or rather the necessity of attracting new capital into the industry bears upon my next point, namely, the period of the protection. Here the Tariff Board was in a dilemma as indeed we are. On the one hand, as I have said, they had to propose actual concrete duties and those duties were intended to bridge the gap between the selling price and the import price. But as the works practice improves at Jamshedpur, the fair selling price in India should be capable of reduction. On the other hand, in the present instability of world conditions it is dangerous to prophesy about the future course of import price. Consequently, the Tariff Board have recommended that the actual amount of protection they propose, that is to say, the actual duties should be guaranteed only for a period of three years and that at the end of that period the whole question should be reinvestigated. The Government of India think that there is very good reason for taking that view. It is obviously undesirable and indeed wrong either to perpetuate or to prolong the protective duties at a pitch which experience may show very shortly to be unnecessarily high and we are quite satisfied that in three years' time the whole question, that is, of the amount of protection, will have to be investigated again by the Tariff Board. On the other hand, I have just pointed out that it takes five years for a man embarking for the first time on the manufacture of steel to produce steel, and, therefore, if the duties are guaranteed only for three years, they do not offer much attraction for new firms to come in. It is very necessary in the interests of the consumer that these new firms should come in and this was the dilemma in which the Tariff Board were in. We have got out of it. I hope we have—by explaining quite clearly in the Preamble of the Bill that the policy of the Government of India is to protect this steel industry. It may be that for special reasons, the particular duties which we propose in the application of that policy can be guaranteed only for three years, but nevertheless the policy remains. That is our idea and that is why we have drafted the Preamble of the Bill in that way.

Before I leave this part of the subject, I must refer also to what is one of the most controversial features of the Tariff Board's scheme. I refer to clause 2 (1) of the Bill which confers upon the Executive Government certain and rather wide and special powers. For the sake of convenience I shall refer to this power as the power to impose off-setting duties. It has its origin in that general instability of world conditions to which I have had occasion so often to refer. Prices have fluctuated very greatly since the war and they may fluctuate again. Again, as I have said, the Tariff Board have elected mainly for specific duties and the rupee may appreciate or continental exchanges may depreciate. Whatever the reason, there may be at any time a sudden drop in import price and that drop, if prolonged for any lengthy period, will upset one of the bases on which the Tariff Board worked and may render the scheme of protection proposed ineffective. It is perfectly true that this clause confers very wide and extraordinary powers upon the Executive Government, but that was the intention of the Tariff Board themselves. They expressly say that, if these powers are to be conferred on the Executive Government at all, they should be complete and not hedged about with restrictions. There are precedents for this proposal. The latest Tariff Act of the United States of America confers almost the same powers upon the President of the United States, and

in Australia almost the same powers are vested in the Tariff Board. I think we cannot help recognising the force of the arguments used by the Tariff Board, and we must realise that this power which they propose is an integral part of their whole scheme. That scheme has been elaborated after several months of inquiry and preparation. We have decided to place that scheme as a whole before the House and as a part of the whole we have also decided to place before the House for its consideration this power to impose offsetting duties. At the same time, I am free to say that there is no part of the Tariff Board's Report or their proposals which has caused us more anxiety or more perplexity. We have tried—I regret to say—in vain to find a satisfactory alternative to this proposal. We failed. We see very clearly all the objections which may legitimately be taken to the proposal. The administrative objections, the administrative difficulties, in working it, will in themselves be serious. But there are other objections of a very fundamental nature. In the first place, the mere existence of such a power in the Central Government will be a bad thing for trade and keep it in a state of uncertainty and in a state of alarm. One thing that trade wants is security and as much freedom as possible from interference by Government. The other objection we see is that we fear that we shall be subjected to a constant process of squeeze. Every time import prices fall application will be made to us for the use of this power to put on offsetting duties, and I think it is important to mention in this connection that the Tariff Board themselves contemplated that this power should only be exercised when the depression of prices seemed likely to persist for any considerable period of time. If the House is prepared to agree to vest this power in the Executive Government they may take it from me that we shall exercise it with discretion : we shall exercise it only when we are satisfied that the need is real and urgent, and ordinarily we shall exercise it only after reference to the Tariff Board.

I do not think that I need delay the House very long over the question of what I may call the subsidiary proposals of the Tariff Board—proposals about bounties and proposals for the protection of the subsidiary industries. I should like to make one or two remarks about the proposed bounties on wagons. The House will see that we have drafted the clause dealing with bounties on wagons in somewhat elastic terms. The Railway Board is now engaged in working out the scheme on the lines of the Tariff Board's Report. In passing I should like to point out that the use of the word "bounty" here is not altogether the right word. What the Tariff Board in effect propose is that simultaneous tenders should be called for and that there should be a margin of price in favour of the Indian tenderer. That is to say, supposing in the past year the lowest tender is Rs. 3,500 and the Indian lowest tender is anywhere up to Rs. 4,350, then the contract should go to the Indian tenderer. It will not necessarily mean that as bounty we shall pay the exact amount recommended by the Tariff Board. We shall pay the price offered if it is within the margin. I think that this will work probably to the advantage of the Indian firms. I think I am correct in saying that wagon-making firms would much prefer large orders with a small measure of assistance rather than small orders with a large measure of assistance. They can get this provided they cut their prices low enough when they submit their tenders. For

[Sir Charles Innes.]

the 7 lakhs provided for bounties will be distributed over a larger amount of wagons. The burden of protection is put by the Tariff Board at 1½ crores of rupees per annum. Rather more than one-third of this it is estimated will fall on the general consumer, rather less than one-third on the principal industries and about one-third upon railways, public bodies and the Government. Of course it is convenient to put it in this way but ultimately I suppose the whole burden will fall in some way on the general consumer. We have been able to submit this estimate to independent check in one very important respect. The House will remember that the Tariff Board estimate that the burden on railways will come to about 29 lakhs of rupees. Of this rather more than 15 lakhs will come on the capital side and rather more than 13 lakhs on the revenue side. Mr. Parsons has checked this estimate. He worked independently of the Tariff Board and on an entirely different method, and the results, I am glad to say, come out very much the same as those of the Tariff Board. He calculates that the burden on railways on the revenue side will amount to 13 lakhs of rupees per annum and he estimates that on the capital side the effect of the proposals will be to add one crore to the expenditure in the five-year programme. That is to say, his results are very much the same as those of the Tariff Board and I think, therefore, that we may assume with some confidence that the Tariff Board's estimate of 1½ crores per annum is somewhere near the mark. The burden is lightened by eliminating those classes of steel which are not made in India and the burden will be widely diffused. I do not think that the agriculturist will be directly affected to any great extent. I think that he has more to fear from those remote and more obscure consequences which are apt to follow upon the adoption of the policy of protection, but though the burden will be widely diffused it will be a great mistake either to underestimate it or to pretend that it was not there. The cost of every building and every factory in India will go up. The principal industries, jute, cotton, tea and coal, will all be more or less affected. The cost of water supply schemes, drainage schemes, electric lighting schemes, irrigation schemes and in fact the cost of all development and public utility schemes will be increased. That of course is the price that we have got to pay for protection. But it would of course be futile for us to go in for this policy of protection unless we were satisfied that the measure of protection we are according was adequate, and I think that this probably touches the point about which there will probably be most controversy. I can imagine the line which criticism will take. Some people will point to the fact that the Tariff Board admittedly converted import prices to rupees at 1s. 4d. and they will say that exchange is now 1s. 4d. ½. Others again will fasten on the statement in paragraph 96 of the Tariff Board's Report that the industry must be secured a fair selling price of Rs. 180 and they will accuse the Tariff Board of having failed to give effect to its own principles. Others again will make statements to the effect that the price of common kinds of steel particularly, has sagged very considerably since the Tariff Board's Report was received. I should like to point out one or two facts in regard to these statements. Let me take the question of exchange first. The Tariff Board's Report reached the Government of India on the 11th February 1924. The average rate of exchange in January 1924, was 1s. 5d.  $\frac{5}{32}$ . The average rate of exchange

in February was 1s. 4d.  $\frac{2}{3}$ . The average in the first three weeks of May as far as my recollection goes was 1s. 4d.  $\frac{2}{3}$  and, as I say, it stands to-day at 1s. 4d.  $\frac{1}{2}$ . That will show that exchange dropped quite a lot since January and is slightly lower than what it was in February. Then again I have some figures here about prices, particularly prices of Belgium steel, about which most anxiety is felt. These prices are taken from the Iron and Coal Trades Review and I believe that was one of the reviews of which the Tariff Board made considerable use. Everybody knows that in April the franc suddenly appreciated and as a result of that appreciation prices of Belgium steel went up very considerably. Let me give the figures. In February the average quotation for Belgium common steel bar was £6-7-2, in April £8-9-4, for joists £6-5-3 in February and in April £8-4-0. Plates were quoted again in February at £6-19-7 and in April at £10-3-9. I do not wish to make too much of these figures. I believe that in May they began to fall again, but they are figures quoted in a technical trade journal of high repute and they do show how difficult it is to arrive at any certain conclusions about the course of prices at the present moment. At any rate it is a fact that Belgium prices in April had gone up in some cases nearly 50 per cent. higher than they were in February when the Tariff Board submitted their Report. As I say, I do not want to make too much of that point because in the beginning of May prices of Belgium steel have begun to drop again. I have already dealt with the claim that we must secure to the tax-payer the price of Rs. 180 a ton. We could not do it unless we rectified at the expense of the tax-payer any mistaken contracts which the Tata Iron and Steel Company made. That is not our intention, nor did the Tariff Board recommend that we should do it. On the Government side we take our stand on certain broad facts. Only in February last the Tariff Board submitted certain concrete suggestions for the protection of the steel industry. They themselves laid down the principle that, if protection was given at all, it must be adequate for the purpose in view. Their scheme is a balanced, comprehensive scheme, framed after elaborate inquiry extending over a period of 8 months and when they submitted that scheme to the Government of India in February they must have been satisfied that that scheme would suffice for the purpose in view, that it would suffice to tide the existing industry over the transition period of three years. We have treated the scheme on the Government side as one organic whole and we ask the House to accept it as a whole. I have shown that since February, if conditions have changed at all, they have changed rather in favour of the industry than against it and we are satisfied that the provisions of the Bill I am putting before the House will suffice, so far as protective duties can suffice, for the purpose which the Tariff Board had in view. I do not claim nor do the Tariff Board claim that these proposals will enable the Tata Iron and Steel Company at once to pay large dividends. On the contrary, as I have said, the proposals, though we believe them to be sufficient, will impose upon the Company the duty of co-operating with us by efficiency and economy in every possible way. That is an advantage claimed for the proposals by the Tariff Board themselves, namely, that they apply the spur and give a stimulus to the Company to efficient and economical management. We shall keep the offsetting powers in reserve. We shall keep a careful watch upon import prices and I have no doubt that the industry will do the same. If the need for them does arise, we shall make use of the powers. But as I have said, we shall ordinarily consult the Tariff Board on that particular point before we do. But Government are not willing to go beyond the

[Sir Charles Innes.]

substantive proposals for protection made by the Tariff Board after long and careful inquiry, and I hope that the House will take the same view. After all we are not merely considering the question of the steel industry here ; we have also to take into account the interests of the consumers. They are numbered by millions, and I think that in this House we should incur very heavy responsibility if we went beyond the proposals which the Tariff Board have reported to be sufficient for the purpose.

The final question remains, whether the thing is worth doing. That is for the decision of this House. It was I who was the spokesman of Government on the fiscal policy debate in February 1923, and for my speech on that occasion I have been called in India a degenerate Indian Civilian and a callous opportunist. I have also been held up in the House of Commons to scorn. But, Sir, I remain entirely unrepentant and unashamed. I am quite prepared to bear my share of the responsibility for that Resolution. The whole Government share it and so does the Indian Legislature, and I still hold that in all the circumstances of the case that Resolution was right. As the result of that Resolution we have appointed this Tariff Board. It has made a very careful and elaborate inquiry into the steel industry in India. It has found that that steel industry satisfies the conditions laid down by the Fiscal Commission. It has found that it is in need of protection and I think we will all agree in this House that it will be a national calamity if that industry collapses. In all their inquiries the Tariff Board have held the balance in the most careful manner between the interests of the industry on the one hand and the interests of the consumer on the other. It is too much to expect that everybody will accept or agree with their conclusions. Some people stand to lose money and lose profits if those conclusions are accepted, and many Indians who all their lives have clamoured for protection, now that they seem likely to get it, find that that protection does not suit their own immediate interests. But our position is quite simple. We have this careful, balanced, comprehensive scheme from the Tariff Board. As we see it, the scheme is conceived in an impartial manner. It gives the minimum of protection which is required by the industry. We have embodied these proposals of the Tariff Board in this Bill, and I ask the House favourably to consider that Bill.

I move, Sir, that the Bill be taken into consideration. (Applause.)

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

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The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. President in the Chair.

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**Mr. President :** The question is :

“ That the Bill to provide for the fostering and development of the steel industry in British India be taken into consideration.”

Before the debate on this motion begins, I think it would conduce to orderly debate if I state to the House what my view is with regard to the various amendments of which notices have been given. I would state my view subject to anything that I may hear from the Members who have given notices of amendments.

#### RULINGS *re* AMENDMENTS.

In dealing with these amendments, the principles to be borne in mind are that no motion to impose a tax can be made except on the recommendation of the Crown, nor can the amount of a tax proposed on behalf of the Crown be augmented without a similar recommendation. Similarly, every motion for grant of money from the public revenues and every motion for appropriation of public revenues or for creating a charge on such revenues can again be made only on the sanction or recommendation of the Crown. These are constitutionally recognised fundamental principles on which Bills of this character have to be dealt with, and the same principle has been embodied in section 67A of the Government of India Act and in section 67 (2) (a) and section 67A, clauses (2) and (6). Further, it has to be borne in mind that any amendment must be within the scope of the Bill and must not introduce a new or foreign subject into the Bill introduced for a particular purpose. Bearing these principles in mind, as I said, I have considered the various amendments and I will now proceed to state to the House my views, as I have said, subject to what I may hear from the various Members who have given notice of amendments.

The first amendment that I will deal with is that of which notice has been given by Diwan Chaman Lal. It is numbered as 11 on the typed list that I have got. That amendment states "For the Preamble, the following be substituted: Whereas, &c., &c." That amendment, to my mind, is entirely outside the scope of the Bill, because it introduces a new subject, namely, nationalisation of industries. It also introduces various matters about the welfare of labour, also a new subject, and it further involves the appropriation of revenues in purchasing steel works, which, again, cannot be done. Therefore, that amendment, in my view, is out of order.

**Mr. Chaman Lal** (West Punjab : Non-Muhammadan) : May I know, Sir, whether the whole of the amendment is out of order or whether it is out of order in part only ?

**Mr. President** : The whole of it. The whole hangs together. It is part of one scheme and you cannot separate it. Have Members got that amendment ? (*Voices* : " We have not got copies.")

**Mr. Chaman Lal** : May I suggest that the amendment be read ?

**Mr. President** : I think it is in the paper supplied to you. What I have got here is possibly not exactly a copy of what you have got. I have got a partly printed and partly typed statement of the amendments. Do I understand that Members have got copies of all the amendments ? (*Voices* : " No.")

**Mr. Chaman Lal** : May I suggest that the amendment may be read out.

**Mr. President** : It is in the typed list. Have Members got the typed list ?

*Honourable Members* : We have not got the typed list.

**Mr. N. M. Joshi** (Nominated : Labour Interests) : The typed list has not been circulated. We have not got a copy.

**Mr. President** : I understand that this amendment was received late last night and possibly has not been circulated yet to all Members but the rest of them have been circulated. I have stated my view about it and I will hear the Member who has given notice of it, if he has anything to say about it, at the proper time.

Then comes the amendment of which Mr. Patel has given notice. That is No. 3 here. It says "And by providing for purchase of steel by Government," and so on.

**Mr. V. J. Patel** (Bombay City : Non-Muhammadan Urban) : What number is it, Sir ?

**Mr. President** : May be 4 in your list. It says "In the Preamble of the Bill : (a) and (b)." I am not dealing with (a). I am dealing with (b). That goes with another amendment of which Mr. Patel has given notice. It is really part of the same scheme. It is numbered 23 in my printed list and it may be 24 in yours, I am not sure. It says "After clause 4 the following new clauses be added to the Bill: 5 and 6." That amendment too is outside the scope of the Bill. (*An Honourable Member* : "It is No. 30.") I am so sorry that numbers in my copy and yours disagree. We will get on somehow. Mr. Patel understands what amendment I am dealing with. This amendment is outside the scope of the Bill.

**Mr. V. J. Patel** : Sir, with regard to my amendment, which is numbered 4 (b) here, I am afraid that there is some mistake in print. There are two amendments lumped together. I have given notice of two separate amendments, which have been put together. The first amendment is to insert the words.....

**Mr. President** : I am taking what are printed as (a) and (b) separately, I am not saying anything about (a). That is separate. Whatever the mistake in printing may be, I am dealing with (a) and (b) separately and I am now dealing with (b) which seeks to insert the words "and by providing for purchase, etc."

**Mr. V. J. Patel** : If the amendments are separated, as I gave notice, then you will see that they are not out of order according to your view also.

**Mr. President** : That is another matter. I will hear you about it. I am only stating my view of the matter. The second part, which says that after the word "certain articles" the following words be inserted, namely, "and by providing for purchase, etc.," goes really with No. 30 or whatever it is, which proposes to add after clause 4 new clauses 5 and 6. These amendments are outside the scope of the Bill, because they introduce an additional subsidy, namely, freight subsidy.

**Mr. V. J. Patel** : That applies to the second part which provides for freight subsidy under certain contingencies.

**Mr. President** : May I ask the Honourable Member to hear me through instead of interrupting me. I had not finished my observation. The second part (clause 6), as I have said, introduces an additional subsidy and it also creates an additional charge on the revenue, *pro tanto*.



Then, again, the first part (clause 5) which enjoins the purchase of steel by Government Departments, Railways and public bodies, introduces a new subject. The Bill is for the protection of the industry by means of protective duties and bounties. Further, this amendment in certain parts proposes to regulate provincial subjects. Stores and stationery are provincial subjects and also transferred subjects. Therefore, under section 67 (2) (i) we cannot legislate for provincial subjects except with the permission of the Governor General.

Then, we come to the amendment of Baboo Ranglal Jajodia, that clause (2) of the Bill be deleted, the effect of which is that the measure becomes permanent and not limited to 3 years as proposed in the Bill. That amounts to augmentation of taxation, being taxation for a longer period. That cannot be done without the recommendation of the Crown.

The next amendment, that of Mr. Amar Nath Dutt, extends the period of the Bill to 1934. That again stands on the same footing, being augmentation of taxation proposed in the Bill.

Then, we come to Mr. Patel's amendment to add various sub-clauses about the State taking the surplus profits beyond 5 per cent. and about purchasing the works. That again is outside the scope of the Bill, because it introduces the subject of nationalisation of industries, which is entirely outside the scope of the Bill. It also in effect amounts to imposition of taxation on the Tata Company. If they are to hand over to Government anything beyond 5 per cent., it is in effect taxing them *pro tanto*. Then, the next portion (b) of the amendment is for the purchase of the works, which, again, is a proposal for the appropriation of revenues for that purpose. Then, the proposal to extend the Act to 1929 offends against the principle which I have already indicated.

Then, we come to Mr. Lohokare's amendment. That is, again, outside the scope of the Bill. It tries to introduce a new principle of discrimination between different companies. It is further absolutely unworkable as regards duties.

Then we come to Mr. Duraiswami Aiyangar's amendment for substituting for sub-clause 2 (1) a new clause, the purport of which is that a Standing Tariff Board shall be constituted and that on the recommendation of such a Tariff Board the Government shall levy certain duties. That, again, to my mind, is inadmissible because it empowers a Committee of the House not only with the initiative of taxation but also the imposition of taxation. This Committee is an authority other than Government and a proposal empowering such a Committee to initiate and impose taxation cannot be entertained except on the recommendation of the Government.

**Mr. M. A. Jinnah** (Bombay City : Muhammadan Urban) : May, I, Sir, interrupt you for a moment. It seems to me that there is a motion that the Bill be referred to a Select Committee ; and if that motion is carried and the Bill is referred to the Select Committee, probably, when it emerges from the Select Committee, some of these amendments may be dropped by their authors. Further, if you give any rulings now—I only point out to you, Sir, with the utmost respect—they might embarrass whoever happens to be the chairman of the Select Committee. Therefore, may I point out most respectfully that if that motion is carried, then, let the Select Committee do its work and let the report emerge from the Select Committee. Then, if any one of the movers of the amendments

[Mr. M. A. Jinnah.]

insists upon his amendment, you may give your ruling ; otherwise it might embarrass the chairman and it is quite possible some of the amendments may be dropped.

**Mr. President :** I had considered the point of view that Mr. Jinnah has put forward. But I came to the conclusion that, in order to avoid the very embarrassment to the chairman of the Select Committee that Mr. Jinnah refers to, and in order that the debate in the House may be confined to relevant matters, it is necessary for the Chair now to indicate what in its view are the proper amendments, so that the debate in this House as well as in the Select Committee may be confined to relevant matters.

**Mr. M. A. Jinnah :** Do I take it, Sir, that the chairman of the Select Committee will be bound by what you may decide now ?

**Mr. President :** I consider he will be bound, because if the Chair now rules, subject, as I said, to what I am going to hear from the various Members, that certain amendments are not admissible, then certainly it will not be open to the Select Committee to consider them nor will it be open to the Select Committee to recommend them.

**Mr. M. A. Jinnah :** Shall we not spend a good deal of time if we have a discussion before you give your ruling. Probably the movers of the amendments will like to explain their position.

**Mr. President :** As I said, I am going to hear the Members who are responsible for the various amendments.

**Mr. M. A. Jinnah :** Shall we not save greater time if my proposal is accepted ?

**Mr. President :** But the Chair has to rule on this matter at some stage. I fail to see how the debate can be carried on both here and in the Select Committee on relevant lines if the position is not made clear as to what part of the amendments are admissible and what are not.

**Mr. A. Rangaswami Iyengar** (Tanjore *cum* Trichinopoly : Non-Muhammadian Rural) : May I take it, Sir, that on the question of the ruling with regard to these amendments you will hear those who have anything to say on the matter ?

**Mr. President :** Yes. I will hear the movers of these amendments.

**Mr. V. J. Patel :** But what if Government agree in the Select Committee to allow these amendments ?

**Mr. President :** If Government want to agree to any particular amendment there is nothing to prevent them in my ruling from doing so. I only say that as matters stand at present certain of the amendments are not proper amendments. The ground on which some of them are out of order is that they cannot be introduced except on the recommendation of the Crown. If on the Select Committee Government agree to supply that recommendation, then certainly they would be in order.

**The Honourable Sir Charles Innes :** The point that you have just made meets Mr. Jinnah's objection. When we get to the Select Committee I think Mr. Jinnah may take it that there will be no objection to discussing these amendments. Of course the amendments cannot be carried without the consent of Government.

**Mr. M. A. Jinnah :** My point is that in principle it is wrong that the chairman of the Select Committee should be tied down by a ruling of the President of the House in advance. The President should be the appeal court and should not decide in advance of the chairman of the Select Committee. There is a great principle involved, and I think at present it will save a lot of trouble, if the Chair does not rule at present. Of course, Sir, you are the principal authority. If the chairman gives a wrong ruling you are the final court to overrule it and say this particular amendment is not a proper amendment. It will save a lot of time also if you rule about the amendments after the report of the Select Committee.

**Mr. President :** I still think in spite of what Mr. Jinnah has said that it is due to the House and to the Select Committee that the President should take the responsibility of telling the House what amendments are proper and what amendments are not, so that the debate both here in the House and in the Select Committee might be conducted on proper lines. There is nothing to prevent any of those amendments which I have said are not admissible because of want of recommendation from the Crown being regarded as being in order if any Member or Members succeed in obtaining such recommendation.

**Mr. Chaman Lal :** What would be the position if the Select Committee comes in with certain recommendations, let us say, about nationalization, and embodies those recommendations in the Bill itself and presents that Bill to the House. What would be the position then with regard to the opinion of the Chair ?

**Mr. President :** The position would be that that part of the Select Committee's Report which introduces matter which in the opinion of the Chair is not relevant or admissible will be ruled out.

**Mr. A. Rangaswami Iyengar :** May I seek one more explanation from the Chair ? I desire to know whether there is any warrant for the application of the principle on which the Chair has ruled, that proposals involving enhanced taxation are inadmissible, except on the recommendation of the Crown.

**Mr. President :** You are now discussing the merits of my ruling. As I say, my ruling is not final. I am going to hear what Members say and then I will finally decide.

I have dealt with Mr. Duraiswami Aiyangar's amendment. Then comes Mr. Dutt's amendment, which offends in the same manner as Mr. Duraiswami Aiyangar's amendment. Then comes Mr. Patel's amendment to substitute "shall" for "may" in clause 2 (1) which again offends on the same ground. Then we come to Mr. Willson's amendment which is a proper amendment. Then Mr. Dutt's amendment to clause 3 is consequential on his amendment to clause 2 (1) and falls with it. Then comes the amendment of Mr. Duraiswami Aiyangar to clause 3 which effects a greater appropriation of revenue than proposed in the Bill and is therefore inadmissible. Then we come to Mr. Acharya's amendment which increases the amount of duty from Rs. 32 to Rs. 40, from Rs. 26 to Rs. 35 and from Rs. 20 to Rs. 30. This will not be in order. Then Mr. Patel's amendment to clause 3, which as I have already said in regard to a similar amendment, is not permissible. Then we come to Mr. Dutt's amendment in regard to clause 4 which is consequential on his amendment to clause 2 (1) and falls with it. Then comes

[Mr. President.]

Mr. Acharya's amendment substituting 10 lakhs for 7 lakhs. The next is Mr. Dutt's amendments which introduce a new subject about the treatment of labourers. This is very vague. What is meant by the treatment of labourers being unsatisfactory? I have dealt with Mr. Patel's amendment already. Then we come to Mr. Piyare Lal's amendments about concessions to buyers and terms and conditions for sale of their products by iron and steel manufacturers. This is outside the scope of the Bill. Mr. Duraiswami Aiyangar's amendment, which proposes a varying duty of 33 per cent. *ad valorem* may be in order if it does not increase taxation. Then we come to Mr. Belvi's amendments. I do not know exactly the effect of those amendments, but if the result is to augment the duty proposed, then *pro tanto* they are not in order. It will have to be worked out how it operates. In some cases it may reduce the burden and in some cases it may be augmented.

Then we come to Mr. Neogy's amendment. It proposes to reduce the duty and so far it will be in order. Then we come to Dr. Gour's amendment about locomotives and that again means additional taxation and as regards the bounties is new appropriation of revenue and so will not be in order without the recommendation of the Crown. No. 12, Mr. Willson's amendment, purports to reduce the duty and will be in order.

I think I have now dealt with all the amendments and put my views before the House. I am ready now to hear what Honourable Members who have given notice of amendments have to say in support of them.

**Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions : Non-Muhammadan Rural) : Sir, before you hear arguments in favour of the amendments of which notice has been given, would it not be better to allow discussion of the general principles of the Bill? Perhaps there are Members here present who would like to have a little clearer idea of the principles upon which the Bill is based before we come to discuss the amendments of which notice has been given. I submit that you may be pleased to give such an opportunity before you hear arguments on the admissibility of the amendments.

**Mr. President** : I am entirely in the hands of the House, but I may point out to Pandit Malaviya that his conception is wrong when he speaks of discussing points of order with regard to amendments. There can be no discussion on those points. It is entirely for the Chair to determine what amendments are or are not in order. But as I say those Members who have given notice of amendments are entitled to be heard before I rule against them, and so far I am going to hear them. I am not going to have any general discussion in the House whether these amendments are admissible or not. That is entirely for the Chair. I am bound to hear those gentlemen against whom I am going to decide, therefore I will hear them. But if the House thinks that that should be done later and the general discussion should now proceed, I will accept the general desire of the House.

**Pandit Madan Mohan Malaviya** : I intended to confine myself to the general discussion of the principles of the Bill. I did not say anything against the ruling. I did not mean to controvert the ruling. I merely say this is the stage at which there should be a general discussion on the principle of the Bill, the policy.

**Mr. President** : If that is the general desire, we shall do that.

**Diwan Bahadur M. Ramachandra Rao** (Godavari *cum* Kistna : Non-Muhammadan Rural) : I beg to support Pandit Madan Mohan Malaviya. It would certainly be more convenient to defer the consideration of the amendments to the time when they are actually proposed and that would be the time when this question may be considered, and I think if this general discussion proceeds and if the Bill is referred to a Select Committee, the question whether these amendments are admissible will be considered by the Select Committee. We are grateful to you for your views and I have no doubt that the Select Committee which may be appointed would pay great attention to the views which have been expressed by you. The decision of the points will ultimately rest with you.

**Mr. President** : Will not that lead to this, that you may have a lot of discussion in the Select Committee on amendments which may ultimately be ruled out of order. Therefore I think it is better for the Select Committee and for the House that these points should be decided, and it would also be useful in this manner. In the general discussion it is very difficult to separate in a Bill of this sort the principle from the details, and there may be discussion on various amendments which may ultimately be found to be out of order. Would it not be better therefore to restrict the discussion to relevant matters ?

**Mr. M. A. Jinnah** : Then, Sir, may I suggest this, that now that you have indicated your view, which I take it is not final but is your view at present subject to what you may hear from anybody, is not that a sufficient warning both to the members of the Select Committee, if a Select Committee is appointed, as well as to others who are movers of the amendment, and would it not be better to leave it there ? Let us proceed with the discussion of the principle of the Bill, and if the motion to refer to Select Committee is carried, you have given sufficient warning, though not a final decision and I am sure whoever happens to be the chairman of that Select Committee will certainly bear in mind the grave warning that you have given. Otherwise we shall now discuss this very question for a long time. Strictly speaking the proper time really to rule an amendment out of order would be when the amendment is actually moved and seconded, and after that is done, then alone you can say this is out of order. It may be that some amendments may not be moved.

**Mr. President** : If that course commends itself to the House, I will adopt that.

**Mr. C. Duraiswami Aiyangar** (Madras ceded districts and Chittoor : Non-Muhammadan Rural) : I would like to point out one difficulty. It would be much better, as the Chair has suggested, that this question of amendments being in order or not is decided after discussion because supposing no ruling is given at present and the matter is brought up in Select Committee and the Select Committee, in spite of the views expressed by the Chair, are going to include these amendments in their Report, and finally the Chair is going to rule them out of order and the Bill has to be recommended to the Select Committee.....

**Mr. President** : It would lead to some confusion, I quite agree.

**Mr. C. Duraiswami Aiyangar** : Therefore I think it is better that once for all we should know on the floor of this House whether these amendments will be finally ruled in order or out of order by the Chair. Therefore I respectfully submit to the Members of this House that,

[Mr. C. Duraiswami Aiyangar.]

before taking the Bill into Committee, the fate of these amendments be settled once for all by the ruling of the Chair.

**Pandit Madan Mohan Malaviya** : I submit, Sir, the Chair has given a ruling and it is not necessary to spend any more time on this point. If after the general discussion, any Member who wants to move any particular amendment asks your permission to put his views before you, as you have already said, you are willing to hear him, the matter will then come up for consideration, but at present the matter is finished, subject to what you may hear later on. I submit we may proceed now with the general discussion of the principle and we shall find we are coming to nearer the ground.

**Mr. President** : I am afraid Pandit Malaviya does not quite appreciate the difficulty. I am very clear on this, that before the Bill goes to the Select Committee, the question about what amendments are or are not in order should be definitely settled, because otherwise the Select Committee will be at sea in that matter, and they may proceed with various matters which may ultimately be found to be out of order.

Therefore before the Bill goes to the Select Committee, this question must be ruled one way or another. I quite agree, however, that that may be done now or it could be done at the end of the general discussion before it goes to Select Committee. But in any event, before it goes to the Select Committee, the matter should be put beyond doubt one way or another, so that the Select Committee may know what the procedure is going to be, and then you will have a report confined to relevant matters.

**Mr. Harchandrai Vishindas** (Sind : Non-Muhammadan) : Might I suggest, in view of the remarks that have fallen from Mr. Duraiswami Aiyangar, that it is for you to rule now whether you will allow general discussion on the subject, or first of all clarify the situation as regards the relevancy of the amendments. So far as my opinion is concerned, I agree with Mr. Duraiswami Aiyangar that the question of the amendments should be cleared up altogether. So that the warning that Mr. Jinnah has referred to would be final after you have decided that these amendments are in order or not in order. As it is, that warning is of a floating nature, and I suggest, and the matter is entirely in your jurisdiction, that the question whether the amendments are relevant or not should be cleared up by your calling on those who have given notice of amendments to explain and reply to your remarks.

**Mr. K. Rama Aiyangar** (Madura and Ramnad *cum* Tinnevely : Non-Muhammadan Rural) : Sir, the first sentence of the Bill says :

“Whereas it is expedient, in pursuance of the policy of discriminating protection of industries in British India, to provide.....”

The principle that underlies this Bill will have to be discussed before a ruling is given. That would be the general discussion, and I submit it would be more proper to think of rulings when the discussion has taken place and the President has heard it.

**Pandit Madan Mohan Malaviya** : ‘I think’ we have already unnecessarily spent too much time over this. The proposal put forward by the Honourable Sir Charles Innes before the House is that the Bill be taken

into consideration and to that proposal there are two things which can happen. One is that the House can go straight off into the consideration of the Bill clause by clause or go into the motion that the Bill be referred to a Select Committee. If the latter motion is accepted by the House, then the time for moving amendments is postponed. If the latter motion is defeated and it is decided that we should go on to consider the Bill clause by clause, surely the amendment which appertains to any particular clause of the Bill will come for consideration in its proper time and place and I submit that the remarks which have been made to-day will not be wasted. They will be known to Members. You have expressed your views as to which amendments are relevant and which are not. When the time comes for amendments being considered, if any Honourable Member asks you to revise your view, then it will be for you to consider, but that time will not come until it has been decided whether the Bill is to be referred to a Select Committee or whether it is to be taken into consideration now. I therefore appeal to you and that, in order that the House may be in a position to decide whether the Bill should be referred to a Select Committee or whether it should be proceeded with straight off here, you may be pleased to allow a general discussion of the principles and policy of the Bill.

**Mr. President :** Take it now or before it goes to the Select Committee, but in any event the question of the amendments must be decided before the matter goes to the Select Committee. I am quite agreeable to doing one thing or the other—disposing of the question of amendments now or disposing of them at the end of the general discussion and before it goes to the Select Committee.

**Mr. V. J. Patel :** There are at present 50 or 60 amendments in the name of several Honourable Members. If just now or after the general discussion is over you hear every one of these Members and give a ruling on each amendment it will take any amount of time. But if the Bill goes to a Select Committee and comes back you will find that hardly 8 or 10 amendments are left and then it will be easy for you to decide whether those amendments are in order or not. I think that it will simplify matters and save time. If these things are discussed in the Select Committee and Members come back here after the report of the Select Committee then there will be very few amendments left for consideration.

**Pandit Madan Mohan Malaviya :** I think the Secretary of the Legislative Department will inform you that the practice hitherto has been that, when the Bill is referred to a Select Committee, the amendments are first dealt with in the Select Committee and such of them as are left over will be considered when the Bill returns from the Select Committee. The Honourable Sir Moncrieff Smith will be able to inform you that that is the practice in this House and the Council of State. If that has been the practice, I submit that you may be pleased to allow the regular course to be followed unless some ground is put before you to justify a departure from it, which has not yet been brought to your notice. If that is the practice—and I ask the Secretary of the Legislative Department to say whether it is not so—I submit we should now discuss the motion that the Bill be taken into consideration.

**Mr. President :** The experience of the Secretary of the Legislative Department will be of great assistance, but after all it is the Chair

[Mr. President.]

which has to decide on the circumstances of each case as it arises, and in this case I do think that instead of leaving the thing in a nebulous state to the Select Committee it must be decided what amendments are in order and what are not. As I say, I am quite willing to do that now or to do it at the end of the general discussion but certainly it must be done before the Bill goes to a Select Committee. If the House can indicate its choice, I am quite willing to follow one way or the other.

**Pandit Madan Mohan Malaviya** : I submit that we proceed to the general discussion.

**Maulvi Abul Kasem** (Bengal : Nominated Non-Official) : The motion before the House is that the Bill be taken into consideration, and, every individual Member has, according to practice, a right to express his opinion on the general principles of the Bill before the motion to take it into consideration is put to the vote.

**Sir P. S. Sivaswamy Aiyer** (Madras : Nominated Non-Official) : I am sure the whole House will be grateful to you for the views you have expressed on the admissibility of the various amendments... (Honourable Members : "Louder please.") I am sure the House feels grateful to the President for the expression of his views upon the admissibility of these various amendments and I am sure that the views he has expressed will have very considerable influence on the deliberations of the Select Committee even though they may be presided over by an eminent lawyer. But while I fully appreciate the necessity for guiding the discussion along relevant lines, it seems to me that there is some room for doubt as to the correctness of the procedure, if I may venture to say so, proposed to be followed by the Chair. There is only one occasion when an amendment may be considered. When an amendment actually arises for consideration, it is open to the Chair to decide upon the regularity of the amendment and to the House upon the merits of the amendment. I am not aware of any procedure according to which it is possible to separate a decision on the legality of an amendment from the decision on its merits. What the Chair now proposes to do is to decide in advance upon the legality of the amendments and leave the decision on their merits to a later stage. The legality of an amendment can be considered so far as I am aware only at the time at which the amendment itself actually comes before the House for consideration. The question now is, is it open to the Chair to bring up an amendment for consideration so far as its legality or admissibility alone is concerned and give a ruling in anticipation of the time when the amendment actually comes up for consideration. I mention this purely as a technical question of procedure. I fully admit the force of the considerations of convenience which appeal to the Chair and I think a great deal of time would be saved in the Select Committee if all the irrelevant amendments were weeded out. At the same time it cannot be said that there are no considerations of convenience on the other side. As Mr. Patel has pointed out, there may be a number of speakers on these various amendments each trying to defend the competency of his amendment and a lot of time may be taken up over the discussion of these questions. I appeal to you and ask you to consider whether after this indication of your views as to the competency or otherwise of the various amendments for which the House is, as I have said, thankful to you, the matter should not be left in this position and the Bill be allowed to go to



the Select Committee. When it comes back the legality of the amendments may be decided if occasion arises. I have nothing to say against the views you have taken as to the competency of the amendments and merely desire to point out the technical difficulties in the way of giving final rulings on these points.

**Mr. M. A. Jinnah :** I rise on a point of order. If you will kindly look at the Standing Order, No. 39, it says this :

“ On the day on which any such motion is made or any subsequent day to which the discussion thereof is postponed, the principle of the Bill and its general provisions may be discussed, but the details of the Bill must not be discussed further than is necessary to explain its principle.”

We are now at the stage when the principle of the Bill may be discussed. Then it says :

“ At this stage no amendment to the Bill may be moved.”

No amendment has actually been moved and it cannot be moved. Then it says :

“ If the member in charge moves that the Bill be taken into consideration, (which has now been done by the member in charge) any member may move as an amendment, that the Bill be referred to a Select Committee.”

So the only amendment is that the Bill be referred to a Select Committee and when that or the motion that the Bill be circulated for opinion, is disposed of then it is that the next stage is provided. If the Bill is referred to a Select Committee then this House for the time being delegates the authority to the Select Committee to proceed. Then after the Report of the Select Committee is sent, this is what Standing Order 45 says :

“ When a motion that the Bill be taken into consideration has been carried, any member may propose an amendment of the Bill.”

So that, although the amendment is on the list of business provisionally, it cannot be proposed until that stage is passed.

Now, Sir, I fully appreciate your anxiety and I endorse every word of what you have said, but I submit that this is not the stage at which you should decide what amendments are admissible and what amendments are not admissible.

**Mr. President :** There is no point of order. The Standing Orders lay down the procedure that is to be followed when there is a motion for reference to the Select Committee. That does not take away or in any manner abrogate from the right or rather the duty of the Chair to regulate the proceedings, and I think it is necessary, in order to regulate the procedure, to let the House and the Select Committee know what matters are relevant to be considered.

**The Honourable Sir Charles Innes :** I should like to make a suggestion more or less on the lines of the suggestion by Sir Sivaswamy Aiyer. As I understand the matter, it is this. A Select Committee of the House is after all, I presume, merely a part of the House and that Select Committee is governed by the procedure of the House and by the rulings of the President. Now, Sir, we have already had rulings on this particular point. There was a ruling given by Sir Frederick Whyte on the 19th March 1923 which is very much analogous to the ruling which you just gave. It is that the Legislative Assembly is not empowered to increase a demand for grant and that amendments which propose increases of taxation are not in order. I have no doubt, Sir, that the chairman of the

[Sir Charles Innes.]

Select Committee, whoever he may be, will consider himself bound by that ruling of Sir Frederick Whyte. He will also have for his guidance the rulings which you yourself just gave. Following what Sir Sivaswami Aiyer has just said, I suggest for your consideration that it will be sufficient to leave the matter at this stage and to leave it to the chairman of the Select Committee in the light of his ruling and your own provisional rulings to deal with the amendments on the paper.

**Mr. C. S. Ranga Iyer** (Rohilkund and Kumaon Divisions : Non-Muhammadan Rural) : On a point of order, Sir. The question before the House is that the Bill be taken into consideration. I do not understand how a discussion on the amendments could arise at this stage.

**Mr. President** : The discussion is perfectly in order.

**The Honourable Sir Alexander Muddiman** (Home Member) : I merely wish to say that the discussion is proceeding on rather curious lines. It is proceeding on the assumption that the motion for consideration will be carried. The motion for consideration may not be carried at all and the motion for reference to the Select Committee may not be carried. The Bill may be thrown out. It will, therefore, clear the air if the House first affirms the principle of the Bill. Whether that affirmation takes place on a motion for consideration or whether it takes place on the motion for reference to the Select Committee is immaterial. The principle is the same. Whichever motion the House passes, the House affirms the principle of the Bill. I therefore suggest that the discussion might proceed on the question of the general principles of the Bill.

**Mr. President** : I see that the general desire is that the matter should be left here after the views I have expressed and that we should now proceed with the general discussion of the Bill. I would adopt that course.

**Mr. W. S. J. Willson** (Associated Chambers of Commerce : Nominated Non-Official) : In opening my remarks I would just like to remind the House of a statement which I made at the last March session, that I have a considerable interest in Tata's. I desire my position to be perfectly plain on that point but I ask the House to believe that in the remarks that follow I am guided by no personal considerations. I have my duty to my constituents who are 15 Chambers of Commerce in India, north, south, east and west, including Burma. This Bill of course, as Sir Charles Innes told us, refers practically, in its present stage, entirely to Tata's. They are not of course the first firm to start the manufacture of steel in India, but they are the first firm to start it on a really large scale. The Bengal Iron Co. started making steel and iron and were obliged to close steel down because they found they could not make the manufacture of steel pay. I feel sure that there is no one in this House who would like to see the great concern of Tata's Iron and Steel Works following in that wake. I know it might be said that the company might be reconstructed and carry on, but if it be said so, I should not be convinced of the advisability of it, because on the present outlook, the money could probably not be found in India. It is highly improbable that any Indian concern could take it over and it is not, in my view, to be thought of that we should allow this great national concern to be taken over by some foreign company. I think we may leave Germany out of the

question at the time, but I am not so sure about America. Well, Sir, because I am willing, I am anxious, I am desirous, of offering assistance to this national concern, that does not mean that I can or do accept the Bill as proposed by the Honourable Sir Charles Innes. He has after very great consideration decided in favour of a protective tariff. Now, Sir, here I would like to pay my very high tribute to the industry, the care and the wonderful work in that Tariff Report which is put before us, but, Sir, it is its very perspicuity, its plainness, its simplicity, that contains in my opinion its greatest danger, namely, the danger that it should be picked up and accepted as it is *en bloc*. I give Government every credit also for the desire to produce a Bill which they believe to be very largely in accordance with the wishes of this House. But I am bound here to repeat the complaint we had to make in Delhi about this Bill being rushed upon this House with undue haste. The Tariff Board's Report was only published in the last few days of April, and here we are, having only received a copy of the Report a month ago, since when there has been insufficient time to properly circulate it round the country and to obtain in full responsible opinion as to the merits of the Report and of the Bill. Sir Charles Innes himself said that he had only last night received the letter from the Bengal Chamber of Commerce on that subject. Before I proceed further, Sir, I would like to say that I am representing the 15 Chambers of Commerce, but I am not speaking on behalf of Bombay who have two Members of their own here.

It may be said that part of the object of this haste was that Tata's required immediate assistance, and I have no doubt they do. In my view the immediate assistance would be given a great deal more promptly by the settlement of the matter on a bounty basis than is likely to be given on any tariff system. The means by which assistance can be given to Tata's appear to me to be three. Firstly, by tariffs, secondly, by bounties, and thirdly, by loan at a nominal rate of interest. I will take and dispose of the third one first, because a loan would have to be paid back and would be therefore purely "tiding over," and in any case I am convinced that whether this House passes this Bill in its present form or not, a subsequent substantial loan will have to be found and lent to Tata's. I know that one of the sweetest thoughts for the protective tariff system is, that the tariff collects the money itself and that in giving bounties only on rails and fish-plates, as the Bill proposes to do, there will be no difficulty in finding the money if you put the tariff up to a sufficient extent. But Sir Charles Innes himself said that, when you throw the protection stone into the pond, there is no saying where the ripples will cease. He also said that this Tariff Report on steel is probably the most difficult subject with which the Tariff Board will ever have to deal. In my view this present decision which we are now called upon to take is one of the most important, one of the most far-reaching in its effects on India as a whole, that the reformed constitution has ever yet been called upon to deal with. The proposal to impose these duties begins of course by causing rank injustice to places like Burma, about which you will hear later on : and not only to Burma but to all extremities. Exactly the same argument will apply to Karachi. Now, if you take the statement of the Tariff Board that steel is arriving in India to-day at Rs. 140 per ton, and you propose by the tariff to put on Rs. 40 duty you arrive at the price of Rs. 180, which the Tariff Board tells us is the approximate cost price, including profit, of Tata's steel. That is to say, they wish to

[Mr. W. S. J. Willson.]

sell at Rs. 180. So this Bill proposes to put on a duty of Rs. 40 at we will say all the ports. Let us take Bombay first. Therefore the price of steel at Bombay is raised to Rs. 180, but what would be the price of Tata's steel at Bombay? If Tata's want Rs. 180 at Jamshedpur, the freight from Jamshedpur to Bombay I understand being Rs. 35 a ton, therefore the price of Tata's steel in Bombay, if they are to get their proper price, would be Rs. 215. So that I fail to see what use a tariff of Rs. 40 would be to them in Bombay. Now, let me take Karachi. The freight to Karachi is I believe Rs. 71. Therefore if Tata's are to get Rs. 180 net, they must sell at Rs. 251 at Karachi, whereas the tariff is going to raise the price there for the moment to only Rs. 180. Now, that same argument to a greater or lesser degree will apply whether you take Karachi, Bombay or Tuticorin or any other extremity, and all that this proposal to put on a Rs. 40 duty will effect for Tata's is that within their own geographical sphere, with the centre at Jamshedpur, the protection will be of great value to them, but it will be of no value at all at the extremities, places like Karachi, Tuticorin and Burma. On the other hand the inhabitants, the dealers, the traders of Karachi, Tuticorin and Burma will all be subjected to the higher prices which they will have to pay. They will have to pay an added tariff and will still be unable to secure Tata's steel. Another point that is frequently overlooked is, that if you put on a tariff duty of Rs. 40, that becomes more like Rs. 60 by the time it reaches the consumer. Because the trader who buys at Rs. 140 charges a profit on Rs. 140; but if he buys at Rs. 180 he will assess his profits on Rs. 180; and so the snowball goes on until the original imposition of Rs. 40 a ton becomes about Rs. 60 by the time you buy your rice bowl or whatever it is out of the shops. I have said you cannot protect the Karachi trade for Tata's; you cannot protect the Tuticorin trade; you cannot protect the Burma trade. If you insist on having protective duties you must graduate them. If the duty which you require to achieve your object is Rs. 40 in Bombay, on the figures I have given you it would have to be Rs. 71 in Karachi. There is no proposal to have graduated duties. The House will therefore see, and that is my point, that these protective duties cannot achieve the object which it is sought to achieve by them. The only object they will achieve will be to penalize the whole steel trade. The steel trade is a basic one. By putting up the price of your steel, you will be putting up the cost of living everywhere; you will be putting up the cost of transport; you will be putting up the cost of roads and bridges; and, as Sir Charles Innes pointed out, you will be putting up the cost of domestic improvements in municipal and utilitarian concerns. The country would for this purpose have to be taxed Rs. 1,50,00,000. Yet there are those who will argue that because it is indirect taxation it is less severe than if a similar amount—though I am going to show you it would be much less—were paid out of the coffers of the State direct to a lame concern in the form of bounties. I have said that Tata's should be supported from the national point of view, and the way I would propose and which I ask you to consider, is to support them simply and solely on the basis of bounties. Take Tata's estimated production for the first year as 2,00,000 tons—and you have the import price stated by the Tariff Report at Rs. 140 per ton. The existing duty on that is 10 per cent., which raises the dealer's cost to Rs. 154 per ton. Please mark that figure. The Tariff Board's proposals on the tariff system are based upon the idea of raising the price of steel

to Rs. 180. The difference therefore is Rs. 26 a ton—154 from 180 leaving 26. Now the Bill proposes to tax the whole country on the whole of the imports of steel which I have shown must still inevitably come to certain ports and anyhow those quantities which Tata's cannot produce must come in, and the whole cost of that must fall upon the consumer. Under my system, if you agree to pay Tata's, putting them in the same position exactly, Rs. 26 per ton bonus on their estimated output in the first year of 200,000 tons, you will cost the country 52 lakhs as against the Government figure of about 150 lakhs. Sir Charles Innes gave us this morning some figures based on Rs. 35 per ton. I do not know where he got his Rs. 35 per ton from, but I have shown you how I got my Rs. 26. In the second year if you take the estimated output at 300,000 tons, at Rs. 26 you get 78 lakhs and in the third year, if you take 400,000 tons at Rs. 26 you get 104 lakhs. The total of these three figures is 234 lakhs. That is what in my opinion you ought to be able to get off for and at the same time give Tata's as much help as this Bill proposes to give them with less taxation upon the public. Now, I know that the best argument, the one that is most likely to be raised, against the bounty system is the difficulty of finding the money. Now, just please remember for one moment that the Tariff Board wrote this Report at a time of great financial stringency. We were all at that time under the impression that we would have an unbalanced Budget. But at the conclusion of the year we found that there was a surplus last year of over 3 crores. We cut it down. It is quite probable, I venture to say, that the present year may also show some surplus; at all events it would be up to Sir Basil Blackett to find the money. There may be a surplus. I hope there will be. But, in the second place, if there is not, then there is someone else to whom I would appeal to help find this money. I would appeal to the Commander-in-Chief. (Hear, hear.) I would say to him: "You are an importer of steel. You use a lot of steel for your army and you would have to pay the increased duties yourself of Rs. 40 on some of that steel." (*Mr. M. A. Jinnah*: "That is exempt.") They manufacture much of their own steel. But, in any case, they are enormous users of steel, tremendously dependent upon it, and I would like to ask the Commander-in-Chief: "Where would the army have been in Mesopotamia in the great war had it not been for the Tata rails?" In this view, therefore, the Tata concern is of the utmost importance to the nation. It has played a big part in the past in war and it may do so again. It is for national reasons that we propose to support it, and it is right and proper, in my opinion, that the cost of it, therefore, should fall upon the national pocket. I have endeavoured to show that if it goes through the national pocket, it will cost a lot less. I have called your attention to the fact that the consequences of protection are absolutely like a snowball. Once you put a duty on steel, you raise the cost of everything. You will begin to get applications for protection from everybody else who has an injustice done to him, who uses steel. I will point out one defect arising under the Bill. The duty is put at Rs. 40 per ton. Supposing you require steel which you cannot or do not wish to get from Tata's or want at one of the ports; supposing you have to place a contract at Rs. 140 for 12 months, the amount coming forward (like Mr. Patel's Bombay pipes) by degrees; now, supposing you have placed your 12 months' contract at Rs. 140, and the price of steel falls to 120, and supposing Government, under the powers in clause 2 (which we must give them, I think) then put on an extra Rs. 20 duty, it means that the pipes which Mr. Patel

[Mr. W. S. J. Willson.]

ordered thinking they were going to cost him Rs. 180 would cost him Rs. 200 ; and every industrial concern will be in the same boat. The consequence will be exactly what commercial opinion detests, namely, uncertainty, unreliability. If you tax steel, always remember you are taxing raw material. Every factory that you put up will cost you more. Supposing I have a factory and it was put with steel at Rs. 140, and you wish to come and compete with me, you have got to build with Rs. 180 steel and you are down from the start. You are 25 per cent. worse off than I am from the beginning (*Mr. K. Ahmed* : " But the money remains in the country ! ") That is no use to you if you fail to make your industrial concern pay.

That is a point which should not be overlooked. The bounty system will tell you exactly what the bounty costs you every year. You would be able to watch it. It can be readily adjusted. If under the tariff system it is necessary to make an adjustment of the tariff, there is an immediate upset of trade. Under the bounty system there is no upset. You fix the price of steel, not at a high level but a low one. You fix it practically at Rs. 154 and you pay Rs. 26. Should it go up to Rs. 36, the position is exactly the same as with tariffs. On the other hand, the bounty system has a much stronger stimulus on the productive departments of the Tata works than the tariff system would possibly have. Imagine yourself for a moment as a worker in the Tata works. Knowing that your department is earning a bonus, is it not a joy to see production going up ? And if it goes up and produces more, you may safely, in my opinion, leave Tata's to market it in the best places as it suits their pocket, convenience and development of their trade.

Finally, I leave every consumer free to buy his steel in the cheapest market. I interfere in no way with enterprise. I upset no capital costs. I cause no commotion. The simple thing resolves itself merely into a question of whether we can pay the money or not. And I submit most strongly that it is the most undesirable thing that this House could do to impose any tariff on steel, when you can get at the same results by bounty, and that is the principle which I ask this House to adopt.

**Sir Purshotamdas Thakurdas** (Indian Merchants' Chamber : Indian Commerce) : Before I begin my remarks I would like to offer my congratulations to the Honourable Member in charge on the lucid statement that he made in introducing the motion that is before the House. As representing the Indian Merchants' Chamber of Bombay, it has been my lot to differ from the Honourable Member several times. But I can with confidence say that the manner in which he has placed the case before the House to-day is absolutely impartial and colourless. (Laughter.) I will at a later stage have again in the course of my remarks to-day to differ from the Honourable Member regarding some of the remarks of the Indian commercial community in connection with the pace at which the Tariff Board has been working. But I think it is only right that I should, Sir, at the very start say what I have said before in the press that the Tariff Board Report is a most valuable report and it is a report which shows that great care and immense pains have been taken over a problem which by itself was most difficult and which, as a beginning of protection to India, is bound to call forth a good deal of criticism and all sorts of remarks.

My principal reason, Sir, in rising to address this House at this stage is that I wanted to follow my Honourable friend Mr. Willson who said that he spoke on behalf of 15 different Chambers of Commerce all over India. (*A Voice* : "13 Chambers.") I do not overlook the fact that my Honourable friend represents the Associated Chambers of Commerce in India. I, as representing Indian trade and commerce, cannot claim that I represent 15 or even more than one Chamber of Commerce. But I can claim this that the one Chamber of Commerce which I have the honour to represent in this House has till now been recognised for most parts of India as representing the views and opinions of the Indian commercial community practically all over India. I therefore thought that it was only right that I should rise at this stage to put before the House the views held by the Indian commercial community in India as distinct from the views held by the European commercial community in India. (*Mr. W. S. J. Willson* : "I did not say Europeans.") I say European. I would like Mr. Willson to tell us the total number of Indians on the 13 Chambers of Commerce which he has the honour to represent in this House. I do not think that Mr. Willson can challenge the statement that the number of Europeans on all the 13 Chambers of Commerce is more than 75 per cent. of their membership. So much, Sir, for the beginning with which I wanted to preface my remarks.

I think, Sir, that the introduction of this measure in this House marks a new departure in the policy of the British Government in India ever since the time of British rule in India. One can go into the history of fiscal policy of British Government in India ever since the start. But this is hardly the time because it was only the last Assembly which accepted the policy and it is only a few years ago that the Government of India, at the instance of the last Assembly, accepted the policy of protection. Under that policy India wanted full protection but it is only discriminating protection that has been granted. It is therefore, Sir, only in the fitness of things to observe that the introduction of this Bill marks a new era and, even though the measure of protection offered may not be as full as some may like it to be, I think it is only right that it should be marked and that full appreciation for the introduction of this measure may be given to the quarters where it comes from. I fear even the very small beginning that we are offered on this question of the fiscal freedom of India would not have been possible if the Government of India had not accepted the Tariff Board Report. And I offer to the Honourable Sir Charles Innes, as representing the Government of India in this matter, the best thanks of the Indian commercial community for having made a start in this direction. I am aware that there will be many in this House who may think that the start is a belated one, that the start is a very weak one and is not sufficient to do India that good which we are all anxious to see. But the very fact that a start has been made is a thing which is to be noted with considerable satisfaction.

My Honourable friend Mr. Willson complained that the time at the disposal of the public for the consideration of the Tariff Board Report has been much too short. He says that we had this Report only for one month and, although he recognises that there has been great depression of trade and consequently great depression in the steel industry in India in common with all other industries in India, I am rather surprised that the representative of 13 responsible Chambers of Commerce should get up in this House and complain that the measure is being introduced

[Sir Purshotamdas Thakurdas.]

too early instead of being introduced too late. In fact, many of us believe, and the Indian commercial community feel it almost unequivocally, that, if the measure were introduced later than it has been, it is quite possible that the very worst effects of free trade policy that has been followed till now might have prevailed. I really noted with great regret Mr. Willson still complaining at this late hour that the Chambers of Commerce which he has the honour to represent here have not had enough time to go into the Tariff Board Report and to criticise it. My Honourable friend said and quoted in support of that the fact that the Bengal Chamber of Commerce only submitted their views to the Government of India last night. Sir, this is nothing very extraordinary. It is only in keeping with what the Bengal Chamber of Commerce did to the Tariff Board. The Tariff Board remained in Calcutta for several weeks and the Bengal Chamber of Commerce never found enough time to put their views before the Tariff Board. Eventually they had to issue a statement explaining the reason why they did not find sufficient leisure at their disposal to submit their views to the Tariff Board. Later on, when the Tariff Board visited Calcutta for the second time, the Bengal Chamber of Commerce found that it was able to submit its views to the Tariff Board. Similarly, it is why the Bengal Chamber of Commerce could not submit their views on the Tariff Board's Report earlier than last evening to the Government of India. I do not think the blame can be laid at the door of the Government of India. I think the Bengal Chamber can safely be said to be following the same procedure which they did in connection with the evidence that they had to submit before the Tariff Board. The previous history and a good deal of research work that has been done before now in connection with the fiscal policy of the British Government in India from the very start would reveal some facts which, though very pertinent to the subject matter of to-day, are not necessary in view of the stage at which we are. But in connection with the opposition of the British Chambers of Commerce in India on this occasion I cannot resist the temptation of quoting the manner in which history repeats itself. In 1859, when the Government of India introduced what is now known as Act VII of 1859, the introduction of that Bill called forth the usual protest from the local vested interests such as the European Chambers of Commerce. Memorials were addressed to the Secretary of State by these Chambers of Commerce of which the one from the Bombay Chamber of Commerce was a typical one. I am very glad that it is not the Bombay Chamber this time. It is the Associated Chambers of Commerce *minus* the Bombay Chamber. This memorial showed the same solicitude for the importer and the Indian consumer as we see to-day and further mentioned their points as follows. In 1859, Sir, the Bombay Chamber brought out these points in their representation to the Secretary of State :

“(1) That the new scale of duties would practically fall upon the importers and the consumers. (*Mr. Willson expresses the same solicitude for the consumer and for the importer.*)

(2) That it was impolitic to place further burdens upon British trade with India. (*We have not heard that plea made yet.*)

(3) That it would check the British trade so valuable to England and her shipping interests. (*I have not heard anything about this so far.*)



(4) That it would stimulate the competition already commenced in the cotton industry.

(5) And that the lower duty on the import of cotton yarn would promote the Indian cotton industry with a corresponding detriment to the British industry." (I have still got to hear someone urge this with regard to the steel industry.)

Thus alleging the impolicy, the injustice, and the evils involved in the measure, the memorial concluded :

"In conclusion your memorialists would venture respectfully to express a hope that the commercial policy of Her Majesty's Government in India will not be inaugurated by a departure from those principles of Free Trade which are now recognised in England as the basis of commercial prosperity."

• My friend, Mr. Willson, says he is in favour of protection to the steel industry because between 1859 and 1924 the best part of half a century has gone by, but he urges this House to modify the Tariff Board's Report. Mr. Willson says he fully sympathises with the anxiety of India for protection. I also understood Mr. Willson to say that he had a considerable stake in the Tata Iron and Steel Company, but he seriously urges that, when the Government of India after very full inquiry and deliberation have put forward this Bill, and at a time when the Labour Government is in office, he would like this House, Sir, to modify the Tariff Board's Report to the extent that protection should be given by bounties and not by protective duties. Of course the Tariff Board has nothing to say on the point, except that there is no money for bounties. My Honourable friend says :

"But you had a surplus last year and the Tariff Board when they drafted that part of the report did not know that there was a surplus."

He goes further and says :

"If the Honourable Finance Member cannot find the money, he would go to the Commander-in-Chief."

That is at least one point on which the Indian commercial community and the European commercial community are agreed, namely, that military expenditure in India should be reduced. Irrespective of protection, irrespective of duties, whether import or bounty, the military expenditure will have to go down before long. I hope Mr. Willson will keep company with us when we plead for that in this House. I wish my Honourable friend had told us regarding other countries which have profited by protection, not by protective import duties, but protection by bounties. I was listening very carefully to see whether anyone would tell us how Germany, Japan, and other countries had built up their protective walls not by high tariffs but by bounties. Whenever there is a surplus it has all along been said that we wanted reduction in existing taxation. The only safe and correct thing that has been carried out in other countries is the building of high protective walls so that you can keep imports out and build your own industries within them.

My Honourable friend said that the cost of factories would increase. It should increase in any case unless you can go on taxing the people for bounties. Do I understand my Honourable friend to mean that the question of effective protection in India should be put off until you can provide for that protection only by bounties? Is that the opinion of the Associated Chambers of Commerce, and, if that is the opinion, may I ask my Honourable friend to make a rough guess of the number of years when we will be able to afford protection to, say, two industries.

[Sir Purshotamdas Thakurdas.]

Sir, I would like to say a few words regarding the remarks of my Honourable friend, Sir Charles Innes. He tried to defend where he had, I think, nothing to defend and no occasion to defend, the Tariff Board, regarding certain remarks of my Chamber in a letter to the Government of India, in connection with what my Chamber called the comparatively slow pace at which the examination of various industries for purposes of protection was being carried on. I am sure the Honourable Member cannot be forgetting that as soon as they found that the Government of India had either misunderstood or misconstrued, quite innocently of course, the Chamber's letter to them, the Indian Merchants' Chamber wrote and made it quite clear that they were second to none in their admiration of the Tariff Board's work, but that, that did not prevent them from submitting to the Government of India, that unless some other method was introduced it would be many years before other industries which require and are looking out for protection will get their turn for examination by the Tariff Board. One of the things the Chamber suggested was that instead of the Tariff Board going all over India, they may sit at one of the two places which are the headquarters of the Government of India and ask people who are interested in industries to go up to those headquarters of the Tariff Board and submit their views to the Tariff Board. Of course if the Tariff Board thought it would be necessary for them to go round to certain places, say, when they are examining coal industries, which I understand is referred to them, if they thought that a visit to the coalfields was necessary, there is nothing to prevent the Tariff Board from doing so, and I am afraid my Honourable friend has not correctly understood the Chamber's attitude when he said that the Government of India did not wish to interfere with the Tariff Board's liberty to work independently. That is the one thing which my Chamber has always stood for; and I want to make this clear if the letter of the Chamber is not quite clear. There is nothing in the Chamber's suggestion derogatory to the Tariff Board. All that the Chamber want is that the various industries which require examination by the Tariff Board should have their turn for such examination by the Tariff Board as early as possible and without any avoidable delay.

I wish now, Sir, to put before the House the two main features of the Bill that is before the House. There is nothing in the Preamble which conveys the clear declaration of the Government of India that it is their decision to give protection to the steel industry of India until the time when that industry is on its own legs and will need no protection. The period of three years mentioned in one of the clauses of the Bill has been liable to great misunderstanding and misapprehension on this score. I understand, and I am sure that the Tariff Board so recommended, the period to be for three years because they had reason to believe that at the end of three years, when the Jamshedpur works begin to turn out their full capacity, their costs ought to go down and the other various uncertain factors which we see to-day in the commercial and industrial world may more or less return to the normal. With this view I understand the Tariff Board recommended that at the end of three years it would be necessary for the Government of India to have another inquiry into the question of the steel industry, and that inquiry may necessitate a substantial change in the basic prices which have been fixed by the Tariff Board. This is my reading of the recommendation

of the three-year period. But that does not mean that at the end of three years, after this Bill is passed by the Assembly, the policy of protection comes to an end and no more protection will either be required or be available. And I would ask the Honourable Member in charge whether it is not absolutely necessary to make this perfectly clear in the Preamble of the Bill, so that the period of three years may be looked upon as a period at the end of which there would only be an examination of details, what are comparatively details, though they may be important details, still they would be details of the main question, namely, of protection to the steel industry. For, Sir, I very strongly believe, and I wish to put it very unmistakably to the House to-day, that if the Government of India have not made up their mind definitely to give protection to the steel industry until that industry in India is built up, I think we had best not waste our time, nor waste the money of the country in giving any protection at this stage, for it would be a waste of time and it would be something worse than a waste as far as the consumer is concerned. Supposing you put on at present a crore and a half of burden on the consumer for three years, it would come to Rs. 4½ crores at the end of three years. If the Government of India are likely in the least then to say, "No more protection," what happens to the sacrifice made by the consuming public of India? All their 4½ crores is wasted. If, on the other hand, the idea of the Government of India is that if on inquiry by the Tariff Board then it is definitely ascertained that after a certain period, six months or a year, through some extraordinary developments in the steel industry, no protection is necessary, that would be a temporary feature. But the question of protection is one which should be taken up only after the Government of India and the Legislature definitely make up their mind that they will continue the policy of protection right through until the country begins to manufacture practically cent. per cent. of all her requirements. It need not be quite 100 per cent. If it is 80 per cent., perhaps the balance of 20 per cent. could take care of itself. But if there is the slightest hesitation in the minds of this Assembly or in the mind of the Government of India that, at the end of three years, they may back out of this policy, I think it would be only fair to the country and to the consumer that this policy be not started at all. I therefore venture to ask the Honourable Member whether he would not make this definitely clear in the body of the Bill instead of leaving it to a few remarks which may be made from the Government benches opposite. If it is necessary and if it is the aim of the Government that with this policy, and behind the wall of protection that my Honourable friend opposite is laying the foundation of to-day, further steel factories should grow up in India within the next five or ten years, it is all the more necessary that the public, and especially the public which are inclined commercially and industrially, should learn definitely and in a manner that can be said to be unequivocal as far as the Government and the view of the Assembly are concerned, that the steel industry in India will continue to receive protection up to a certain point, which point also the Government of India may definitely state to-day if they so choose to.

Regarding the adequacy of protection, the Tariff Board themselves have said enough, and I do not think I need dwell on it at any length, but I would like to say this, that whilst it is very necessary that the protection that may be offered should not be extravagant—indeed, Sir, India at present and for the next few years looks like being least capable

[Sir Purshotamdas Thakurdas.]

of affording anything in the direction of extravagant protection to any industry—it is very necessary that the Tariff Board and the Government of India should take every care that the protection offered is at least such as will enable that industry to withstand the onslaught of industries from outside against what is known as dumping or efforts to kill nascent industries in India. Therefore, the protection should give as much support at least to a nascent industry as will enable that industry, to keep going until the industry comes to a period where it is able to hold its own owing to production on a large scale, or other facilities being available to it. These are the two main features with which I think it is necessary to deal at this stage of the discussion in the House. I have very great pleasure, in supporting the motion.

Mr. K. C. Neogy (Dacca Division : Non-Muhammadan Rural) : I beg to move :

“ That the Bill be referred to a Select Committee.”

If I had any doubt as to the advisability of moving this amendment of mine, that doubt has been dispelled, if I may say so, after hearing the rulings that you have been pleased to give this morning with regard to the various amendments that are down on the agenda paper. We find that, though we can reduce the duties proposed, our authority is confined only to that, and we cannot in any manner improve the Bill from our point of view, and the Bill has got to be passed very much in the same state as we find it. Now, Sir, I am very thankful to the Honourable Sir Charles Innes for having given us the assurance that, if this Bill goes to a Select Committee, he will not stand on formalities, but will allow discussion on these various amendments that have been ruled out of order by you, across the table. I hope that he may relent a little in regard to one or two of the amendments that we may then be able to discuss, and get necessary sanction from the Governor General so as to enable us to adopt those amendments on the floor of this House and get them incorporated into this legislative enactment. Apart from this class of amendments, there are other amendments which will be moved in any case according to your ruling, Sir. I am responsible for one of those and I do not know really what the financial effect of it will be, and it is not quite possible for us to have a discussion across the floor of this House in the same manner as we can discuss such technical matters in a Select Committee. I thought that my Honourable friend Sir Purshotamdas Thakurdas was at one time opposed to a Select Committee, but from the speech which he has just now made I find that, in so far as he wants the period of the life of this Bill to be extended, he cannot but agree to this motion because that is a question which cannot under your ruling be adopted on the floor of this House and can only be discussed in the Select Committee and in an informal manner. Now, Sir, he has referred to this point at some length and has pointed out that by confining the operation of the Bill to a period of three years, the Government have departed from the spirit of the recommendations of the Tariff Board. Well it is no doubt true that the Tariff Board recommended these particular rates for a period of three years, but they in Chapter 3 of their Report made it quite clear that there should be a clear declaration that the Government should stand firm by their policy of protection so far as the steel industry is concerned, which alone would be sufficient to attract more capital into this industry. And, so far as

I can see, the Preamble of the Bill has departed from this recommendation of the Tariff Board. There is another point which I want to raise in this connection. Honourable Members are all aware that the report of the Mercantile Marine Committee has been in the hands of Government for about three months. Well, I do not want to pry into the secrets of the Department over which my Honourable friend, Sir Charles Innes, presides. In fact, I stand in holy horror of the Official Secrets Act which was passed in spite of my opposition. It may be that the Mercantile Marine Committee has said something about the protection and development of the shipbuilding industry. I do not know. I find Sir Basil Blackett thinks that there is no such recommendation. Well, I want to be assured on that head, because I find that whereas the Indian public opinion is definitely in favour of some protection being granted to the nascent shipbuilding industry in India, this Bill proposes to place foreign importers at a distinct advantage over the Indian manufacturers, as it is proposed to exclude imported steamers, launches, barges, flats, boats and other vessels from the enhanced duty on fabricated steel. The price of every item of steel that the Indian manufacturer will have to use for the purpose of his manufacture of these things will certainly go up and to that extent the Indian manufacturer will be placed at a disadvantage. It is no doubt true that the Tariff Board has more or less casually gone into that question. But if I am correct in thinking that the Indian Mercantile Marine Committee had something to say about it, then in all fairness to this Assembly the Government ought to tell us what those recommendations are. If, however, Government find any difficulty in publishing the report at this stage, I would suggest that that portion of the report which may relate to this question may be circulated to Members of the Select Committee confidentially. When I make this suggestion I do not speak without precedent, for in the autumn of 1920, when the Auxiliary Force Bill and the Territorial Force Bill were under consideration in the old Imperial Legislative Council, the Esher Committee Report had actually been received by the Government of India but had not yet seen the light of day, and, when the non-official Members wanted to know what the Esher Committee had to say about this matter, the Government circulated that particular portion of the Esher Committee's Report that related to this question confidentially to the Members of the Select Committee who made ample use of that in their report. This is one of the main reasons that has prompted me to send notice of this amendment.

Now, Sir, I think considerable attention has centered round clause 2 of the Bill which deals with offsetting duties, and I do not suppose anything has yet been said from the non-official side with regard to the desirability of leaving the whole question to the discretion of the executive Government. Well, Sir, we have been told that since the Report of the Tariff Board has been received prices have gone down considerably, of continental steel particularly (Voice : "Gone up") and it is thought probable that prompt action may have to be taken under clause 2. I had a glance through the latest numbers of some of the technical journals, which I am sure Sir Charles Innes also must have perused, and I find that everywhere in Europe and America tremendous efforts are being made to secure orders at any price. It is stated that there is a good deal of nervousness in Belgium and prices are expected to decline steadily all round. I am quoting from the latest issue of the "Ironmonger" to hand in India. The United States of America report a

[Mr. K. C. Neogy.]

quiet market with a heavy stock of steel on hand and concessions are stated to be available on attractive tonnages. America herself has been hit hard by European competition. The States are increasing their imports from the continent and steel rails from Europe are being landed in the United States at 3 dollars per ton below American rail quotations after paying import duties ; and the Federal Legislature of the United States of America was to have reintroduced only three days ago, that is to say, on the 24th May last, the Preferential Railway Rates Bill which was introduced in 1920 in favour of exports shipped from America in her own vessels but afterwards suspended. Reports from Great Britain also indicate disturbed conditions and a collapse is apprehended on all sides. Great as the danger of price cutting is, the danger is greatest from countries with depreciated currency. I quite appreciate the difficulties of providing any hard and fast additional duty in the case of the countries having a depreciated currency. But I propose to raise this question in the Select Committee, and I would ask the consideration of Government to a suggestion as to whether additional offsetting duties could not be provided in the Bill itself, provided the Governor General agreed of course, just for the purpose of meeting the countries having a depreciated currency.

Now, Sir, there were some minor points which I wanted to touch upon, but as it is getting late and several other Honourable Members are anxious to speak, I think it would be better just to mention them because I am confident that this motion of mine will be acceptable to this House and I will have an ample opportunity of discussing them in the Select Committee. Those relate to the question of giving protection to steel castings on which question I think the Honourable Sir Charles Innes has already received a representation, because I myself was supplied with a copy of the letter that was addressed to him. Then there is the question about galvanised sheets about which I have myself tabled an amendment. But these are comparatively minor questions and I do not want to take up the time of the House by entering into a discussion thereon just at the present moment. I move that the Bill be referred to a Select Committee.

**Mr. President :** The question is :

“ That the Bill be referred to a Select Committee.”

**Pandit Madan Mohan Malaviya :** I rise to oppose this motion at this stage. I think that the principle of the Bill has not been sufficiently discussed and it is too early to propose that the Bill be referred to a Select Committee. When the principle of the Bill has been fully discussed and when it is clear that the sense of the House, as a whole, is in favour of the principle upon which it is based, it will be time for my Honourable friend Mr. Neogy to press his proposal that it should be referred to a Select Committee. I may briefly draw attention to the great importance of the subject and I do think that the House will agree with me that we should not try to rush the Bill through the Legislative Assembly. In the first instance I congratulate the Government on the decision that they have arrived at to introduce protection after all in this country. I heartily congratulate them on it. We Indians prayed for it for nearly the last 40 or 50 years and it was a cry in the wilderness and therefore our satisfaction is genuine and the expression of our gratitude is deep to the Government of India for having decided to extend protection to an important

industry in this country. It was said by the Honourable Mr. Willson that the Bill was being rushed. I fear I cannot agree with him. Mr. Willson forgets that the suggestion that steel should be protected in India is, as the Honourable Sir Purshotamdas Thakurdas pointed out, a very old one. It has not come a day too soon. I would like to show my friend how late in the day the Bill has come. I would only tell him of what was written by Mr. Ball, Deputy Superintendent of the Geological Survey, in his work on Economic Geology which was published some time before 1890. He there said :

" If the Government had started the manufacture of iron on an extended scale at the time of the first opening of railways, great benefits would have accrued to the State. If the State was justified in undertaking the construction of its own railways there was nothing inconsistent in principle in its undertaking the manufacture of its own iron any more than in its manufacture of salt or opium. The effect of its establishing factories for iron manufacture throughout India would have (in Mr. Ball's opinion, says Mr. Justice Ranade) enabled the State to keep vast sums of money in circulation and would have given employment to large numbers of people who now resort to agriculture as their only resource. The golden opportunity was allowed to pass and we find ourselves in the anomalous situation that after 150 years of British rule the iron resources of India remain undeveloped and the country pays about ten crores of rupees yearly for its iron supply while the old race of iron smelters find their occupation gone."

Since then the question has been before the Government but a decision was arrived at only very recently and the Government have been very careful if I may say so. Some people will say that they have been over-cautious. Some will say that they have been very slow but certainly they have been very careful in arriving at a conclusion on this question. The need for such a conclusion was pointed out by the Government of India in 1915 when Lord Hardinge's Government said in their despatch of the 26th November 1915 :

" It is becoming increasingly clear that a definite and self-conscious policy of improving the industrial capabilities of India will have to be pursued after the War unless she is to become more and more a dumping ground for the manufactures of foreign nations who will be competing the more keenly for markets, the more it becomes apparent that the political future of the larger nations depends on their economic position."

It was in pursuance and support of that policy that a Resolution was passed by the Assembly and a Tariff Board was appointed. We complained that the Report of the Tariff Board had not been put before the Assembly in the Delhi session and I do not think there is any justification for the view suggested by my Honourable friend that the report has been placed too late before the country and Members of this Assembly. I think, Sir, that the matter has not been taken up one day too soon.

But apart from that we have now to consider how important a measure this Bill is and we have to discuss it in all its aspects before we give our assent to the proposal that the Bill be referred to a Select Committee.

Now what is the principle of the Bill ? The principle of the Bill is to protect the steel industry by a tariff and not by a bounty. My friend Mr. Willson put forward an extremely well argued point before the Assembly and pointed out that we should resort to bounties to give assistance and should not resort to tariffs. My friend Sir Purshotamdas Thakurdas has already answered that point. I agree with Sir Purshotamdas Thakurdas that no country has built up its industries so far as I am aware merely by the help of bounties. Bounties have been given to encourage certain industries like the shipbuilding industry. If shipbuilders produce

[Pandit Madan Mohan Malaviya.]

certain types of ships they will receive so much as a bounty. This is done to push that shipbuilding industry or any other industry like that but in no country, so far as I am aware, has an indigenous industry been protected from the competition of foreigners merely by means of bounties. I therefore think that, as the Honourable Mr. Willson is genuinely anxious that this great indigenous industry should be protected, he will revise his view and be able to think with us that protection by means of a tariff is the only right course which can be pursued in this situation. But a friend asked : " Why protection at all ? " As the Honourable Sir Purshotamdas Thakurdas was speaking, there were voices from behind " why protection at all ? " and I think there are several Members who would like to hear a little more about the need for protection. Personally, I do not share any misgivings about that. I feel, and I think my friends when they have studied the question will feel, that no modern country has built up its trade without the help of protection. England is no exception to the rule. England has resorted to protection when she needed it and has discarded it when she was strong enough to discard it and when it was to her advantage to discard it. But I will give the example of America. The United States of America did not manufacture even pig-iron in 1860. About that time they began to manufacture steel and you know the progress they have made from King Log to King Steel, and so on. That was done by means of protection. Germany built up her industries by means of protection. It is not possible to build up a great industry like the steel industry without the help of protection. I therefore feel certain that when my friends who are in doubt will study the question they will be convinced that this protection has to be offered to national industries and should be offered only to national industries in order that those industries should stand on their own legs against competition from older establishments which have greater resources, greater technical skill and experience and greater commercial ability in finding markets for their products. But just for that reason I wish to draw attention to two other matters which arise in the Bill. What is it that you want to do ? I fear, without meaning the smallest disrespect, that the Government of India have not made up their mind absolutely clearly on the policy which they are going to pursue. I fear that they are still fighting shy of firmly and clearly saying that they think it their duty to afford protection to such Indian industries as are genuinely Indian. If I am wrong I should be very thankful to be corrected ; I shall be happy if I am mistaken. I shall be thankful to know that the Government of India have made up their mind that they will promote Indian indigenous industries by means of such protection as may be necessary and of which we have the present Bill as an instance before us. I want to make it quite clear what the object of us, Indians, was when we asked for protection. That was very clearly stated by Sir William Clark who was the Member for Commerce in this Government at one time. Members of this House will remember that on the 21st March 1916 my friend the Honourable Sir Ibrahim Rahimtoola moved a Resolution in the Imperial Legislative Council urging the appointment of a Committee to consider and report what measures should be adopted for the growth and development of industries in India. Speaking on that Resolution, Sir William Clark said :

" The building up of industries where the capital, control and management should be in the hands of Indians is the special object we all have in view."



He emphasised that it was of immense importance alike to India herself and to the Empire as a whole that Indians should take a larger share in the industrial development of their country. He deprecated the taking of any steps if it might (I am quoting his own words) :

“merely mean that the manufacturer who now competes with you from a distance would transfer his activities to India and compete with you within your own boundaries.”

He clearly guarded against that possibility, namely, that no system should be adopted by means of which the manufacturer who was competing with us from a distance would transfer his activities to India and compete with us within our own boundaries. Now, Sir, I want that the Government should make it absolutely clear that this is the object which they have in view. It is only such an object for which protective duties can be justified. Protective duties can be justified only in the view that the benefit which will arise from that protection will not be limited to the members of a particular firm, will not be limited to the shareholders in that particular firm, but will be shared by the country generally. It is only on that basis that you can reasonably ask me to pay five rupees more for an article than I would otherwise pay. It is only on that principle that you can ask the country as a whole, whether it be in the shape of bounties or whether it be in the shape of paying higher prices, to join with the Government in affording protection to a nascent industry against foreign competition. The moment you depart from that principle you lose all justification for imposing a protective duty. Let us take, for instance, what would happen, if, suppose to-morrow a big European company were formed and established itself near the Tata Iron and Steel works with a huge capital, with all the advantages of expert advice and assistance and the assistance of the experience not merely of decades but of centuries. It utilizes all the raw materials which are available in the country ; it exploits the labour available in the country and it earns huge profits, larger than it would earn by having its works in Birmingham or Sheffield, or in Sweden or Belgium for that matter. What justification can there be for asking the people of India to bear the burden which larger prices would involve ? I do not know of any canon of economics under which a policy like that could be justified for a moment. It is therefore only in order to support an indigenous industry, an industry, in the words of Sir William Clark where the capital, control and management should be in the hands of Indians that you can justify protective duties. Let me quote another authority, Sir Frederick Nicholson, who has done a great deal to promote industrial development in the Madras Presidency. In his note which he submitted to the Industrial Commission he said as follows :

“I beg to record my strong opinion that in the matter of Indian industries we are bound to consider Indian interests firstly, secondly and thirdly. I mean by firstly, that the local raw products should be utilized ; by secondly, that industries should be introduced ; and by thirdly, that the profits of such industries should remain in the country.”

Now, that is the ground, the genuine ground, for affording protection and support to an Indian industry. I hope and I have no doubt that the Government have no other object than this. I hope the Government do not desire that foreign companies, wherever their habitat may be, should come and establish themselves in India and take advantage of the Bill which we are now passing in order to earn larger profits than they are likely to earn without such protection. My friend Mr. Wilson says they will. I entirely agree with him and that is what I wish to guard against. It would be a

[Pandit Madan Mohan Malaviya.]

calamity, it would be a crime against the public interest, to pass a Bill without sufficient qualifications or safeguards if the Bill is likely to lead to the result which I apprehend and which I am thankful to have a business man of the calibre of Mr. Willson say, will happen.

Now, in order to guard against it, I wish to draw attention to the necessity of making certain matters clear in the Bill. The Bill starts with saying that it is a Bill to provide for the fostering and development of the steel industry in British India. Now, Sir, that is a wrong heading. Later on you find the Preamble proper explains :

“Whereas it is expedient, in pursuance of the policy of discriminating protection of industries in British India, to provide for the fostering and development of the steel industry by increasing the import duties leviable on certain iron and steel articles and by enabling bounties to be granted to manufacturers in British India of certain such articles ; It is hereby enacted as follows :

That this Act shall be called the Steel Industry (Protection) Act, 1924.”

It seems that the mind of my friend the Honourable Member in charge of the Bill was somewhat uncertain—I do not mean any disrespect ; perhaps he was labouring in a difficult situation, but he appears not to have felt quite certain whether he should call it clearly a protection Bill or put the words he has put. I would request him, not in any spirit of opposition, nor by way of carping criticism—to cut out the words “for the fostering and development of the steel industry in British India.” That is the first change which I would suggest, because that would make it clear that the object is to afford protection.

Now, Sir, there are two aspects under which the people of any country can be asked to bear a burden. One is that you can ask the public to bear the burden of taxation or to bear the burden of higher prices for certain commodities in order that they should protect an existing national industry. That is one thing. If the public feel as the public are represented to feel in the Legislative Assembly and in the press—if they feel that a particular industry is of sufficient national importance to deserve the sympathy and protection of the public, they will bear that burden willingly in order that industry should be protected. It is an existing industry. It has cost labour ; it has cost money ; it has cost a great deal of pains. Take, for instance, the Tata Iron and Steel Works. They have cost, I understand, about 24 crores of rupees, many years of labour, many years of prospecting during the time of the late Jamshedjee Tata : many years of consultation with the experts and Members of the Government of India, and the help of foreign experts have all gone to the building up of those Works. That is an existing industry. Its importance has been demonstrated, as was mentioned by the Honourable Mr. Willson, in the late war. Without the rails which the Tata Steel Works supplied, the success of the British arms in Mesopotamia would not have been so certain as it was. Gratitude demands that we should remember that. We should also remember that the people of the country, the humble as well as the high, have invested a great deal of their hard-earned money in the Tata Steel Works, that the shares are held mostly by Indians. I am told that of 10 crores and odd of subscribed capital about 9 crores is held by Indians. I am not sorry that a crore is held by Europeans. I shall be glad if a certain portion of money subscribed is held by our European firms who have established themselves for good in this country and wish to remain with us as

friends and fellow countrymen. But the main point is that the bulk of the capital in Tata's has been subscribed by Indians. It has demonstrated its utility, and now that so much money and labour has been spent upon a company like the Tata Works, the people can well be asked to bear the burden of fresh taxation or to bear the burden of higher prices in order that those Works should be protected against the attacks of foreign manufacturers, who, recognizing the position, are willing to dump their goods at less than cost price in order to hit the Indian manufacturer. There is a clear case for protection. There is a clear case for shouldering the burden in order to help the industry.

The second aspect is the passing of a protective tariff Bill to encourage men who have no industries established here yet to come in and establish industries.

The Bill, as it is drafted, will accomplish both these objects. It will afford protection to the Tata Company. It goes beyond that. It invites foreigners, as I understand the Bill—and I shall be very thankful to be told that I am wrong—it invites foreigners, whoever they may be, to come to this country and build up steel factories and to start works on a larger-scale than the Tatas and to enjoy all the profits that they can. I ask my Honourable friend the Member in charge of the Bill and anyone else who is in support of the Bill as it stands to tell me if there is any precedent in any country or any canon known to economists under which a proposal to tax the public generally in order that foreigners should come and establish certain factories in the country in which the people are taxed has ever been put forward. I submit it cannot be. I submit it is opposed to reason. Common sense revolts against it. It would be the very reverse of the correct process. This Bill offers an invitation to foreigners to come and settle down here. I am not surprised to hear that one big company with a capital of 20 crores has already been, I am told, formed. I am not told that it has started work, but I am told that the United Steel Corporation of Asia with a capital of 20 crores has already come into existence, and I am told that the shareholders of that company are not Indians, that they are mostly non-Indians. Now, Sir, just see the danger to which we are exposed by the provisions of the Bill as it stands. My friend Mr. Willson helps me by saying "Bounties." He seems to think that bounties is the method by which we should proceed. I fear that bounties alone have never protected any large national industries. They have stimulated the industries where the number of industries has been the object. Now, this is one of the instances, and there are other instances. I hope this Bill is the forerunner of other Bills which will give protection to national industries; or at any rate protection will be extended by this Assembly by means of other legislation to other industries. I am told that at present a Swedish combine has been formed with the object of establishing huge works for matches in this country. I am told that they are coming in to take charge of the entire field of India, so far as the match supply is concerned, and I do not know, Sir—I hear, I should like to know. I have given notice of a question to know—whether the Government of this country is aware that a Swedish combine has been formed in order to promote the manufacture of matches on a large scale in India and whether they have obtained through intermediaries in India any concessions from the Provincial Governments. There are several match factories in existence. There is one at Ahmedabad. There is another at the Sunderbans. There is a third factory at Shahdara near Lahore.

[Pandit Madan Mohan Malaviya.]

I am told there is one at Lucknow also. These factories are in existence. One can easily understand that, if the terms of the Bill under which protection is to be extended to any particular industry in India are not very carefully framed, the foreign merchant might come and kill any industry of India. There are similar cases. The foreign merchant naturally wants business. I do not blame him. The war has hit many of them hard, and those who have not been hit hard want more business and they cannot keep on unemployment. I am told that many manufacturing firms are running their works at a loss. I am told that they are willing to undersell the Indian producers. I think, therefore, that very great care has to be taken in any legislation which is to be passed by this Assembly that, instead of doing good to our people, we do not expose them to unnecessary hardship. I understand that the need for this caution is very great. I am reminded of another instance which shows it. The Government of India in 1921, I think, issued a notification saying that they wanted 400 locomotives in this country, that they wanted 160 locomotives in one year, 200 in a particular year and 400 locomotives in the year after that, and I am told that when this company was formed there was the assurance held out by the Government of India that they would so purchase locomotives (*Dr. H. S. Gour* : " For a period of 12 years ") for a period of 12 years. I am told that when this company was formed manufacturers from outside, who had been supplying locomotives of a certain type at £13,500 apiece, reduced their price to £5,000 apiece, that is to say, by £8,500 each. And I am told then that the Government of India did not give the assurance to the company that they would buy from them but qualified the assurance or withheld it or did something which has left those who formed the company in the lurch. I shall be very thankful to know from the Honourable Member in charge of Commerce that my information is not accurate. I shall be very thankful to know that the facts are the reverse of what I have said. I shall be very thankful to know that this company which was encouraged to come into existence will receive all the support that the honour of the Government of India entitles it to receive, because the Government of India pledged their word to them that they should form themselves into a company. Now, Sir, all this leads me to think that we must be on our guard against a larger measure of protection being extended by the Bill than can be justified in the interests of the public. I fear that the clause as it stands goes beyond it. It says it is not to protect the existing industry. The Honourable the Member in charge of Commerce has said that the Tata's Steel Industry is the only industry which will be practically affected by this measure. Why not, then, confine it to them and say that this Bill is intended to protect the Tata's Iron and Steel Works and nothing more? It is a big enough industry to require special legislation. There has been legislation for much smaller things and bodies. Is it impossible or unreasonable, then, to ask that the protection which is offered here should be confined by name specifically to the Tata Iron and Steel Works? If it is not, what I want is that there should be no word in the Preamble which would lead people to think that the object is to provide for the fostering and development of the steel industry by raising the import duties leviable on certain iron and steel articles and by enabling bounties to be granted to manufacturers in British India of certain such articles. They may be Swedish, they may be Welsh, they may be Americans, they may be Australians, they may be Irish, they may be Scotch. The Bill

merely states manufacturers in British India. There is no law under which you could refuse to register a company such as there is, I understand, in Japan. In Japan, at least some time ago, when a company was to be registered, the Government took care to see that the shares were, in the first instance at least, confined only to the Japanese. I do not think that there is any law in India which can limit the investment of money in that manner. You merely say that any manufacturers in India will be entitled to such a benefit. Therefore you are holding out a clear invitation to manufacturers outside to come and establish their firms in India. I hope, Sir, that this matter will receive the attention of the Member in charge and that he will find out some phraseology which will make the meaning of the Government, and in which I hope the Assembly and the Government are of one mind, clear that what the Government seek to do is to offer protection and a reasonable means of development to an existing great national industry and not to individual foreign firms to establish themselves in this country who should be saved from the trouble of shipping machinery and products from long distances and offering their products here to the people who want them. This is the first thing.

The second thing which I want to mention in this connection is the limitation of the duration of the Bill to a period of three years. I regret I differ from my Honourable friend Sir Purshotamdas Thakurdas and Mr. Neogy, if I understood him rightly, in desiring that this limitation should be removed. I think the Government are perfectly right in fixing this limitation to a period of three years because that is a time during which we can see how the Bill has operated. The Bill inflicts a heavy sacrifice upon the people. In three years' time we shall have seen how the Bill has operated and what changes have taken place. If the necessity should still exist of protecting the Tata Iron and Steel Works, I expect, Sir, that this House will be fully willing to extend that protection to them. But if we omit this limitation and leave it open to people to think that this is to be a permanent Bill for all companies which may be formed in India during this period, then I fear we shall be invaded by companies and we shall be more helpless in their hands than we are at present. For that reason I hope that, if the Bill goes to the Select Committee, this matter will be very carefully considered.

The third point to which I would make a reference is this. There are several Honourable Members who, though generally desirous of giving necessary protection to the Tata Iron and Steel Works, are not quite satisfied about the management of labour within those works. As I found from the paper on the table that several Honourable Members have misgivings on that score, I have thought it right to refer to it. I hope that something will be done by the Government to obtain an assurance from the Tata Iron and Steel Works that all reasonable complaints of labour will be reasonably considered and that necessary redress will be offered. That is essential. When any company comes before the national Assembly to ask for protection, it is certainly right that the Assembly, representing the people and not merely the capitalists, should insist upon being assured that every reasonable complaint of labour will be listened to and, where necessary, remedied. I hope this is not too much to ask. I do not say that I endorse the complaints that have been made. I do not say that the complaints are groundless. I only draw attention to the necessity of the Government obtaining the assurance from the Directors, which I think they should have no difficulty in getting, that every reasonable complaint will be listened to and that they recognise that labour contributes in no small measure to the success

[Pandit Madan Mohan Malaviya.]

of the works in which they are interested and in which we are interested. I have nothing more to say. I hope that these points will be borne in mind. I have no doubt that the matter will be fully discussed by the Select Committee.

Mr. M. A. Jinnah : Sir, at this stage I do not propose to take up the time of the House for any length of time. I rise really to support the motion that the Bill be referred to a Select Committee. With regard to the principle of the Bill I would like to say just a few words, and I think this House is aware that this question, the question of fiscal autonomy, has agitated India for a long time. It was on the first occasion when the Government of India Act, 1919, was on the anvil of the Parliamentary Legislature that this question was strenuously pressed before the Joint Parliamentary Committee. Although we did not succeed in getting the statutory recognition, we yet succeeded in getting an expression of opinion from the Joint Parliamentary Committee to the effect that a convention would be established, and that convention was to come into force on one condition. When the Government of India and the Legislature agree, then we attain our fiscal autonomy and no one else can interfere with us. Now, therefore, the first question that I want the Honourable Members to bear in mind is this that the fiscal autonomy that we have achieved, such as it is, is dependent upon this condition that the Government of India and the Legislature should agree. Otherwise, the power which we have here may go into other hands. That is the one thing that I want the Honourable Members to recognise.

The second thing, Sir, I want to say, is this, that I really fully appreciate the fact and I want to emphasise it, that the Government of India have endeavoured to the best of their ability to deal with this question of protection to serve the industries which otherwise must die or perish. And, like other Governments, the wheels of Government move slowly. We had two Commissions. Out of that a debate arose and we adopted a formula of discriminating protection. I do not know exactly what it means myself. I am not a merchant but I am a lawyer. I always thought that protection means whether protection should be granted or not, which again depends upon the merits of a particular case. However, the wiser heads know better and this Assembly adopted a formula—discriminating protection. Then, Sir, our labours have borne this much fruit that out of that formula came the Tariff Board. This Board has made its recommendations and the Government have adopted those recommendations *in toto*. I say that I fully appreciate the spirit with which the Government are meeting this question.

It may be that some Honourable friends hold the opinion that this protection is not adequate. Well, now, Sir, that being the case, Government have recognised that a case has been made out for protection : in fact I have not heard a single speech in this House yet (*Mr. Chaman Lal* : "You will.") *Mr. Chaman Lal* is, I see, against protection (*Mr. Chaman Lal* : "Of course I am.") Then he is out of date. Well, I hear only one voice, and I hope that that is the only solitary voice. (*A Voice* : "Wait till we vote.") (*Voices* : "Two, three, four, four and a half.") I know, Sir, that there are some in this House who are far more advanced than the majority of this House. They are full of principles of socialism and of Soviet doctrines ; but most of us here are not so advanced, and I have no hesitation (*A Voice* : "And also of Bolshevism.")

**Mr. Chaman Lal :** May I ask the Honourable Member whether he considers the Government of India to be a Bolshevist Government because it has nationalised the railways.

**Mr. M. A. Jinnah :** I was not speaking of the Government, but of some of the Honourable Members who are opposed to the principle of this Bill, and I have no hesitation in standing here and saying that in this matter Government have acted perfectly fairly and reasonably, and it is up to us to give them some support. I hope that the Honourable Members will realise that this industry either deserves protection or it does not. That is the question before us. If you are convinced that this is a national industry, if you are convinced that this is a security industry and that hnt for protection this industry is going to die, are you going to protect it or not ? That is the first question I ask you. If you agree that it must be protected, then the next question is, what is the adequate protection ? Sir, it is quite obvious from the figures which are given by the Tariff Board—and I accept those figures as correct—that if this protection is given, this industry at the end of the third year will just be able to make a decent profit. Are you going to give this industry a chance or not ? That is the question you have to decide. Are you going to give it a chance or are you going to indulge in "high falutine doctrines and see this industry killed ? That is the question for this House to decide.

The next thing is this, namely, what will be the best method of protection ? My Honourable friend, Mr. Willson very ingeniously thought that the industry would like protection but he says : "This is not the right method. The Tariff Board have mixed up two methods, specific duty *plus* bounties," and he says : "If you adopt this system of duty, disastrous consequences will follow." He said that everything will go up ; in fact it will be impossible for most of us to live. He exaggerated it to such an extent that I did not know whether I would be able to live after this Act was passed. But this is an old story, the same old story which has been put before the Tariff Board, and having started this lurid account of the disastrous result that will follow, Mr. Willson then said "Oh, but there is a way ; why not reduce army expenditure." He knows perfectly well that that is the one thing which is likely to appeal to some of the Honourable Members and they might fall into his trap and say, "Oh yes, that is a very good idea indeed. We have been hammering away at the Commander-in-Chief and the Finance Member for the last 40 years, but instead of decreasing the army expenditure they are increasing it." But Mr. Willson must remember that the Honourable Members of this Assembly cannot fall into that pit so easily. I ask Mr. Willson—and I think Mr. Willson let the cat out of the bag when he said that this is not the only industry that will be here ; others will follow—that if they do shall we also give them bounties ? Will not your exchequer be bankrupt within a short time. How many industries are you going to provide with bounties ? It is so elementary that I am surprised that it should come from a merchant of the experience and standing of my friend Mr. Willson. How many industries are you going to give bounties to ? This is what the Tariff Board said and I still stand here open to conviction. If you will convince me that merely by giving bounties to this industry it will be a better method, I will stand convinced, but I never heard what was the reason why this was better, beyond the saying why not give bounties to this

[Mr. M. A. Jinnah.]

industry? How is it better? What advantages will follow from it? That I never could understand. If you have got to resort to the principle of bounties your exchequer must in the first instance be overflowing with money; that your people's capacity must be great for taxation. Of course I cannot convince Mr. Willson (*A Voice*: "Are not import duties taxation?")

Sir, I will read to you this passage:

"The picture of disastrous consequences of protection for steel, so forcibly presented to us by Mr. Pilcher and the Bengal Chamber, owes its most vivid colouring, we think, to an underlying feeling that the real danger is created not by the policy of discriminating protection accepted by the Government of India and the Legislative Assembly, but by a policy of indiscriminate protection for all kinds of steel. Strong apprehensions were evidently felt that, however the scheme might be limited at the start, the first step would have been taken on a slippery path, and that sooner or later all kinds of steel would be involved in a common fate. But this view involves a doubt as to the possibility of adhering to the policy adopted, and we cannot within the terms of our reference discuss it."

I think the people who take the other view have repented their view and now come forward at this stage and put forward at this stage a different policy, and I submit that this is really too late.

I will now refer to one more authority which says this about bounties:

"A bounty, on the other hand, is a drain on the exchequer and is necessarily limited in its use. To give bounties to a number of important industries would needlessly bring about national bankruptcy or a revolt against the excessive taxation that would have to be levied."

That is what will happen in India; therefore I remain entirely unconvinced that the recommendation of the Tariff Board, which adopts the mixed process, partly bounty and partly duty, is not the soundest possible process to adopt at the present moment.

Therefore, Sir, I do not wish to take up the time of the House any longer, and I hope that the House will really allow this Bill to go to Select Committee, where it can be threshed out in detail.

The Honourable Sir Basil Blckett (Finance Member): Sir, it is remarkable experience to one who went through last session to find even 10 Members of the House agreeing with him. On the present occasion there seem to be only about four and a half who are opposed. I was particularly surprised, when the Honourable Pandit Madan Mohan Malaviya got up and made me for a moment believe that he was going to agree with the Government. I rather believe that he is going to vote with them; but he succeeded in being consistent with himself by finding more that was not in the Bill with which he could disagree than by making any attempt to agree with the Bill itself. I shall be surprised even now if he votes for it, because I have a memory of an occasion a little more than two months ago when he said that, so long as this Government was not absolutely responsible to the people of India, it was the duty of this House to vote against all measures of taxation. This is a measure of taxation. Mr. Jinnah asked a question just now as to what was the meaning of discriminating protection. I think the answer is that it is the same thing as discriminating free trade. What we have got at the present moment I would describe as either indiscriminate free trade or indiscriminate protection, and we wish to introduce a little bit of discrimination into our methods of customs taxation.

Mr. M. A. Jinnah: Was it ever wanting?



**The Honourable Sir Basil Blackett:** I will come first to the question of a bounty. Mr. Willson made a very attractive case for a bounty. He seemed to forget that we do already protect steel to the extent of at least 10 per cent. (*Mr. W. S. J. Willson* : "No, I do not forget that.") If he was to be consistent in his view, I think he would have, at any rate, to abolish all customs duties on imported steel, and we should probably have to go further and abolish other customs duties on the ground that they take more out of the consumer than comes into the exchequer. His case really rests on the possibility of introducing a system of taxation which is entirely direct. If you had a complete system of taxation that was nothing but direct taxation, then you would perhaps succeed in never taking out of the tax-payer an anna or a rupee more than comes into the exchequer, but human nature is weak and I know of no country that has succeeded in raising all its revenue by direct taxation. The alternative therefore to the present proposal, which is to increase to a certain extent the existing duties on steel and to use a certain amount out of the exchequer for the payment of bounties, would be to increase some other form of taxation—indirect taxation presumably—and I do not know whether you would be very much further forward; but in face of the attitude of this House towards increased taxation, no Finance Member is likely to view with great favour a proposal which begins by suggesting bounties to a very considerable extent on steel, and behind which there looms a demand for bounties on a great many other goods. If we are to accept the doctrine that discriminating protection in any form is desirable in India, I do not think it will be easy to improve on the method chosen by the Tariff Board. I was glad to find the Honourable Pandit Madan Mohan Malaviya asking some of the questions which underlie the principles of this Bill. Why are we introducing this Bill? We are not introducing it in the interests of the Finance Member or the tax-payer in the first instance. I am sorry to say that, although the Tariff Board figures themselves involve a certain annual charge on the exchequer, I fear that partly owing to the fact that the Bill is introduced now instead of two months ago, and partly perhaps because I am more pessimistic by nature than the Tariff Board, the actual cost to the exchequer for the next three years will be rather larger than the figures given by the Tariff Board. That is not so much because their estimate of the cost to the Government needs alteration, but I am inclined to think that their estimate of the additional customs duties that will be collected is slightly higher than is likely to prove the case. We are not introducing the Bill therefore in the interests of the Finance Member. Nor are we introducing it merely for the benefit of the Tata Iron and Steel Company. I do not know whether many Honourable Members in this House would support the Honourable Pandit when he suggests that this Bill should be made what the Romans called a *privilegium*, a law in favour of a particular company. However much sympathy we may have with the national achievements of the people who have built up the Tata Iron and Steel Company, I do not think that it could be expected that any Government could introduce and pass legislation purely to enable that Company to pay dividends to its shareholders. I hasten to say that I have not for a moment any idea of suggesting that the company is in need of any such special legislation. The Company would not be where it is if it had not possessed great men. It has achieved a very big work in India; it has built up out of a desert a town of 90,000 and the biggest industrial concern in India, and it surely cannot be pretended that a company of that sort is in absolute need of spoon-feeding from the Government. That it has had its difficulties

[Sir Basil Blackett.]

the Tariff Board Report brings out clearly, but I would like to ask those who talk about it, that in their desire to convince the Government, who are already convinced, of the need of protection for the steel industry, they should not exaggerate the difficulties of the Tata Company. Why then are we introducing this legislation? It is not even because it is in the interests of the labour employed at Jamshedpur, though I think they stand to gain by an improvement in the condition of their employers. I was interested to note by the bye that the Tata Iron and Steel Company employs labourers at Jamshedpur, but the new company of Pandit Madan Mohan Malaviya's imagination, which was to come from abroad to found an industry in India, was going to *exploit* labour. I should like to know what the difference is. The workmen at Jamshedpur undoubtedly stand to gain, but it is not for their benefit that we are introducing this Bill. We are not introducing it, I should like to say on behalf of the Government, simply because we have given way to a nationalist demand in which we do not believe. That has been suggested from some quarters. If the Government of India were honestly convinced that the nationalist demand was contrary to the true interests of India, I for one do not think that it would be the duty of the Government of India to introduce such a Bill. The Government of India are introducing it because they are convinced that, on the whole, it is desirable in the general interests of India to build up not merely a steel industry, which is already founded, but from that to go on to build up an industrial system in India with other industries increasingly numerous and increasingly strong, to get away from what might be called the somewhat lopsided development of the India of to-day. In the India of to-day I do not say there is too much agriculture; that would be impossible; but there is too little industry in proportion to the agriculture. There are other directions in which India is lopsided. There are too many B. A.'s and failed B. A.'s who cannot find an opportunity of suitable work except in politics sometimes. Somebody said to me the other day that the great difference between the United States of America and India at the present moment was that in America the educated people are too busy and have too many other attractions to worry with politics, whereas in India the educated people have so few other attractions that they worry too much with politics. (*A Voice* :—"It is not their fault.") The question of somebody's responsibility does not arise. I am stating a fact. I was interested to see that Pandit Madan Mohan Malaviya only started from 1890. We should have liked to have heard from him Chandragupta's views about protection. The lopsidedness of Indian development—the difficulty of that lopsidedness, we hope, will be improved by this new departure, or rather by this putting into effect of the decision taken some time ago that there should be a new departure in the direction of discriminating protection in India. We want to encourage the development of industries. We want to encourage the development of other steel industries to compete with Tata's within India. I am sure that there are many in this House who would agree that to introduce a Bill of this sort solely for the benefit of one company and to pass legislation with a view to prevent other companies within the protected boundary from competing with that company would be entirely wrong. I do not mean to say that there are no evils connected with the importation of foreign capital, but it is a subject on which one has to speak with some caution. You cannot condemn root and branch the importation of foreign capital. I would

draw the attention of the Honourable Pandit first of all to his own remark that the steel industry in the United States grew up as the result of the importation of British workmen, and secondly, I should like to draw his attention to the fact that for a long time more than half the capital which created the railways of the United States was British and that up till the War a very large portion of it remained British. The dangers connected with the importation of foreign capital are undoubtedly if they are not carefully watched, but nothing could be worse for India in my opinion than to condemn in all its forms the use of foreign capital.

That brings me to another connected question. We are introducing this Bill for the discriminating protection of steel as part of a general policy,—I would hasten to add in answer to those who have asked the question—as part of the general policy of developing such industries as are genuinely Indian and need protection. I do not understand what the objections are to the Preamble of the Bill. The Preamble of the Bill takes up the words “discriminating protection” from the Resolution that was passed a year ago, and its intention is that it should put into the forefront of the Bill the desire of the Government to carry through to its logical conclusion the decision to introduce discriminating protection. It is true that the Bill itself is limited to three years for obvious reasons—reasons connected with the present disturbed and uncertain state of the world as a whole and with the uncertainty as to what will be the minimum cost of production of steel in well-managed Indian workshops. Three years hence it will undoubtedly be necessary to have another inquiry and there is no fear, as the Bill is drafted, of the Government merely letting the Bill drop and doing nothing, because I would point out that the Finance Member would thereby lose a very large amount of revenue unless the Bill was replaced by another Bill. But when we are introducing protection we must not lose sight of its dangers. They are well known and they are real. It is perhaps undesirable to dwell on them. One does not want to suggest that things are happening which are not happening, but anybody who has had any experience of what the hotels in Washington were like at the time when a Tariff Bill was under discussion will know the sort of dangers that are involved. India is and must remain a predominantly agricultural country. It is desirable that there should be an industrial development to balance it on the other side, but it must always remain predominantly agricultural. If so, any protection to any industry must be the minimum that is absolutely necessary and not more. Otherwise it means that you are taking money out of the pockets of a vast number of agricultural labourers for the benefit of a few. Protection must justify itself in the long run by increasing the national dividend, by giving a better opportunity for a good life to a larger number of people. If it does not justify itself in that way, it stands condemned. Undoubtedly it begins by putting a charge on a large number of people which they would be happier without. Unless it leads on to an increase in the national dividend, that charge is not justified: and the only way that you can be sure that it will lead on to such an increase in the national dividend is if you confine your protection to such industries as really are capable of being firmly established in India and eventually standing on their own foundations without extraneous assistance, able to compete in all circumstances without special assistance from Government.

There is another point which I would like to touch upon before I sit down. The industrial development of India depends on a parallel

[Sir Basil Blackett.]

development in other fields, and in particular on the financial side. The Honourable Pandit Madan Mohan Malaviya waxed eloquent about the dangers of the importation of foreign capital, but how are you going to develop industry in India without capital? If you want to avoid the dangers of foreign capital, I suggest that the way is to do everything in your power to increase the creation of new capital in India. New capital can only be the result of present savings: it is the accumulated result of past savings. So that side by side with the introduction of protection it is the duty of all those who are interested in India's industrial progress to watch over the creation of new capital in India by development of all the means in their power which have that purpose in view, such as agricultural co-operation, co-operative banks, and banking generally. The banking facilities of India to-day are not adequate for industrial development on the scale involved in a concern like the Tata Iron and Steel Co. They must be increased. I would also like to touch on one other weakness as it seems to me of the Indian financial system at present. I have been very much struck, last year in particular when the Alliance Bank question came up, with the enormous dangers which Indian methods of finance involve when anything like a panic is anticipated. A run on the banks is a natural result of a period of banking trouble. That is a difficulty that has to be faced but can be dealt with. But in India almost every industrial concern is conducting a sort of banking business. It has got sometimes the whole, sometimes a considerable part, of its working capital simply in the form of deposits from private individuals. In many cases industrial concerns have gone further and have a considerable proportion of the capital which they have locked up in bricks, mortar and plant simply lent to them on deposit. They are liable to have it withdrawn any moment there is trouble. That is bad both for Indian industries and for Indian banking. An industrial concern is carrying on a banking business which the bank ought to be doing and is carrying it on without special experience or indeed the possibility of those safeguards which are necessary to be imposed when you are laying out money that is borrowed on short term. Obviously capital required for bricks and mortar ought to be raised in some permanent form, and working capital ought not to be liable to be withdrawn at any moment. An increase is required in the amount of industrial preference and debenture issues, in this country and a market is required for those industrial issues. It is said there is no market, but I am not sure that that is not partly because good industrial debentures and good industrial preference shares are not created as largely as they ought to be owing to the prevalence of this system of lending money on deposit. I do not think these matters are entirely irrelevant to a general consideration of the point which we have under consideration. We are taking a very serious step. We are taking a step to put into force a decision that Indian industries should be given that protection which is necessary to enable them to stand on their own feet. That involves an effort to create in India an industrial system which does not at present exist or which is only in embryo. We cannot usefully regard protection as an end in itself. Protection is one of the many means for creating that many-sided India which we have in view, and therefore in commending this Bill to the Assembly I would like to add to it this request that all those who are interested in the furtherance of Indian industry should turn their minds at the same

time to the other directions in which progress is required, progress in banking, progress in education, specially technical education, and the other directions which are necessary to create the men who are to take part in creating the industry which this Bill is destined to establish firmly on its feet. As regards the motion to refer this Bill to a Select Committee the Government were and are still of opinion that it might more usefully be discussed in the House, but if the wish of the House is that they should delegate the main part of the discussion to a Select Committee, the Government do not wish to oppose the motion.

**Mr. Chaman Lal :** The Honourable Mr. Jinnah, speaking on the motion and referring probably to my amendment to the Bill before the House, namely, nationalisation, considered that that scheme would be in consonance with the principles of Karl Marx or those enunciated by the Bolsheviks in Russia ; but unfortunately he did not give me a reply to my interruption. If nationalisation is to be considered equivalent to Bolshevism, then the Government of India must indeed be a Bolshevik Government. Sir, I am really surprised at the nauseating atmosphere of self-congratulation in which we have been living throughout the whole day to-day. It seems to me that the gentlemen who represent the capitalists of India are thumping each other on the back at having produced a baby and they are congratulating themselves on the fact that this baby would probably have many successors and they are pleased with the idea that now the Government of India are hugging the Independent Party and some of the Swarajists are hugging each other and congratulating each other for having come upon a common platform, the platform of exploiting the common people of India. I will first take up the Report of the Indian Tariff Board and I will merely say by way of introduction that the whole country owes a great debt of gratitude to the firm of Tata's for having established the steel industry in India. They have done pioneer work in this country and they deserve the congratulations of every man interested in the welfare of his country ; but that is not what I should say of the Report itself. The Report itself can best be described as a " Hush hush " report or better still a report which is directly in the interests of the capitalists as against the people of India. You have merely to refer to page 35 to realise the real meaning of the gentlemen who framed this report. You will find there that they recommend that after the introduction of protective duties, in the case of a drop in the price of steel the benefit to the tax-payer of a reduction in the duties is to await the decision of the Legislature. But the Executive, because the Executive moves swiftly and the Legislature does not, is empowered to increase the duties whenever prices are at a level which demands more protection for the industry. That is to say when profits are to be paid to the capitalists or the steel owners then it must be done by Executive order immediately and no delay should be indulged in, but if, on the other hand, any reduction is to be given to the tax-payer or to the consumer, then we must wait until such time as the Legislature is enabled to move in the matter. That is the spirit in which the Tariff Report has given its findings. You find further that the gentlemen who gave this report are not sure even as to the working cost of the materials they have been discussing. They say on page 20 that they find that costs could not be lower ; at the same time they say that the present type of machinery which the Tata Co. have got at Jamshedpur is certainly expensive and they do not seem to me to be very certain whether costs could be reduced

[Mr. Chaman Lal.]

or not under the circumstances. They go further and make a very serious charge against Tata's. I do not know if that charge is justified or not. But if it is justified then an explanation is certainly necessary. The charge is that they could not believe Tata's when they were discussing the total amount of capital involved in this industry and that they had to fall back upon independent sources of information with regard to that particular matter. That is the spirit in which the Committee has reported. They have dismissed the question of the principle of protection as having nothing whatever to do with their inquiry. They mention that merely in passing. But that is a subject which vitally concerns the people of India—whether you should or should not have protection. The Honourable Mr. Jinnah said that for years we have been fighting to bring in a system of protection. Does he mean that the people of India have been fighting or have the representatives of the capitalists and the manufacturers of India been fighting? And when they ask for protection and you give it to them, you do not protect the workers, you do not protect the tax-payer, you do not protect the consumer: you are merely protecting those people who draw fat dividends year in and year out. What is the principle of protection? Is it something which is going to raise the cost of the necessaries of life? That is what Mr. Willson has pointed out, and I am glad to find myself in agreement with him for once, though I know perfectly well that he did add many a fatuous remark to that statement. Under protection you will surely find that each industry in India will have to pay more, you will find that when you go to set up a house you will have to pay more for it, when you build a road you will have to pay more for it, when you build a bridge you will have to pay more for it. And who are the people who are going to pay? Not the capitalists, not the manufacturers, but the common people of India. It is not they who have been demanding protection—not the common people of India but the capitalists and the manufacturers. Sir, you find in the report that Tata's possess great advantages. And what are the advantages which they possess? The Tariff Report has enumerated them. You find according to the report itself that iron ore can be obtained at the cheapest rates in the world in India; you find that coal is being obtained by Tata's and by all the steel manufacturers at the cheapest rates in the world; you find that as regards transport whereas an American company in Pennsylvania has to bring its iron ore a thousand miles, Tata's can get their iron ore within a distance of a hundred miles. You find further, Sir, that the pig-iron they are producing can compete most favourably with the pig-iron produced by any other country in the world. In fact, they are exporting pig-iron according to the latest report even to Great Britain. You further find that all the other raw materials can be obtained at a cheaper rate, and, what is worse still, that wages are cheaper in India than in any other part of the world. Yet with all these tremendous advantages, with all the cheap raw material and labour they can and do get, they are demanding protection because they find they cannot compete with foreign industry. Why is it that they cannot compete with it? (*A voice*: "Because Indian labour is inefficient"). What is the reason the Tariff Report gives? They say it is not because labour is inefficient. The Honourable gentlemen who interrupts me has not read the Report. He will find, if he reads the Report, that they say that the working charges are heavier, that the cost in the higher processes

is much more than it ought to be. That is the solè reason. But it is not the fault of the tax-payer : it is not the fault of the consumer that the charges of the higher processes are heavier than elsewhere. It is the fault of the management ; it is the fault of the technical advisers and not of the poor people of India. And it is because of the faults committed by the technical advisers of these companies that the tax-payer is called upon now to pay and to make good the losses that they have suffered. And what losses ? Are they really losses ? Does any Honourable Member here know exactly what the position is according to the latest number of " *Capital* " that I possess ? The paid-up capital is 2½ crores ; reserve nearly 4½ crores ; I believe debentures are nearly 4½ crores also ; the block account is 19 crores. The total profits from 1916 to 1922 on a particular class of shares were 96½ per cent. The total profits on another class of shares between 1916 and 1921 were 1,200 per cent. That is to say, the shareholders who put their money into Tata's have had their money back one hundred per cent. in one case and twelve hundred per cent. in another case. Such are the " losses ". Sir, our proposition is a very simple one. What we are demanding is that, if you are taxing the tax-payer and asking him to come out with his money, if you are going to burden the consumer, you must give them something that is equivalent to their sacrifice. You are demanding a sacrifice from those people, what are you giving them in return ? You are merely talking glibly and patting each other on the back that you will now have an opportunity for earning or rather continuing to earn fat dividends year in and year out. But, Sir, the tax-payer and the consumer would like to know what compensation you are going to give to them. We stand here not for the classes but for the masses. What is it you are going to give to the masses, the consumers and the tax-payers ? Our suggestion is a simple one. If you nationalise an industry the profits from it *must* come back to the consumer. That is not a Bolshevik doctrine. It is the first time in my life that I have heard that such a proposition is a Bolshevik doctrine. Whatever Bolshevism may mean it certainly does not mean that. Sir, I am convinced that the speech that Sir Basil Blackett has delivered is a very fine speech, an excellent speech, a speech that anybody should be proud of, a frank speech. But Sir, he failed to come to the right conclusion. The right conclusion is not protection. But if you must have protection, let it be protection with nationalization. He talked about labour. I know something about labour. It was I who was responsible for the settlement of the last strike at Jamshedpur. I say it with great regret, there may have been mistakes on both sides, but that strike settlement was not carried out. Are we to protect those workers or not, or are we merely the gramophones of the capitalists, the hirelings of the capitalists, voicing their wishes, voicing their needs, voicing their desires ? I do not know whether the estimates of the Tariff Board are correct of the actual burden upon the consumer and the tax-payer, but the burden, both direct and indirect, is enormous. By imposing a protective duty on steel you are giving practically a present to every capitalist in India who owns a factory. Every capitalist who comes after him will have to pay so much more for setting up his factory. On the other hand, you are imposing an indirect burden on every human being in India. You can only judge of the burden by the estimates which economists have made of the average income of the poor in India of one anna per head per day. All that you can do is to imagine what would be the effect supposing you burden these people by no more than one anna by imposing a direct tax. You are

[Mr. Chaman Lal.]

robbing them of one solid day's food and sustenance. I say nothing of the heavier burden indirectly imposed upon the masses. That burden is so widely diffused that it is impossible to calculate its actual incidence in figures, but that its effects will be terrible no one can doubt. Is that a desirable thing to do, you who call yourselves the representatives of the people? I say it is not. I say it is a dishonest thing, if you are not prepared to stand by the average common man who elected you. Sir, it is a very strange thing indeed that under a free-trade Viceroi, that under a Government probably composed of many a free-trader, we should be presented with a policy of protection. I know that when we claim protection for the average worker, we do not get it. But when the average capitalist calls for protection, reports are expedited, special sessions are held, Bills are introduced and passed, because the Government are mere instruments in the hands of the capitalists. When we did demand protection for the worker, for the labourer, and asked for a Workmen's Compensation Act, we got a watered down Act whose operation when it was passed was postponed for a year. No special session was held in order to pass the Workmen's Compensation Act. There was no undue haste in coming to the rescue of the starved and driven workers of this country. But your haste is indecent when you are out to protect the capitalist. Indeed you are protecting capital and the dividends of shareholders but not the lives of the people, and you will go down to history as the protectors of the rich, and the oppressors of the poor.

**Dr. H. S. Gour** (Central Provinces Hindi Divisions : Non-Muhamadan) : Sir, I wish to join with those who have offered their congratulations to the Honourable Member who introduced this Bill, but I should like to point out to him one or two facts which I think the Honourable Member may well take into consideration. The Honourable Sir Charles Innes, as I have said, deserves the warmest congratulations of the Members of this House, not only, Sir, of the capitalist group, but also of the workers, because if these nascent industries are protected, it is not only the capitalists but the workers who will benefit by it. But there is one fact upon which I wish to draw the attention not only of the Honourable Member for Commerce and Railways but also of the Finance Member who has spoken on this subject. Honourable Members must be aware that the Tariff Board advocated continuity of policy. In paragraph 32 of the report, they say :

“ Under these circumstances ” (which they point out) “ continuity of policy is essential and it seems to us desirable that a policy should be clearly declared in the Preamble to any legislation which is undertaken.”

Now, Sir, the first question that I wish to ask the Honourable Member in charge of this Bill is, is there any declaration of a continuity of policy in the Preamble to this Bill, the life of which is stated in clause 1 to be three years. The Honourable Sir Basil Blackett stated, and stated rightly, that what this Bill is intended to do is not to protect any individual industry singled out for protection. It is intended to protect the steel industry, and the Honourable the Finance Member was right in saying that it would be a wrong thing if Messrs. Tata and Co. were spoon-fed and if doors were closed to foreign or indigenous competition. Now, Sir, that is perfectly true. But I beg to ask the Honourable the Finance Member how is he going to invite other competitors in the field



if he limits the life of this Bill to three years. If a company is started or is about to start, the first question they will ask themselves is "We do not know what the policy of the Government of India or of the British Government will be three years hence and we cannot be sure that the future Government of India and the British Government would reintroduce a protective Bill for the purpose of safeguarding and protecting our industry. Therefore, I say, Sir, that if you really wish to protect the steel industry in this country, you must give this Bill a longer life. But that is not the only objection to limiting this Bill to three years. We have been told that there is a great depression in the steel trade of Europe and America. Now, it has also been stated that we do not know for how long this depression is likely to last. If this is the case, Sir, I beg to ask, suppose the European, Belgian and the American manufacturers were to wait for three years for this Bill to run its course and afterwards start dumping goods in this country, would it not be that the bounty and the tariff amounting to 4½ or 5 crores of rupees would be lost to the tax-payer and the position in which the steel industry finds itself to-day would be the position revived three years hence? I therefore, Sir, ask that, in order to safeguard the future of the steel industry in this country and in order to ensure fair competition by inviting other companies to establish themselves in this country, a firmer attitude must be taken by the Government of India and a longer lease of life given to this Bill. I am quite aware, Sir, that the Tariff Board have recommended the re-examination of the question three years hence. But, as I have said, Sir, this is not a sufficient guarantee to persons who will start a company involving the investment of several millions of money. What they want is to find on the Statute-book an Act of the Indian Legislature securing to them the benefit of protection against unfair foreign competition. It is, Sir, for that purpose that I have given notice of an amendment to clause 1. I have no doubt the Select Committee will examine my amendment and give it such consideration as, in their opinion, it might deserve.

There is another point, Sir, upon which I have given notice of an amendment and to which I should like to draw the attention of this House and of the Honourable Member in charge of the Bill. It is a well-known fact mentioned in the Tariff Board's Report that they recommend the establishment of locomotive industry in this country as an essential industry. Honourable Members will find, if they turn to page 170 onwards, reference to the subject. Now, what is the history, Sir, of the locomotive industry in this country? The Railway Board invited the public to establish an industry for the manufacture of the locomotives in this country and gave them hope that they were prepared to purchase 200 locomotives from such indigenous concerns for a period of twelve years. Believing in this promise held out to them, an indigenous company was set on foot as an ancillary company to the Tata's Steel Works at Jamshedpur, the capital of which is, I believe, somewhere over half a crore of rupees. They employed all the experts they found available for the purpose of starting the manufacture of locomotives in this country. The Tariff Board in their report point out that they have completed the construction of their factory for the manufacture of locomotives in this country. Now, Sir, what is the result? As soon as they spent their money, they were told that the Government were not in a position to purchase 200 locomotives and that their demand for the next few years would be only 60 locomotives. Now, Sir, whether your

[Dr. H. S. Gour.]

demand is 60 or 600 is not a matter that concerns the company. When you gave out that you were prepared to purchase for a period of twelve years 200 locomotives in this country and upon the faith of that assurance a company invested its capital in an industry in Jamshedpur, I ask Members of this House whether you are not morally and legally bound to make good your promise? That company, Sir, is in straitened circumstances. It is prepared to carry out its contract of building locomotives in this country if the Railway Board on their part are prepared to make good the assurance which they gave and upon the face of which this company was started. That, I submit, Sir, is the underlying principle of my second amendment on this subject, and I would invite the attention of the Select Committee to it.

There are just two points which I should like to reply to before I sit down. Mr. Willson, who had spread a wide net but found his birds too wily, said that he was in entire sympathy with the Tata Steel Company, but would prefer protection in the nature of a bounty to an increased import duty. My friend Mr. Willson did not care to reply to the very clear criticism of this very argument in the Tariff Board's report given in paragraph 6, page 111, where they point out that bounties are difficult to fix as the details difficult to work-out, and secondly, that there was no money to pay for the bounties. These I submit, are two clear and conclusive answers to the suggestion made by Mr. Willson. I do not think, Sir, my friend Mr. Chaman Lal was serious in his eloquent appeal on behalf of the workers of Jamshedpur and elsewhere. He is for the nationalisation of the industry such as Tata's. But he did not vouchsafe to this House any information as to how we were to find the 21 crores of rupees which is the present capital value of the block of Messrs. Tata Steel Co. and I am sorry to say that the moment he descended from the generals to the particulars, his figures were all hopelessly wrong. I have obtained at first hand the necessary information which I hope will serve as a corrective to his figures. The total block of Messrs. Tata Steel Company at the present moment is 21 crores, of which 3½ crores is subscribed to in England and 3 crores worth ordinary shares are held in this country. Seven crores are held in preference shares and 6 crores, including the 3½ crores I have mentioned before, are held by debenture holders. All these facts Honourable Members will find stated at page 45 of the Tariff Board's Report. It is wholly incorrect for my friend to say that the Tata Steel Company have been paying dividends which have entirely recouped the shareholders. Their dividends have been meagre and insufficient (*Mr. N. M. Dumasia* : "They have paid no dividends for seven years".) They have not paid, as Mr. Dumasia has pointed out, for the last four years and they did not pay their dividends for seven years from the date of the inception of the company. Altogether they have not paid for eleven years any dividends at all. However, as I have said, these are questions that need not worry us. What I am anxious about is that this House should endorse the view that the Government must commit themselves to a continuity of policy in favour of protection. And, secondly, that not only the steel industries mentioned in this Bill should be protected but other steel industries deserving of equal protection should not be ignored.

**Mr. Harchandraj Vishandas** : I move, Sir, that the question be now put.

**Mr. N. M. Joshi :** We are opposed to the question being put because there are many people who hold views quite different from the Members who have just spoken.

**Mr. Bipin Chandra Pal** (Calcutta : Non-Muhammadan Urban) : I move, Sir, that the debate be adjourned.

**Mr. President :** I do not think it is desirable to adjourn the debate because, if the matter is to go to the Select Committee, I think it will be better to give the Select Committee more time. I am quite prepared to sit late.

**Mr. N. M. Joshi :** Sir, it is somewhat difficult for a non-official Indian to speak on this subject without being misunderstood. When I spoke on this subject in the last Assembly, when the question of protection was discussed, I was called by the mover of the Resolution an agent of foreign manufacturers. To-day, Sir, there is the danger of my being called an agent of the Bolsheviks and being sent to Cawnpore for my trial. I am, therefore, anxious to take particular care to make my position clear on certain points at the very beginning. At the outset let me tell this House that I am not against the first principle of this Bill, namely, the fostering of Indian industries. I want Indian industries to be developed in the interests of the country, as well as in the interests of the workers of this land.

But, Sir, although I want the industries to be developed, I do not want them to be developed precisely in the manner in which certain members of this House want them to be developed. But before I go on to the question of protection, let me also make it clear to the House that I am not a Free Trader. The system known as Free Trade is a system by which the strongest and the most powerful, either financially or politically, will always crush the weaker, and if we want certain industries to be fostered, it is necessary that we shall have to protect them against those who are financially and politically more powerful (Hear, hear). But Sir, a high tariff wall is not the best method of protecting and fostering our industries. In the first place, if you want to avoid many of the dangers to which some speakers here have referred as being incidental to high protective duties imposed without any precautions, the best means to achieve that object is to nationalize the industries (Hear, hear). Sir, let us at least nationalize the steel industry, which everybody here will admit is a key industry. Those who have studied the history of industries during the war know that some of the key industries had to be controlled by Government. Railways were controlled by Government; steel works also were controlled by Government. If you have to control these works during the war, why not control them now and for all time ? Sir, Pandit Madan Mohan Malaviya pointed out the name of a great economist who had blamed Government for not starting steel works even as early as 1890. If they did not do it at that time, let them do it now. I hope the Honourable Pandit will support Government if they make such a proposal. Then the Honourable Pandit wants protection to be given only to Indian industries. If you want to prevent foreigners starting industries in India let Government themselves manage the industries (*A Voice* : "Who will face the losses ?") Who is facing the losses to-day ? Who will pay the increased import duties which are being imposed by this Bill ? Mr. Jinnah said if you put taxation to find money for bounties there will be a revolt. But will there be no

[Mr. N. M. Joshi.]

revolt if you increase the import duties ? Perhaps not ; because the import duties fall upon poor people who cannot revolt. Therefore it is proposed to increase the import duties to any extent. If the industry is to be nationalized, and if there are losses, the losses must be made good by those classes of people who want to develop those industries. If the people want to develop the industries then let them pay according to their means. Let us be willing to pay higher income-tax, which falls upon people according to their ability to bear the burden, and make good the losses, but to throw the burden on the poor people by increasing import duties because they will not revolt is not right. Therefore the best method of developing industries is by nationalizing them.

As regards the question of bounties, I do admit that they are less objectionable than the import duties ; but, Sir, I know that in this House, which is elected by the people who are not the common people of India, as my Honourable friend Mr. Chaman Lal has said, there is no chance of getting any proposal for nationalization, or even for bounties, passed ; therefore I would like to make a few suggestions for minimizing the evil effects of protection by high import duties. If you want to put high import duties to protect your industries, the first thing I would like this House to do is to see that, if the tax-payer pays a certain amount of money or a certain contribution to the industry, when it is in difficulty, that industry pays back the money out of its profits when it is prosperous. Let the country help the capitalists when they are in distress and want our help, but when they make profits let them pay back the money. This means that, instead of giving a free gift to an industry the help should be given in the form of loans which industries should repay when they can. This will be a great protection to the tax-payer ; if the help is in the shape of a loan, the demand for further and further protection will not come, as the industrials will know that the loans will have to be paid back some day. But if help is in the nature of a free contribution or gift, the demands for further help will never cease. We have been told several times that this protection is a temporary burden upon the tax-payer ; but I ask the members to watch the speeches of those who are advocating protection. Sir Purshotamdas Thakurdas has told Government that, although the Tariff Board has recommended only protection for three years, that will not suffice. Even to-day there are people saying that three years are not sufficient. If we give them a longer period of say, six years, they will come forward and say that will not suffice. The history of protection shows clearly that, once you introduce it, it is very difficult to dislodge it. Moreover, if we are to give protection to certain industries from the public purse, let us demand that to the extent to which we give that industry protection the representatives of the public should have a voice in the management of that industry. If we give a crore and a half of rupees from the public purse to the steel industry, let us demand that to the extent of our interest in that industry as represented by the annual contribution of 1½ crores the Legislative Assembly should have a voice in the management of the steel works. That is one way in which we can prevent some dangers inherent in high import duties.

Then, Sir, there is also danger from protection to the freedom of the labourer. Those who have studied the history of protection and the history of the freedom of the labourer know very well that in those countries where there is protection, the labourer loses some of his freedom,

especially his freedom to organise himself and to go on strike. If you want to see the truth of this, compare the freedom of the English labourer with that of the American or the Japanese, and you will see what the effect of protection on the freedom of the labourer is. There is no doubt at all that the English labourers are in a much better position as regards freedom than those in the two latter countries. Why, Sir, before this Protection Bill is passed we have begun to see its effect in India to-day. The Jamshedpur Labourers' Association has been asking that that Association should be recognised, but the Steel Company refuses to recognise that Association. If the Government of India had refused to reply to letters from a political body, my Honourable friend Mr. Jinnah would have protested against the action of Government. I want to know whether Mr. Jinnah has heard that the Tata Company refuses to consider letters from the Jamshedpur Association and does not even acknowledge the receipt of its letters. Does he complain against it?

**Mr. M. A. Jinnah :** I was not aware of it.

**Mr. N. M. Joshi :** My Honourable friend was not even aware of it! Well, it is difficult for me to say whether he was aware of it or not (Laughter), but I know that a pamphlet has been circulated among several members which clearly tells us that the Company refuses to receive letters from the Jamshedpur Labourers Association and I tell my Honourable friend just now that that statement is correct. Is he willing to protest against that action in this House?

**Mr. M. A. Jinnah :** If I am satisfied that the Tata Company are in the wrong, I will protest as strongly as I have protested against Government action.

**Mr. N. M. Joshi :** I am glad of the fact that, if my Honourable friend is satisfied that the Company is wrong, he will protest against its action. But, Sir, is it not a sufficient wrong that there should be an Association of the labourers at Jamshedpur and when that Association sends letters to the employers they should not even acknowledge the receipt of those letters from the Association? Why does he want to have further proof of the wrong?

**Mr. M. A. Jinnah :** Because I do not know whether it is a fact.

**Mr. N. M. Joshi :** Sir, he does not know that it is a fact. I will hand him a pamphlet which will inform him of that fact. Then, Sir, the second danger from the policy of protection is what was mentioned by my friend, Mr. Chaman Lal, that, as soon as the policy of protection is adopted, we have to adopt the policy of "Hush, hush." My Honourable friend, Mr. Jinnah, does not know that the Labour Association is not recognised. I have got several friends who have been telling me during the last two months that, although I may know something about the grievances at Jamshedpur, I should not speak about them. "The enemy may hear; he may take advantage." Sir, the worst effect of the policy of protection is the loss of freedom of speech in the country. At Jamshedpur the work people find it difficult to hold meetings. The whole land belongs to the Tata Company. There are open spaces on which there are boards indicating that those open spaces are not allowed to be used except for sport without permission. The Labour Association wants to hold a meeting; it asks for permission; its letters will not be received. But the land cannot be used without permission, the permission cannot be obtained because letters will not be received. This is the condition

[Mr. N. M. Joshi.]

of the working classes in Jamshedpur. Their freedom is being suppressed by the employers by all manner of means, sometimes in co-operation with the Government. Sir, the Tata Company have got an officer whom the Government have made an Honorary Magistrate. Now an employer having magisterial authority over the employees is bound to have or to exercise an undue influence over those employees. The evil effects of empowering an officer of the Company with magisterial powers were seen during the last strike, when five men were killed. But, Sir, that officer is still in possession of magisterial authority, and the Government of India refuse to look into that matter. This is the way in which poor people's freedom is being sacrificed, and we are not allowed even to speak about their grievances.

Now, Sir, I would like to say a few words as to what the Tariff Board has done about Jamshedpur labour. The Tariff Board has given consideration at great length to most of the matters relating to the steel industry, but they have dismissed labour in only two or three paragraphs. And what do they say? They make certain statements about labour which are not corroborated by any facts. I should have called them irresponsible, but, Sir, I do not want to go to that length. They make a statement that low-paid Indian labour is not cheap labour. Sir, if a body like the Tariff Board has to make a statement like this, they should really make a scientific investigation of the subject and then pronounce their opinion. Let them produce facts tested in a scientific manner as to the comparative cheapness of Indian labour and then say Indian labour is not cheap. It is not right that statements unsupported by facts should be made by a responsible body of men. The same thing used to be said about the value of the textile labour in India, but Dr. Nair, in his masterly minute in the Industrial Commission's Report (*An Honourable Member : "Factory Commission"*), in the Factory Commission's Report tore this theory to pieces. The same thing will happen in regard to the value of Indian labour in the steel industry. If the value of labour is to be tested, you have to consider all the circumstances, and not simply look to the production and the wages of labour. In some countries people may be working with better machinery, and may have more competent supervisors, who are appointed not because they have this colour or that colour, but because they had merits. Therefore, Sir, I have to protest against the statement made by the Tariff Board as regards the low-paid Indian labour not being cheap labour. Then, Sir, they also make another gratuitous statement about Indian labour. They say :

"We have made all allowances for the fact and for the effect on the pay rolls of the absenteeism which is unfortunately too common in the country."

Did they make a scientific inquiry on that subject? If they had made an inquiry, they would have found out that what they call absenteeism is not absenteeism, it is absence of holidays. Did the Tariff Board inquire how many people out of the thirty or forty thousand working at Jamshedpur get a holiday once a week? My information is that not more than 3,000 people, of course including the Europeans, get a weekly holiday. All the others have to work all the seven days of the week. The labourers at Jamshedpur and labourers in India are human beings. If you work them seven days a week, they will be absent on some days. Then are the labourers at Jamshedpur properly housed? Half of them are not housed; the Tariff Board knows it well. If half the labourers are not

housed properly, certainly it will give rise to absenteeism ; but the Tariff Board had no time to consider these matters, and they simply made the statement about absenteeism being too common in India without stating that it was not really due to any fault of the workers. It was due to the neglect of either the Government or of the employers to give proper conditions of work to the workers in the industry.....

**Mr. N. M. Dumasia** (Bombay City : Non-Muhammadan Urban) : The Company was prepared to give a loan at 3 per cent. and to build houses for the workmen, and only 600 people took advantage of it.

**Mr. N. M. Joshi** : Sir, it is the misfortune of the people of Jamshedpur that they were unable to take advantage of the generous concession.

\* **Mr. N. M. Dumasia** : If you like I will read it to you from the evidence.

**Mr. President** : Let the Honourable Member go on.

**Mr. N. M. Joshi** : Such are the labour conditions in Jamshedpur. There are several other complaints, but I do not wish to go into them all. I shall only mention one more point. Sir, my Honourable friend, Mr. Jinnah said this is a national industry, therefore we must support it. In the first place it is not a national industry in the sense that it is owned by the nation. But I will take the word "national" in the narrow sense that it is an industry owned by Indians, therefore we should support it. But is it an industry managed by Indians ? I ask this question of those people who call this industry a national industry. Who are the main officers who are managing the industry at Jamshedpur ? Europeans or Americans. Sir, the Tariff Board says that the Company is making an effort to train Indians, but during the last seven or eight years they could not train sufficient Indian workers to take the place of European workers. As regards the managers and supervisors, oh, it is so difficult to train them ! They require at Jamshedpur even an Inspector of Labour, a European officer who was perhaps found not wanted for the Imperial Forest Service, in which he had spent a number of years, and therefore had resigned. They want a European retired Civil Servant for the sales agent ! There must be some expert knowledge and technical skill required for a sales agent which Indians cannot acquire in a few years' time and which a European acquires very easily in the Civil Service ! There is a European officer as the Superintendent of the Dairy ! Certainly a knowledge to supervise the work of a dairy cannot be acquired in India in seven years' time ! (*A Voice* : "Getting Rs. 1,200 a month.") I do not grudge him his salary. Sir, if this concern at Jamshedpur, is to be really national, it must be managed by Indians, let it be national at least in that narrow sense of the term, but, Sir, it is not even that.

Before I conclude, I want to urge upon the Select Committee, when it considers this Bill, to see that all the dangers of protection are avoided by inserting conditions which will be necessary to avoid those dangers. I also want the Select Committee to see that the workers at Jamshedpur are properly protected and that the industry will be really national, at least in the sense that it is managed by Indians. With these words I support the motion for sending this Bill to a Select Committee.

**Mr. C. S. Ranga Iyer** : I shall not take up much of the time of this House as it is already very late, but I think as a Swarajist, especially when differences of opinion have appeared to have arisen among the Swarajist

[Mr. C. S. Ranga Iyer.]

Members, as a Swarajist I should like to make my position and the position of several of my colleagues here quite clear. I shall confine myself to the Preamble which deals with the policy of discriminating protection for industries in British India. Our quarrel is with the adjective "discriminating" though I quite recognise the difficulty of my Honourable friend, Sir Charles Innes, who is almost between the devil and the deep sea, if I may say so,—the free traders in England and the protectionists in India. The Labour Government in England as well as the Liberals who are keeping Labour in office are wedded to free trade. They are sworn free traders, and I believe the politicians in this country who, in spite of my Honourable friend, Mr. Chaman Lal, I claim, represent the masses of this country, have been wedded to protection since a very long time. It was free trade that was responsible for the destruction of Indian industries. Those who have any doubt about that will read the literature on the subject, literature for which both Europeans and Indians are responsible. Historian Horace Hayman, Dadabhai Naoroji and others have established this fact besides your Parliamentary papers on the subject. It is a notorious fact that Indian industries were killed outright by a policy of free trade, most unsuited to India. Time was when England was in the same industrial stage as this unhappy country of ours. Though very old in years India is very young in her industries, and her infant industries, as all industries do in all parts of the world, require protection. Any mere student of economics will be able to tell you that without protection there can be no industrial life. The present industrial upheaval in England was absolutely due to protection. Protection was the basis on which her industries were reared, it was with that fence that her industries were protected from foreign competition which had to be stopped, so that England's industries could flourish. In that way English industries came into existence and after that they reached a stage of adolescence, a stage of manhood, a stage of growth, when they competed successfully with the continental and transcontinental industries. Unfortunately, Sir, that stage is not yet reached by my country. It has not yet been reached for various reasons. One fundamental reason is that Indians do not control the destiny of India. When India's destiny passed into the hands of foreigners, a merchant nation, a shopkeeper nation, they naturally sought and tried by various ways and means to dump their manufactured articles into this country. It is a sad chapter of British history in India and I shall not go into it. I shall not tell you how Indian industries perished, how they were destroyed, how the administrative arm of England, the political arm of injustice, to quote the phrase of Horace Hayman, was used to destroy Indian industries. Cottage industries—the poor people of India who lived and flourished under cottage industries, the glorious Indian products which found many a welcome mart in the European world—all these vanished into thin air. Why? Because Government was committed to a policy of free trade. English historians—Macaulay and others—have recorded with great pride, or rather with great admiration, how European ladies delighted to buy the beautiful Kashmir shawls and the muslins of Dacca. Where are they gone now? Because England was wedded to free trade, unfortunately in that wedding to free trade India had to pay a heavy price. England knew that India was not fit for free trade, but because we are a dependent race, because we have no voice or choice in the administration of our affairs, therefore the *ukase* went forth, the fiat went forth from Whitehall that India shall be ruined



and India has been ruined. Time was when even administrators, Government men, fought against this free trade. I shall not go into the facts and figures bearing on the subject at this late hour, but there was a time when even European officials in India thought that it was not fair to India to throw open India's doors. But they were fighting a losing game. Why? Because India is ruled by the English Parliament, and it suited the English Parliament, the English people, the English labourers, every one in England—it suited them to throw open India's doors so that England can live. A small country scattered on the western seas must exploit India and without exploitation how can England live? Sir, this policy of free trade, which England has forced against India's wish down her throat, is a policy of downright dishonest exploitation. I am glad that the Government are thinking of saying farewell, though "discriminatingly," to that dishonest, to that unfair, to that most awful, inexplicably unjustifiable, selfish policy, that selfish record against which Dadabhai Naoroji protested, against which the Congress leaders of that time like Gokhale and the Swarajist leader of this House and others whom I need not name, a number of politicians, political workers, protested. You have a big literature of protest against this dishonest, selfish policy of the English Government. Sir, free trade may suit a small country, but even when our industries reach a stage of adolescence, even then I say that free trade is not necessary for India. India resembles the United States of America in her vast extent, in the multitude of her thrifty people, in her vast industrial resources not tapped by a foreign bureaucracy, and therefore, Sir, we, who can be self-sufficing, this nation which can manufacture goods for half the world and feed half the world with her agricultural products,—this nation does not stand, never stood and will never stand for free trade. I am glad, Sir, that Mahatma Gandhi has after his release plainly stated in "Young India" that he is a convinced protectionist and that, if the policy of the Government will be protectionist and if they impose prohibitive duties on foreign goods and encourage indigenous goods, then even the Swarajya movement may be treated as coming to an end. We are fighting for the freedom of the Indian people. Let the people be as happy as they were. Let them come into a full life and let their pauperism disappear. Let India cease to be a nation of coolies as they have been described by European globe-trotters and then, Sir, India would have attained Swaraj. What is Swaraj? Swaraj is nothing but protection for Indian industries by an Indian Government, the nationalisation of industries by a national Government. Once our industrial arm is restored, the agricultural arm is already there; we can supply food and clothing not only for India but for half the whole world and India will once again occupy her honoured position as the most illustrious mistress of the ancient world. India's downfall is due not to the political rule of the Europeans, but to the industrial death which they inflicted on the people. The vitality of the people went down. They have no occupation. Their occupation was gone because Englishmen in England and Scotchmen in Scotland had to find a living. It is an absolute fact that Indian industries and other industries were killed downright by this immoral exploitation, and it is for the Government to take their courage in both hands and introduce a policy of real protection (I do not go into the Tata's industry at present and I confine myself to the protection of industries), I do not care whether it is for Tata's or for other industries. If the Government claim to be a responsible Government, they must also be responsive. You cannot be responsible without being responsive. If the Government be a

[Mr. C. S. Ranga Iyer.]

responsible and a responsive Government, then they cannot play with this issue. It is playing with fire. They will have to settle this question once for all and determine to protect Indian industries by bounties, by a tariff wall and in any other manner possible.

**Mr. V. J. Patel :** I rise merely to seek information on one or two points from the Honourable the Member for Commerce. I understand that the requirements as regards rails in India are mostly met from Britain. The bulk of the import of rails is from Britain. If that is so it is significant why in the list of increased tariff rates it is not proposed to levy additional tariff on the import of rails. That is a question on which I seek information. My information is that the Tata Company is under a contract with some railway companies and also the Railway Board for the supply of rails, and therefore I understand any levy of additional tariff on the import of rails from Britain is regarded as unnecessary. With regard to this I should like to know from the Honourable the Commerce Member whether the grant of bounties alone without the imposition of an additional tariff on the import of rails will meet the requirements of the situation. It is proposed to give in the first year Rs. 32 per ton of rails manufactured at Jamshedpur by way of bounty. Now the average rate at which the Tata Company is bound to supply rails is, I understand, about Rs. 122 per ton. If that is so, then a bounty of Rs. 32 would bring Rs. 154 per ton to Tata's. How then is this protection to help this dying industry to survive when you say that the fair selling price is Rs. 180? On this point I should like to have information from the Commerce Member.

Another point which I should like to urge upon the attention of this Assembly is this. Supposing we go on for a couple of years giving bounty in respect of rails, then the unlimited supply of rails from Britain will continue in the absence of protective duties. The dumping will be there and the object of protection will be frustrated. Your contention is that it is unnecessary to put protective duties since Tata's are under contract to sell at a particular rate and bounties will suffice to keep them going. In that case I am afraid the result will be that you will allow large quantities of rails to be dumped into this country in a couple of years' time. At the end of that period these people will undersell Tata's. At the end of three years you will see huge quantities of rails already dumped into this country with the result that the Tata Company would not be able to compete. That is one point.

The second point to which I should like to invite the attention of Sir Charles Innes is this. The import price of heavy structural material of British manufacture is, I understand, Rs. 145 according to the Tariff report. As regards such material of Belgium and other countries the import price is Rs. 110. If that is so, how is the tariff of Rs. 30 per ton going to give 180 to Tata's? That is what I do not understand. As against Belgium Tata's would not stand competition at all. The position is hopeless. Even with regard to the British structural material it may not be possible for Tata's to compete because, taking Rs. 145 which is the present import price, and adding Rs. 30 as the proposed duty, the British manufacturers will be able to sell at Rs. 175, while the fair selling price, according to the Report, is Rs. 180. But the Tariff Board says that this will be compensated for by the fact that in respect of rails

Tata's will get Rs. 187. I do not know where but it is stated at some place in the Report that Tata's will be able to recover 187 in respect of rails, and this will be a sufficient recompense for the loss on structural material. As I have pointed out to you, Sir, so far as rails are concerned, it will not be possible to get more than 154, 122 plus 32 bounty. And I cannot understand how the Report says that Tata's will be able to get 167. It might be said that Tata's will have more rails, that they will manufacture more rails than they are under a contract to supply at fixed prices, and in that way they will be able to sell the remaining rails at 187. But, if you look at the Report of the Tariff Board, you will find that Tata's in the year 1924-25 are estimated to manufacture only 87,000 tons of rails, and they are under a contract in this very year to deliver to some railway company 93,000 tons of rails. That being so the bounties provided are inadequate. These are points which lead me to believe that the protection which this Bill proposes to give to the Jamshedpur Tata Company is absolutely inadequate, it is hopeless. The Tata Company will hardly be able to survive with such halting protection. Why then put this burden on the consumer? I fully agree with my friend Pandit Madan Mohan Malaviya that the Government of India are not yet whole-hearted in the policy of protection of Indian industries. Having raised these two definite questions on which I seek information I now turn to other questions.

When I was listening to my friend Mr. Joshi I was wondering what could be done to settle these disputes and differences between Tata's and their workers—whether it was not possible to introduce some clause into this Bill by which the rights of the workmen could be protected; and if it was not possible to do so, whether it was not right and proper to oppose this Bill altogether. If the protection of course is adequate, which I believe it is not, I was thinking to myself what reply my friend Mr. Joshi would give if he were asked whether he would oppose protection altogether and allow the Tata industry to die, and along with that also all the workers to starve if it is not possible to introduce a clause for the protection of the rights of workers. If he were faced with that alternative, if my friend Diwan Chaman Lal were faced with that alternative, what would be their answer?

**Mr. N. M. Joshi:** May I interrupt the Honourable Member to say that it is not the only alternative. The Assembly may lay down the condition that Tata's Steel Company should remove all grievances.

**Mr. V. J. Patel:** Quite right, and I am entirely at one with my friend Mr. Joshi and also with my friend Diwan Chaman Lal that we should find out some way to introduce a clause in this Bill requiring the Tata Co. to recognize the Labour Association and to agree to the appointment of a Conciliation Board elected by the employers and the workers in definite proportions. I should like that very much and I should go further and say that I would introduce a further clause in the Bill saying that this Bill or Act shall come into force on and from the date on which the Tata Co. agrees by a Resolution at a shareholders' meeting to be specially convened for the purpose that the Labour Association at Jamshedpur shall be recognized forthwith, and that a Conciliation Board shall be appointed consisting of members to be elected by the workers and by the employers for the settlement of all disputes. I should like that to be done. But if for any reasons it is not done, if it is not possible to do so, if the Government does not agree to that—and after all

[Mr. V. J. Patel.]

we know very well that unless the Government and the Legislature agree there is absolutely no hope for us what then? The whole Bill is based on that assumption that the Government and the Legislature agree. If we do not agree on anything then the Bill goes, no protection is afforded to Tata's. That being the position, the question arises to which I want an answer from my friend Diwan Chaman Lal and from my friend Mr. Joshi, what are we to do? Are we going to allow the Tata Co. to go to rack and ruin and are we going to allow all these workers to starve? I would appeal to every Member of this Assembly to try his best in the first place to see that adequate provision and adequate safeguards are laid down in this Bill for the protection of workers. But if that is not done, if the Government do not agree, what are we going to do? That is the question to which I want an answer. I think that if one-tenth of what my friend Mr. Joshi has said about the grievances of these workers is true, it ought to make the blood of every self-respecting man boil. But what is to be done? Where is the remedy? It is the Government who are hard-hearted. They will not agree to insert any clause for the protection of workers. You must have noticed that some of us have tabled a number of amendments on this question. On the question of nationalization.....

Mr. Chaman Lal : On a point of order may I remind the Honourable Mr. Patel that in my opinion if the Government can swallow a camel they can .....

Mr. President : That is not a point of order.

Mr. V. J. Patel : On the question of nationalization I could not quite understand my friend Diwan Chaman Lal. I could not understand, though I am not deaf, perhaps it is because I am rather far away, whether he is for protection or not. I understood him to say that if this industry was nationalized then he was for protection. That was what I understood. That means Diwan Chaman Lal is not a free trader. (Mr. N. M. Joshi : "Nationalization is itself the protection.") Unless you have these tariff walls after nationalization of these industries you will not be able to run them, because you are merely stepping into the shoes of the Tata Company of to-day, and if to-day you cannot keep the Tata Company alive without protection you will not be able to keep the industry going after nationalization without such protection. So I take it that no one in this Assembly is opposed to protection as such. What we want is that, when in giving protection we throw an enormous burden on the consumer, it is only right that we, who represent the consumers and not the manufacturers only in this Assembly, should expect some return and that return can take one of two forms. One is nationalization, and my views on the question of nationalization are well known. My friend Dr. Gour says that Diwan Chaman Lal is not serious in the proposal he makes. I do not know what ground my friend Dr. Gour has got to make that statement. He raises the difficulty and asks where the money is to come from. I do not understand this plea at all. If Government want money, they do not want to consult Dr. Gour or any other Member of the Assembly. The Secretary of State has got the power to raise any loan without consulting any single Indian. Government have got that power. But apart from that, I know, though, Tata's would not be pleased about this suggestion of nationalization, I am absolutely certain that most of the shareholders would be only too glad to have this industry nationalized. You are not required to find money

at present. You do not want to pay shareholders off at once. Those shareholders will be only too glad if Government will give them the value, to-day's value in the form of Government paper. There is no difficulty about that. You need not raise a loan. So many shareholders will be too glad to have the industry nationalized on these terms. I know Tata's stand to lose lakhs and lakhs of commission.

**Mr. N. M. Dumasia :** What about foreign debenture holders ?

**Mr. V. J. Patel :** I am absolutely certain.....

**Mr. President :** The Honourable Member had better address the Chair and take no notice of the interruptions.

**Mr. V. J. Patel :** Thank you, Sir. I would strongly recommend to the Select Committee that this is a question which ought to be considered. Any Government that claims to be in the slightest degree responsive to public opinion ought to consider this question. The Tariff Board and the Fiscal Commission have stated that this industry is of special military value. It is necessary for the defence of this country ; we have been told by Mr. Willson how the Tata Company helped the late war. That proves that this industry is essential for the national defence of this country. If that is so, in my humble opinion—and I am glad I have friends here who share my view—I think this is the most opportune time for any national Government to take over this concern and run it as a national concern, and impose not these half-hearted duties but give real and substantial protection. Have a tariff wall. We do not want British rails to be dumped into India. What is the idea ? There is no meaning in it. Competition must not remain. The Tata Company is going to produce, as you say, any amount of rails. Why allow British rails to come all the way at the cost of the Indian tax-payer ? Whatever profits you may after nationalization make will go to relieve the tax-payer. It is at the tax-payers' cost that you allow foreign dumping here and do not allow our industries to prosper. So, in my opinion, this is the most opportune moment when Government should think seriously of nationalizing the Tata concern. If they are not prepared to do that, then there is the second alternative which I have proposed by way of amendment. And what is that alternative ? You do not surely want that the company should go on after 5 or 10 years making fabulous profits and giving fat dividends to its shareholders and the agents getting lakhs and lakhs of rupees by way of commission. That is not your idea in giving protection. I hope not. If that is not so and if you are going to allow this at the cost of the consumer, may I venture to suggest that the Tata Company should be asked to agree that any profit over and above 5 per cent. on the capital should go to the State to relieve the tax-payer. What is the difficulty ? I cannot understand. It may be that the Tata Company for some years may not make money, but a time will come when they will. Once you raise a tariff wall, foreign capital will pour in. I know it is impossible to check the advent of foreign capital. Once you pass this Bill you will have companies started with crores of foreign capital. You cannot prevent it. I know my friend Pandit Madan Mohan Malaviya is opposed to it, and very rightly opposed to it, but it is impossible to prevent it. I entirely agree that this is a standing invitation, that this Bill is a standing invitation, to foreign capitalists to come and start companies with a big capital here. I know it ; I know the consequences, but there it is. The remedy is not merely to talk about it. What can we do ? I am absolutely certain that

[Mr. V. J. Patel.]

so long as the Government is a foreign Government, it is impossible to persuade this Government to accept any amendment which would prevent foreign capitalists investing their capital here. If we had a national Government, then the view of my friend Pandit Madan Mohan Malaviya could be at once translated into action by a clause in the Bill itself that no foreign capitalist shall start any company here. That is the whole point. But we know our limitations; we know that unless we and you agree, it is hopeless. That is, Sir, my view about the second proposal that I have put forward, and I believe those who will have the honour or dishonour to serve on the Select Committee will take these proposals into consideration. If the Government really mean protection to the company, leaving aside the question of nationalization and of profit sharing, if the Government really mean to give real protection to the Tata Company, let them come out with better proposals; let them instruct all the departments under them as well as under the Provincial Governments, let them instruct all the Railway Companies, let them instruct all the local bodies, let them instruct the improvement Trusts, let them instruct the Port Trusts and let them instruct the Development Departments, to buy all the steel that is manufactured at Jamshedpur. Can you not introduce that provision in this Bill? I think you can; there is no difficulty if Government agree. Otherwise, here is the Chairman sitting to rule you out. But if Government agree, he can be outvoted. His ruling would then be no good, because once we agree, we can leave him aside and there will be no difficulty about it. Are you serious in this business? If you are, let us sit in Select Committee, discuss these matters and let us agree to some reasonable amendments to the Tariff Bill. As it is, in my opinion, this Tariff Bill is a hopeless thing. It would not give protection to the Tata Company; it would not keep that industry alive. You will waste so many crores of rupees and you will put the consumer to loss and ultimately the whole thing will end in a fiasco.

**Mr. M. A. Jinnah:** I move that the question be now put.

(Several Honourable Members moved that the question be put.)

**Mr. V. J. Patel:** I have not finished, Sir.

There is one more point to which I invite the special attention of Sir Charles Innes, and it is this. Whatever may be the form your Bill may ultimately take, I want you to examine the case of the Bombay Municipality. (Laughter.) I will give my reasons. The reasons are these. We wanted to lay a water line for 106 miles. In 1921 we asked for tenders.

**The Honourable Sir Charles Innes:** Is this the stage, Sir, at which the details of the amendments by Honourable Members should be explained and discussed? I thought at this stage we were discussing the principles of the Bill.

**Mr. President:** This amendment can be discussed in the Select Committee.

**Mr. V. J. Patel:** I think we have been discussing all these amendments all this time. However, I will instruct some one on the Select Committee to put my case.

**Maulvi Abul Kasem:** I move that the question be now put.

**The Honourable Sir Charles Innes :** Sir, I will reply very briefly to this debate, for I must confess that in all the speeches that have been made I have not found very many serious criticisms of my Bill. As regards the Bill itself, perhaps attention has been mostly centred on the Preamble. Several Members suggested that the Preamble did not bring out clearly enough the element of continuity in the Bill and they pointed out that the Bill, as it is drafted now, would not give attraction to new capital to come into the industry, which is one of the whole objects of this scheme of protection. If the Preamble is not sufficiently clearly drafted, that is a very small matter which can be attended to in the Select Committee. As I explained quite clearly in my speech, our intention was in the Preamble to bring out clearly the fact that the Government of India have adopted with the approval of their Legislature a policy of protecting the steel industry. It is perfectly true that, for special reasons which I also explained in my opening speech and which have been explained very fully in the Tariff Board Report, the actual duties that we propose in the application of that policy can be guaranteed only for three years. But it was our intention to make it quite clear in the Preamble of the Bill that our policy was a continuous one. As I said, that is a point which can easily be dealt with in the Select Committee.

I next come to Dr. Gour on locomotives. At this late hour of the evening I do not propose to follow the Honourable Member into his very interesting and also, I may say, entirely inaccurate account of the locomotive question. I must confess I was rather astonished at the Honourable Member's audacity because the true facts are stated in the report of the Tariff Board. The Tariff Board themselves do not recommend either bounties or assistance by protective duties in favour of locomotives for reasons which they have fully explained, and I am afraid that I cannot hold out to the Honourable Member any hopes that in the Select Committee I shall be able to agree to any sort of protection for locomotives.

Mr. Chaman Lal, I must say, disappointed me. He made a sort of speech that we are accustomed to get from Mr. Chaman Lal. His was a most excellent speech and the sort of speech that we hear so frequently in Hyde Park at Home. Mr. Chaman Lal made no bones about giving a very misleading account of certain statements in the Tariff Board Report. Just let me mention one. He made a statement that the reason why the Tata Iron and Steel Company required protection at this time was entirely due to inefficient works management at Jamshedpur. Well, Sir, that may be Mr. Chaman Lal's own opinion. But his opinion is entirely at variance with what the Tariff Board themselves say in more than one part of their Report. They expressly say that they have no reason to suppose that the works at Jamshedpur had been raised to an unjustifiable level by an inefficient technical management. On a matter of that kind, Sir, I prefer to follow the opinion of the Tariff Board rather than the opinion of Mr. Chaman Lal. When I heard Mr. Chaman Lal speak I thought he was going to speak in favour of free trade and to argue with the greatest force against protection. Instead of that he maintained that the need for protection in this case had arisen from the failure of the management at Jamshedpur and he went on to say that the only remedy was that the Government should take over the works. Well, Sir, I must say that I thank Mr. Chaman Lal, as also Mr. Joshi, as also Mr. Patel, for their unsolicited testimonial to the efficiency of Government.

[Sir Charles Innes.]

My Honourable friend Sir Bhupendra Nath Mitra will have to run these works. I saw him blushing when Mr. Chaman Lal made those remarks, but, Sir, in all humility I must disclaim any ability on the part of Government to run a steel works. Mr. Patel was indeed an optimist when he said that he hoped that in Select Committee he would get me to agree to a policy of nationalising industries.

Mr. Chaman Lal : I am very loath to interrupt the Honourable Member, but may I just point out.

Mr. President : Are you raising a point of order ?

Mr. Chaman Lal : Yes, Sir. The point of order is that a certain statement has been made by the Honourable Member to the effect that my statement was inaccurate.

Mr. President : That is no point of order.

Mr. Chaman Lal : Then I want to speak on a matter of personal explanation.

Mr. President : It is neither a matter of personal explanation.

The Honourable Sir Charles Innes : I pass on to my friend Mr. Joshi. Mr. Joshi made many complaints about the conditions of labour at Jamshedpur. Among other things he made a charge against the company for their having refused to recognise the Labour Union at Jamshedpur and for even refusing to acknowledge their letters. A short time ago, Sir, I was much amused by seeing in a Calcutta paper a complaint against no less a person than the Secretary of the Trades Union Congress in India, our friend Mr. Chaman Lal. The complaint was that he had not even the courtesy to answer letters. (Laughter.) Before I follow Mr. Joshi into all the interesting suggestions which he made, I should like to refer to his suggestion that we should make in the Bill about the recognition of Unions and the setting up of conciliation boards. I should like, Sir, myself to know more about this Union, to know exactly how many members it contains and what right it has to represent labour.

Then I pass on to Mr. Ranga Iyer. Mr. Ranga Iyer made an extremely eloquent speech. The only trouble I had when I heard him was that I could not help wondering why he made that speech this evening. If he had made that speech on, say, a motion for not accepting the policy of fiscal autonomy, I could well understand it. His speech seemed to me to be entirely irrelevant to the present occasion.

The Honourable Member indulged in a long history of wrongs that India has suffered at the hands of free trade policy, and my Honourable friend on the right suggests that it is a wrong history too. I could not help feeling, if the Honourable Member will pardon my saying so, that his speech was the sort of speech he has made at political meetings at least three times a year for several years past. Mr. Patel asked me some conundrums. He wanted to know what the Tariff Board meant by proposing a bounty of Rs. 32 per ton on rails. He pointed out that Rs. 32 per ton, added on to Messrs. Tata's contract price for rails, would bring the price up to Rs. 180. He wanted to know what the good of that was. He asked me another conundrum about structural steel. I do not know what his source of information is. He said that Belgium



structural steel was now coming in at Rs. 110 a ton, and he asked how Messrs. Tata were going to live in the face of that competition. He had a suspicion in his mind that Government was not wholehearted in bringing in this Bill; that they really did not believe in protection at all. I do not know what we can do in a matter of this kind. We adopted last year a policy of discriminating protection. We appointed a Tariff Board. Two of the Members were the Honourable Member's own countrymen. That Board has submitted a unanimous report and in that report they made certain concrete suggestions to Government. Government have accepted those suggestions absolutely as they stand. What is the only result so far as my Honourable friend, Mr. Patel, is concerned? The only result is that he takes a microscope and tries to find some reason why he should suspect the motives of Government. He wants an answer to his question about rails. I gave it to him this morning. It is stated in black and white in the Tariff Board's Report. There it is stated that the Tariff Board will not acquiesce in the vicious principle that the tax-payer should be called upon to remedy the mistakes made by the Company itself. As regards his question about structural steel, the answer to that is that British engineering standard steel always commands a higher price than steel that is sold without any guarantee of quality. Tata's steel is usually made to a specification. It competes with British engineering standard steel rather than with Continental steel, and the Tariff Board recommend a composite price. In arriving at that price they made full allowance for the fact that Continental steel was sold without any guarantee, and that it does come in at a lower price than British engineering standard steel.

I do not propose to follow the Honourable Member into the extremely interesting speculations as to what is really the right course we ought to take in this matter. He will forgive me for saying so, but his economics seem to be a bit shaky. Indeed, when I heard him develop his theme, I could see Dr. Hyder almost wilting under the influence of the Honourable Member's statements. I am afraid that the Honourable Member must be very much of an optimist if he thinks that I can agree or that the Government can agree to his particular nostrums to deal with the problem before us.

I should like to say before I sit down that the Government have come before the Assembly with a clear, comprehensive scheme of protection. That scheme, as I have said, was elaborated by an impartial Board which consisted of two Indians and one European. After several months' inquiry it has prepared a scheme to deal with one particular problem, and that is the problem of the steel industry. We are perfectly satisfied that if that scheme is carried out, as submitted to the House, it will suffice to tide the existing steel industry over the difficult period that lies ahead of it. It will not enable that industry to pay large dividends; we do not claim that at all; but we do claim that this scheme will enable the industry to tide over this period. Now, judging from the debate that we have had to-day, I do not think there is very much between that side of the House and this. I think that almost all of us in this House are agreed that we must make an effort to save the existing industry. What I fear is that everybody in the House who has got his own particular ideas or nostrums will try to graft them on to this Bill; but I do hope that Honourable Members will refrain from that. I do hope that they will refrain from confusing or obscuring the issue before the House. After all, that issue is a very simple one.

[Sir Charles Innes.]

The issue is, does this House wish to preserve the existing steel industry in India? I do hope that no attempts will be made to insert conditions in the Bill about nationalisation, about conditions of labour, about foreign capital, or anything like that. Do not let us bring into our discussion all these side issues.

I quote here from the letter that I have just received from the Bengal Chamber of Commerce. It says—and I particularly commend their remarks to Sir Purshotamdas Thakurdas :

“ It will be nothing short of a national calamity if disaster should now overtake so great an enterprise. Many crores of rupees have been sunk in it and it employs a very large number of men. It cannot be regarded as being other than a national institution. It proved its value to India during the war. Its importance from the point of view of a national demand is obvious. It has a strong claim on the State for assistance.”

There has been a difference of opinion in this House as to what form that assistance should take. Some may think we have gone too far. Others like Mr. Patel think that we have not gone far enough; but I hope that the House will recognise that we have offered a reasonable scheme which will suffice for the purpose we have in view. I know that there are big differences of opinion on many subjects between that side of the House and this, but I do hope that on this question the Government of India and their legislators will present a united front to the world.

**Mr. President :** The question is :

“ That the Bill to provide for the fostering and development of the steel industry in British India be taken into consideration.”

Since which an amendment has been moved :

“ That the Bill be referred to a Select Committee.”

The question I have to put is that that amendment be made.

The motion was adopted.

**Mr. K. C. Neogy :** Sir, I beg to move :

“ That the Bill be referred to a Select Committee consisting of the following :

The Honourable Sir Charles Innes, the Honourable Sir Basil Blckett, Pandit Motilal Nehru, Mr. W. S. J. Willson, Pandit Madan Mohan Malaviya, Mr. V. J. Patel, Mr. Bipin Chandra Pal, Diwan Bahadur M. Ramachandra Rao, Mr. E. J. Fleming, Mr. M. A. Jinnah, Mr. Pivare Lal, Maulvi Muhammad Yakub, Dr. H. S. Gour, Mr. A. Rangaswami Iyengar, Mr. K. G. Lohokare, Mr. Jammadas M. Mehta, Mr. Chaman Lal, Mr. N. M. Joshi, and myself, and that the Select Committee be instructed to report on or before the 20th May and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be nine.”

**Mr. M. A. Jinnah :** Sir, before this motion is put to the House, I want to make one point clear, and I want to tell the House that, so far as I am concerned, I am one of the shareholders of the Tata Steel Company. I do not know whether any other proposed Member is a shareholder or not, but I want the House to know that. With that knowledge, if you choose to insert my name, I have no objection to serving.

**Mr. V. J. Patel :** Is it a big stake?

**Mr. M. A. Jinnah :** A big stake for Mr. Patel, but not for me.

**Dr. H. S. Gour :** I also wish to declare that I am a shareholder.

**Mr. Jammadas M. Mehta :** I may also say I have ten shares.

**Mr. N. H. Joshi :** I propose the addition of the names of Mr. Devaki Prasad Sinha and Dr. S. K. Datta.

**Mr. President :** The Committee is already a large one.

**Mr. N. H. Joshi :** I propose the names of Mr. Devaki Prasad Sinha and Dr. S. K. Datta. Jamshedpur is in the constituency of Mr. Devaki Prasad Sinha.

**Mr. President (to Mr. K. C. Neogy) :** Do you accept this addition ?

**Mr. K. C. Neogy :** I have no objection.

**Mr. President :** The question is :

“ That the Select Committee consist of the following :

The Honourable Sir Charles Innes, the Honourable Sir Basil Blackett, Pandit Motilal Nehru, Mr. W. S. J. Willson, Pandit Madan Mohan Malaviya, Mr. V. J. Patel, Mr. Bipin Chandra Pal, Diwan Bahadur M. Ramachandra Rao, Mr. E. J. Fleming, Mr. M. A. Jinnah, Mr. Piyare Lal, Maulvi Muhammad Yakub, Dr. H. S. Gour, Mr. A. Rangaswami Iyengar, Mr. K. G. Lohokare, Mr. Jamnadas M. Mehta, Mr. Chaman Lal, Mr. N. M. Joshi, Mr. K. C. Neogy, Mr. Devaki Prasad Sinha, Dr. S. K. Datta, and that the Select Committee be instructed to report on or before the 30th May and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be nine.”

The motion was adopted.

#### ELECTION OF A MEMBER TO THE COMMITTEE ON PUBLIC ACCOUNTS.

**The Honourable Sir Basil Blackett (Finance Member) :** I beg to move :

“ That the Assembly do proceed to elect a member to the Committee on Public Accounts to fill the vacancy caused by the resignation of his seat on the Assembly by Mr. K. C. Roy.”

In connection with this motion I should like to add that it will probably be necessary for the Public Accounts Committee to sit for a week after the end of this session, so that any Member whose name is put up for this vacancy will, I hope, be prepared, if elected, to sit for a week after the end of this session.

The motion was adopted.

**Mr. President :** I may inform the Assembly that for the purpose of the election of a Member of the Public Accounts Committee the Assembly office will be open to receive nominations up to 3 P.M., on the 29th May. The election will take place in this Chamber on the 2nd of June.

**The Honourable Sir Charles Innes (Commerce Member) :** May I take the opportunity of saying that it is hoped that the Select Committee will meet at 11 o'clock to-morrow in one of the Committee rooms downstairs.

**Mr. President :** It is understood the Select Committee should meet at 11 A.M., to-morrow in one of the Committee rooms. The House will now adjourn to Friday the 30th May 1924 at 11 A.M., when we shall receive the Report of the Select Committee.

The Assembly then adjourned till Eleven of the Clock on Friday, the 30th May, 1924.

### ERRATUM.

On page 2270 of Legislative Assembly Debates, Vol. IV, No. 39, before the Press Communiqué, dated the 23rd May, 1924, insert the following :—

#### PRESS COMMUNIQUE.

As some doubt appears to prevail regarding the precise scope of the enquiry into the working of the Government of India Act which has been initiated by the Government of India in pursuance of the statements made by Sir Malcolm Hailey in the Legislative Assembly on the 8th and 18th February 1924, it is announced that the terms of the reference to the local Governments who were addressed in the first instance, may be summarised as follows :—

- (1) to enquire into difficulties arising from, or defects inherent in, the working of the Government of India Act and the Rules thereunder ;
- (2) to investigate the feasibility and desirability of securing remedies for such difficulties or defects, consistently with the structure, policy and purpose of the Act,
  - (a) by action taken under the Act and the rules or
  - (b) by such amendments of the Act as appear necessary to rectify any administrative imperfections.

2. The Committee appointed by His Excellency the Viceroy have been instructed at the present stage to conduct enquiries into these matters in so far as the Government of India and the Indian Legislature are concerned and to direct their attention in the first instance to the legal and constitutional potentialities of the situation as distinguished from questions of policy and expedience. They have submitted a report on the latter aspect of the case which is now under the consideration of the Government of India.

*Home Department,*

*Simla, the 16th May 1924,*

# LEGISLATIVE ASSEMBLY.

Friday, 30th May, 1924.

The Assembly met in the Assembly Chamber at Eleven of the Clock, Mr. President in the Chair.

## QUESTIONS AND ANSWERS.

### INFORMATION *re* THE TATA AND STEEL COMPANY, LIMITED.

1071. \*Mr. Bipin Chandra Pal : (a) Will the Government be pleased to supply a full and detailed statement of the share capital, with a list of shareholders, of the Tata Iron and Steel Works, Limited, to the House before the proposed Tariff Bill comes up for the consideration of the Assembly ?

(b) Will the Government be pleased to place before this House a statement of the higher establishment of the Tata Iron Works giving full and complete statement of the dividends paid to the share-holders all officers drawing a salary of rupees three hundred (Rs. 300) and more, showing any extra allowances paid to them ?

(c) Will the Government be pleased to place before this House a full and complete statement of the dividends paid to the share-holders of the Tata Iron and Steel Works, Limited, during the years 1914—1920 ?

The Honourable Sir Charles Innes : (a) and (c). The present share capital of the Tata Iron and Steel Company is as follows :

				Lakhs.
50,000	6 per cent. Cumulative First Preference			
	Shares of Rs. 150 each .. Total			75
700,000	7½ per cent. Cumulative Second Preference			
	Shares of Rs. 100 each .. Total			700
350,000	Ordinary shares of Rs. 75 each .. Total			262½
48,750	Deferred shares of Rs. 30 each .. Total			14.6
Gross Total				10,52.1

The dividends paid on the different classes of shares in the seven years 1914-15 to 1920-21 was as follows :

First Preference .. ..	6 per cent. each year.
Second Preference .. ..	7½ per cent. per year on the amount paid up from the time they were first issued, that is, in February 1919.

On the Ordinaries the rates per cent. per annum paid were, respectively, 8, 15, 20, 20, 7, 16 and 16.

On the Deferred the rates per cent. per annum paid were respectively 25, 180½ per cent., 291 per cent., 291 per cent., nil, 202½ per cent. and 202½ per cent.

The Government have not a list of the shareholders in the Company. Shareholders number many thousands and it is not worth the expense of calling for a copy of the Share Registers. They can be

inspected on payment of the ordinary fees at the office of the Registrar of Joint Stock Companies, Bombay.

(b) The Government have not a detailed establishment list of the staff employed at Jamshedpur. The Honourable Member will find in paragraph 55 of the Report of the Tariff Board a statement showing the number of covenanted employes in 1912-13 and in 1921-22.

#### REDUCTION OF RAILWAY FARES.

1072. \*Haji Wajihuddin : What is the number of railway passengers who travelled during the years 1914-15 and 1923-24 ? If there was a considerable decrease in the number of passengers in 1923-24 was such decrease due to the increase in the rate of railway fares ?

(a) Do Government propose to reduce the railway fares all round ?

(b) Is the reduction recently done on the East Indian Railway in the passenger fares sanctioned by Government ?

Mr. C. D. M. Hindley : The number during 1914-15 was 451,085,900. The number during 1923-24 is not yet available but during 1922-23 it was 572,695,400.

(a) Railways are not yet in a position to reduce railway fares all round.

(b) The fares being within the authorised maxima and minima Government sanction to their introduction was not necessary.

Mr. K. Ahmed : Is it not a fact that my Honourable friend in March 1923 promised in this Assembly that he would try to obtain statistics and compare them with the statistics of previous years in order to bring about reductions of fares ? While my Resolution regarding the reduction of fares was under discussion, it was said by the Government Member that, if it was possible, the Government would try to reduce fares.

Mr. C. D. M. Hindley : I have not quite followed the Honourable Member's question. He asked me if I did not promise to introduce statistics. I have done so.

Mr. K. Ahmed : Is it not a fact, Sir, that the Honourable Member said that he would try to bring about reductions ?

Mr. President : That is not a supplementary question.

Mr. K. Ahmed : The supplementary question is that my Honourable friend did promise in 1923, while speaking on my Resolution, to bring about reductions of the railway fares. He promised that he would see and compare the statistics of the number of passengers who travelled in pre-war days and now. Is not that a fact ?

Mr. President : The Honourable Member is not putting a question but is making a speech. Haji Wajihuddin.

(Mr. K. Ahmed again got up.)

Mr. President : Order, order. I have called upon Haji Wajihuddin to put his next question.

Mr. K. Ahmed : May I ask if the question put by me is not a supplementary question ?

**Mr. President :** Haji Wajihuddin.

**Haji Wajihuddin :** Question No. 1073.

**Mr. K. Ahmed :** Before Question No. 1073 is answered, may I ask for a ruling from the Chair. I rise on a point of order. A supplementary question is a question that elicits further facts on the subject under reply. If that is so and if my supplementary question is within the rules, will the Honourable President be good enough to ask the Honourable Member to answer the supplementary question as well.

**Mr. President :** I have already said that your so-called supplementary question was a speech and I have called upon Haji Wajihuddin to put his next question.

COMPLIMENTARY PASSES ISSUED TO INDIANS AND EUROPEANS ON THE EAST INDIAN RAILWAY.

1073. **\*Haji Wajihuddin :** What is the number of complimentary free passes issued by the East Indian Railway and how many of them are issued to Indians and how many to Europeans ?

**Mr. C. D. M. Hindley :** The figures of complimentary passes issued during the whole of the official year 1923-24 are not available. The following figures for the second-half of that year are therefore given :

Indians	..	..	..	..	3
Europeans	..	..	..	..	21

Of the later figure 21, 8 were issued to *ex-officials* or the widows of officials of Indian Railways, 4 to Directors of English or Foreign Railways and 4 to the Press for the purpose of making certain reports on railway matters.

LOCAL ADVISORY COUNCILS ON RAILWAYS.

1074. **\*Haji Wajihuddin :** Is it a fact that the movement for the formation of advisory committees at railway headquarters was initiated by the Passenger Protecting Society and the proposal which first reached the Railway Board containing a representation for the institution of Advisory Committees or railway visitors emanated from that body ?

**Mr. C. D. M. Hindley :** As the Honourable Member is probably aware, the suggestion that Local Advisory Councils should be established at railway headquarters came from the Acworth Committee. But as far back as 1890, a Local Consulting Committee had been set up by the East Indian Railway Administration and in 1919 and 1920, the Passenger Protecting Society suggested the appointment of railway visitors.

**Mr. N. M. Joshi :** May I ask whether Government propose to make some arrangement to give representation to the third class passengers on these Local Advisory Councils ?

**Mr. C. D. M. Hindley :** I do not think, Sir, that question arises out of this answer. But I should like to have notice of this question so that I may give the Honourable Member a considered reply.

PILGRIMS TO THE HEDJAZ.

1075. **\*Haji Wajihuddin :** Will the Government be pleased to say :

(a) How many pilgrims to Hedjaz purchased last year return tickets at Bombay ?

- (b) How many of them lost their tickets during the course of the pilgrimage ?
- (c) How many of them were brought back by the steamship company granting the return ticket.
- (d) How many were brought back at Government expense ?
- (e) How many of them died in Hedjaz ?

**Mr. J. W. Bhore :** (a) 694 pilgrims purchased return tickets last year at Bombay and Karachi.

(b) and (e). No information is available.

(c) 670.

(d) The Government of India assisted in the repatriation of 1,716 pilgrims in all.

**Haji Wajihuddin :** May I ask at what cost ?

**Mr. J. W. Bhore :** I must have notice of that question please.

**Mr. K. Ahmed :** Do the Government propose to get full particulars of the tickets that are purchased by the pilgrims going out of India ?

**Mr. J. W. Bhore :** I am afraid I did not hear the question.

**Mr. K. Ahmed :** Do Government propose to keep records of the tickets purchased by pilgrims going to Mecca from India ?

**Mr. J. W. Bhore :** Government have no such intention at present.

**Mr. K. Ahmed :** Do Government realise that, if this system is adopted, it will serve the good purpose for which the Department of my Honourable friend exists, by giving facilities to the pilgrims going to Mecca from India ?

**Mr. J. W. Bhore :** I am not in a position to answer that question at present.

LOSS OF BAGGAGE OF INDIAN PILGRIMS TO THE HEDJAZ BY FIRE ON THE S. S. "FRANGESTAN".

1076. **\*Haji Wajihuddin :** (a) Will the Government be pleased to give an estimate of the luggage and baggage belonging to Indian Hedjaz pilgrims lost in transshipment from S. S. "Frangestan" to S. S. "Tangistan" on account of the former being on fire and having been destroyed last month near Port Sudan ?

(b) Has any compensation been paid to the passengers ?

(c) Are the Government prepared to help them immediately ?

**Mr. J. W. Bhore :** (a) The Government of India have no information as to the amount or the value of the property lost by pilgrims on the "Frangestan" apart from what has appeared in the press.

(b) Messrs. A. Neemazee and Company instructed their Jeddah Agents to give, at their discretion, certain sums of money to the pilgrims wherever it was considered necessary and His Majesty the King of the Hedjaz is reported to have offered to make the pilgrims his guests on the journey to Mecca.

(c) No cases of destitution have been brought to the notice of the Government of India. The question of Government aid does not therefore arise.



PETITION OF THE KHOJA SHIA ISNA ASHRE COMMUNITY.

1077. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state :

- (1) Whether a petition has been submitted to His Excellency the Viceroy and Governor General of India in Council on behalf of the Khoja Shia Isna Ashre community of British India praying :

That legislation may be undertaken to provide that the Khoja Shia Isna Ashres of British India are governed in all respects by the Mohammedan Law applicable to the Shia Mohammedans, and in particular :

- (a) That they are governed by such law in matter of succession and inheritance, and  
 (b) That no property in the hands of a Khoja Shia Isna Ashre shall be regarded for any purpose as joint family property in the sense in which the expression is used in Hindu Law.
- (2) Whether Government is prepared to undertake legislation, as prayed for.  
 (3) If so, by what time ?  
 (4) If not, why not ?

The Honourable Sir Alexander Muddiman : (1) The answer to part (1) is in the affirmative.

(2) to (4). It is understood from the President of the Jamat that the memorialists have requested Mr. M. A. Jinnah to introduce a private Bill on the subject. Government are awaiting action on the part of Mr. Jinnah and have informed the memorialists accordingly through the Government of Bombay.

REPRESENTATIVES OF INDIA AT THE IMPERIAL CONFERENCES AND THE MEETINGS OF THE LEAGUE OF NATIONS.

1078. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state the names of the Indian gentlemen who have been sent by Government to represent India in the successive Imperial Conferences and in the League of Nations ?

The Honourable Sir Alexander Muddiman : A statement giving the information desired by the Honourable Member is laid on the table.

*Statement showing the names of Indian representatives to the successive Imperial Conferences and the meetings of the Assembly of the League of Nations.*

*Imperial Conference.*

1917.

His Highness the Maharaja of Bikanir, and  
 Sir Satyendra Prasanna Sinha (now Lord Sinha).

1918.

His Highness the Maharaja of Patiala, and  
 Sir Satyendra Prasanna Sinha (now Lord Sinha).

1921.

His Highness the Maharao of Cutch, and  
 The Right Honourable V. S. Srinivasa Sastri.

1923.

His Highness the Maharaja of Alwar, and  
Sir Tej Bahadur Sapru.

*League of Nations.*

1920.

His Highness the Maharaja of Nawanagar, and  
Sir Saiyid Ali Imam.

1921.

His Highness the Maharao of Cutch, and  
The Right Honourable V. S. Srinivasa Sastri.

1922.

His Highness the Maharaja of Nawanagar, and  
Sir P. S. Sivaswamy Aiyer.

1923.

His Highness the Maharaja of Nawanagar, and  
Mr. Saiyid Hasan Imam.

PERCENTAGE OF INDIAN SETTLERS IN UGANDA AND TANGANYIKA.

1079. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state the percentage of Indian settlers in (a) Uganda, (b) Tanganyika ?

Mr. J. W. Bhore : The percentage of Indian settlers in Uganda is .1 and in Tanganyika .2 of the total population.

COST OF THE KHYBER RAILWAY.

1080. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to furnish an estimate of the cost of the Khyber Railway scheme ?

Mr. C. D. M. Hindley : The estimate for the Khyber Railway is Rs. 243 lakhs.

REPORT OF THE ALLIANCE BANK INQUIRY COMMITTEE.

1081. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state :

- (a) If they have now received the report from the Alliance Bank Inquiry Committee ?
- (b) If not, will they ask for it ?

The Honourable Sir Basil Blackett : (a) The answer is in the negative.

(b) It is understood that the report will be in the hands of the creditors and shareholders on or before the 6th June.

ALLOWANCES PAID TO TRIBAL CHIEFS IN THE NORTH-WEST FRONTIER PROVINCE.

1082. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state :

- (a) If any written agreement is executed by the tribal chiefs in the North-West Frontier Province regarding the allowances paid to them ?
- (b) In what manner are the agreements enforced, if the conditions are broken by them ?

**Mr. Denys Bray :** (a) Yes, as a general rule ; but in some cases the conditions attaching to the grant have been announced publicly at a gathering of the tribe.

(b) By the suspension or confiscation of allowances, by the imposition of fine or *barampta*, and in the last resort, by military operations.

OVERCROWDING OF TRAINS.

1083. \***Khan Bahadur Sarfaraz Hussain Khan :** (a) Has the attention of Government been drawn to the letter published in the *Forward* of the 4th April 1924 under the heading "Overcrowding of trains" ?

\* (b) If so, will the Government be pleased to state whether the statements made therein are correct ; and if correct, do they propose to take steps to remove the grievances complained of ?

**Mr. C. D. M. Hindley :** (a) Yes.

(b) Government understand that, chiefly owing to Engineering restrictions in connection with the provision of additional facilities, Nos. 31, 33 and 37 Down local trains have recently been running late. With occasional exceptions the late arrival at Howrah has not exceeded 6 minutes. On the 24th March, 1924, a Monday, there was an unusual rush on No. 33 Down local train, and a number of passengers mounted the footboards at Ramrajatola and refused to be dislodged. In consequence the train was held up for 38 minutes before it was considered safe to allow it to proceed. Proposals for the introduction of an additional Up train on Saturdays and an additional Down train on Mondays are under examination by the Railway Administration.

BURMESE CANDIDATES FOR THE LAST I.C.S. EXAMINATION HELD IN INDIA.

1084. \***Khan Bahadur Sarfaraz Hussain Khan :** With reference to the reply given by Government in reply to Question No. 187 asked in the Council of State during the last Delhi session will the Government be pleased to state the reason why no candidates appeared from Burma at the I. C. S. Examination held at Allahabad in January, 1923 ?

**The Honourable Sir Alexander Muddiman :** Only two candidates from Burma applied to appear at the examination but both were over age and thus ineligible under the rules.

DUTIES AND SALARIES OF THE GAZETTED OFFICERS OF THE COMMERCIAL INTELLIGENCE DEPARTMENT.

1085. \***Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state the number with the salaries and the respective duties of the gazetted officers of the Department of Commercial Intelligence ?

**The Honourable Sir Charles Innes :** The gazetted staff of the Commercial Intelligence Department consists of 4 officers, namely, Director General of Commercial Intelligence, 2 Deputy Directors of Commercial Intelligence and 1 Local Trade Intelligence Officer. The present salaries of the permanent incumbents are Rs. 1,975, 1,400, 1,000 and 650, respectively. The Director General of Commercial Intelligence is the head of a Department whose functions briefly are to answer trade enquiries, keep Government in touch with commercial opinion, assist firms in India, to establish or extend trade relations with foreign traders, and to collect and publish statistics of all kinds. The two Deputies assist the Director General of Commercial Intelligence in the discharge of these functions. One of

them also carries on the control of the office during his absence on tour. The work of the Local Trade Intelligence Officer consists mainly of inter-provincial trade inquiries and the study of inter-provincial trade movements, which fall outside the scope of provincial Directors of Industries.

**DUTIES OF THE BRITISH CONSUL AT JEDDAH TOWARDS INDIAN PILGRIMS TO HEDJAZ, ETC.**

1086. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state :

- (a) the duties of the British Consul at Jeddah towards the Indian pilgrims to Hedjaz ?
- (b) whether the British Consul is required to repatriate the indigent Indian pilgrims only on receipt of application from them or also on receipt of reports from his subordinates and other people ?
- (c) whether repatriating pilgrims is the statutory duty of the Consul, or whether it is a duty imposed upon him under the instructions of higher authorities ?
- (d) whether Russian, French and Chinese Consuls are also stationed at Jeddah ?

**Mr. J. W. Bhore :** (a) The British Consul at Jeddah, in common with all British Consuls, is required under the general instructions to Consular Officers to give his best advice, assistance and protection to British subjects and British protected persons, including of course Indian pilgrims to the Hedjaz when they fall within either category.

(b) No special procedure is prescribed. The British Consul considers reports about indigent pilgrims from whatever source they may come.

(c) The Honourable Member is referred to the answer to part (a) of the question. Repatriation is not a statutory duty imposed on the Consul.

(d) There is a French Consul General at Jeddah. No information is available as to whether Russian and Chinese Consuls are stationed there.

**PURCHASE OF RETURN TICKETS BY PILGRIMS FOR MECCA BY THE S. S. "SUJA".**

1087. \*Khan Bahadur Sarfaraz Hussain Khan : (a) Is it a fact that the S. S. "Suja" left Karachi with 436 pilgrims on board for Mecca ?

(b) If so, will the Government be pleased to state whether all or any of these pilgrims had to purchase return journey tickets and if they had, under what statutory provision ?

**Mr. J. W. Bhore :** (a) The S. S. "Suja" left Karachi on the 4th April 1924 with 433 pilgrims including 7 infants.

(b) None of the pilgrims had to purchase return tickets.

**NUMBER OF PILGRIMS DURING THE LAST HAJ SEASON.**

1088. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state :

- (a) the number of Indian pilgrims that went to Hedjaz during the last Haj season ?
- (b) the number that have returned to India ?

Mr. J. W. Bhoré : (a) 21,459.

(b) 21,724.

SINKING OF A PILGRIM SHIP.

1089. \*Khan Bahadur Sarfaraz Hussain Khan : (a) Has the attention of the Government been drawn to the paragraph published in the *Statesman* of the 8th April 1924, under the heading "Pilgrims' Ship Sunk" ?

(b) If so, is the statement correct ?

(c) If correct, will the Government please state the cause of the fire ?

Mr. J. W. Bhoré : (a) Yes.

(b) Yes. The Government believe it to be substantially correct.

(c) The actual cause of the fire cannot be ascertained.

EXPENDITURE ON CABLES EXCHANGED BETWEEN THE GOVERNMENT OF INDIA AND THE INDIA OFFICE.

1090. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to furnish particulars of the expenditure on cables exchanged between the Government of India and the India Office ?

The Honourable Sir Bhupendra Nath Mitra : It is regretted that the information asked for is not available. Endeavours have been made to collect it from the various Departments, but in many cases this has been impossible, because no separate accounts for inland and foreign telegrams, respectively, have been kept.

FINANCIAL ADVISERS.

1091. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state :

(1) the names and the salaries of—

(a) Financial Adviser, Military Finance.

(b) Financial Adviser, Posts and Telegraphs.

(c) Financial Commissioner of Railways.

(2) whether these 3 officers are under the direct control of the Finance Member ?

The Honourable Sir Basil Blackett : (1) A statement is laid on the table.

Appointment.	Incumbents.	Pay.
Financial Adviser, Military Finance.	Sir B. N. Mitra, K.C.I.E., C.B.E. (on deputation).	} Ra. 3,250
	Mr. A. F. L. Brayne, C.I.E., I.C.S. (Offg.) ..	
Financial Adviser, Posts and Telegraphs.	Mr. A. F. L. Brayne, C.I.E., I.C.S. (On deputation).	} 2,500—125—3,000
	Mr. T. Ryan, C.I.E. (Offg.) ..	
Financial Commissioner, Railways.	Mr. G. G. Sim, C.I.E., I.C.S. (on leave) ..	} 4,000
	Mr. A. A. L. Parsons, I.C.S. (Offg.) ..	

(2) Yes.

DOMICILE OF STEAMSHIP COMPANIES ENGAGED IN THE EXPORT TRADE IN IRON,  
STEEL AND COAL FROM INDIA.

1092. \* **Khan Bahadur Sarfaraz Hussain Khan** : Will the Government be pleased to state whether iron, steel and coal exported from India during the last 3 years were all carried by Steamship Companies registered in the British Isles, or also by any Steamship Company registered in British India ?

**The Honourable Sir Charles Innes** : Statistics on the precise points raised by the Honourable Member are not available, but it may be taken that the proportion of trade on the coast which is carried in ships owned by Indians is comparatively small, while the number of Indian owned ships which take part in the overseas trade is smaller still.

POSITION OF STATION SUPERINTENDENTS *vis-a-vis* STATION MASTERS.

1093. \* **Khan Bahadur Sarfaraz Hussain Khan** : Will the Government be pleased to state :

- (a) the respective responsibilities of Station Superintendents and Station Masters ?
- (b) the names of the stations on the East Indian Railway at which Station Superintendents are kept ?
- (c) whether the Station Superintendents are kept in addition to the Station Masters or in lieu of them ?
- (d) whether the Station Superintendents are under the control of the Station Masters or the Station Masters under the control of the Station Superintendents at the stations at which both the officers are kept ?

**Mr. C. D. M. Hindley** : (a), (c) and (d). Station Superintendents are only employed at the most important stations ; they represent a senior class of station masters and fill the place of station masters at those stations.

(b) The following are the stations on the East Indian Railway at which Station Superintendents are employed :—

Asansol,  
Delhi,  
Howrah,  
Moghalserai.

ERECTION OF SHEDS FOR THIRD CLASS PASSENGERS AT SONEPUR AND SAMASTI-  
PUR RAILWAY STATIONS ON THE BENGAL AND NORTH-WESTERN RAILWAY.

1094. \* **Khan Bahadur Sarfaraz Hussain Khan** : (a) Are Government aware that in the absence of sheds on the platforms of the Sonepur and Samastipur railway stations (Bengal and North-Western Railway) third class passengers are put to great inconvenience specially in the hot and rainy seasons ?

(b) If so, will the Government be pleased to state by what time they will be in a position to erect sheds on the platforms of the above stations ?

**Mr. C. D. M. Hindley** : (a) No.

(b) Government are aware that provision is being made in the 5-year programme for the provision of a number of sheds, and no doubt the claims of these two stations will be considered in due course.

**Mr. Gaya Prasad Singh :** Are Government aware that passenger sheds are non-existent at many other important stations on the Bengal and North-Western Railway ?

**Mr. C. D. M. Hindley :** Yes.

**RENT OF QUARTERS AT LONGWOOD HOTEL, SIMLA.**

1095. **\*Khan Bahadur Sarfaraz Hussain Khan :** With reference to the statement placed on the table in reply to Question 118 asked in the Council of State, during the last Delhi session, will the Government be pleased to state why the amount of rent charged to Members is about double of the amount of rent charged to Officers ?

**The Honourable Sir Bhupendra Nath Mitra :** Members of the Legislature occupy the quarters only for a very short period, and it is considered reasonable that on this account they should be charged a higher rent than officials who may occupy them for many months at a time. Moreover, most of the officials only occupy the quarters on condition that they may be required to vacate them at short notice.

**Mr. C. Duraiswami Aiyangar :** Is the Honourable Member aware that the worst of the quarters are charged at the highest rate, namely, Rs. 155.

**The Honourable Sir Bhupendra Nath Mitra :** The answer is in the negative.

**Mr. Devaki Prasad Sinha :** Can the Honourable Member give any instance in which a military officer had been asked to vacate his room for a Member of the Assembly ?

**The Honourable Sir Bhupendra Nath Mitra :** The answer to that question will require some investigation and I shall want notice of it.

**Mr. C. Duraiswami Aiyangar :** Are Government aware that while the rent charged to Members of the Legislature amounts to Rs. 155, the rent charged to officers is about half that amount ?

**The Honourable Sir Bhupendra Nath Mitra :** I have already given an answer to that question, that the officer is charged a lower rent because he occupies the quarters for a longer period than the Members of the Assembly.

**Mr. C. Duraiswami Aiyangar :** May I know if the rent charged is based on a certain percentage of interest on the capital cost of the buildings, and, if so, at what rate is this interest charged ?

**The Honourable Sir Bhupendra Nath Mitra :** Undoubtedly the principle is that referred to by the Honourable Member, that is, the rent is based on a certain rate of interest, but the rate of interest is a sliding one, dependent upon the time when the capital for the purchase of the quarters was raised. If the Honourable Member will give me notice of the question I will give him a detailed reply.

**Mr. Devaki Prasad Sinha :** Is it a fact that the Longwood Hotel was purchased especially for the Members of the Indian Legislature and, if so, why are officers permitted to reside there ?

**The Honourable Sir Bhupendra Nath Mitra :** The answer is that in the interests of the tax-payer we have got to get as much rent out of these quarters as possible.

**Mr. Devaki Prasad Sinha :** Is it not a breach of public faith that the Hotel should have been acquired for the Members of the Legislature while it is used for a different purpose ?

**Mr. President :** That is not a question ; that is an argument.

**Lala Hans Raj :** Do Government propose to let this house to a cinema company ?

**The Honourable Sir Bhupendra Nath Mitra :** I should say the question does not arise. If Government have to let this house for other purposes, they will have to consider various questions arising in connection therewith.

**Mr. Devaki Prasad Sinha :** If any Member of the Assembly desires to occupy any of the rooms at present occupied by a military officer, do Government give a guarantee that such room will be vacated for a Member of the Assembly ?

**The Honourable Sir Bhupendra Nath Mitra :** If he pays the rent for the whole year, undoubtedly.

**Mr. K. Ahmed :** Has not the object for which this hotel was required, namely, for the use and occupation of the Members of the Assembly and the Council of State, been frustrated by the fact that it has been let to outsiders ?

**Mr. President :** That is not a question.

**Mr. K. Ahmed :** Is not that a supplementary question which arises on this ?

**Mr. President :** Order, order. The Honourable Member has not asked a question ; he has made a statement.

**Mr. N. M. Joshi :** Is the Honourable Member aware that great inconvenience is caused to the Members on account of the Department not giving sufficient furniture to the Members who are living in the Cart Road quarters ?

**The Honourable Sir Bhupendra Nath Mitra :** The question of Cart Road quarters does not arise in this connection, but my reply to the Honourable Member's inquiry is in the negative.

**Mr. V. J. Patel :** Is it for the Honourable Member to say that the question does not arise, or is it for the Chair ?

**Mr. President :** The Honourable Member is perfectly entitled to say the question does not arise.

**Mr. V. J. Patel :** Without your ruling ?

**Mr. President :** It requires no ruling.

**Mr. N. M. Joshi :** May I ask if the Honourable Member will inquire about furniture ?

**The Honourable Sir Bhupendra Nath Mitra :** If the Honourable Member will make a specific complaint to me, I will inquire into the matter.



**Mr. K. Ahmed :** Was not this complaint made a long time ago when my Honourable friend's predecessor was in his place ?

**The Honourable Sir Bhupendra Nath Mitra :** I have no personal knowledge of the circumstances. I am pretty certain that my predecessor, if the question was raised before him, must have taken steps to remedy any real grievance.

**Mr. K. Ahmed :** Is it not a fact, Sir, that my Honourable friend's office prepared the answer to the question that he had just now read after going through the whole file in his hands ?

**Mr. W. M. Hussanally :** Is it not a fact that there was a gentleman in charge of the Hotel to look after the convenience and comfort of the Members, and this year there is no responsible person in charge ?

**The Honourable Sir Bhupendra Nath Mitra :** I shall require notice of that question.

**Mr. Devaki Prasad Sinha :** Is any military officer residing there charged at the daily rate ?

**The Honourable Sir Bhupendra Nath Mitra :** To the best of my knowledge, not.

**Mr. Bipin Chandra Pal :** May I ask the Honourable Member if there is anybody to supervise the arrangements in connection with the Cart Road quarters.

**The Honourable Sir Bhupendra Nath Mitra :** Yes, there is.

**Mr. Gaya Prasad Singh :** What is his name ?

**The Honourable Sir Bhupendra Nath Mitra :** The Superintendent in charge of all Government accommodation.

**Mr. Jamnadas M. Mehta :** That is a designation not a name.

**Mr. President :** We are now going into the question of the Cart Road House which is not relevant to the original question which was about the Longwood Hotel.

**Mr. K. Ahmed :** With regard to Longwood Hotel, is the Honourable Member aware that beautiful chairs and sofas are removed from the drawing room and it is turned into a stable now ?

**The Honourable Sir Bhupendra Nath Mitra :** The answer is in the negative.

**Mr. Devaki Prasad Sinha :** Are Government aware.....

**Mr. President :** There is a limit to supplementary questions. I have allowed great latitude on this question, but we must now get on.

#### QUARTERS AT LONGWOOD HOTEL, SIMLA.

1096. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government please also state why some quarters in the Longwood Hotel at Simla were not even offered to the Members of the Indian Legislature, while the Longwood Hotel was purchased for the very purpose of accommodating them ?

**The Honourable Sir Bhupendra Nath Mitra :** The Honourable Member is referred to the reply given by the Honourable Mr. A. C. Chatterjee to question No. 619 on the 8th of March 1924.

**Mr. K. Ahmed :** In answer to my supplementary questions to the main question put by the Honourable Member of which my Honourable friend already denied that he had knowledge, I am sorry to state that he ignored looking into his predecessor's answer. May I ask whether these quarters upstairs in the old block are not meant for the Members of the Indian Legislature. Why are the tenants in them not removed and why are they not given into the occupation of the Members of the Indian Legislature ? Has my Honourable friend taken any step in regard to that, Sir ?

**The Honourable Sir Bhupendra Nath Mitra :** I must say I do not quite catch the point of the Honourable Member's question.

**Mr. K. Ahmed :** Has the Honourable Member given effect to the question and the supplementary questions put and the answer given by his predecessor ? Has he considered it ?

**The Honourable Sir Bhupendra Nath Mitra :** If the Honourable Member will ask me specific questions, I may be in a position to answer them.

**Mr. K. Ahmed :** Specific questions were asked and answers given.

**Mr. President :** Order, order. The Honourable Member cannot raise a debate on a question.

**Mr. K. Ahmed :** This is not a debate, Sir.

**Mr. President :** Order, order.

**Mr. K. Ahmed :** Is it not a specific question ?

**Mr. President :** Order, order.

#### DUTIES OF THE PRESIDENT OF THE FOREST RESEARCH INSTITUTE AND OF THE PRINCIPAL OF THE FOREST COLLEGE.

1097. \* **Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state (a) whether the duties of the President of the Forest Research Institute and the Principal of the Forest College are combined in one and the same officer ? And, if so, what are the duties respectively ?

(b) How many classes are there in the Forest College, and what is the present number of students prosecuting their studies in it ?

(c) What are the prospects of the students that came out successful from the College ?

**Mr. J. W. Blore :** (a) The reply is in the affirmative.

The duties as regards education are defined as follows in Rule 3 of the Rules for the Provincial Forest Service and Ranger courses :

“ The President is charged with (1) general administration, including the regulation of the course of study under the arrangements prescribed by the Board of Forestry, subject to the sanction of the Government of India ; (2) the supervision of the buildings, quarters and gardens, (3) the control of the accounts and the conduct of correspondence.”

The President is also in general administrative charge of the Research Institute and controls the research work in much the same way as he controls the education. The duties in regard to Research have not been laid down in detail.

(b) There are two different standards or courses of education. The higher, at the Research Institute for officers of the Provincial Forest

Service and the lower at the College, for the executive or ranger class. Each course extends over two years, so there are always four classes present.

There are at present 60 students in the four classes.

(c) The pay varies in different provinces but is entirely at the discretion of Local Governments. As far as information is available it is usually :

For the Provincial Forest Ser- Rs. 250—25—500 efficiency bar  
vice. 525—25—750.

For the Rangers .. .. Rs. 90 to Rs. 200.

12½ per cent. of the posts in the Indian Forest Service are listed for officers promoted from the Provincial Forest Service and Rangers are eligible for promotion to the Provincial Forest Service.

**HOURS OF WORK AND HOLIDAYS OF THE STAFF OF THE RIFLE FACTORY AND THE METAL AND STEEL FACTORY AT ISHAPORE.**

1098. \*Mr. T. C. Goswami : (a) Are Government aware that, in contravention of the Army Instructions and Permanent Standing Orders, the clerical staff of the Rifle Factory and the Metal and Steel Factory at Ishapore were, for about a year, compelled to attend in spite of their protest at 7.45 instead of 10 A.M. ; and the chemists at 9 A.M. instead of 10 A.M. ; and are Government aware that this order has placed the Indian staff, who are not provided with quarters, in great difficulty ?

(b) Is it a fact that often on gazetted holidays the clerks are compelled to attend the Factories without getting leave in lieu of the holiday attendance ?

(c) Why, after cessation of work for over six months, was the Steel Furnace started on Good Friday 1924, depriving a number of the Indian staff of the Easter holidays ?

(d) Is it a fact that a system of tin badges in the Metal and Steel Factory has been introduced in Ishapore in the case of the Indian staff who have to produce them on leaving the Factory, but that the European staff are exempted ?

Mr. H. E. Pate : (a) The time at which the clerical staff of the Ordnance Factories should attend is a matter which is left to the discretion of the Superintendents, who are at liberty to modify the hours laid down in the Standing Orders of the factories concerned from time to time as occasion demands. Government are informed that the change in the time was necessary for the efficient working of the factories and that the change has enabled the clerks to get through their work comfortably and leave office punctually by 4.30 P.M.

With regard to the concluding portion of this part of the question, I would point out, that there are other classes of employes living, in many cases, long distances away from the factories, who are required to attend at 7.45 A.M.

(b) No.

(c) The Steel Furnace was started not on Good Friday but on the 1st April 1924.

(d) Government are informed that all persons (except the pensionable establishment of the Laboratory Office and pensionable clerks attached to

the sections), ordinarily exempted from search, are given tin passes which they are required to present at the gate when passing out. No distinction is made between Indians and Europeans. The rule was made because a clerk was discovered removing Government property on his way out of the factory.

**COMPENSATION PAID TO THE FAMILIES OF INDIAN SOLDIERS, SAILORS AND LABOURERS WHO DIED ON ACTIVE SERVICE DURING THE WAR.**

1099. \***Mr. T. C. Goswami** : (i) Will Government be pleased to state how many soldiers, sailors and labourers were recruited from each District (particularly in Bengal) during the War and the amount of compensation and pension paid to the families of those who died on active service? What steps are being taken to relieve the families now in distress?

(ii) How much of the compensation was paid from the War Relief Fund and how much from the Exchequer?

(iii) How do the scales of compensation given to Indian soldiers, sailors and labourers compare with the scales of compensation given to British soldiers, sailors and labourers?

**Mr. H. R. Pate** : (i) and (ii). With regard to the number of soldiers and labourers recruited from the various districts during war, I will furnish the Honourable Member separately with certain statements showing the number of combatants and non-combatants recruited from civil districts during the period 1st August 1914 to the 31st March 1918. This is the only information available and I trust it will suffice for the Honourable Member's purpose. As regards "sailors," an endeavour is being made to obtain the particulars desired in regard to the men recruited for the Royal Indian Marine during the war, and I will let the Honourable Member know the result in due course.

With regard to the second part of (i), namely, the amount of compensation and pension paid to the families of those who died on active service, a statement showing the total amount of family pensions paid from the year 1914-15 to the end of February 1924 to the families of all the Indian soldiers and followers who died on active service during the war, is laid on the table. Separate statistics are not available in respect of the pensions paid for soldiers, sailors, and labourers recruited from each district and of the compensation, as distinct from pensions, paid from the Exchequer and from the War Relief Fund.

As regards the steps that are being taken to relieve the families in distress, I would refer the Honourable Member to the reply given on the 3rd March last to starred question No. 579. If the Honourable Member knows of any specific case in which a pension or gratuity is due and has not been granted, I should be glad if he would give me the particulars and I will then have the case investigated at once.

(iii) I am afraid that owing, amongst other things, to the widely differing conditions of living in England and in India, it is not possible to institute any useful comparison between the rates of disability pension admissible to British soldiers on the one hand and to Indian soldiers on the other.

I will however furnish the Honourable Member separately with a statement which will give him some idea of the position,

Statement showing the amount of family pensions paid to the families of Indian soldiers and followers who died on active service during the war.

Years.	Amount.
	Rs.
1914-15 .. .. .	18,491
1915-16 .. .. .	2,37,444
1916-17 .. .. .	8,91,773
1917-18 .. .. .	14,96,457
1918-19 .. .. .	15,52,424
1919-20 .. .. .	21,99,227
1920-21 .. .. .	18,81,368
1921-22 .. .. .	21,86,059
1922-23 .. .. .	34,40,290
1923-24 (to the end of February 1924) .. .. .	40,67,050
Total .. .. .	1,79,70,583

PAY OF THE LOWER GRADES OF CLERICAL ESTABLISHMENT OF THE MILITARY ACCOUNTS DEPARTMENT.

1100. \*Mr. Chaman Lal : (1) Will the Government be pleased to state whether the introduction of the time scale in the Military Accounts Department has given a uniform result and has been instrumental in raising the pay of the clerical establishment in the lower grades ?

(2) Is it correct that the pay of an accountant was raised from Rs. 100 to Rs. 500 per mensem, i.e., 5 times his original pay ?

(3) Is it a fact that owing to the temporary entertainments in the clerical grade the benefit of accelerated promotions did not reach the clerks of the lower grades ?

(4) Is it a fact that a contingent of men entertained on abnormally high rates of pay during the War, who were also granted liberal increment, i.e., 20 or 30 rupees lift in the course of the short period of their temporary service together with the concession of counting of their service for increments with effect from 1st April 1920, have now been absorbed on the rates of pay they were in receipt of as temporary clerks and have thus been placed senior to the already permanent clerks in respect of pay ?

(5) Is it a fact that the principle of "next below rule" which has been sanctioned in the case of accountants is not applicable in the case of clerks although both are liable for general service in and out of India ?

(6) Are the Government aware of the fact that as a result of the differential treatment mentioned in the foregoing questions a certain number of permanent clerks in the lower grades with about five years' service before 1st April 1920 (the date of introduction of the time scale) have been restricted to the minimum pay of the Department admissible on first appointment ? If so, have the Government taken any steps to ameliorate their condition ?

The Honourable Sir Basil Blackett : (1) So far as Government are aware, these results have generally been achieved in the lower grades.

(2) I would refer the Honourable Member to the answer which I gave to a similar question put by Rai Bahadur Lachmi Prasad Sinha on the 23rd July last.

† Vide page 4841 of Legislative Assembly Debates, Vol. III.

(3) On the contrary, during the period of the late war promotions in the old clerical grades in the Military Accounts Department were unusually rapid.

(4) Men, who were entertained temporarily in the Military Accounts Department during the period of the late war on higher rates of pay for special reasons and who were borne on the list of that department between the 1st April and the 25th October 1920, have been confirmed on those rates of pay and have been allowed to count their temporary service from the 1st April 1920 towards increment. The temporary clerks so confirmed have not been graded as senior to clerks already holding permanent appointments in the department although the former have, in some cases, been in receipt of more pay than the latter.

(5) The principle of the "next below rule" has been made applicable to clerks as well as accountants, excluding in both cases those who had received special promotions.

(6) Possibly a few permanent clerks in the lower grade with about five years' service before 1st April 1920 have been restricted to the minimum pay of clerks in the time scale, but these clerks generally received an immediate increase of pay in consequence of the raising of the minimum on 1st April 1920 and it must be remembered that their new pay was based on emoluments which included war allowances of a purely temporary character. The Government of India do not consider it necessary to reconsider the orders.

#### REPRESENTATION *re* THE PAY OF CLERKS OF THE LOWER GRADES OF THE MILITARY ACCOUNTS DEPARTMENT.

1101. \*Mr. Chaman Lal : (a) Will the Government be pleased to state whether they have received any representation from the clerks of the lower grades of the Military Accounts Department adversely affected by the time scale and if so what action, if any, have the Government taken (or intend to take) to redress their grievances ?

(b) Is it a fact that while admitting their grievances as legitimate and reasonable these representations have been dismissed on the plea of financial stringency ?

The Honourable Sir Basil Blackett : (a) and (b) : Representations on the subject have been received by the Government of India from time to time, but I am not aware to what particular representations my Honourable friend refers. The petitions were generally rejected on the ground that the revised rates of pay already sanctioned were sufficient.

#### ADDITIONAL EXPENDITURE INCURRED BY THE INTRODUCTION OF THE TIME SCALE IN THE MILITARY ACCOUNTS DEPARTMENT.

1102. \*Mr. Chaman Lal : Will the Government of India be pleased to state the additional expenditure incurred by the introduction of the time scale in the Military Accounts Department separately under the following heads :

Deputy Examiners.

Accountants.

Permanent Clerical Establishment.

Newly absorbed men in connection with cost accounting schemes

The Honourable Sir Basil Blackett : The approximate extra expenditure is as follows :—

	Rs.
Deputy Examiners .. .. .	35,500 per annum.
Subordinate Account Service (Accountants) .. .. .	3,86,000 „ „
Clerical Service .. .. .	5,10,000 „ „

As regards men absorbed in connection with cost accounting schemes, statistics are not readily available and it would take undue time and labour to collect them.

PERCENTAGE OF VOTES POLLED AT THE GENERAL ELECTIONS FOR THE LEGISLATIVE ASSEMBLY IN 1920 AND 1923, RESPECTIVELY.

1103. \*Mr. Gaya Prasad Singh : Will the Government be pleased to give a statement showing, Province by Province, the percentage of electors who voted at elections for the Legislative Assembly in the general elections of 1923 and 1920 ?

The Honourable Sir Alexander Muddiman : I lay on the table a statement giving the information asked for, and, as the matter may be of general interest, I have also included in the statement similar information regarding the provincial Legislative Councils. For more detailed information regarding the first general election the Honourable Member is referred to the return presented to Parliament (Command Paper 1261), a copy of which is in the Library of this House.

*Percentage of electors who voted in contested constituencies of the Legislative Council and the Legislative Assembly during the general elections of 1920 and 1923.*

Province.	GENERAL ELECTION, 1920.		GENERAL ELECTION, 1923.	
	Legislative Council.	Legislative Assembly.	Legislative Council.	Legislative Assembly.
Madras .. .. .	25		36.3	40.9
Bombay .. .. .	34.9		48.1	38.4
Bengal .. .. .	33.4		39	41
United Provinces .. .. .	33		42.2	44.3
Punjab .. .. .	32.2		49.3	60.3
Bihar and Orissa .. .. .	39.7	25	52.3	44.1
Central Provinces .. .. .	22.5		57.7	44.1
Assam .. .. .	24.2		42.1	44
Burma .. .. .	..		..	23.3
Delhi .. .. .	..		..	30
Ajmer-Merwara .. .. .	..		..	74.5

**Mr. K. Ahmed :** Are the Government aware that the Swarajist volunteers misled voters, so that particular candidates, who were not candidates of theirs, were not voted for by the general public ?

**The Honourable Sir Alexander Muddiman :** I suggest that the question might be addressed in another direction.

#### ABOLITION OF BOARDS OF REVENUE.

1104. **\*Mr. Gaya Prasad Singh :** Has the Board of Revenue been abolished, or is it going to be abolished in any of the Provinces ? And if so, in what Province or Provinces, and when ?

**Mr. J. W. Bhore :** The Government of India have no information as to the future intentions of Local Governments. No Board of Revenue has yet been abolished.

**Mr. K. Ahmed :** Is it not a fact that in Bengal the Committee, that was formed for the purpose, reported that the office of the Board of Revenue should be done away with ?

**Mr. J. W. Bhore :** I have no information and must have notice of that question, Sir.

#### OVERCROWDING AND UNPUNCTUALITY OF TRAINS ON THE HOWRAH-MACHADA SECTION OF THE BENGAL NAGPUR RAILWAY.

1105. **\*Mr. Gaya Prasad Singh :** (a) Has the attention of the Government been drawn to a signed letter, headed " Railway grievances," published in the " Bengalee " newspaper, dated the 30th March 1924, in which specific complaints have been made regarding the serious overcrowding and unpunctuality of trains on the Howrah-Machada section of the Bengal Nagpur Railway ?

(b) Are the statements therein substantially correct ? If so, what steps have the Government taken, or propose to take, to remedy this state of affairs ?

**Mr. C. D. M. Hindley :** The Honourable Member is referred to the answer I have just given to Khan Bahadur Sarfaraz Hussain Khan on the same subject.

#### COMPLAINTS AGAINST THE HOWRAH RAILWAY STAFF.

1106. **\*Mr. Gaya Prasad Singh :** (a) Has the attention of the Government been drawn to a signed letter, published in the " Bengalee " newspaper dated the 5th April, 1924, and headed " Complaint against the Howrah railway staff " ?

(b) Are the statements made therein substantially correct ? And what steps have been taken to bring the erring lady booking clerks concerned to book ; and to prevent a recurrence of such incidents ?

**Mr. C. D. M. Hindley :** (a) Yes.

(b) Government understand that the Railway Administration has investigated the matter and punished the booking clerks concerned.

**Mr. Gaya Prasad Singh :** Sir, may I know what punishment has been inflicted on the booking clerks concerned ?

**Mr. C. D. M. Hindley :** I must have notice of that question. I am afraid I cannot say offhand.



**INSUFFICIENTLY SCREENED LATRINES AT STATIONS ON THE EAST INDIAN AND BENGAL AND NORTH-WESTERN RAILWAYS.**

1107. \*Mr. Gaya Prasad Singh : (a) Is it a fact that on the East Indian Railway, and the Bengal and North-Western Railway stations, the latrines provided for third-class passengers are so constructed as to be quite exposed, and that there is absolutely no privacy secured to any one who uses such a latrine ?

(b) What steps are being taken to remedy this state of affairs ?

Mr. C. D. M. Hindley : No. The old type of latrines on the East Indian and the Bengal and North-Western Railway stations are provided with screens, although individual compartments have no doors or shutters. However in the latest type that has been adopted a door is provided for each compartment.

Mr. Gaya Prasad Singh : The Government have entirely misunderstood my question. I wanted information about the latrines at railway stations and not in trains.

Mr. C. D. M. Hindley : I was also speaking about the latrines at railway stations and not the latrines in trains.

**REFUSAL OF PASSPORTS TO MEMBERS OF THE KHILAFAT DELEGATION TO CERTAIN MOSLEM COUNTRIES.**

1108. \*Mr. Gaya Prasad Singh : Will the Government kindly state the names of the members of the Khilafat Delegation, on whose behalf passports were applied for to visit certain Moslem countries, and those to whom passports have been refused, together with the grounds of refusal ?

The Honourable Sir Alexander Muddiman : A copy of the correspondence, which has taken place between Mr. Shaukat Ali and the Government of India, is laid on the table. The Government of India have received no reply to their last letter and have accordingly taken no further steps in the matter.

*Copy of a letter from Shaukat Ali, President, Central Khilafat Committee, India, to the Home Secretary to the Government of India, Delhi, dated Madras, January 6th, 1924.*

In reply to your letter I beg to inform that following are the names of different deputations proposed to be sent to different Islamic Countries :

1. Syria, Palestine and Turkey.
2. Arabia.
3. Mesopotamia and Persia.

We intend to start as soon as we receive our passports. The route of the journey would be via Port Said to Constantinople, Angora, Syria and Palestine.

In the case of the Hedjaz deputation they would take the route of Jeddah. The Mesopotamia deputation would take the ordinary route from Basra to Baghdad.

The Deputation No. 1 would consist of the following :

1. Hakim Ajmal Khan Saheb.
2. Moulana Abul Kalam Azad.
3. Moulana Mohammad Ali.
4. Dr. M. A. Ansari.
5. Mrs. Sarojini Naidu.
6. Pandit Motilal Nehru or Pandit Jawaharlal Nehru.
7. Haji Abdullah Haroon.
8. Dr. Sved Mahmood.
9. Mr. Shuaib Kureshi (Secretary) and servants.

The Deputation No. 2 to Hedjaz will consist of the following :

1. Hakim Ajmal Khan.
2. Moulana Shoukat Ali or Seth Yakub Hasan.
3. Moulana Syed Suliman Nadvi.
4. Mr. Ashfaq Ali (Secretary) and servants.

The Deputation No. 3 to Mesopotamia and Persia will consist of the following :

1. Moulana Abdul Majid.
2. Dr. Saifudin Kichlew.
3. Moulana Hussain Ahmed.
4. Syed (of Behar) Kurshid Haasnain (Secretary) and servants.

An early reply will oblige.

*Copy of a letter from the Deputy Secretary to the Government of India, Home Department, to Maulana Shaukat Ali, President, Central Khilafat Committee, Bombay, No. D-83, dated the 5th February 1924.*

In reply to your letter dated the 5th January 1924, applying for the issue of passports to enable certain delegations to visit Constantinople, Angora, Palestine, Iraq and other Arab States, I am directed to say that previous consultation with the Governments of the various countries to be visited is for obvious reasons indispensable as it is necessary to ascertain whether they would be prepared to receive the delegations, and grant them the requisite facilities. Steps to elicit their views have been taken.

I am to add that the Government of India could not, in any case, agree to grant passports to persons who have been convicted and sentenced to imprisonment for offences against the State or for inciting Government servants to disaffection.

2. You will be addressed further on the subject when a reply to the communication referred to above is received.

*Copy of a memorandum from Shaukat Ali, Servant of Ka'aba, President of the Central Khilafat Committee, to the Secretary to the Government of India, Home Department, dated Aligarh, the 14th February, 1924.*

The undersigned is in receipt of the letter of the Deputy Secretary, No. D-83, dated 5th February 1924, with regard to the issue of passports to enable Khilafat Delegations to visit certain Muslim States.

2. With reference to the first part of paragraph 1 of that letter the undersigned regrets that he is unable to appreciate the reason assigned for a previous consultation with the Governments of the various countries to be visited, and no other reason is "obvious". The Central Khilafat Committee has no reason to doubt that the Governments concerned would be prepared to receive the delegations unless, of course, any outside influence is brought to bear upon some of them and a prejudice against these delegations is thereby sought to be created.

3. As a matter of fact, however, the Turkish Government has already telegraphed that the Khilafat delegation would be most welcome; and "Al-qibla," the official organ of the Hejaz Government, has also published that the Sharif Saheb of Mecca is equally prepared to welcome such a delegation. Other indications also exist which leave the Central Khilafat Committee in no doubt about the matter.

4. Even if the Central Khilafat Committee had any doubt about the reception of these delegations, it would be far from clear why the Government of India should want to elicit the views of the Governments in question with regard to a matter with which only Mussalmans are concerned. It is a religious obligation imposed on every Muslim to exert himself and make peace whenever some Muslims have fallen out amongst themselves; and the situation in Muslim countries which the Khilafat Delegations under reference would seek to improve has recently been aggravated, as newspapers indicate, by a sanguinary conflict in which one of the sons of the Sharif Saheb of Mecca is stated to have been severely wounded by the forces of the Amir of Najd. It is surprising indeed that it should occur to any non-Muslim that such peaceful efforts as the delegations are intended to make would be unwelcome to those who share the same religion and are bound to recognise the imperative character of a Muslim's duty to make peace between his brethren.

5. It has repeatedly been declared by the Government of India that it does not desire to interfere in the religious concerns of the Mussalmans. The undersigned has no doubt that the Mussalmans of India would look upon the intervention of Government in this matter as an undesirable interference in a purely religious matter which

is a domestic concern of the Mussalmans themselves, and that they would certainly regard such interference as contrary to the repeated declarations of Government.

6. The latter part of paragraph 1 of the letter under reference appears even more strange inasmuch as Government is not inclined to tolerate the absence from this country of people whose presence here it obviously tolerates in spite of their conviction and imprisonment for alleged offences against itself.

7. As things stand at present, it is entirely in the hands of Government to prevent any Muslim who wants to do his obvious duty by his co-religionists from going out of this country to do it. The attitude of Government in recent years had forced upon prominent Indian Mussalmans an attitude towards it which has culminated in the case of most of them in conviction and imprisonment for the offence which Government has seen fit to select and specify in the letter under reference. But these alleged offences concern only the Government of this country, and, even if they are not wholly irrelevant in the dealings of Indian Mussalmans with their brethren outside India, they do not certainly bring any discredit in the estimation of the Muslim world upon those who have been made to suffer imprisonment by the Government of India in consequence of them.

8. Moreover, it is universally understood that the object of issuing passports by a State is to enable those who apply for them to seek the protection of the representatives of that State in the countries to be visited in case of necessity. The Khilafat Delegations would not need, and do not desire such protection, and passports have been applied for only because under existing rules no Indian can leave the shores of India without them. To refuse to issue passports in such a case seems to be a clear abuse of a system designed in the interests of those who apply for passports.

9. In conclusion, the undersigned trusts that the passports applied for will be issued without further delay. Several months have already elapsed, and any further delay would aggravate the situation which the delegations hope to improve on their arrival in the countries concerned.

10. Kindly communicate your reply to the undersigned as usual to his Bombay address.

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*Copy of a letter from the Secretary to the Government of India, Home Department, to Shaukat Ali, Esq., President, Central Khilafat Committee, Bombay, No. D.929, dated 15th March, 1924.*

I am directed to say that a reply to your letter dated the 14th February was postponed pending receipt of a communication from His Majesty's Government which has now been received.

2. The Government of India are unable to reconsider the decision conveyed in the Home Department letter No. 83, dated the 5th February 1924, that persons convicted and sentenced to imprisonment for offences against the State or for inciting Government servants to disaffection cannot be granted passports. They are also not prepared, in view of the object of the delegations, to grant passports except to persons professing the Moslem religion. I am to request that the Government of India may now be informed of the names of the members of each delegation as finally proposed in conformity with the above conclusions.

3. The programme of each delegation must be clearly defined and detailed and each member must be prepared to give an undertaking that his visit has no relation to the political affairs of the State or States he proposes to visit and that he will regard himself as bound not to endeavour in any way to promote any political changes in any of them or to take part in any political movement. I am to add that the above information and undertakings are necessary in order to ascertain that the Governments of the States concerned are willing to admit a delegation of Indian Moslems; that they have no objection to its personnel and approve of its programme.

4. The Government of India would also be glad to know the order in which the delegations intend to proceed and the proposed dates of their departure.

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*Copy of a letter from Shaukat Ali, Servant of Ka'aba, President of the Central Khilafat Committee, to the Secretary to the Government of India, Home Department, dated Delhi, the 3rd April, 1924.*

The undersigned is in receipt of your letter No. D.929, dated Delhi, 14th March 1924, in reply to his letter dated Aligarh, 14th February 1924, regarding the issue of passports to certain Khilafat Delegations intending to visit Turkey, Persia and certain Arab States. In view of the fact that no reasons had been assigned in that letter

for the restrictions imposed on the issue of passports to those delegations, the undersigned was constrained to take into consideration the answers given by the Home Member to certain questions asked in the Legislative Assembly on the subject on the 25th March, and his speech on the same date on the motion for adjournment of the House. As your letter was received by the undersigned only about a week ago, and proofs of the proceedings of the Legislative Assembly of the 25th March were not made available until late on the 29th March, the undersigned's reply could not be sent earlier.

2. Before proceeding to deal with the main question of the refusal of passports to persons convicted for certain alleged offences, the undersigned would like to get out of the way the comparatively minor question of the refusal of passports to persons not professing the Muslim religion. The delegation to Turkey was intended, among other things, to present congratulatory addresses to the Khilafa and to Ghazi Mustafa Kamal Pasha, and suitable presents to them and to General Ismat Pasha on behalf of the Indian Khilafat organisation, in connection with the splendid victories of the Turkish nation on the battle-field and in the Peace Conference of Lausanne. And since the Khilafat organisation was not confined to those alone who professed the Muslim religion, but included many non-Muslims also, some of whom were office-bearers of local Khilafat Committees, and were represented even on the Working Committee of the central body, and many of whom had suffered imprisonment in the Khilafat cause, it was only right and proper that such distinguished and eminent compatriots of the Indian Mussalmans as Mrs. Sarojini Naidu and Pandit Motilal Nehru or his son Pandit Jawahirlal should be selected to represent the non-Muslims on the delegation intending to visit Turkey.

It may be added that if Mahatma Gandhi had been released when the delegations were selected at Cocanada by the Khilafat Conference, there is no doubt that he, too, would have been included as a member of this delegation, and in all probability requested to lead it.

It may also be added that when the personnel of the delegations was selected and communicated to you on the 5th of January 1924, the Turkish National Assembly at Angora had not taken the momentous step it has since taken with reference to the so-called abolition of the Khilafat, and the offer of congratulations referred to above had not assumed the comparative unimportance which it has since done.

In any case, the undersigned cannot admit on behalf of the Khilafat organisation that the presence of his non-Muslim compatriots in the proposed delegation could be of no use in removing the misunderstandings that had arisen among the various sections of the Mussalmans to which brief reference was made in the very first communication addressed to you by the undersigned on the 25th November 1923. On the contrary, such non-Muslim Indians as had been selected could well convey by their very presence an assurance to Mussalmans abroad that the entire Indian nation sympathised with sister Oriental nations in their desire for a free and unrestricted development and looked forward to a new era of union and progress for Muslim nations under the guidance of the Khilafat.

Finally, the undersigned is constrained to say that it was exclusively for the organisers of the Khilafat to say whether non-Muslims should or should not be included on such a delegation, and it is entirely unintelligible why Government should have taken upon itself to decide such a question.

3. As regards the principal ground of exclusion, namely, conviction and imprisonment for the alleged offences of inciting Government servants to disaffection and for alleged offences against the State, the undersigned has noted that a Member of the Legislative Assembly pertinently asked the Home Member whether there were any servants of the Government of India in the countries intended to be visited with whose loyalty it was apprehended that members of delegations thus convicted and imprisoned would tamper. To this the Home Member replied that "that was not the object of the inquiries that the Government of India had made," and that "the primary object of the inquiries that the Government of India made was to enable Government to ascertain whether the personnel of the delegations and their programme would be receivable to countries which they intended to visit," and, further, that this action was "in accordance with ordinary diplomatic procedure."

With regard to this reply of the Home Member, it is not clear to the undersigned what possible relevancy there can be in conviction and imprisonment for an alleged offence under section 505 or 124-A, Indian Penal Code, in connection with the acceptability or otherwise of the personnel and programmes of the delegations concerned. If the Home Member had stated that this ground of exclusion had been decided upon in the interests of the Indian or of the British Government it could have been understood; but for him to imply, as he obviously does in his answer to Maulvi Mohammad

Yakub's supplementary question, that the Government of India's action was purely disinterested and taken solely in the interests of the Governments of the countries to be visited, is on the very face of it incredible; and this is confirmed by his admission that Government had "laid down these conditions before they approached these countries."

If Government still persists in asking people to believe that such action was taken in the interests of the Governments of the countries to be visited, the undersigned hopes that it would ask the latter whether they object to the inclusion in the proposed delegations of men whose offence was that they considered it unlawful under the Shariat for any Mussalman to shed the blood of a brother Muslim without just cause, and who were as ardent advocates of the retention of adequate temporal power for the defence of Islam and Muslims as they were of freedom for their own country. In the absence of a definite refusal by a Muslim State to receive the delegations some members of which had cheerfully suffered imprisonment for their love of Islam and of their own country Indians are not likely to accept the Home Member's contention. Nor are they likely to accept the other contention that such action as the Government of India has taken is "in accordance with ordinary diplomatic procedure."

4. The object of sending the various Khilafat delegations was briefly stated in the letter of the undersigned dated 25th November 1923, to be "to adjust the religious relations of all Muslims and remove all existing misunderstandings." In a subsequent letter, dated Aligarh, 14th February 1924, it was pointed out that "it is a religious obligation imposed on every Muslim to exert himself and make peace whenever some Muslims have fallen out amongst themselves," and that "the situation in Muslim countries which the Khilafat delegations under reference would seek to improve had recently been aggravated, as newspapers indicated, by a sanguinary conflict in which one of the sons of the Sharif Sahib of Mecca was stated to have been severely wounded by the forces of the Amir of Nejd." The Khilafat organisation of which the undersigned is the President, would like to know what possible relevance conviction and imprisonment for alleged offences under sections 505 or 124-A, Indian Penal Code, can possibly have in connection with a Muslim's duty to restore peace among his brethren outside India and to adjust the relations of all Muslims bound together in the common bond of a world-wide brotherhood which the fundamental Islamic institution of Khilafat was designed to maintain and conserve.

5. In the course of his speech in the debate on the motion for adjournment the Home Member said:

"All we have done is to lay down certain principles under which we would grant passports to delegations proposing to visit certain countries.....As Sir Henry Stanyon correctly pointed out, our passport law refers to persons coming into India. If we grant passports to persons leaving India, it is because they need them to gain entry into certain other States which require passports; we do not grant them under our own passport law, but to meet the requirement of the laws of other countries.....It is because the State is responsible for the conduct of its subjects to whom it gives passports to visit other countries,.....that it exercises a discretion in granting passports to those that leave its shores."

Had this been the motive actuating the Government it would have sought to exclude from the proposed delegations persons who had been guilty of offences involving moral turpitude, of which there is no lack in its Penal Code. But not one of those offences has been specified, and in the course of the debate Pandit Madan Mohan Malaviya pointedly drew attention to this aspect of the matter. It would, therefore, seem that while Government has not thought it fit to lay down the principle that to persons guilty of offences involving moral turpitude it would not issue passports, as it could not be responsible for the conduct of such of its subjects, it thought it necessary to lay down the principle that passports would not be issued to persons convicted and imprisoned for alleged offences which, while involving no moral turpitude, concern only the Government of this country, and which, as the undersigned stated in his letter of 14th February last, "even if they were not wholly irrelevant in the dealings of Indian Mussalmans with their brethren outside, did not certainly bring discredit in the estimation of the Muslim world upon those who had been made to suffer imprisonment by the Government of India in consequence of them."

6. It is indeed surprising that the Home Member should go out of his way to ascribe the resentment even of Members of the Legislative Assembly caused by Government's refusal of passports to "personal attachment to particular persons of the delegations against whom Government's orders would operate." It would have been truer indeed to ascribe these orders themselves to official ill-will towards particular persons whom the offences specified were deliberately selected to exclude.

7. If the lists of the delegations forwarded in the undersigned's letter dated Madras, 5th January 1924, are examined, it would be seen that in the delegations

selected for proceeding to Turkey, Syria and Palestine, seven persons out of ten would be excluded under the existing orders, three on the ground of not professing the Muslim religion, and four others on the ground of having been convicted and imprisoned under section 505 or 124-A, Indian Penal Code. Similarly, in the delegation selected for Hedjaz two persons out of five would be excluded on the latter ground; and in the delegations for Mesopotamia and Persia three out of four would be excluded on the same ground. Thus, out of a total of nineteen persons for whom passports were applied for, no less than twelve or about two-thirds will have to be excluded on the two grounds specified, and as many as nine or about half of those for whom passports have been applied for will be excluded on the ground of conviction and imprisonment for the offences alleged.

It is indeed significant that instead of those nine the Home Member should have referred to only two or three as reported by the Associated Press, and three or four as stated in the proceedings of the debate officially published. No doubt Government had only two or three persons in view and not any principles at all, and this is confirmed by the Home Member's referring to these two or three by name, even though Diwan Chaman Lal had already specified in the question he had put to the Home Member the names of no less than nine Mussalmans to whom passports had, according to his information, been refused.

8. In the course of his speech the Home Member had asked: "Does the united Muslim world of India subscribe to the belief that the only solution of the difficulties of the Khilafat can be found in the presence of Mr. Mohammed Ali and his brother?" and when some Members were heard to answer this question in the affirmative, he had added: "Well, for my part I say I require some further evidence of that. I should completely be astonished if that doctrine was subscribed to by all Members of this Assembly."

Obviously it is difficult for the undersigned to deal with a matter so personal as this; but it is hardly necessary to do so, in view of several speeches of Hindu as well as Muslim Members of the Assembly dealing with the character and position of the persons to whom passports are refused, and the ultimate acceptance of the motion for adjournment by the Assembly with hardly a dissentient and without a division.

9. The question, however, is not purely personal; and, as the chief executive officer of the Khilafat Organisation, which, after the Indian National Congress, is perhaps the most representative public body in India, the undersigned is constrained to declare that it is not for any member of an alien Government professing neutrality in matters of religion to presume to say who should and who should not represent a religious community in dealing with questions connected with its faith. This the Government has, however, presumed to do, not only through the mouth of its Home Member, but also, and still more unequivocally, by means of the action it is taking in excluding some of the most prominent and trusted representatives of the Muslim community and organisers of the Khilafat movement in India under the cloak of acting on certain principles and in the interests of Muslim States themselves. As the undersigned has pointed out in his letter of 14th February: "as things stand at present, it is entirely in the hands of Government to prevent any Muslim who wants to do his obvious duty by his co-religionists from going out of this country to do it. The attitude of Government in recent years had forced upon prominent Indian Mussalmans an attitude towards it which has culminated in the case of most of them in conviction and imprisonment for the offences which Government has seen fit to select." In fact, the declaration for which four out of the nine Mussalmans who are now refused passports were prosecuted at Karachi and then convicted and imprisoned was subsequently made by a large number of other Muslims and non-Muslims; and if sufficient evidence was available to convict the remaining five under section 124-A, Indian Penal Code, as much evidence, and of equal worth, can easily be procured to convict every prominent worker in the Khilafat movement or in the Indian National Congress. It is, therefore, merely a matter of the Government's will and pleasure whether any Indian is convicted and imprisoned for the offences specified and thereby excluded from participation in the work of these delegations, so that Government can by a succession of exclusions ultimately select as "suitable" delegates and representatives of Indian Mussalmans such men only as would echo its own sentiments, while still professing not to interfere in the domestic concern of the Mussalmans, and to act on certain principles, and in the interests only of the Muslim States to be visited.

10. If in the light of this it is incredible that Government is acting only in the interests of such States, it is still more incredible that it is acting in the interests of the very men to whom it has refused passports. The Home Member had in the course of his speech said that "it is because the State is responsible for their safety in

these countries that it exercises a discretion in granting passports to those that leave its shores." Indeed, it has been even whispered that it is because tribunals have already been formed in Angora to deal summarily and ruthlessly with those Indian Mussalmans whom he mentioned by name in the Assembly debate that he is unwilling to give them passports. This the undersigned has no hesitation in characterising as a gross and baseless libel on his Turkish brethren.

The real reason for the refusal of passports is, however, clear enough from the speech of the Home Member himself. He said : " They are asking the State to accept responsibility for them and to spread the shadow of its protection over them. You do not acknowledge the authority of the State ; what right have you to go to the State and ask that it shall protect you when you go abroad ? " This is without doubt the real reason why Government is penalising still further those whom it had already sufficiently persecuted. But here, too, Government has not stated the facts correctly. It is indeed surprising that the Home Member should have entertained any idea that those who had applied for passports would accept, much less ask the present Government to spread, " the shadow of its protection " over them. Everyone of them is a staunch Non-co-operator who would not claim or even accept, its protection in this country itself. The undersigned had not left this to be understood as a mere implication of the Non-co-operation of those for whom passports were required. It was distinctly stated in paragraph 8 of his letter dated 14th February last that " it is universally understood that the object of issuing passports by a State is to enable those who apply for them to seek the protection of the representatives of that State in the countries to be visited in case of necessity," and he had been careful to declare that " the Khilafat delegations would not need and do not desire such protection ; and passports have been applied for only because under existing rules no Indian can leave the shores of India without them." As the undersigned had stated in that letter, to refuse to issue passports in such a case seems to be a clear abuse of a system designed in the interests of those who apply for passports.

11. In the course of the debate several Members were careful to point out that the applicants for passports in this case " do not ask for credentials from the Government of India ", and that " it is merely because you are putting restrictions upon their movements that these passports are required. If the Government of India have no objection to these delegations proceeding without passports, then they would go without the passports and we (Members of the Assembly) would have no complaint against the Government."

The undersigned fully endorses this declaration, and if steamship companies who are now forbidden to book passages without the production of passports are authorised by Government to do so, and if their return to India would not be prevented because of the absence of passports, the delegations would ask for no passports, and the undersigned has, like Sir Henry Stanyon, " no doubt whether that, with the strong religious feeling that prevails throughout Islam, they will get permission (to visit Muslim countries without passports) without any difficulty."

12. The Khilafat question has since the beginning of March become very acute, as the undersigned had only too greatly feared it would become when he wrote in his letter of 14th February last that " any further delay would aggravate the situation which the delegations hope to improve on their arrival in the countries concerned." For the consequences of the delay, which are already disastrous enough, Government must be held accountable. On the 11th of March, when on receipt of disquieting news from Angora the undersigned had addressed a telegram to Government as a reminder to his previous letter still unanswered, he had said that " Government can see for itself what grave responsibility it is incurring in delaying the departure of such missions of peace." That responsibility is growing graver and graver every day, and the undersigned would earnestly request Government not to exasperate the Mussalmans any further, but to issue passports without any further delay.

13. It is idle to expect from the kind of men for whom passports were asked that they would dream of " purging " themselves, as the Home Member described it, of so-called offences which are their pride ; and no undertaking is necessary from men whose chief concern in this case is their religion and the solidarity and welfare of the Islamic brotherhood, that they would not indulge in any wild political propaganda in the States proposed to be visited, as the latest demand of the Government suggests. Clearly-worded messages have already been sent on behalf of the Khilafat organisation and the Jamait-ul-Ulama declaring emphatically that Indian Mussalmans do not desire to interfere in the national affairs of their brethren abroad with which the latter alone are competent to deal. The undersigned has not the least doubt that this is a sufficient assurance for his

Muslim brethren, who have already assured him that the delegations would be received with honour and love, and that the necessary facilities would gladly be provided. This should be a sufficient assurance for Government to accept and formally to convey to the Governments concerned, if such be the "ordinary diplomatic procedure."

The programme of each delegation, as far as it can be defined and detailed before its departure, will be duly submitted, and the order in which the delegations intend to proceed and the proposed dates of their departure will also be furnished when Government indicates its willingness to furnish the passports to all those on whose behalf the undersigned has applied for them.

14. The undersigned has no authority to alter the personnel of the delegations selected by the Khilafat Conference held at Cocanada, and the refusal of passports to no less than *twelve* out of *nineteen* delegates selected there ostensibly on the ground or another would make it impossible for the undersigned to select proper substitutes, even if he had the necessary power to do so. In fact, if Government would still refuse to withdraw these restrictions, it would be tantamount to a categorical refusal to Khilafat workers in India to send any delegations whatever abroad.

15. Indian Mussalmans are already greatly exasperated, and are trying to find out what hidden hand has been active in bringing about such catastrophic changes. In an atmosphere surcharged with so much suspicion it would be poor statesmanship indeed to refuse passports to Khilafat representatives, and thus prevent them from assisting to the best of their humble power in solving this the greatest difficulty that the Muslim world has ever had to confront.

The undersigned therefore requests once more that the passports applied for would be issued without further delay, and he trusts that the united demand of the Indian nation as formulated in the Assembly and outside it would no longer be disregarded.

The reply to this communication should be forwarded to the address of the Central Khilafat Committee, Dongre, Sandhurst Road, Bombay.

*Copy of a letter from the Secretary to the Government of India, Home Department, to Shaukat Ali, Esq., C/o Dr. Ansari, Daryaganj, Delhi, No. D-1184, dated the 17th April, 1924.*

SUBJECT:—Grant of passports to certain Khilafat delegates to visit the Hedjaz, Syria, Palestine and other Eastern countries.

I am directed to acknowledge the receipt of your letter of the 3rd April 1924, and to say that the Government of India are unable to reconsider the decision conveyed to you in their letter No. D.929-Pol., dated the 14th March 1924. They are prepared to grant passports, on receipt of applications in the prescribed form, to members of delegations desirous of proceeding to Muslim countries to discuss religious questions, provided that each member individually satisfied the conditions laid down, and that the personnel of the delegations, and their programmes have been previously approved by the Governments of the countries concerned. Until the Government of India receive the information and the undertakings detailed in their letter No. D.929, dated the 14th March 1924, they will be unable to take any further steps in the matter.

#### CORRESPONDENCE RELATING TO THE KHILAFAT DELEGATION.

1109. \*Mr. Gaya Prasad Singh : (a) Will the Government be pleased to lay on the table copies of all correspondence which may have passed between the members of the Khilafat Delegation and the Government, and also the Moslem countries intended to be visited ?

(b) If the answer be in the negative, will the Government kindly state the reasons ?

The Honourable Sir Alexander Muddiman : The Honourable Member is referred to my reply to the preceding question and to the correspondence laid on the table. Under the Passport Rules, individual applications



are required to be made in a prescribed form. No such applications have been received.

CHANGE IN THE WAZIRISTAN POLICY.

1110. \*Mr. Gaya Prasad Singh : (a) With reference to my starred Question No. 929 of the 24th March 1924, asking whether there has been any change in the Waziristan policy, and the reply of the Government in the negative, has the attention of the Government been drawn to the official publication entitled "Statement showing the recommendations of the Indian Retrenchment Committee which have not been accepted, or are still under consideration" (page 1, Serial No. 2) in which it is stated that "a change in the Waziristan policy since the Committee reported has rendered it impossible to effect a reduction to this figure" ?

(b) What is the explanation of this apparent inconsistency ? And what is the exact nature of the change, if any ?

Mr. H. R. Pate : (a) and (b). The statement referred to is inaccurate and was made under a misunderstanding of the actual facts. These were stated in the reply given to the Honourable Member's earlier Question No. 928.

EXPENDITURE ON THE LIGHTING AND BUOYING OF THE PERSIAN GULF.

1111. \*Mr. Gaya Prasad Singh : (a) With reference to my starred Question No. 932 of the 24th March 1924, regarding the expenditure on lighting and buoying of the Persian Gulf, and the reply of the Government that "the provision of Rs. 1,00,000 was omitted by mistake, and the whole amount had subsequently to be restored in order to provide for certain obligatory but unforeseen expenditure," has the attention of the Government been drawn to the official publication, entitled "Statement showing the recommendations of the Indian Retrenchment Committee which have not been accepted, or are still under consideration" (page 3, Serial No. 13) in which it is stated that "the provision on this account was reduced accordingly, but on a subsequent representation from the administrative department that it was not possible to work with the reduced provision, the sum was restored" ?

(b) What is the exact position with regard to this item of expenditure ? And are the Government prepared to lay on the table the representation referred to above ? If not, why not ?

Mr. H. R. Pate : (a) and (b). I think the Honourable Member may have been misled by the use of the term 'representation'. No official representation was made on the subject, the matter was arranged by inter-departmental discussion. In the circumstances the Government of India do not consider that there is any inconsistency between the reply previously given and the published statement to which the Honourable Member refers.

FLOODS IN BIHAR AND ORISSA.

Mr. Gaya Prasad Singh : Before I put Question No. 1112, I may point out that I made mention of a statement which was made in the Bihar and Orissa Legislative Council on the 13th February 1924. The reference is to the Bihar and Orissa Legislative Council Proceedings, Volume 9, No. 3, page 78. That might be incorporated with the proceedings of this day. With that I proceed to ask Question No. 1112.

1112.\* With reference to starred Question No. 410 on the 21st February 1924 and the reply of Government that the Railway embankments do not impede the natural waterways by reason of the insufficiency of culverts and with reference to the reply of Government to starred Question No. 1004 on the 24th March, 1924 to the effect that "the Railway banks are well provided with flood openings as well as culverts", has the attention of the Government been drawn to the following reply given in the Bihar and Orissa Legislative Council on the 13th February, 1924 :—

"The Bengal and North-Western Railway in the locality at present acts as a barrier to the floods. The floods sometimes come from the north, in which case the embankment prevents the water passing to the land on the south of the Railway. On the other hand, when the Ganges is in high flood, the embankment of the Railway prevents the Ganges water from running to the north, and damaging the land there. The opinion of the engineers with regard to this question is that if large openings were put on the Railway, the resultant effect of the floods would be to do more damage than is done at present"?

Will the Government be pleased to state the true facts about this matter ?

**Mr. C. D. M. Hindley :** Yes, Government have seen the reply referred to. That reply, however, related to a different section of the country from that to which Question No. 1004 of 24th March 1924 applied, while Question No. 410 of 21st February 1924 also cited by the Honourable Member, referred to floods in general.

The reply in the Bihar and Orissa Legislative Council is correct with regard to the section Barauni to Thana-Bihpur to which it referred. The reply given in the Assembly on 24th March last to Question No. 1004 dealt with certain other sections. It is correct as regards all the sections of railway referred to in it, except the Sonepur-Dighwara section. On that section as on the Barauni-Thana-Bihpur section a practically continuous embankment is maintained in the interests of both the railway and the adjacent tracts, and this should have been made clear in that reply.

ALLEGED CANVASSING OF MEMBERS OF PARLIAMENT BY SIR MALCOLM HAILEY.

**Mr. Gaya Prasad Singh :** Sir, before I put Question No. 1113, I want to point out, there is one omission which has been made in this question. In the "Forward" newspaper it is stated that "Liberal amendment asking for a commission of inquiry was not moved, as a result of active canvassing by the father-in-law of the Viceroy's son, Sir Alfred Mond, and by Sir Malcolm Hailey." This expression has been omitted.

**Mr. President :** Do you want to put your question as it stands on the Agenda ?

**Mr. Gaya Prasad Singh :** Yes, Sir, I sent the question including the wording given in the "Forward" newspaper ; but in the question as it stands a wrong extract has been given.

**Mr. President :** You can only put the question as it stands on the agenda.

**Mr. Gaya Prasad Singh :** But my question has been wrongly printed here.-

**Mr. President :** The question appears on the agenda in the form in which it was admitted. Do you want to put your question as appearing on the agenda ?

**Mr. K. Ahmed :** Is it not the practice in the House of Commons, when there is an alteration or variation in the question which is in the agenda, but which is not asked, to give first an answer to the question as to why any variation has been made in the question before an answer to the main question entered in the agenda is given ?

**Mr. President :** The question has not yet been answered and you cannot at this stage put a supplementary question.

**Mr. K. Ahmed :** Is it not the practice, Sir, in the House of Commons to give an answer.....

**Mr. President :** Order, order.

1113. \***Mr. Gaya Prasad Singh :** (a) Has the attention of the Government been drawn to the following London cable, published in the "Forward" newspaper, dated the 18th April 1924 : "Liberal amendment asking for a commission of inquiry was not moved, as a result of active canvassing by Sir Malcolm Hailey" ?

(b) Will the Government be pleased to say if there is any truth in the above statement ? Do the Government Service Conduct rules permit a Government servant, who is on leave, to take active part in political matters of the nature referred to above ?

**The Honourable Sir Alexander Muddiman :** The answer to (a) is in the affirmative.

(b) Government have no reason to believe that there is any truth in the statement.

DETENTION OF TELEGRAPH MESSAGES RELATING TO THE RELEASE OF MAHATMA GANDHI.

1114. \***Mr. Gaya Prasad Singh :** (a) Is it a fact that any instructions were issued forbidding the Telegraph Department from delivering messages relating to the release of Mahatma Gandhi before 11 A.M. on the day on which he was released ?

(b) And if not, do the Government know if any telegraphic messages were actually delivered before 11 A.M. on that day ?

**The Honourable Sir Alexander Muddiman :** The answer to (a) is in the negative.

(b) Government have no information.

CONTRACT WITH THE BENGAL AND NORTH-WESTERN RAILWAY.

1115. \***Mr. Gaya Prasad Singh :** (a) When did the present contract between the Government and the Bengal and North-Western Railway Company begin, and when will it end ?

(b) Will the Government be pleased to lay a copy of the contract on the table ?

**Mr. C. D. M. Hindley :** (a) The principal contract between the Secretary of State and the Bengal and North-Western Railway Company was executed on the 12th December 1882 and terminates by efflux of time on the 31st December 1981. The Secretary of State has, however, the right to determine the Contract on the 31st December 1932 by giving one year's previous notice of his intention to purchase the Railway ;

he has also the power to determine the Contract at any time, at six months' notice, if the Company fail to observe its obligations under the Contract.

(b) A Volume containing the Reprint of the Contracts between the Secretary of State and the Bengal and North-Western Railway Company, Limited, has been placed in the Library.

LEVY OF TOLL AT THE BRIDGE OVER THE GUNDUK BETWEEN HAJIPUR AND SONEPUR.

1116. \*Mr. Gaya Prasad Singh : (a) Are the Government aware that a toll of one anna per head is levied on every person crossing the foot the Bengal and North-Western Railway bridge over the Gunduk between Hajipore and Sonepur ?

(b) Will the Government kindly state under what law or authority such a toll is being levied ?

(c) How long has this been done ; and is there any condition or time limit attached to it ?

(d) Are the Government prepared to consider the question of abolishing the toll, and making the bridge free ? And if not, why not ?

Mr. C. D. M. Hindley : (a) Yes.

(b) The toll is levied under section 51(f) of the Indian Railways Act and the provisions of the contract made between the Secretary of State and the Bengal and North-Western Railway Company.

(c) The footway over the bridge was opened in 1887. The present contractor's agreement expires in December 1924, but the railway have the right to enter into a fresh agreement.

(d) The question of abolishing the toll is, at present, under consideration.

Mr. Gaya Prasad Singh : What is the total amount of toll collected since it was levied ?

Mr. C. D. M. Hindley : The Honourable Member must obviously give me notice of that question. I cannot be expected to carry figures in my head.

Mr. Gaya Prasad Singh : It was included in my question, but it has been omitted in the printed copy.

Mr. President : Notice has been demanded.

INCREASE OF EXPENDITURE ON THE MILITARY AND ALL-INDIA CIVIL SERVICES.

1117. \*Diwan Bahadur M. Ramachandra Rao : Will the Government be pleased to place on the table a statement showing the increase of public expenditure consequent on the increase of salaries, pensions, and allowances of the military services in India between the 1st April 1918 and the 1st April 1924, and a similar statement for the same period in respect of the all-India Civil Services ?

The Honourable Sir Basil Blckett : Collection of materials for a complete reply to the Honourable Member's question would impose undue labour upon the audit offices. According to such information as is available, the total increase in civil expenditure in the Central and Provincial Governments combined since 1913-14 owing to increases in the emoluments and pensions of the All-India Civil Services is estimated at something over a crore of rupees per annum (the charge being mostly provincial). For military services the figure is about five crores of rupees per annum.

RETRENCHMENTS ON INDIAN RAILWAYS.

1118. \*Diwan Bahadur M. Ramachandra Rao : With reference to Question No. 37 asked by me at the meeting of the Legislative Assembly held on the 1st February 1924, will the Government be pleased to place on the table a statement of the economies effected by the Agents of the Railway administrations and the managers of the company-managed lines ?

Mr. C. D. M. Hindley : The Railway Board still await reports from some of the most important railways, but the statement promised will be laid on the table as soon as it can be completed.

RULES GOVERNING THE AWARD OF TECHNICAL SCHOLARSHIPS FOR STUDY ABROAD.

1119. \*Diwan Bahadur M. Ramachandra Rao : (a) Will the Government be pleased to lay on the table the rules now in force and framed by the Government of India and the Local Governments for the award of State technical scholarships for study abroad ?

(b) Will the Government be pleased to state the number of scholarships awarded by the Government of India and the Local Governments in 1923-24, and the subjects for study in each case ?

The Honourable Sir Bhupendra Nath Mitra : (a) The rules published by the Government of India in Resolution No. 399, dated the 1st May 1916 as amended up to date are generally observed in granting State technical scholarships. But separate rules or instructions have been issued by certain Local Governments and special rules have also been framed by the Government of India to regulate the grant of scholarships in certain subjects. A set of the rules has been placed in the Library.

(b) A statement was laid on the table, on the 27th May 1924, in reply to an unstarred question, No. 273, by Seih Govind Das.

Statement showing the number of State Technical Scholarships tenable abroad, which were awarded during the year 1923-24.

Awarded by.	Subjects of study.	Number.	Total.
Government of India ..	Mining .. .. .	1	3
	Geological surveying .. .. .	1	
	Metallurgy .. .. .	1	
Government of Madras ..	Ceramics .. .. .	1	3
	Manufacture of paints and varnishes ..	1	
	Textile chemistry with particular reference to bleaching, dyeing and finishing of silk and cotton fabrics.	1	
Government of Bombay	Chemical manufacture (Pharmaceutical)	1	2
	Textile industry (spinning) .. .. .	1	
Government of Bengal ..	Silk weaving, reeling and dyeing ..	1	2
	Manufacture and refining of vegetable and fish oils.	1	
Government of the United Provinces.	Textile dyeing, printing and bleaching ..	1	1
Government of the Punjab	.. .. .	Nil	Nil
Government of Bihar and Orissa.	Chemistry of oils and fats .. .. .	1	2
	Steel casting .. .. .	1	
Government of Burma ..	Agricultural chemistry .. .. .	1	2
	Oil Mining .. .. .	1	
Government of the Central Provinces.	Coal Mining .. .. .	1	1
Government of Assam ..	.. .. .	Nil	Nil.
		Total	10

## NET REVENUE REALIZED FROM RAILWAYS IN 1924.

1120. \*Diwan Bahadur M. Ramachandra Rao : (a) With reference to the answer given to my question No. 53 asked at the meeting held on the 1st February 1924, will the Government be pleased to state what net revenue has been realized by the Railways in the official year 1924 (item 1 of the statement), and whether the anticipated return of 5.46 per cent. has been realized ? If it has not been, what is the actual return realized ?

(b) Will the Government be pleased to place on the table the rules under which the proposals for retrenchment under items 2, 3 and 4 of the statement are submitted for the sanction of the Secretary of State ?

Mr. C. D. M. Hindley : (a) The Accounts for 1923-24 have not yet been closed but from the approximate figures available it appears that the net revenue realised from Railways is likely to be 31½ crores, giving a return of nearly 5½ per cent on the capital-at-charge.

(b) The Honourable Member is apparently under some mis-apprehension. The proposals referred to by the Honourable Member which have been submitted to the Secretary of State and require his sanction, do not relate to any definite items of retrenchment proposed by the Indian Retrenchment Committee, but to the broader questions of financing, in the most economical way, the arrear and future renewals of railway property ; to the establishment of a Depreciation Fund for State-Worked Railways and to the consequential alterations in the existing rules which determine the incidence of expenditure between Capital and Revenue. These proposals form part of the general question of the separation of the Railway from the General Finances and will come before the Assembly when that question is considered.

## ENHANCED POWERS OF AGENTS OF STATE RAILWAYS AND DIRECTORS OF COMPANY MANAGED RAILWAYS IN REGARD TO ESTABLISHMENTS.

1121. \*Diwan Bahadur M. Ramachandra Rao : Will the Government be pleased to place on the table a statement showing the enhanced powers conferred on the Agents of State Railways and Directors of Company-managed lines in regard to establishments (item No. 9 of the statement given in reply to my Question No. 53 asked on the 1st February 1924) ?

Mr. C. D. M. Hindley : As the Honourable Member apparently only desires to know the powers of the Agents in respect to reduction of staff, it will perhaps suffice if he is informed that the Agents of State Railways and Boards of Directors are given full discretion in respect to reduction of non-pensionable posts in subordinate cadres. All reductions in the Superior cadres have to be sent to the Railway Board for sanction.

## ADMISSION OF INDIAN STUDENTS TO THE UNIVERSITY OFFICERS' TRAINING CORPS.

1122. \*Diwan Bahadur M. Ramachandra Rao : Will the Government be pleased to state whether the recommendation made in paragraph 108 of the report of the Committee on Indian Students for the admission of Indian students to the University Officers' Training Corps has been carried into effect ?

Mr. H. R. Pate : The matter is still under consideration.

Diwan Bahadur M. Ramachandra Rao : May I ask, Sir, how long will this matter be under consideration

**Mr. H. E. Pate :** I am not able to say.

**Diwan Bahadur M. Ramachandra Rao :** May I inform the Honourable Member that this matter has been under consideration for some years.

May I ask the Honourable Member whether he would ask His Majesty's Government to expedite this matter ?

**Mr. H. E. Pate :** I think we have already done so, but if we have not, we will do so.

RECOMMENDATIONS OF THE COMMITTEE ON INDIAN STUDENTS.

1123. **\*Diwan Bahadur M. Ramachandra Rao :** (a) Will the Government be pleased to state whether the recommendations made in paragraphs 95, 96, 97, 98 and 99 of the report of the Committee on the Indian Students have been accepted by the Government of India and the Secretary of State, and what steps have been taken to give effect to them ?

(b) Will the Government be pleased to state whether the Inns of Court have been approached with a view to the amendment of their regulations as recommended in paragraph 109 of the report of the committee on Indian students, and whether the amendments have been made ?

**Mr. J. W. Bhore :** (a) The Government of India availed themselves of the opportunity afforded by the recent Universities' Conference to obtain its views on some of the recommendations made by the Committee on Indian Students. They are now considering all the general questions raised by the Committee as also those pertaining to the industrial training of Indian students and hope to be able to place their final conclusions before the Secretary of State at an early date.

(b) The High Commissioner for India was asked, in May 1923, to ascertain the views of the Inns of Court on the recommendation contained in paragraph 109 of the Committee's Report. No reply has been received from the High Commissioner, who has now been asked to report whether the recommendation in question has been adopted.

ESTABLISHMENT OF A PUBLIC SERVICES COMMISSION IN INDIA, ETC.

1124. **\*Diwan Bahadur M. Ramachandra Rao :** (a) Will the Government be pleased to state whether the establishment of a Public Services Commission contemplated in section 96-C of the Government of India Act has been considered, and whether any action in this direction is intended to be taken ?

(b) Will the Government be pleased to state what effect has been given to each of the recommendations made in paragraphs 14, 15, 16, 17, 18 and 26 and summarised in paragraph 35 of the Crewe Committee Report on the Home administration of Indian affairs ?

**The Honourable Sir Alexander Muddiman :** (a) The Honourable Member is referred to the reply given in this House by my predecessor to Sir Deva Prasad Sarvadhikary's Question No. 162 on the 12th February 1923. The desirability of establishing a Public Services Commission under the Provisions of section 96-C of the Government of India Act will be considered in connection with the recommendations of the Royal Commission on Services on this question.

(b) In the second part of the question I am asked for information as to the extent to which certain recommendations of the Crewe Committee

have been given effect to. I would preface my remarks by the observation that the Report of the Crewe Committee is dated June 1919. The Government of India Bill of 1919 had been introduced in Parliament, but the Joint Select Committee had not then begun to sit. That is, the recommendations in the Report were made on the basis of the amendments to the Government of India Act contained in the Bill introduced in Parliament in 1919. That Bill was based upon the proposals in the Montagu-Chelmsford Report modified according to later recommendations of the Government of India, which were based largely upon the opinions elicited in India by the publication of the Report. I now take the recommendations of the Crewe Committee contained in the paragraphs mentioned in the question and as summarised in paragraph 35.

(i) *Paragraph 14.*—This recommendation was made with reference to the proposal in paragraphs 277 and 279 of the Montagu-Chelmsford Report as to the constitution of the Council of State and the methods of securing that essential Government legislation should be carried. As the Honourable Member is aware, those proposals were not finally accepted. Under those proposals any certification of legislation would have been by the Governor General in Council. So far as certification of legislation under the provisions of section 67-B of the Government of India Act is concerned, the certification is by the Governor General, and this is, therefore, a matter in which the Governor General in Council is not primarily concerned. The Governor General in Council is, however, aware that the Secretary of State has intimated that in this matter he prefers to rely on the discretion of the authority concerned as to whether there shall be any report for his previous approval before certification is resorted to rather than to issue rigid instructions.

(ii) *Paragraphs 15 and 16.*—The Crewe Committee apparently in these paragraphs contemplated the growth of a convention under which, when the Government of India were in agreement with the majority of the non-official Members of the Legislative Assembly, which would presumably under the Act as finally passed be interpreted as applying to non-official Members of both Chambers of the Indian Legislature, the Secretary of State would save in exceptional circumstances assent to their joint decision. I invite a reference by the Honourable Member to the later pronouncements on the same question contained in the Report of the Joint Select Committee in their remarks on clause 33 of the Bill of 1919 and on the Rule under section 33 of the Act of 1919. As regards these proposals the Honourable Member is no doubt aware of the fiscal convention which is in course of being or is established. That may be regarded as the extent of the definite action taken upon these proposals.

(iii) *Paragraph 17.*—I will attempt to give such information as is available in regard to the proposals in this paragraph in my reply to the Honourable Member's next question which raises this point in a more detailed form.

(iv) *Paragraph 18.*—With the exception below the position as regards this recommendation is the same as regards the recommendations in paragraphs 15 and 16 of the report. Under clause (7) in rule 1 of the Provincial Audit Resolution relating to expenditure on provincial reserved subjects, when the cost of a revision of permanent establishment exceeds Rs. 5 lakhs a year but does not exceed Rs. 15 lakhs a year the sanction of the Secretary of State in Council is not required if a Resolution recommending the charges is passed by the Legislative Council. This is a definite



delegation of the powers of the Secretary of State in Council in conformity with the principle recommended by the Crewe Committee.

(v) *Paragraph 26.*—If the Honourable Member will refer to such provisions of the Government of India Act as are contained in section 67-B, sub-section (2), section 68, sub-section (2), and section 69, sub-section (1); he will find that the proposal has been given effect to. There has been no case since the passing of the Government of India Act of 1919 in which His Majesty in Council has signified his disallowance of any Act of the Indian Legislature. In the only case to which the provisions of section 67-B, sub-section (2), regarding the assent of His Majesty in Council applied, such assent was, in fact, accorded in the Order of His Majesty in Council published in the Notification by the Government of India in the Legislative Department No. 77, dated the 26th April, 1923.

SUBJECT IN REGARD TO WHICH RECOURSE IS HAD TO PREVIOUS CONSULTATION WITH THE SECRETARY OF STATE FOR INDIA INSTEAD OF OBTAINING HIS PREVIOUS SANCTION.

1125. \***Diwan Bahadur M. Ramachandra Rao** : With reference to the recommendation of the Crewe Committee in paragraph 17 of the report that " the principle of previous consultation should be substituted in all cases where the previous sanction of the Secretary of State in Council has hitherto been required ", that the Secretary of State " should revise the list of subjects on which he requires such previous consultation " and that the above recommendations should apply " to all projects both Legislative and Financial " subject to reservations that may be necessary for the proper discharge of the Secretary of State's ministerial responsibilities, will the Government be pleased to make a statement as to the extent to which each of the above recommendations has been carried into effect, and to state the subjects, if any, in regard to which the Government of Indian are now consulting the Secretary of State in Council instead of obtaining his previous sanction ?

**The Honourable Sir Alexander Muddiman** : In the paragraph in question of the Report of the Crewe Committee, it was indicated clearly that the proposal only related to legislative and financial projects.

In regard to administrative questions, there were not and are not now any formal restrictions on the powers of the Government of India. A reference to the Secretary of State continues to be made on questions which are understood to be specially important from the administrative point of view.

In regard to legislative projects the present position will be explained by my friend, the Honourable Sir Henry Moncrieff Smith when replying to the Honourable Member's Question No. 1127.

As regards financial projects, no action on the lines recommended by the Crewe Committee has been taken. In lieu of such action, the Secretary of State in Council has, however, made a considerable relaxation of his control by the definite delegations which are contained in the Central and Provincial Audit Resolution so far as expenditure from Central Revenues and expenditure on provincial reserved subjects are concerned, and in Schedule III to the Devolution Rules in regard to expenditure on transferred subjects.

The Audit Resolutions referred to, with the amendments made thereto from time to time, have been published in the Gazette of India. A copy

of the Resolution, as amended to date, will, however, be supplied to the Honourable Member by the Home Department if he so desires.

**Diwan Bahadur M. Ramachandra Rao :** I have a copy of the Audit Resolution as amended to date. But may I ask, Sir, if there has been any advance with regard to financial devolution since the reforms have been introduced ? So far as I can see, the position is exactly the same as it was before.

**The Honourable Sir Alexander Muddiman :** That is a question of opinion, I think, rather of fact.

**Diwan Bahadur M. Ramachandra Rao :** May I ask, Sir, in what respects the Government of India now possess more powers with regard to financial matters than they did before the Audit Resolutions were issued ?

**The Honourable Sir Alexander Muddiman :** I think I have drawn the Honourable Member's attention to the Audit Resolutions which do involve some delegation. Whether he considers delegation to be an advance or not I cannot say.

**Diwan Bahadur M. Ramachandra Rao :** May I ask in what respect there has been delegation ?

**Mr. A. Rangaswami Iyengar :** May I know, Sir, whether, in respect to non-official matters, there are at present any proposals for further devolution of powers to the Government of India and the Indian Legislature ?

**The Honourable Sir Alexander Muddiman :** I cannot give a definite answer to that beyond the fact that, as the Honourable Member is doubtless aware, that is one of the subjects the Committee will consider.

#### SHOOTING OF MILL HANDS AT CAWNPORE.

1126. **\*Diwan Bahadur M. Ramachandra Rao :** (a) Will the Government be pleased to lay on the table the reports, if any, received by the Government about the recent shooting of mill hands at Cawnpore ?

**The Honourable Sir Alexander Muddiman :** The Government of India received a copy of the report of the District Magistrate, Cawnpore. This has already been published in the press, and has no doubt come to the Honourable Member's notice.

**Mr. Chaman Lal :** What action do Government contemplate taking ?

**The Honourable Sir Alexander Muddiman :** The Government can contemplate no action.

**Mr. Chaman Lal :** Are they quite satisfied that the firing was justified ?

**The Honourable Sir Alexander Muddiman :** The Government have considered the case and consider that the firing was quite justified.

**Diwan Bahadur M. Ramachandra Rao :** Has there been a judicial inquiry ?

**The Honourable Sir Alexander Muddiman :** There was an inquiry by the District Magistrate.

**Diwan Bahadur M. Ramachandra Rao :** Is that judicial inquiry ?

**The Honourable Sir Alexander Muddiman :** I am afraid I must ask for notice of the question.

**Mr. Chaman Lal :** Are Government issuing any instructions to their officers in connection with cases like these arising in future ?

**The Honourable Sir Alexander Muddiman :** The Government of India are issuing no instructions on this particular case. They have issued instructions on the general matter, I believe.

**Mr. Chaman Lal :** Do not they think it desirable that they should ?

**The Honourable Sir Alexander Muddiman :** If the firing was justified, there seems no reason for issuing further instructions.

**PREVIOUS SANCTION OF THE SECRETARY OF STATE TO THE INTRODUCTION OF LEGISLATION IN THE ASSEMBLY AND IN PROVINCIAL LEGISLATIVE COUNCILS.**

**1127. \*Diwan Bahadur M. Ramachandra Rao :** (a) Will the Government be pleased to place on the table the instructions now in force, if any, of the Secretary of State in Council to the Government of India and the Local Governments for obtaining his previous consent for the introduction of measures of legislation in the Legislative Assembly and the Legislative Councils, or regarding Bills already introduced or in regard to Bills in progress in the Legislatures ?

(b) Will the Government be pleased to state the classes of legislation which the Government of India cannot now introduce in the Legislative Assembly without obtaining the sanction of the Secretary of State for India or of the Secretary of State for India in Council ?

**Sr Henry Moncreiff Smith :** (a) and (b). The Secretary of State requires reference for his approval prior to introduction by the Government of India in the Indian Legislature of Bills other than routine Bills and Bills of minor importance which fall within certain specified classes, a list of which is laid on the table. No reference to the Secretary of State is required prior to the introduction of Bills in Provincial Legislative Councils but the Secretary of State has directed his concurrence to be obtained before sanction is refused by the Governor General to the whole or to the main provisions of a Bill which it is proposed to introduce in such Council or before executive orders are issued by the Government of India forbidding the introduction by a Local Government of such Bill. These instructions are embodied in unpublished official correspondence and the Government of India are unable to lay them on the table.

*List of Bills.*

**Any measures—**

- (a) affecting the public debt or custom duties ;
- (b) affecting the discipline or maintenance of any part of His Majesty's Military, Naval or Air Force ;
- (c) affecting the relations of the Government with Foreign Princes and States ;
- (d) regulating any provincial subject or any part of a provincial subject which has not been declared by rules under the Government of India Act to be subject to legislation by the Indian Legislature ;
- (e) repealing and amending any Act of a local legislature passed after 1920 ;
- (f) providing for the punishment of offences by courts not constituted under the Code of Criminal Procedure or conferring on the executive powers of interference with the personal liberty of the subject ;
- (g) regulating merchant shipping other than shipping on inland water-ways ;
- (h) regulating the personal status and rights of European British subjects ;
- (i) regulating naturalisation ;
- (j) affecting the currency ;
- (k) altering the law merchant ;
- (l) regulating the prerogative of the Crown.

## MOTION FOR ADJOURNMENT.

### LEE COMMISSION'S REPORT.

**Mr. President :** I have received a notice from Mr. Acharya of a motion for the adjournment of the business of the Legislative Assembly "for the purpose of discussing the action, as announced by the Honourable the Home Member, which has been taken by the Government of India upon the Report of the Lee Commission before affording the Assembly reasonable opportunity for considering the soundness or otherwise of the recommendations made in the said report." The difficulty that I feel about this motion is that as Honourable Members will remember, the Leader of the House the other day intimated to the House that, if the House wanted an opportunity this session of discussing the Lee Commission's Report, the Government will be prepared to give facilities for such discussion. If then, a day is likely to be given, if demanded by the Assembly, for the purpose of discussing the Lee Commission's Report, I feel great difficulty about giving my consent to a motion being made for an adjournment of the House for the purpose of discussing a matter with regard to which facilities have already been promised for a full discussion. Nor will Mr. Acharya's purpose be better served by this course because the discussion on an adjournment of the House will be a two hours' discussion and will be confined only to the particular matter mentioned in his notice, while if the House secures a day for the discussion of the Lee Commission's Report they will have a fuller and better discussion. I would like to know what Mr. Acharya's desire is before I decide on the technical question.

**Mr. M. K. Acharya (South Arcot cum Chingleput : Non-Muhammadan Rural) :** With your permission, Sir, if the Honourable the Home Member will perhaps communicate to the House the particular points on which immediate action is proposed to be taken or is likely to be taken by the Government of India or the Secretary of State, which are of an urgent character, and which it may be found desirable to discuss in this House, and if, as you said, Sir, a day will be given for the discussion of these very urgent matters, leaving the consideration of the whole report to a future and more suitable occasion, I should be quite satisfied and I will not press the motion for adjournment of the House.

**The Honourable Sir Alexander Muddiman (Home Member) :** I have at present no further statement to make to the House on the subject of these urgent matters. I quite recognise the desire of the House to have some general idea of what they are being asked to discuss. I have no desire to rush the House into a discussion of a general character if they are unwilling to undertake such a discussion. I should like to point out, if I may, what our position is. We brought this report into this Chamber as early as we possibly could. The Report was not received in India till the 21st May and we could not have had general circulation of the Report in India till the very day on which it was laid here. We have acted throughout with an honest desire, a real desire, to get this Report circulated to you as soon as we could, and to give you a chance of discussing it. It was a very easy thing to have withheld publication of this report till after this session. We did not desire to do so. We have no desire to rush the House into a discussion on all the points in

the whole of the Report if it is unwilling. We ourselves, speaking for myself, would require much more consideration for dealing with the Report in that way. As to urgent matters, I am myself in a difficulty. I carried out the wishes of the House expressed the day before yesterday and I have already informed the Secretary of State that it is the desire of a large number of non-official Members of the House that no action should be taken till they have had an opportunity of discussion, and I personally, if I may say so, recognize that this is an intelligible desire. It is difficult for me to say what class of matter is likely to be dealt with as urgent, but I may at least refer to one kind. I am told that there are pressing questions regarding appointments which have to be made urgently. Are these appointments to be made by the Secretary of State under the old rules or are they to be made by the High Commissioner under the new rules? That is obviously an urgent matter; but I cannot go beyond what I have said to-day.

**Mr. Devaki Prasad Sinha** (Chota Nagpur Division : Non-Muhammadan) : May I inquire, Sir, when you propose to make that statement?

**The Honourable Sir Alexander Muddiman** : I have gone as far as I can at present, and if I can make a fuller statement I will make it.

**Diwan Bahadur M. Ramachandra Rao** (Godavari *cum* Kistna : Non-Muhammadan Rural) : May I inquire when you propose to make that statement?

**The Honourable Sir Alexander Muddiman** : When I obtain the information which will enable me to make it.

**Mr. A. Rangaswamy Iyengar** (Tanjore *cum* Trichinopoly : Non-Muhammadan Rural) : Will it be made at such a time as will leave the House time to discuss it?

**The Honourable Sir Alexander Muddiman** : I hope so; certainly.

**Mr. Jamnadas M. Mehta** (Bombay Northern Division : Non-Muhammadan Rural) : No action will be taken in the meantime?

**The Honourable Sir Alexander Muddiman** : It is only a question of a day or two. Certainly no action will be taken.

**Dr. H. S. Gour** (Central Provinces Hindi Divisions : Non-Muhammadan) : May I draw the attention of the Honourable Member to a telegram dated May 20th which reads as follows :

"In the House of Commons to-day, replying to Mr. Walter Baker and Mr. Mills, Mr. Richards said, no order on the Lee Commission's Report would be passed without the Report being discussed in the Legislative Assembly."

**The Honourable Sir Alexander Muddiman** : My attention has already been drawn to that, but I have only seen the telegraphic report in the papers. I may tell the House that I have wired to the Secretary of State to know what was said exactly.

**Mr. President** : The position is this, that the Leader of the House has told us that he would in a day or two formulate to the House.....

**The Honourable Sir Alexander Muddiman** : If I am enabled to do so by that time.

**Mr. President** : He will, if he is enabled to do so, formulate the urgent points which the House might discuss and that a day will be given.....

**The Honourable Sir Alexander Muddiman** : Certainly.

**Mr. President :** . . . to the House for discussing the matter. In view of that I do not think Mr. Acharya will press his motion.

**Mr. M. A. Jinnah (Bombay City : Muhammadan Urban) :** May I say one word on this point ? I should, Sir, feel very much obliged if the Honourable Member will give us such items as he considers urgent by this evening, for this reason, Sir, that probably on Saturday and Sunday we may have time to consider our point of view on these urgent matters. If the Honourable Member does not give us a statement by this evening or circulate it amongst Members, then, Sir, we shall have very little time. We have only got a few days. Supposing the Honourable Member makes a statement on Monday. Tuesday is a holiday and we shall not be sitting on that day. Or supposing he makes a statement on Wednesday and he asks us the very next day to proceed with a debate, I think the Honourable Member will recognise that that will be still more unfair than what we are asked to do now.

**The Honourable Sir Alexander Muddiman :** I quite agree with the Honourable Member, but I assure him that, as soon as I am in a position to do so, I will communicate the information to the House. But any information that I am in a position to give I will communicate to Honourable Members either by way of circulation or whatever is the most expeditious way. I quite understand the Honourable Member's point.

**Mr. President :** What Mr. Jinnah requests is that, while you will communicate to the House the information that you will get from the Secretary of State as regards the urgent points, you yourself (addressing the Honourable the Home Member) will tell the House what matters you consider will be regarded as urgent. In other words you may anticipate what matters are likely to be considered urgent by the Secretary of State and you can intimate them to the House. That is what I understood Mr. Jinnah to say.

**Mr. M. A. Jinnah :** I shall feel obliged if the Honourable Member can tell us what in his own view he expects this House to discuss in the current session. Of course if the Honourable Member wants to add to or amend that list he can do so by circulation as expeditiously as he can.

**The Honourable Sir Alexander Muddiman :** I am sure that if I am in a position to give the Honourable Member the information he asks for it will be given at once. It must be remembered that the option of discussion is with the House. I am myself in some difficulty. Anything may be urgent. I have indicated an example of a point of urgent importance.

**Diwan Bahadur M. Ramachandra Rao :** Can you not make an intelligent anticipation ?

**Mr. V. J. Patel (Bombay City : Non-Muhammadan Urban) :** Has the Honourable Member not read the report ?

**The Honourable Sir Alexander Muddiman :** The Honourable Member has read the report.

**Dr. H. S. Gour :** May I in this connection point out that as the final orders are to be passed by the Secretary of State in the exercise of his statutory powers the matters which are treated as urgent are matters which the Secretary of State should state are urgent and point out that

he is prepared to exercise his statutory powers. It would be immaterial if the Honourable the Home Member were to give us the matters which he individually or the Government of India regard as urgent because they may differ from the Secretary of State and the latter in the exercise of his statutory powers may dispose of certain matters which he regards as urgent. What we are anxious about is that no statutory powers of the Secretary of State should be exercised without previous discussion by this House.

## THE STEEL INDUSTRY (PROTECTION) BILL.

### PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

**The Honourable Sir Charles Innes** (Commerce Member) : I beg to present the Report of the Select Committee on the Bill to provide for the fostering and development of the steel industry in British India. I should like to say a word about this Report. In the Select Committee it was decided to drop the enhancement of the duty on tin-plates. I wish to make it clear that the Government, though they do not say so in the Report, reserve the right of moving an amendment to restore the enhanced duty after the question is decided by the House. I say we merely preserve the right and we will decide on the point later. I regret that, as the Report was only signed about an hour ago, it has not been possible for the Legislative Department to circulate it to Honourable Members. In that case it is impossible for me at once to propose that the House should proceed to consideration. I suggest that it might be for the convenience of the House if we put down the motion for consideration on Monday next. Though the Report is a long one, its length lies mainly in minutes of dissent which relate to subjects which, in my view, are hardly germane to the purpose of this Bill. The outstanding fact is that, after a very careful consideration in the Select Committee, the Bill has emerged from the Select Committee practically in the same form in which it went to the Select Committee. We have only clarified the preamble and certain other parts of the Bill. We have remitted the enhanced duty on tin-plates. I think these are the only important amendments in the Bill. That being so, I think, subject to what you may say and the House may say, it will be quite reasonable to proceed with the consideration of the Bill on Monday. But as I say, that is a matter on which the Government are quite willing to be guided by the sense of the House.

**Mr. President** : You formally move that the Report of the Select Committee be taken into consideration ?

**The Honourable Sir Charles Innes** : I am quite prepared to do so if it is your desire.

**Mr. President** : You had better do so and then the House can adjourn to such date as the House thinks convenient.

**The Honourable Sir Charles Innes** : In that case I beg to move that the Report of the Select Committee on the Bill to provide for the fostering and development of the steel industry in British India be taken into consideration.

**Dr. H. S. Gour** (Central Provinces Hindi Divisions : Non-Muhamadan) : I move that the discussion be adjourned till Monday next.

**Dr. S. K. Datta** (Nominated : Indian Christians) : I have given notice of an amendment under Standing Order 44 (2) that the Bill to provide for the fostering and development of the steel industry in British India, as amended by the Select Committee, be circulated for public opinion.

**Mr. President** : With regard to this matter, I think the House should arrive at some understanding as to the manner in which it proposes to proceed. As the Honourable Sir Charles Innes has told us, the Bill has emerged from the Select Committee without much change from the original Bill. You had, before the Bill went into the Select Committee, a large number of amendments. The movers of those amendments, many of them, were members of the Select Committee and the dissenting minutes are again on those amendments. I am only stating this for the purpose of making it clear to the House that the Members who wish to move amendments in the House when the Report is taken into consideration know fully well what the points are on which they are going to move amendments. In those circumstances, it is for the House to determine, and I am entirely in the hands of the House, what will be the convenient course to adopt in order to proceed with the consideration of the Bill. I was going to suggest to the House, that it might possibly be better if the House proceeded with the consideration of the Bill to-morrow morning, if Honourable Members think that that is desirable, so that we get Saturday and also Monday, that is, two days, for the discussion of the Bill. If, however, the general feeling is that we should begin discussion on Monday, I am entirely in the hands of the House.

Then, I come to the amendment of which notice has been given, that the Bill, as amended by the Select Committee, be circulated for opinion. If that is passed, then the consideration of the Bill is shelved altogether for the present. Therefore, I would like to ascertain from the House whether they want to dispose of that amendment to-day and then adjourn further consideration of the Bill to Monday. I think it would be better to dispose of the amendment for circulating the Bill for opinion, which does not go into the merits of the Bill, to-day and then go on with the consideration of the Bill on its merits on Monday. . . .

**Dr. H. S. Gour** : On a point of order. I submit that, when a motion has been made that the Bill be taken into consideration and another motion has been made that the discussion be adjourned till Monday, it is not in order for any Honourable Member to move that the Bill be circulated for the purpose of eliciting opinion thereon.

**Mr. President** : I have not yet called upon Dr. Gour to move the adjournment of the discussion on Sir Charles Innes' motion nor have I called upon Dr. Datta to move his amendment : we have not come to that stage. I was only asking the House to come to some understanding as to the method they wanted to adopt. No motion for adjournment of the debate or any amendment for circulating the Bill for opinion has yet been formally moved. I am only putting to the House what would be the more convenient course—whether to do everything on Monday including the amendment to circulate the Bill for opinion or whether the House would like to dispose of that amendment to-day and then proceed with the discussion on the merits on Monday.

**Mr. W. M. Hussanally** (Sind : Muhammadan Rural) : We have not got a copy of the Report of the Select Committee before us and how shall we be in a position to-day to decide the matter one way or the other ?



**Mr. M. A. Jinnah** (Bombay City : Muhammadan Urban) : At present the motion before the House is that the Bill as reported by the Select Committee be taken into consideration. That is the motion of the Honourable Member in charge of the Bill and the House is seised of that motion. (*A Voice* : "There is another motion for adjournment.") There is no motion for adjournment made yet.

**Dr. H. S. Gour** : Yes, I have moved it.

**Mr. President** : Not yet.

**Mr. M. A. Jinnah** : And to that motion of the Honourable Member in charge there is an amendment that the Bill be circulated for opinion. I can quite understand that the House may desire for the purpose of discussing further this Bill and the amendments to it that they should have a little more time. That I can quite understand and I am personally in entire agreement with that view. But I say, Sir, that, so far as the amendment for circulating the Bill for opinion is going to be moved, though it has not been formally moved yet, it should be disposed of to-day because, if the Bill is going to be circulated for public opinion, then Dr. Gour's desire for an adjournment for a day or two will be more than fully satisfied.

**Mr. President** : Then there would be nothing further to be done.

**Mr. Amar Nath Dutt** (Burdwan Division : Non-Muhammadan Rural) : May I take it that the President has exercised his power under rule 44 to waive the seven days' notice to which the Members are entitled for the consideration of the Report of the Select Committee ?

**Mr. M. A. Jinnah** : No objection has been taken to that.

**Mr. President** : It is not necessary for me to exercise that power. You ought to have taken objection when the Honourable Member moved his motion that the Bill be taken into consideration. We have now proceeded further than that.

**Mr. Amar Nath Dutt** : I did not object then because other Members were talking about other matters. The same matter is under consideration still.

**Dr. H. S. Gour** : When a motion for adjournment of the debate has been moved no other question can be raised or discussed.

**Mr. President** : No motion either for adjournment of the debate or for circulation of the Bill for opinion has been formally moved yet. Dr. Gour will realise that what the House is now attempting to do is to arrive at what is the most convenient way of dealing with the Bill. What Mr. Jinnah is putting to the House is that it may be the more convenient course to dispose to-day of the amendment which asks for circulation for opinion. Supposing the amendment asking that the Bill be circulated for opinion is passed, then nothing further has to be done. If that is negatived, then certainly Dr. Gour can move the adjournment of the debate till Monday, and I hope Dr. Gour will fall in with that view.

**Mr. Harchandrai Vishindas** (Sind : Non-Muhammadan) : there is one more point. If you will see Standing Order 44, it runs thus :

"After the presentation of the final report of a Select Committee on a Bill (which was done by Sir Charles Innes) the Member in charge may move that the

[Mr. Harchandrai Vishindas.]

Bill as reported by the Select Committee be taken into consideration (which also he has done); Provided that any Member of the Assembly may object to its being so taken into consideration."

That is the next stage. So far as that stage is concerned, I join with the Honourable gentleman who just now spoke that we object to its being taken into consideration. With all due deference, I beg to submit that this is the proper stage when such an objection could be taken.

**Mr. President :** I will put an end to all technicalities by exercising the power vested in me to suspend the Standing Order.

**Mr. Amar Nath Dutt :** Then we should like to have the discussion postponed till Wednesday. Tuesday is a holiday.

**Mr. President :** That is not the question we are considering. All that we are considering now is whether the whole discussion is to be adjourned till Monday or whether the amendment requiring the circulation of the Bill for opinion is to be disposed of to-day and then the rest of the discussion is to be adjourned to Monday. That is what I want the House to indicate their wish on.

**Dr. H. S. Gour :** There will be very little time lost in discussing the Honourable Dr. Datta's amendment if the House is in possession of the Report of the Select Committee and a final draft of the Bill. At the present moment Dr. Datta's amendment is that the Bill be re-circulated. Honourable Members are asking themselves : Where is the Bill and how far has it been altered ? What is the Report of the Select Committee ? I therefore submit, Sir, that we shall probably take much longer time to-day in cavassing this question than we are likely to do on Monday, when I think the House will perhaps decide to go into the consideration of the Bill and agree with the recommendations of the Select Committee that the Bill has not been altered so as to call for its re-circulation. I therefore submit, Sir, that the House do stand adjourned till Monday and that this question of re-circulation may be taken up first for consideration on that date.

**Mr. Harchandrai Vishindas :** I move as an amendment to Dr. Gour's motion that the discussion be adjourned till Wednesday, the 4th June.

**Mr. President :** No motion has been made.

**Rai Bahadur Raj Narain (Delhi : Nominated Non-Official) :** I rise to support the suggestion made by Dr. Gour. I submit on principle that not much time will be lost in voting on the amendment proposed by the Honourable Member suggesting that the Bill be circulated. We can perhaps perceive that the majority of the House are opposed to the motion and if this matter is disposed of finally to-day, or the first thing on Monday, I submit that the way will be quite clear and I submit that this matter may be disposed of by expression of opinion of the House.

**Mr. Amar Nath Dutt :** I take it that it will be open to us to raise objection at this stage.

**Mr. President :** Your objection has been disposed of. I take the general sense to be that the discussion should stand adjourned till Monday. (*Voices : "Wednesday"*.)

**Mr. H. S. Gour :** Honourable Members who are asking for a longer adjournment will perhaps remember that as the Honourable Member in charge has pointed out, the Bill has not emerged from the Select Committee with any substantial modifications.

**Mr. Amar Nath Dutt :** It may be according to him.

**Dr. H. S. Gour :** It has not emerged from the Select Committee with any substantial amendments and you have to-morrow and the day after to study the provisions of the Bill.

**Mr. President :** The Bill will be put down on Monday's agenda and any Members who wish to give notices of amendments had better give notices to-day or to-morrow.

**Dr. H. S. Gour :** Will the Chair suspend the rule about two days' notice ?

**Mr. President :** If Honourable Members will send in their amendments by to-morrow, I will waive the two days' notice.

**Mr. Harchandrai Vishindas :** They cannot do so until they have copies of the amended Bill and the Report of the Select Committee.

**The Honourable Sir Charles Innes :** I hope that the Legislative Department will be able to circulate the Report probably by 1 o'clock to-day or certainly very early in the afternoon. May I just put in a plea as the Member in charge of the Bill ? I hope Honourable Members who are going to put in amendments will let me have them as soon as possible because I have to prepare myself to meet them.

**Mr. C. Duraiswami Aiyangar (Madras ceded districts and Chittoor : Non-Muhammadan Rural) :** Apart from the amendments which have been embodied in the Select Committee's Report there are amendments which now stand on the agenda. Is it necessary that we should send them back again by a further notice or do they stand good for the next discussion ?

**Mr. President :** If the amendments which were sent in before the Bill went to the Select Committee are in such form as can fit into the Bill as it has emerged from the Select Committee, I will admit them, if otherwise in order.

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#### BILLS PASSED BY THE COUNCIL OF STATE LAID ON THE TABLE.

**Mr. President :** I will call upon the Secretary to lay on the table two Bills passed by the Council of State.

**Secretary of the Assembly :** In accordance with Rule 25 of the Indian Legislative Rules, I lay on the table the Bills which were passed by the Council of State at its meeting of the 27th May, 1924. They are :

- (1) A Bill to provide for the modification of certain provisions of the Indian Stamp Act, 1899, in their application to certain promissory notes and other instruments ;
- (2) A Bill to amend the Indian Soldiers (Litigation) Act, 1918, for certain purposes.

REPLY TO THE GREETINGS OF THE ASSEMBLY TO THE  
MEMBERS OF THE LABOUR PARTY.

**Mr. President :** I have to communicate to the House the reply received from the Secretary of State to the Resolution adopted by the Assembly on the 14th February 1924 sending the greetings of the Assembly to the Members of the Labour Party. The reply is this :

“ Your Secretary's letter dated the 28th February. Please convey to the Assembly my appreciation of their Resolution of the 14th February which I am circulating to my colleagues.”

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PUBLIC ACCOUNTS COMMITTEE.

**Mr. President :** Before the House adjourns, I have to make one more announcement, and that is that there will be a meeting of the Public Accounts Committee this afternoon at 3 P.M.

The Assembly then adjourned till Eleven of the Clock on Monday, the 2nd June, 1924.

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## LEGISLATIVE ASSEMBLY.

Monday, 2nd June, 1924.

The Assembly met in the Assembly Chamber at Eleven of the Clock, Mr. President in the Chair.

### QUESTIONS AND ANSWERS.

#### ANNUAL PROGRAMME OF THE TARIFF BOARD.

1128. \*Diwan Bahadur M. Ramachandra Rao : Have the Government laid down any yearly programme for the Tariff Board ? What are the matters which the Board has been directed to investigate in 1924-25, and what are the subjects which are now engaging the attention of the Board ?

The Honourable Sir Charles Innes : It is not possible to lay down an annual programme for the Tariff Board as subjects are referred to them for inquiry as they arise. At present the Board are investigating applications for protection from manufacturers of Cement, Paper and Printer's Ink, Boots and Shoes, and Magnesium Chloride. This fact was notified by a resolution published in the "Gazette of India" of the 12th April 1924.

#### ESTABLISHMENT OF RAILWAY INDUSTRIES IN INDIA.

1129. \*Diwan Bahadur M. Ramachandra Rao : In view of the findings of the Railway Industries Committee, do the Government intend taking any and what further steps for the establishment of Railway industries in India ?

The Honourable Sir Bhupendra Nath Mitra : As the Honourable Member is now aware, the Government of India propose to give direct assistance towards the establishment of two most important Railway industries by granting bounties for the manufacture in India of steel rails and fishplates and of wagons. The further proposals embodied in the Bill which is being placed before the Assembly this session for the imposition of protective duties on certain articles are also designed to assist the establishment in India of industries whose products are largely used by the railways.

For the rest, I would invite the Honourable Member's attention to the Resolution No. S.-217, dated 6th May 1924, of the Government of India in the Department of Industries and Labour, publishing the revised stores purchase rules. This Resolution and the rules with their preamble indicate the amount of assistance which the Government of India is prepared to extend towards the establishment of railway, as of other, industries in India, apart from the special assistance I have already mentioned.

Mr. Jamnadas M. Mehta : What is the amount so far spent towards the encouragement of railway industries of the loan of 150 crores ?

(2403)

**The Honourable Sir Bhupendar Nath Mitra :** I shall require notice of the question as I do not carry the figure in my head.

**PROPOSED CONSTRUCTION OF RAILWAYS BETWEEN RAIPUR AND VIZIANAGRAM AND SIRONCHA AND RAJAHMUNDRY.**

1130. \***Diwan Bahadur M. Ramachandra Rao :** (a) Will the Government be pleased to state whether the proposals for the construction of a railway line from Raipur to Vizianagram have been pending for several years and when they are likely to be taken into consideration ?

(b) Will the Government be pleased to state whether the survey of the railway line from Sironcha to Rajahmundry has been undertaken and whether the further progress of this project is likely to be undertaken ?

**Mr. C. D. M. Hindley :** (a) The Vizianagram-Parvatipur section of the project has already been opened for traffic. The estimates for the remaining sections (Parvatipur to Raipur) have recently been revised and brought up to date, and are at present under the consideration of Government.

(b) A survey for a railway from Sironcha to Rajahmundry was carried out in 1909-10, but as the results showed that the gross earnings would not suffice to cover working expenses, the further consideration of the project was dropped.

**Diwan Bahadur M. Ramachandra Rao :** May I ask when the decision of the Government with regard to the Raipur-Vizianagram section may be expected ?

**Mr. C. D. M. Hindley :** I am afraid I cannot promise any exact date, but the matter is under close examination now and Government hope to come to a decision shortly.

**PROPOSED REMODELLING OF THE NIDADAVOLU AND TADEPALLIGUDEM STATIONS ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.**

1131. \***Diwan Bahadur M. Ramachandra Rao :** (a) Will the Government be pleased to state the income derived from passenger traffic, and also from goods traffic in the official year 1923-24, from the Nidadavolu and Tadepalligudem stations on the M. S. M. Railway ?

(b) Whether it is a fact that there is no first and second class waiting room at these two stations and that the waiting room for third class passengers at these two stations is altogether inadequate ?

(c) Whether there are any proposals for the remodelling of these two stations, and when it is proposed to give effect to them ?

(d) Do the Government propose to issue instructions for the construction of 1st and 2nd class waiting rooms and further improvement of these two stations at an early date ?

**Mr. C. D. M. Hindley :** (a) The earnings at Nidadavolu and Tadepalligudem stations during the financial year 1923-24 were :

Station.	Passenger traffic.		Goods traffic.	
	Rs.	Rs.	Rs.	Rs.
Nidadavolu .. ..	1,44,626	2,18,439		
Tadepalligudem .. ..	1,48,588	5,37,810		

(b), (c) and (d). Government understand that the question of remodelling Nidadavolu station is pending decision regarding the construction of the Nidadavolu-Narasapur Branch. The remodelling of Tadepalligudem station will be considered in order of urgency with other stations.

The Government are unable to express an opinion whether the additional facilities suggested by the Honourable Member are required but they will forward copies of the question and answer to the Agent.

**APPOINTMENT OF EXECUTIVE OFFICERS UNDER THE NEW CANTONMENT ACT.**

1132. \*Mr. Ismail Khan : (a) How many executive officers have been appointed under the new Cantonment Act ?

(b) How many of them are Indians ?

(c) Have any Indian officers holding the King's Commission been appointed to these posts ?

(d) What salary is to be given to the Indians appointed to these posts and what are their qualifications ?

(e) What salary is to be given to a British officer appointed as an executive officer and of what military rank must he be ?

Mr. H. R. Pate : (a) Forty-one.

(b) Four.

(c) One of the Indian officers so appointed holds an Honorary King's Commission. The remaining three hold only Viceroy's Commissions.

(d) Rs. 400, rising by annual increments of Rs. 20, to Rs. 500. The qualifications required of these officers are that they should have a good knowledge of English and should possess sufficient education and intelligence to be able to understand and work the Cantonments Act. They must also be men of character and of active habits.

(e) The scale of pay which was prescribed for King's commissioned officers of the late Cantonment Magistrates' Department, as detailed on page 17 of the Pay and Allowance Regulations for the Army in India, Part I, a copy of which is in the Library. No restriction in the matter of rank has been laid down.

**WAITING ROOM FOR INDIANS AT MANMAD JUNCTION.**

1133. \*Mr. Ismail Khan : (a) Is it a fact that at Manmad Junction, Great Indian Peninsula Railway, Indian ladies and gentlemen holding 1st and 2nd class tickets are not allowed to use the waiting rooms on the main platform ?

(b) Is it also a fact that the so-called Indian waiting room is no better than a covered shed, without proper appointments and furniture, etc., in close proximity to a public latrine ?

Mr. C. D. M. Hindley : (a) No. The rooms are available and are used by 1st and 2nd class passengers irrespective of nationality.

(b) No. The rooms are in a masonry building and well furnished with necessary equipment. The lavatories referred to form part of these rooms and are built in the Indian style. They are not used by other than the occupants of these rooms.

**Mr. Jamnadas M. Mehta :** Is it a fact that a distinction is as a matter of fact made ?

**Mr. C. D. M. Hindley :** Does the Honourable Member wish me to repeat the first part of my answer ?

**Mr. Jamnadas M. Mehta :** Will the Honourable Member inquire further ? As a matter of fact that distinction is made.

**Mr. C. D. M. Hindley :** Was the Honourable Member asking me a question ?

**Mr. Jamnadas M. Mehta :** Yes.

**Mr. C. D. M. Hindley :** What was the question ?

**Mr. Jamnadas M. Mehta :** That the distinction is as a matter of fact made between Indians and non-Indians in the occupation of waiting rooms.

**Mr. C. D. M. Hindley :** That appears to me, Sir, a statement of fact and not a question.

**Mr. Jamnadas M. Mehta :** I am asking whether you will inquire further.

**Mr. C. D. M. Hindley :** I will make further inquiries certainly, Sir.

#### STOPPAGE OF INCREMENTS OF POSTAL INSPECTORS IN 1921-22.

1134. **\*Mr. S. Sadiq Hasan :** (a) Will the Government be pleased to state the number of Postal Inspectors in the Punjab whose increments were stopped during the year 1921-22 ?

(b) If there is an increase, what are the reasons for this ?

**Mr. H. A. Sams :** (a) One.

(b) There were nine such cases in 1923-24. This increase is due to the failure on the part of the Inspectors concerned to carry out the inspection of post offices as specially directed by the Postmaster-General.

#### NUMBER OF HEAD POSTMASTERS AND SUPERINTENDENTS OF POST OFFICES CHARGE-SHEETED IN THE PUNJAB IN 1921-22 AND 1923-24.

1135. **\*Mr. S. Sadiq Hasan :** How many Head Postmasters and Superintendents in the Punjab were charge-sheeted in 1923-24 as compared with the year 1921-22, and what are the reasons for the increase, if any ?

**Mr. H. A. Sams :** The figures are as follows :—

	1923-24.	1921-22.
Superintendents and first class Head Postmasters	3	1
Second class Head Postmasters	10	Nil.

The increase is due to the failure on the part of the officers concerned to carry out the prescribed departmental procedure in connection with the punishment of officials subordinate to them.

#### RECOVERIES FROM POSTAL OFFICIALS IN THE PUNJAB FOR LOSS OF INSURED ARTICLES, ETC.

1136. **\*Mr. S. Sadiq Hasan :** (a) What is the total amount of money recovered from the Postal Officials in the Punjab on account of loss of



insured articles and fraudulent payment or mispayment of money orders in the year 1923-24, and how does this figure compare with the year 1921-22, and what reasons can be attributed for the increase, if any ?

		Rs.	a.	p.
<b>Mr. H. A. Sams :</b>	(a) 1923-24	..	..	6,282 4 3
	1921-22	..	..	7,276 9 6

**JUDGES APPOINTED TO EXAMINE THE CASES OF STATE PRISONERS IN BENGAL.**

1137. \***Mr. Gaya Prasad Singh :** With reference to my Starred Question No. 762 of the 13th March, 1924, and the reply of the Government, will the Government be pleased to lay on the table a copy of any official announcement which may have been made, or any communiqué which may have been issued, on the subject of the appointment of two Judges in Bengal to examine papers of the State Prisoners under Bengal Regulation III of 1818 ?

**The Honourable Sir Alexander Muddiman :** I lay on the table a copy of the official communiqué of the Government of Bengal on the subject.

*Copy of a communiqué issued by the Government of Bengal, dated Calcutta, the 1st, October 1923.*

The Governor in Council has directed that the evidence in respect of the persons whose detention has been ordered under Regulation III of 1818, shall immediately be placed before two Judges for their opinion as to whether there are reasonable grounds for believing that they are members of a revolutionary conspiracy and whether their being at large involves danger to the State.

**DISMISSAL OF MR. N. SUBBA RAO, TELEGRAPHIST OF BEZWADA.**

1133. \***Mr. Gaya Prasad Singh :** (a) Is it a fact that one Mr. N. Subba Rao, telegraphist of Bezwada (Madras) who had 17 years of service to his credit, was dismissed by the Post Master General, partly for the alleged offence of wearing Khaddar cloth ?

(b) Will the Government be pleased to lay on the table a copy of the charges against Mr. Subba Rao, together with his explanation, if any ?

(c) Is it a fact that Mr. Subba Rao had sent up an appeal to His Excellency the Viceroy, but it was summarily rejected without any reason being assigned for such action ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b). A copy of the memorandum of charges served upon Mr. Subba Rao, which show the offences for which he was dismissed, and a copy of his explanation, are laid on the table.

(c) The telegraphist appealed to His Excellency the Viceroy, but after full consideration of his case his memorial was rejected.

*Memorandum of charges (1) served on Mr. N. Subba Rao, Telegraphist, Bezwada Telegraph Office.*

1. There is clear evidence that a list calling for subscriptions to the "Tilak Swaraj Fund" was started and circulated by you in the Bezwada Telegraph Office. The following members bear testimony to this fact:

(a) **Mr. M. Subramaniam,** Telegraph Master, Bezwada,

- (b) Mr. N. Krishna Rao, Telegraphist, Bezwada,
- (c) Mr. P. Hanumantha Rao, Telegraphist, Bezwada,
- (d) Mr. P. Krishnaswami Naidu, Telegraphist, Bezwada, and
- (e) Mr. Mohamed Abdul Razaq Sahib, agent of Mr. S. M. Abdul Rahim Baig, Merchant, Bezwada, who says that you asked him to subscribe to the Fund and tried by all means to prevail on him to do so.

You have yourself admitted before Mr. J. J. Barry, Superintendent, Telegraph Traffic, Madras, that you subscribed to the Fund.

2. The Officials named below have deposed that you have been associating with non-co-operators, attending their meetings, discussing non-co-operation theories in the Office, and propagating with zeal those theories among the office staff :

- (a) Mr. C. S. Hookins, Telegraphist, Bezwada, says that you attended non-co-operation meetings and discussed the subjects relating thereto in the signal office.
- (b) Mr. Chiranjeevi Rao, Telegraphist, Bezwada, says that you associated with non-co-operators, harangued the staff on the benefit of Swaraj.
- (c) Mr. Rangin Naidu, Telegraphist, Bezwada, says that you discussed non-co-operation matters in the signal office and attended non-co-operation meetings.
- (d) Mr. Krishnaswami Naidu, Telegraphist, Bezwada, says that you attended non-co-operation meetings, discussed the subject in the office and induced other signallers to adopt Khaddar and give up foreign cloth.
- (e) Mr. Purniah, Deputy Superintendent, Bezwada, deposes that you have irregular conversation in the Club room and that he was obliged to speak to you on this subject on receiving complaints from the Staff.

3. Evidence has also been obtained to show that you agitated for the discontinuance of the loyalist paper "Justice" subscribed for the Club attached to the office in favour of the "Bombay Chronicle," the "Hindu," the "Andrapatrika" and thus created party feeling among the office staff.

4. There is above all the evidence of Mr. O. Ramaswami Sastri, Clerk, Office of the District Superintendent of Police, Godavari District, Coarada, quite a stranger to you, that on the 26th December, 1921, when he was travelling from Bezwada to Masulipatam, in which train Mr. Muhammad Abdul Rub, Inspector of Post Offices, Bezwada Sub-Division, was also travelling, he (Mr. Ramaswami Sastri) spoke against non-co-operation, that one of you travelling with him got infuriated and that there was a danger of serious disturbance. This is corroborated by the statement of Mr. Rub, who states that you are the person referred to by Mr. Ramaswami Sastri.

5. You have been wearing Khaddar and Gandhi cap even in the Office. This in itself is no offence; but you have been inducing the other telegraphists to dress similarly and also to boycott foreign cloth. This action of yours coupled with what is stated in the preceding paragraph clearly betrays that the dress you were wearing had a political significance about it.

6. There is thus abundant evidence that you are an open non-co-operator. You are now called upon to show cause why you should not be dealt with as the Postmaster General deems fit. Your explanation should reach this office through the Deputy Superintendent, Government Telegraph Office, Bezwada, within 15 days of the receipt of this memorandum. You must understand that failure on your part to reply to this communication within the time allowed, will be held to constitute a further offence, which, if not satisfactorily explained, will be added to the charges laid against you.

*Copy of explanation dated the 12th April, 1922, from Mr. N. Subba Rao, Telegraphist, Government Telegraph Office, Bezwada, to the Postmaster-General, Madras, through the Deputy Superintendent, in charge, Government Telegraph Office, Bezwada.*

I beg to submit the following explanation for the memorandum of charges served on me at 17 hours on the 30th March, 1922, for the fair, noble and sympathetic consideration of the Circle Officer.

Count 1.—I emphatically deny having started "Tilak Swaraj Fund" and I request the Postmaster-General to substantiate his charge by documentary evidence. The so-called testimony borne by some members is worth nothing.

(a) *Mr. M. Subramanyam*.—This official has been influencing me to join the Indian Telegraph Association and I flatly declined to do so for reasons of my own. In the discharge of his duties he was very vindictive and his supervision was highly defective. I, therefore, made a complaint against him to the Deputy Superintendent. This has made him give a false statement against me.

(b) *Mr. N. Krishna Rao*.—This official was more or less the Private Secretary of the Deputy Superintendent and he was a terror to Mr. B. Poornayya, simply because he was the son of Mr. N. Raghavendra Rao, Superintendent, Telegraph Traffic, Madras. This gentleman has been supplying Bangalore vegetables to the officer in charge and thus gained his favour. He was the practical Deputy Superintendent. When the Deputy Superintendent was ordered to send a smart telegraphist to General Officer Commanding Camp, the Deputy Superintendent was in a fix as there were many volunteers. He, however, managed to exhibit all his tactics till the last moment and silently ordered Mr. Krishna Rao overlooking the claims of seniors, Typists and those who had previous Camp Office experience. Myself and Mr. P. K. Naidu wired to the Postmaster-General but in vain. Mr. Krishna Rao had a grudge against me in this connection and hence his false statement against me.

(c) *Mr. P. Hanumantha Rao*.—This gentleman tells me that he never said that I started the "Tilak Swaraj Fund." I request a copy of his statement may kindly be furnished to me for my satisfaction.

(d) *Mr. P. Krishnaswami Naidu*.—This gentleman is also an I. T. A. member and a staunch Brahmin hater. He asked me why I did not join the I. T. A. as Mr. Subramanyam has done recently. I said it was my own look out. This gentleman with the rest, viz., Messrs. Hookens, Chiranjivi Rao Naidu, son of Mr. Rangayya Naidu, and Rangayya Naidu, are members of a 'confederacy formed by themselves and they are all of the same clique. These four gentlemen have a peculiar dislike for Brahmins and they used to ridicule Brahmins, without any reason or rhyme.' This is how they sowed the seed of racial malice. Since then the office has been in a regular chaos. This racial malice combined with my dislike to become a member of the I. T. A. as they desired made them give false statement against me.

(e) *Muhammad Abdul Razack Sahib*.—This gentleman tells me that Mr. Barry put him all sorts of questions against me, but he (Abdul Razack Sahib) says, he never said anything against me regarding "Tilak Swaraj Fund." He further tells me that something was written in English, which he was unaware of and that he was asked to sign it by some Indian gentleman who had followed Mr. Barry. He does not know English language though he signs his name in English. It is now open to doubt whether Mr. Abdul Razack gave a defamatory statement against me or the investigating officer misrepresented facts. In order to obtain a sworn statement from this gentleman before a Magistrate, I am taking up the matter legally through my legal representative on the strength and support of the memorandum of charges served on me. Regarding my admission before Mr. J. J. Barry that I subscribed to "Tilak Swaraj Fund," I invite the special attention of the Postmaster-General to my registered letter No. 159 of 20th March, 1922, and also to my registered letter No. 171 of 21st March, 1922, addressed to the Director-General, Telegraphs, and submitted through the Deputy Superintendent, Beawada.

*Count 2*.—Regarding the charge that I am associating with non-co-operators, I request the Postmaster-General to nominate some of those non-co-operators with whom I associate and I further beg to submit that as a member of the Town Hall, I have many friends among the members of the local bar who are all practising Vakils with extensive business. None of my friends are non-co-operators, inasmuch as they have not boycotted the Law Courts, a fundamental and a vital part of the programme of non-co-operation. As a member of the Town Hall and Social Club it is absolutely impossible for me not to become acquainted with many respectable members, whose political creeds it was quite unnecessary for me to enquire and with whom I only deal as man to man. To be a member of the Town Hall is no badge of non-co-operation. Still less with my casual visits to some of the members of the said institution. I have neither discussed nor lectured about the excellence of the non-co-operation programme either in or out of the office. If really I had given any expression to any political ideas, the officer in charge might have, in the ordinary course of his duties, reported the matter to higher authorities. In the absence of such report the charge automatically collapses. This is nothing but the outcome of racial malice in the office and the slumbering vengeance of the Circle Officer between whom and myself there was no love lost, who was only waiting an opportunity to pounce upon me, to do me incalculable harm.

(a), (b), (c) and (d).—These four gentlemen are members of confederacy as previously stated in Count 1 (d) and as such further explanation appears to be unnecessary as the above Count explains fully. Nothing should have prevented these people from complaining to officer in charge and the Deputy Superintendent, in turn, should have suitably taken up the matter. Failure on the part of all concerned to do so, naturally collapses the charge automatically.

Regarding (e).—I do admit that Mr. Poornayya spoke to me that I should not have any hot discussion in the Club room about the discontinuing the "Justice" paper and in doing so, he did not speak to me alone but spoke to every one not to have any discussion in the Club Room. The expression—*complaint from the staff*—referred to includes the whole staff. This was never the case. It is only (a), (b), (c) and (d) referred to in the previous paragraph are the usual complainants against Brahmins and they too had no moral courage to complain officially. The whole affair was only a silly talk deserving of being treated with greatest contempt.

Count 3.—From the memorandum of charges it is quite evident that the Postmaster-General was not kept fully informed of the affairs here. I now enlighten him. It is not understood why the Postmaster-General safely omitted "Mail" under this Count. There were four daily papers from Madras, namely "Hindu," "Andhrapatrika," "Mail" and "Justice." All of them are loyal papers. From Bombay there was only one paper, i.e., "Bombay Chronicle." There was a proposal from the General Body of the Club to discontinue one of the Madras Dailies. This step was actuated by a desire to introduce a Calcutta paper presumably being tired of four Madras Dailies. In deference to the wishes of General Body, a notice was circulated among the staff under the Secretary's signature. Fourteen members of the General Body voted for the discontinuance of "Justice" while only four voted for discontinuing "Mail." The Secretary sent up the result to the President, i.e., the Deputy Superintendent, Mr. Poornayya, who ordered discontinuing "Justice." The "Justice" paper was coming in the name of Mr. Rangayya Naidu's (being his own copy) and therefore the Deputy Superintendent sent a note to Mr. Rangayya Naidu's house, as he was off duty, asking him that his paper was no longer required for the Club as the same was lost by majority of votes. It was accordingly stopped. Hence the discontinuance of "Justice" paper was due entirely to the action of the General Body and none else. I have absolutely no voice in the matter. Independently I could not stand and unfortunately I seem to have been made the scapegoat of the wisdom or folly either politically or otherwise of the General Body.

Regarding the alleged party feeling created by me, I beg to submit that matters which are beneath the notice of even the most inquisitive observer are given great prominence, simply because of the party feeling which has been ripe in the Office long before the discontinuance of "Justice" paper. These non-Brahmins in the Office here, have always been only waiting for an opportunity to do any amount of harm to their unfortunate brethren, sons of the same soil. It is in view of this highly deplorable party feeling and also partly due to my previous bitter experience with the Circle Officer that I desired for a transfer outside this Circle which, however, was denied to me, (vide my letter dated the 1st September, 1921, and the Postmaster-General's reply No. P.E.-0409, dated the 4th October, 1921, and also letter dated 25th October, 1921, addressed to the Director-General and forwarded by the Deputy Superintendent under his No. 1066, dated the 25th October, 1921, and the Postmaster-General's reply on this No. P.E.-0409, dated the 1st November, 1921). As the non-Brahmins were only waiting for some chance, much to their relief, came the non-co-operation a thing they grappled at as weapons of offence, to wipe away the Brahminical worm from the office and all these hits below the belt only indicate the rancour and the venom of these non-Brahmins, without which these mole hills would not have developed into mountains. If at all there were any faults they have been grossly and unjustly exaggerated and represented in various colours highly fantastic. I submit that it is no feeling that one party has against the other but only the feeling that they have against the Brahmins, who as he is well aware cannot get adequate justice except in the hands of very fair and really noble officers. I am neither the author of this party feeling, nor have I in any way championed the cause of Brahmins against non-Brahmins, but only have fallen an unfortunate victim to the dubious intrigues of the non-Brahmins.

Count 4.—I may be permitted to mention that while I was travelling from Bezvada to Masulipatam, I chanced to be seated in the same compartment in which Mr. O. Ramaswami Sastri and other respectable gentlemen were seated. The discussion to which I was no party, began with Mr. Ramaswami Sastri himself and some gentleman of Andhradesha. Both of these were talking about the greatness of Mr. Gandhi, when Mr. Ramaswami Sastri, a Brahmin convert to Christianity, suggested to the

Telugu gentleman that Mr. Gandhi may be called a "Duratma" meaning an evil spirit rather than "Mahatma" meaning "A great man." The Telugu gentleman got infuriated at this and there was an altercation between these two persons, which terminated at Godivada, a middle station, where the Telugu gentleman alighted. So it is clear that I was neither a party to the discussion nor in any way interested in the affair. Two respectable gentlemen who formed company in the same compartment bear clear testimony to the fact that I had absolutely nothing to do with the discussion nor was I in any way interested in it. The Postmaster-General can satisfy himself from the two enclosures, that there is absolutely no foundation for the statement of Mr. Rub, Postal Inspector and I still give him some credit, though not deserving that he must have mistaken the identity of the person who discussed with Mr. Ramaswami Sastri. As I have clear evidence to prove that Mr. Rub has given false statement, I request the Postmaster-General, to permit me, for suing Mr. Rub for damages.

**Count 5.**—The reasoning adopted in this Count is most illogical and is not warranted by facts. The statement made by the Hon'ble Sir William Vincent in the Imperial Legislative Assembly of September Session, 1921, clearly indicates that Khaddar by itself has no political significance behind it. To connect this harmless and entirely non-political action of mine in wearing Khaddar, with a maliciously false statement, that I induced others to adopt similar dress, thus converting me into a non-co-operator, is, I submit, only giving a name to hang it. The fact of my wearing Khaddar, I never denied, but I strongly deny the charge that I induced others to adopt such dress to further the cause of non-co-operation. If the higher authorities were to pronounce that Khaddar savours politics, I shall discard Khaddar and take to other stuff.

To sum up, therefore, it will be apparent that in the light of explanation furnished by me, I am neither a non-co-operator nor one having any sympathy for the movement. Therefore, I hope, that in the interest of Equity and in consideration of my long service of over 16 years, the fair-minded officers will take the explanation given by me above, in the proper spirit, and thus accord me the justice legitimately due. Trusting to the unerring spirit of benign British justice.

**ARTICLE IN "FORWARD" REGARDING THE GRANT OF FRESH REFORMS.**

1139. \*Khan Bahadur Sarfaraz Hussain Khan : (a) Has the attention of Government been drawn to the paragraph published in the "Forward" of the 12th April, 1924, under the heading "Towards Self-Government. Fresh Reforms likely. Local Governments asked to report on Working of Reforms" ?

(b) If so, will Government please state if the statement therein made is correct ?

(c) If correct, by what time are the replies of Local Governments expected to be received ?

(d) Do Government intend to publish their views when formulated before submitting them to the Secretary of State ?

The Honourable Sir Alexander Muddiman : I have nothing to add to the information contained in the Communiqués issued on the 16th and 23rd May, copies of which have already been placed on the table in reply to Mr. Rangaswami Iyengar's unstarred question No. 262, dated the 27th May 1924.

**NEW STORES PURCHASE RULES.**

1140. \*Khan Bahadur Sarfaraz Hussain Khan : (a) Has the attention of Government been drawn to the paragraph published in the "Forward" of the 12th April, 1924, under the heading "Purchase of Stores. New Rules sanctioned by Secretary of State" ?

(b) If so, will Government please state if the statement is correct ?

(c) If correct, by what time is the Government Resolution on the subject expected to be issued ?

**The Honourable Sir Bhupendra Nath Mitra :** The attention of the Honourable Member is invited to the Resolution by the Department of Industries and Labour, No. S.-217, dated the 6th May 1924, which was published in the Supplement to the Gazette of India, dated the 10th May 1924, promulgating the new rules governing the purchase of stores required by Central Departments of the Government of India, State Railways and minor administrations.

PROPOSED SUBSTITUTION OF THE WORDS "INDIANS AND BURMESE" FOR "NATIVES OF INDIA AND BURMA" IN GOVERNMENT PUBLICATIONS.

1141. \***Khan Bahadur Sarfaraz Hussain Khan :** Has the attention of the Government been drawn to the use of the words "Natives of India and Burma" in the Supplement to the Gazette of India, April 5, 1924, first line ?

Will Government be pleased to state if they are willing to substitute the words "Indians and Burmese" for "Natives of India and Burma" ?

**Mr. J. W. Bhore :** No.

As indicated in the footnote to paragraph 1 of the Regulations referred to by the Honourable Member the words "Natives of India" have a special signification. The Government of India will however consider the suggestion made and let the Honourable Member know their decision later.

CONTRACT WITH MESSRS. CLEMENTS ROBSON AND COMPANY.

1142. \***Khan Bahadur Sarfaraz Hussain Khan :** With reference to Question 142 asked in the Council of State in the last Delhi Session under the heading "Contract with Messrs. Clements Robson and Company" and its reply by Government, will the Government be pleased to state—

(a) whether the contract with the Company is annually renewed; or has been executed for a number of years ?

(b) If the latter, when will it expire ?

**Mr. H. R. Pate :** (a) and (b). The agreement is for a period of three years from the 1st July 1922 and will, therefore, expire on the 30th June 1925.

GRIEVANCES OF THIRD CLASS PASSENGERS.

1143. \***Khan Bahadur Sarfaraz Hussain Khan :** With reference to Question 151, asked in the Council of State under the heading "Grievances of the Third Class Passengers" and the reply of Government in the affirmative, will Government please state :

(a) whether the grievances pointed out in the report have been redressed ?

(b) if not, what steps are being taken to redress them ?

**Mr. C. D. M. Hindley :** The Honourable Member has apparently overlooked the answers given by the Honourable Mr. D. T. Chadwick to the further Questions Nos. 152 to 158 asked by the Honourable Raja Moti Chand in the Council of State on the 19th March 1924. His attention is directed to these answers.

CASUALTIES AMONG INDIANS IN THE RIOT IN BRITISH GUIANA.

1144. \***Khan Bahadur Sarfaraz Hussain Khan :** (a) Has the attention of Government been drawn to the paragraph published in the "Statesman"

of the 15th April, 1924, under the heading "Rioters fired on. Indians killed in British Guiana" ?

(b) If so, will the Government be pleased to state if the statement made is correct ?

(c) If correct, will they please state under what special circumstances, the order to fire was given ?

Mr. J. W. Bhore : (a) The reply is in the affirmative.

(b) and (c). The Government of India have made inquiries and are shortly expecting a reply. If the Honourable Member will repeat the question to-day week, I hope to be able to answer it.

Mr. Chaman Lal : May I ask why inquiries were not made by cable ?

Mr. J. W. Bhore : Inquiries were made by cable.

Mr. Chaman Lal : Why is there so much delay in the reply ?

Mr. J. W. Bhore : Because we are expecting a reply by post and not by cable.

COMPLAINTS REGARDING THE GOVERNMENT CENTRAL PRESS.

1145. \*Khan Bahadur Sarfaraz Hussain Khan : (a) Has the attention of Government been drawn to the letter published in the "Forward" of the 16th April, 1924, under the heading "The Government Central Press" ?

(b) If so, will they please state if the complaints referred to are correct ?

The Honourable Sir Bhupendra Nath Mitra : (a) Yes.

(b) The complaints are incorrect. If the Honourable Member cares to come to my office, I shall be glad to supply him with the facts in every case.

REALISATION FROM THE SALE OF POST OFFICE CASH CERTIFICATES.

1146. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state the amount realised by the sale of Post Office Cash Certificates during the years 1920-21, 1921-22 and 1923-24 respectively ?

The Honourable Sir Basil Blakett : The figures are :

				Rs.
1920-21	..	..	..	52,09,000
1921-22	..	..	..	47,98,000
1923-24	..	..	..	6,88,05,000

FAILURE OF THE RANGOON WIRELESS SERVICE.

1147. \*Khan Bahadur Sarfaraz Hussain Khan : (a) Has the attention of Government been drawn to the paragraph published in the "Statesman" of the 20th April, 1924, page 7, under the heading "Rangoon isolated. Failure of Wireless Service" ?

(b) If so, will they please state :

(i) when the Rangoon to Madras Wireless Service was installed ?

(ii) how many times and at what season of the year the interruption, as complained of in the paragraph, has taken place ?

(iii) the cost of the installation ?

**Mr. H. A. Sams :** (a) The paragraph in question has been seen but it does not accurately represent the true state of affairs. 1,323 messages were carried by this route on the 15th April and 369 on the 16th April.

(b) (i) The stations were practically completed on 29th February 1924 and commenced working traffic very shortly after that date.

(ii) Up to date the service has not been totally interrupted but partial interruptions to high-speed working necessitating the use of hand speed temporarily may be expected for a limited number of hours daily during April to July.

(iii) Approximately 6½ lakhs.

#### MAHSUD RAIDS ON THE FRONTIER.

1148. **\*Khan Bahadur Sarfaraz Hussain Khan :** (a) Has the attention of Government been drawn to the paragraph published in the "Englishman" of the 21st April, 1924, page 9, under the heading "Frontier Raids. Seventeen persons carried off. Mahsud daring" ?

(b) If so, will the Government please state if the report is correct and if correct, what action has been taken ?

**Mr. Denys Bray :** (a) Yes.

(b) The report is correct. Other measures taken for the recovery of the unfortunate victims having failed, the hostile Mahsud sections responsible were given definite warning that unless they returned the captives and complied with our other terms by a fixed date, they would be visited by punishment whether by land or from the air.

As soon as the period of warning expired air operations were ordered and preparations made for movement of ground troops if necessary. As a result six kidnapped Hindus, including, I particularly rejoice to add, the woman, were released six or seven days ago. I am sorry to say that two victims of this raid remain in captivity, and the operations are still incomplete.

#### COMMUNICATION FROM THE INDIAN MERCHANTS' CHAMBER REGARDING THE TARIFF BOARD'S REPORT.

1149. **\*Khan Bahadur Sarfaraz Hussain Khan :** (a) Will the Government be pleased to state if they have received any communication from the Indian Merchants' Chamber as published in the "Englishman" of the 22nd April, 1924, page 11, under the heading "Tariff Board Report" ?

(b) If so, will they please lay a copy of the communication referred to on the table ?

**Mr. C. D. M. Hindley :** A copy of the letter from the Indian Merchants' Chamber referred to, with a copy of the Government's reply, is being sent to the Honourable Member.

#### ALLEGATIONS AGAINST ASIATIC CLERKS AND INDIAN MONEY-LENDERS IN THE REPORT OF THE COMMISSION ON AGRICULTURE APPOINTED BY THE ZANZIBAR GOVERNMENT IN 1922.

1150. **\*Sir Purshotamdas Thakurdas :** 1. Have Government seen the Report of the Commission on Agriculture submitted to the Zanzibar Government in 1923 ?

2. Are Government aware that the Commissioners appointed by the British Resident in December 1922 did not include a single Indian ?



3. Will Government be pleased to state the qualifications of the five members that sat on the Commission ?

4. Has the attention of Government been drawn to some remarks against Asiatic clerks and against Indian money-lenders as contained in the Report of the said Commission ?

5. Will Government be pleased to state if the said Commission examined any Indian witnesses, and if so, are the qualifications of such Indian witnesses known to Government ? Or, if they are not known, are Government prepared to find out the qualifications of such Indian witnesses and make the information available to the Assembly ?

6. Are Government prepared to get the evidence collected by the said Commission and put a copy in the library of the Assembly ?

7. (a) Do the Government of India propose to address the Resident in Zanzibar, and convey to him the opinion of the Government of India regarding the remarks made in the report in connection with Indians lending money to Arab cultivators in Zanzibar ?

(b) Has the attention of Government been drawn to the Minority Report of Mr. R. H. Crofton, Chairman of the Commission, Section 6, on page 49 of the Report ?

Mr. J. W. Bhore : *Parts 1, 2, 4 and 7 (b).*—The reply is in the affirmative.

*Parts 3, 5, 6 and 7 (a).*—The Government of India are not in possession of all the facts, and have asked the authorities concerned for information and copies of the evidence. Their future course of action will be determined by the result of these inquiries.

Sir Purshotamdas Thakurdas : Will the information received by the Government of India be available to the Members of this House ?

Mr. J. W. Bhore : Yes.

STATE vs. COMPANY MANAGEMENT OF RAILWAYS.

1151. \*Sir Purshotamdas Thakurdas : With reference to the Administration Report on Indian Railways, 1922-23, Volume I, page 6, paragraph 14, headed "State vs. Company Management" where it is stated that the Government propose to continue their efforts "to devise a satisfactory form of Company domiciled in India to take these Railways (the East Indian Railway and Great Indian Peninsula) over, eventually on a basis of real company management" will Government be pleased to state the stage at which their efforts in the direction indicated in this paragraph have reached at present ?

Mr. C. D. M. Hindley : The problem referred to has been kept in abeyance pending a settlement of the question of the separation of Railway Finances from the General Finances of the Country.

Sir Purshotamdas Thakurdas : Do I understand then that the project depends upon that ?

Mr. C. D. M. Hindley : I do not think the Honourable Member is entitled to make that assumption.

Sir Purshotamdas Thakurdas : If the question has been held in abeyance pending the decision of the Assembly *re* the separation of Railway finances from the General finances, I think the supplementary question is justifiable as to whether the question of company management

of these railways depends upon the separation of the General Budget from the Railway Budget ?

**Mr. President :** The Honourable Member's supplementary question has been answered by Mr. Hindley saying that such assumption should not be made.

**Sir Purshotamdas Thakurdas :** May I ask another question ? What relation does that bear to the question of company management of these railways ?

**Mr. C. D. M. Hindley :** It would take some considerable time to explain the exact relation but it has generally been agreed that in the event of separation being effected some of the objections of State management, which were advanced at the time of the discussion, would perhaps disappear.

**Diwan Bahadur M. Ramachandra Rao :** May I ask whether any decision has already been reached that, at the termination of their contract, these two Railways will be taken over by the State ?

**Mr. C. D. M. Hindley :** I have already stated that the problem is at present in abeyance.

**Mr. Gaya Prasad Singh :** Is it a fact that a confidential circular has been issued by the authorities of the East Indian Railway asking their employees to take long furlough, if they so desire, in view of the decision of the Government to take over that Railway ?

**Mr. President :** That does not arise out of this question.

**Diwan Bahadur M. Ramachandra Rao :** May I ask the Honourable Member whether the decision that these two railways are going to be taken over by the State is final or is subject to any further decision that the Government may come to in regard to the formation of a Company line.

**Mr. C. D. M. Hindley :** For the time being the decision is final.

**The Honourable Sir Charles Innes :** I think the Honourable Member will find the answer to his question if he will read the debate on this subject that took place in February 1923 in this House.

*An Honourable Member :* That debate is not illuminating as to what the decision is.

**The Honourable Sir Charles Innes :** The Honourable Member will find it quite illuminating if he will read it. The answer to his question is already on record.

**Mr. K. C. Neogy :** If the Government have already accepted the Resolution of the Assembly, is it subject to any further condition or restriction ?

**The Honourable Sir Charles Innes :** Government have accepted that Resolution and have made arrangements to take over the East Indian Railway on the 31st December 1924 and the Great Indian Peninsula Railway in July 1925. As I said in my speech, we have left the door open to negotiations for a real private Company. These negotiations, as Mr. Hindley just explained, have not been pursued because we have not yet been able to settle the question of the separation of Railway finances from the General finances.

**Mr. K. C. Neogy :** Is it not a fact that the Honourable Member moved an amendment specifically to the effect that the Government will

carry on these negotiations and that that amendment of Government was defeated by a large majority of this House ?

**Mr. President :** That is not a supplementary question. The Honourable Member is stating a fact.

**Mr. A. Rangaswami Iyengar :** May I know whether, as a matter of fact, there are proposals now before the Government for giving over this Company to private company management ?

**The Honourable Sir Charles Innes :** The matter has not gone beyond the stage which I mentioned in my speech to which I have already referred the Honourable Members. It may be said that there are no definite proposals before the Government at this moment.

**Dr. H. S. Gour :** Will not the Honourable Member feel bound by his speech or by the Resolution passed by this House ?

**The Honourable Sir Charles Innes :** The Honourable Member perhaps is aware that Government are not bound by the Resolutions passed by the Assembly.

**Mr. K. Ahmed :** Do I understand that the Government are not prepared to give effect to the Resolution that was passed last year ?

**The Honourable Sir Charles Innes :** If the Honourable Member will not listen to the answers that I have already given, I am afraid I cannot help him.

(Mr. K. Ahmed wanted to put another question.)

**Mr. President :** Order, order. We have had a sufficient number of supplementary questions on this question.

OPERATING RATIOS OF RAILWAYS IN FOREIGN COUNTRIES.

1152. **\*Sir Purshotamdas Thakurdas :** (a) With reference to what is said in paragraph 46 in the Administration Report on Indian Railways for 1922-23, will Government be pleased to state if they have ascertained that the various items included in the figures of operating ratios of railways in foreign countries referred to therein are similar to those included in the figures of the operating ratios for Indian Railways ?

(b) If the reply to the above be in the affirmative, will Government be pleased to make these details available to the Assembly ?

**Mr. C. D. M. Hindley :** (a) The items included in the United States of America, Great Britain and South Africa for the purpose of calculating the operating ratio are similar to those included in India. The Government of India have no definite information as to the exact items included in calculating the operating ratios in France, Tasmania and the Argentine. But as the operating ratio on railways merely denotes the percentage which the working expenses bear to the gross earnings they think it extremely unlikely that there is any radical difference.

(b) The items included in the United States of America, Great Britain, South Africa and India are shown in the statements which I lay on the table.

UNITED STATES OF AMERICA.

*Railway Operating Revenues.*

1. Transportation rail line—

(a) Freight.

(b) Passenger.

- (c) Mail.
- (d) Express, etc., etc.
- 2. Transportation water line—
  - (a) Freight.
  - (b) Passenger.
  - (c) Mail
  - (d) Express, etc., etc.
- 3. Incidental.
- 4. Equipment rents.
- 5. Joint facility rents.
- 6. Total Railway Operating Revenues.

*Railway Operating Expenses.*

- 1. Maintenance of Way and Structures.
- 2. Maintenance of Equipment.
- 3. Traffic.
- 4. Transportation rail lines.
- 5. Transportation water line.
- 6. Miscellaneous operations.
- 7. General.
- 8. Transportation for investment.
- 9. Total Railway Operating Expenses.

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GREAT BRITAIN.

*Revenue Receipts.*

- 1. Railway—
  - (a) Passenger Train Traffic.
  - (b) Goods Train Traffic.
  - (c) Miscellaneous.
- 2. Passenger Road Vehicles.
- 3. Goods Motor Vehicles.
- 4. Steam-boats.
- 5. Canals.
- 6. Docks, Harbours and Wharves.
- 7. Hotels, refreshment rooms and cars where catering is carried on by the Company.
- 8. Other separate business carried on by the Companies.
- 9. Miscellaneous receipts.

*Expenditure.*

- 1. Maintenance and Renewal of Way and Works.
- 2. Maintenance and Renewal of Rolling Stock.
- 3. Locomotive Running Expenses.
- 4. Traffic Expenses.
- 5. General Charges.
- 6. Expenses of Collection and Delivery of Parcels and Goods.
- 7. "Running Powers" Receipts and Payments in respect of Running Power Expenses.
- 8. Mileage, Demurrage and Wagon hire.

SOUTH AFRICA.

*Earnings.*

1. Passengers.
2. Parcels.
3. Goods and Minerals other than coal.
4. Coal.
5. Live stock.
6. Other traffic receipts.
7. Miscellaneous.

*Expenditure.*

1. Maintenance of Way and Works.
2. Maintenance of Rolling Stock.
3. Running expenses.
4. Traffic expenses.
5. General charges.
6. Superannuation.
7. Cartage services.
8. Total ordinary working expenditure.
9. Relaying, strengthening, etc.
10. Depreciation.
11. Total Working Expenditure.

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INDIA.

*Earnings.*

1. Passenger Traffic.
2. Other Coaching Earnings.
3. Goods Traffic.
4. Electric Telegraph Earnings.
5. Steam-Boat.
6. Sundry.

*Expenditure.*

1. Maintenance of Way, Works and Stations.
2. Locomotive Expenses.
3. Carriage and Wagon Expenses.
4. Traffic Expenses.
5. General Charges.
6. Steam-boat Expenses.
7. Special and Miscellaneous Charges.

FACILITIES FOR THIRD CLASS PASSENGER TRAFFIC ON RAILWAYS IN THE UNITED STATES OF AMERICA.

1153. \*Sir Purshotamdas Thakurdas : (a) Will Government be pleased to state how the rates for passenger traffic in such foreign countries compare with the average income per head in these foreign countries, and have Government compared these with the rates charged per passenger in India with the average income per head in India ?

(b) Will Government be pleased to put on the table a statement showing the facilities and conveniences for third class passenger traffic, in say

the United States of America as compared with those on Indian Railways to which reference is made in the said paragraph ?

**Mr. C. D. M. Hindley :** There are no reliable statistics of the average income per head in India and the Government of India have no authoritative figures of the average income per head in the other countries mentioned. They are unable, therefore, to give the information or to make the comparison for which the Honourable Member asks in the first part of his question. They know of no basis on which the comparison suggested in the second part of the question could be made.

**Mr. B. Venkatapatiraju :** Have the Government seen the statement made by the Under Secretary of State for India in the House of Commons that the average annual income per head in India is Rs. 60 ?

**The Honourable Sir Basil Blackett :** Yes, Sir. The Government do not accept that statement.

#### INDIANS IN THE HIGHER GRADES OF RAILWAY ADMINISTRATIONS.

1154. **\*Sir Purshotamdas Thakurdas :** (a) Regarding chapter 10 of the Administration Report on Indian Railways, 1922-23, under the heading "Railway staff" will Government be pleased to state the "reasonable means" to which they refer in paragraph 55 of the said Report, which Government say they have adopted to increase the number of Indians in the higher grades of railway administrations ?

(b) Will Government be pleased to define the standard of efficiency and economy to which they refer in the said paragraph, and which are stated to be a condition of further Indianisation of the Railway Department ?

**Mr. C. D. M. Hindley :** (a) In accordance with the policy laid down in the Preamble of the Government of India Act, Indians are being increasingly recruited for the superior grades of Railway service. In this connection the Honourable Member's attention is directed to the statement laid on the table in reply to Mr. Patel's Question No. 230, dated 11th February 1924.

(b) The speed with which this policy can be developed obviously depends partly on the occurrence of vacancies and partly on whether such candidates as come forward are qualified for the work which they will be required to do. In some branches of service, however, the present practice is to fill vacancies by recruitment half in India and half in Europe.

#### RECRUITMENT OF INDIAN APPRENTICES FOR ORDNANCE FACTORIES.

1155. **\*Sir Purshotamdas Thakurdas :** With reference to the reply given by the Honourable the Army Secretary, to my unstarred Question No. 229 on 24th March last, regarding training of Indians in Ordnance Factories, will Government be pleased to state whether any apprentices have been recruited so far, and will Government be pleased to put on the table a list giving the names of such recruits ?

**Mr. H. R. Pate :** There are at present altogether 167 apprentices under training in the different factories. I will furnish the Honourable Member separately with the list which he desires.

#### CASE OF PANNA LAL GOPI, LATE ASSISTANT STATION MASTER, KARBIGHWAN, EAST INDIAN RAILWAY.

†1156. **\*Mr. Gaya Prasad Singh :** (1) With reference to my starred Question No. 766 of the 13th March 1924, regarding the discharge of

† For answer to this question—see the Answer below Question No. 1157.

Panna Lal Gopi, late Assistant Station Master of Karbighwan station, East Indian Railway, and the reply of the Government that they have no information on the subject, has the attention of the Government been drawn to a letter published in the "Leader" newspaper, dated the 11th April 1924, in this connection ?

2. (a) Is it not a fact that the said Panna Lal Gopi had submitted two representations to the Railway Board, on the 17th May 1923, and 15th January 1924, on the subject of his discharge and forfeiture of his gratuity, and that they were received in the Railway Board on the 24th May 1923, and 16th January 1924, respectively ?

(b) Is it not a fact that a memorial was also submitted by the said Panna Lal Gopi to His Excellency the Viceroy on the 17th January 1924, which was forwarded to the Railway Board, and the Railway Board acknowledged receipt of it by Office Memorandum No. 75-E., dated the 25th January 1924 ?

3. (a) If the answer to the above be in the affirmative, will the Government be pleased to explain, under the circumstances, how they are justified in saying that they have no information on the subject ?

(b) Are the Government prepared to call for all papers in connection with this case ? And if not, why not ?

CASE OF PANNA LAL GOPI, LATE ASSISTANT STATION MASTER, KARBIGHWAN, EAST INDIAN RAILWAY.

1157. \*Mr. Gaya Prasad Singh : (a) Are the Government aware that after his discharge from service, Panna Lal Gopi was awarded a service certificate, dated the 3rd September 1921, from the District Traffic Superintendent, Allahabad, and Acting General Traffic Manager, Calcutta, East Indian Railway, that "his conduct has been fair" ?

(b) Are the Government aware that under the written conditions of the service certificate, this form of certificate is not granted to any one, who has been guilty of any misconduct, although of a light nature ?

(c) Is it a fact that Panna Lal Gopi was also given back his contribution and provident fund deposit after discharge, and that this money is "only payable in the event of the member's service being terminated without fault, in accordance with clause 16 of the Rules and Regulations" ?

(d) Is it a fact that even after his discharge, Panna Lal Gopi was called by Mr. W. A. Shakespear, the then Acting Agent of the East Indian Railway, on the 28th June 1922, to give his opinion before the Economy Committee at Calcutta, and that the Committee had accepted his opinion ?

(e) Are the Government prepared to consider the case of Panna Lal Gopi for reinstatement ?

Mr. C. D. M. Hindley : With your permission, Sir, I propose to answer questions Nos. 1156 and 1157 together. It is a fact that a memorial to His Excellency the Viceroy and representation to the Railway Board have been received as stated. As Mr. Panna Lal Gopi was a servant of the East Indian Railway Company, his appeal lies to the Agent and Board of Directors of the Company, and he was accordingly informed that the Government of India could not interfere in the matter.

## ARRESTS UNDER BENGAL REGULATION III OF 1818.

1158. \*Mr. K. C. Neogy : (1) Has the attention of Government been drawn to the statements made by Counsel while moving the Calcutta High Court on the 17th April, 1924, under section 491 of the Code of Criminal Procedure, on behalf of four persons who were acquitted on the morning of that day by the Sessions Judge of 24-Pergannas of charges under sections 120-B, 392, 395, 396, and 302 of the Indian Penal Code, and arrested immediately after and detained in prison ?

(2) Is it a fact :

- (a) that immediately after they came out of court upon the pronouncement of the order of their acquittal, the said persons were arrested by certain police officers under the direction of an Assistant Commissioner of the Calcutta Police ;
- (b) that on being asked, the said police officers stated that the said four persons were being arrested under Bengal Regulation III of 1818 ;
- (c) that thereupon the said persons asked for the production of warrants, and the police officers stated that they had no warrants ; and
- (d) that the police officers finally stated that the arrests were made under section 54 of the Code of Criminal Procedure ?

(3) Have Government any authority to order persons to be arrested, with a view to imprisonment under Bengal Regulation III of 1818, without any warrant or without any warrant being shown to them by the Police when so required ?

(4) Are Government advised that warrants of commitment under section 2 of Bengal Regulation III of 1818, issued to the Superintendent of the Presidency jail in Calcutta directing him to receive into custody the four persons mentioned in the preceding questions, constituted sufficient authority for the Calcutta Police to arrest them ?

(5) (a) Were the proceedings initiated in the case of the said four persons, by the Governor General in Council, under Bengal Regulation III of 1818, during the pendency of their trial in the Court of Sessions, or on its termination ?

(b) If the said proceedings were initiated on the termination of the said trial :

- (i) on which date and at what hour were warrants of commitment issued under Section 2 of Bengal Regulation III of 1818 ;
- (ii) at what place, by whom, on which date and at what hour were the warrants signed, and
- (iii) to whom were the warrants sent, and at what place, on which date and at what hour were they received by him ?

(6) On which of the following three grounds, mentioned in the preamble of Bengal Regulation III of 1818, was action determined to be taken against the said persons :

- (a) that there may not be sufficient ground to institute any judicial proceedings ;



(b) that such proceedings may not be adapted to the nature of the case ; or

(c) that such proceedings may for other reasons be unadvisable or improper ?

**The Honourable Sir Alexander Muddiman :** I have seen a report of the statements referred to. The persons concerned were arrested in the circumstances detailed in the question but it is not a fact that the police said that they had no warrants or that the arrests were made under section 54 of the Code of Criminal Procedure. The warrants were directed to the Superintendent of the Jail and were not produced. The Regulation makes no specific prescription as to the manner in which any person, against whom a warrant under the Regulation is issued, is to be received into custody but the question of the power to arrest under this Regulation has, I understand, been answered judicially in the affirmative. The warrants issued before the commencement of the trial in the Court of Sessions but their execution was stayed and the points raised in part 5 (b) of the question do not therefore arise. The warrants were originally issued with special regard to the considerations recited in (b) and (c) of part 6 of the question, but without prejudice to the question of instituting judicial proceedings if this course were deemed advisable.

**Mr. K. C. Neogy :** May I know why these warrants were not issued before the persons were arrested and placed on their trial ?

**The Honourable Sir Alexander Muddiman :** My information is that the warrants were issued.

**Mr. K. C. Neogy :** Will the Honourable Member give the date of the warrants ?

**The Honourable Sir Alexander Muddiman :** I must have notice of that.

**Mr. K. C. Neogy :** If judicial proceedings were not considered advisable at the time, why were these proceedings instituted at all ?

**The Honourable Sir Alexander Muddiman :** I have already explained that the warrants were issued without prejudice to the question of instituting judicial proceedings, that is, without prejudice to trial on a particular charge.

**Mr. K. C. Neogy :** Is it usual for Government to issue warrants under Regulation III of 1818 in anticipation of the decisions of judicial courts ?

**The Honourable Sir Alexander Muddiman :** The warrants in question were issued before the trial in the Sessions Court commenced and were not issued solely on grounds connected with the charge there brought.

**Mr. A. Rangaswamy Iyengar :** May I know why Government should have thought fit that a man should be put on trial before the courts and also be interned without the issue of warrants ?

**The Honourable Sir Alexander Muddiman :** It was to avoid the necessity of interning them that the trial was undertaken.

**Mr. A. Rangaswamy Iyengar :** Am I to take it that in all cases where the trial proves abortive it is the policy of the Government to do without a trial ?

**The Honourable Sir Alexander Muddiman :** That is not the policy of the Government.

**Mr. K. C. Neogy :** Will the Honourable Member give the reference to the judicial decision ?

**The Honourable Sir Alexander Muddiman :** I think the Honourable Member knows the case quite well. It is the case of Amir Khan in 5 Bengal Law Reports, page 479.

ALLEGED ASSAULT BY SOLDIERS ON MR. SIDHVA AT THE KARACHI RAILWAY STATION.

1159. **\*Mr. Harchandrai Vishindas :** (a) Has the attention of the Government been drawn to a letter from Mr. Sidhva published in the "Sind Observer" and "New Times" (Karachi) of the 28th April last stating that while entering a railway compartment occupied by soldiers, he was foully abused, kicked, collared out of the compartment, his luggage thrown out and he was further threatened to be thrown out of the window if he entered again, the soldiers flouting the remonstrances of the railway officials and military police ; and to the editorial comments of the above two newspapers of the 29th idem ?

(b) If so, will Government be pleased to state what steps, if any, they intend to take to punish the offenders ?

(c) Is it true, that such incidents are frequent but go unnoticed owing to the inaction of the victims ?

**Mr. H. R. Pate :** (a) Government have seen the article and the comments referred to by the Honourable Member.

(b) The matter is being thoroughly investigated and the result will be communicated to the Honourable Member in due course.

(c) The Government have no reason to believe that the facts are as stated.

SUBMISSION OF STATEMENT OF EARNINGS BEYOND THEIR LAWFUL SALARIES BY TICKET COLLECTORS OF THE NORTH-WESTERN RAILWAY, KARACHI DISTRICT.

1160. **\*Mr. Harchandrai Vishindas :** (a) Is it a fact that orders have been issued to the ticket collectors of the North-Western Railway, Karachi district, to submit statements of their earnings, beyond their lawful salaries, on pain of their punishment ?

(b) If so, is the order issued merely to elicit information or to expose malpractices ?

(c) If it is issued with neither of the above objects, then with what object ?

(d) Is the order confined only to ticket collectors or extends to other Railway servants also ?

(e) If it is confined only to ticket collectors, why ?

**Mr. C. D. M. Hindley :** The Honourable Member is presumably referring to the working of the Travelling Ticket Examiners and if such is the case the replies are as below :

(a) Travelling Ticket Examiners submit monthly statements of the moneys collected by them from members of the travelling public found (i) travelling without tickets (ii) carrying more luggage than is allowed to be carried under the bye-

laws of the railway. There is no question of these collections having to reach a particular figure on pain of punishment.

- (b) and (c). The submission of these statements is necessary as a check on the work of the Travelling Ticket Examiners and also to keep the Railway Administration informed in regard to the extent to which travelling without payment prevails.
- (d) and (e). No. A similar principle applies *mutatis mutandis* to all other staff employed in connection with the realization of earnings.

DISINTERMENT AND CREMATION OF THE BODIES OF HINDU AND SIKH SOLDIERS KILLED IN THE GREAT WAR.

1161. \*Mr. Harchandrai Vishindas : Will Government be pleased to state :

- (a) Whether Hindu and Sikh soldiers who fell in the Great War were buried along with Christian and Mahomedan soldiers ?
- (b) If so, in what theatres of war had they fallen, in what places were they buried and what was their number ?
- (c) Whether Government contemplate to disinter and cremate them according to their religious usages ?

Mr. H. R. Pate : (a) and (b). The information desired by the Honourable Member is not available, and any attempt to obtain it would involve a quite disproportionate amount of labour which Government are not prepared to undertake.

- (c) There is no such intention.

'DISMISSAL OF MR. SUBHA ROW, A GOVERNMENT TELEGRAPHIST.

1162. \*Mr. C. Duraiswami Aiyangar : (a) Has the attention of the Government been drawn to an article under "Synthetic Seditious" and an editorial note in the *Hindu*, dated 28th April, 1924 ?

(b) Is it a fact that one Mr. Subha Row, a Government Telegraphist of 17 years' standing, was dismissed from service and his appeal to the Government was also dismissed ?

(c) Will the Government be pleased to state whether the charges against him were only the five charges referred to in the said article, namely, (1) contributing Rs. 5 to the Tilak Swarajya Fund in the name of his daughter, (2) his association with non-co-operators and congressmen in his capacity as a member of the Bezwada Town Hall, (3) subscribing for the Telegraph club, the *Hindu*, the *Bombay Chronicle* and the *Andhra Patrika* and discontinuing the *Justice*, (4) having retorted when a speaker Mr. Ongauti Ramaswami Sastri called Mahatma Gandhi a "Duratma" and not "Mahatma" by saying in return "you are yourself a Duratma and, therefore, you think that everyone is like you", (5) wearing Khaddar ?

The Honourable Sir Bhupendra Nath Mitra : (a) Yes.

(b) Yes.

(c) The attention of the Honourable Member is drawn to the memorandum of charges laid on the table in reply to Question No. 1138 by Mr. Gaya Prasad Singh.

PROHIBITION OF THE WEARING OF *Khaddar* BY GOVERNMENT SERVANTS, ETC.

1163. \*Mr. C. Duraiswami Aiyangar : (a) Have the Government prohibited Government servants from wearing *Khaddar* and enjoined on them the wearing of foreign cloth only ?

(b) Is it a departmental rule that Government servants should not read the *Hindu*, the *Bombay Chronicle* or the *Andhra Patrika* and are bound to read the *Justice* ?

The Honourable Sir Alexander Muddiman : (a) and (b). No.

Mr. Devaki Prasad Sinha : Can Government say that there has been no instance in which any Government servant has been punished for putting on *khaddar* ?

The Honourable Sir Alexander Muddiman : I am not prepared to say that.

## ESTABLISHMENT OF MATCH FACTORIES IN INDIA BY THE SWEDISH MATCH COMPANY.

1164. \*Mr. Kumar Sankar Ray : Has the attention of the Government been drawn to the Reuter's telegram and its contradiction appearing in the *Statesman* on the 30th April and 1st May, 1924, respectively about the Swedish Match Company establishing several match factories in India by increasing their capital ? If so, will the Government kindly state, if there is any foundation for the telegram and what attitude are the Government adopting in the matter ?

The Honourable Sir Bhupendra Nath Mitra : The Government have seen the press reports referred to by the Honourable Member, but they have no information on the subject other than that contained in these reports. They will watch developments for the reasons explained by the Honourable Commerce Member in his speech in the Council of State on the 24th March last.

## ALLEGED ASSAULT BY SOLDIERS ON MR. R. K. SIDHVA AT THE KARACHI RAILWAY STATION.

1165. \*Mr. Kumar Sankar Ray : Has the attention of the Government been drawn to an incident reported in the *Forward* newspaper of Calcutta, in its issue dated the 1st May, 1924, headed " Ungallant conduct of British soldiers " about some British soldiers having assaulted and kicked one Mr. R. K. Sidhva at the Karachi railway station ? Are the statements therein made true and if so, what steps, if any, are the Government going to take against the said soldiers ?

Mr. H. R. Pate : Government have seen the report referred to. The matter is under investigation.

Mr. Jamnadas M. Mehta : Is it a fact that, as stated in the report which appeared in some newspapers, these officers were to be court-martialled ?

Mr. H. R. Pate : I understand that a court-martial is being held.

## FLOODS IN BIHAR.

1166. \*Mr. Gaya Prasad Singh : (a) With reference to my starred question No. 1004 of the 24th March 1924 regarding the floods in Bihar, and the reply of the Government that " the Railway banks are well

provided with flood-openings as well as culverts," has the attention of the Government been drawn to the report of the Committee appointed by the Government of Bihar and Orissa, by Resolution No. 1043-C.I. of the 24th September, 1923, and published in the Bihar and Orissa Gazette Supplement, dated the 13th February 1924, page 217 ?

(b) Is it a fact that the following passages occur in the course of the Report :

" Between Arrah and Kulharia on the East Indian Railway, the waterway provided by the Railway was altogether inadequate to pass the discharge, with the result that both the Arrah canal for 3 miles above the Railway crossing, and the Railway line from Arrah to Kulharia were overtopped. The canal and Railway were both badly breached—Arrah town suffered severely "

" The East Indian Railway has decided not to provide extra waterway between Arrah and Kulharia, on the assumption that the Bihar and Orissa Government will take steps to close the spill. The Railway is very largely interested in the matter, as, if the spill is not closed, an enormous increase in waterway must be provided if the main line is to be preserved from the risk of being overtopped and breached every year "

" The Railway line was overtopped and breached close to Bihta station. The Railway Company propose to put in extra waterway at this place "

" The shutters fitted to the (Kanwa) sluices on the Railway, by the Bengal and North-Western Railway do not work efficiently. The officiating Chief Engineer of the Railway who was present at the inquiry has agreed to modify the shutters and opening gear "

" The Agent and the officiating Chief Engineer of the Bengal and North-Western Railway have both laid great stress on the necessity for Police help in preventing the line being cut between Dighwara and Sonepur. During the recent floods, the line was cut in 5 places with disastrous results to the land within the Railway, and no benefit to the persons who cut the line " ?

(c) Are the statements contained in the said passages correct and, if so, do the Government of India still hold the view that " the Railway banks are well provided with flood-openings as well as culverts " ?

**Mr. C. D. M. Hindley :** (a) Yes.

(b) The passages quoted occur in the report and Government have no reason to doubt their accuracy but I would point to the Honourable Member that when they are read along with the rest of the Bihar and Orissa Committee's report it will appear that the report supports the statement that " the Railway banks are well provided with flood openings as well as culverts ". The Committee point out that the damage in the districts of Patna, Shahabad and Saran was due to an abnormally high flood but, beyond noting that the East Indian Railway Company propose to put in extra waterway near Bihta and that the sluices on the Bengal and North-Western Railway near Chapra are inefficient, they do not draw attention to any deficiency in the waterways under the railways and do not make any recommendation that additional waterway is necessary. In regard to the Bengal and North-Western Railway line between Dighwara and Sonepur the Committee recommend that additional waterway should

not be provided. In the circumstances Government see no reason to modify their original statement.

**Mr. Devaki Prasad Sinha :** Do Government propose to take any steps in those cases in which the report of the Bihar and Orissa Government says that the waterways are not sufficient ?

**Mr. C. D. M. Hindley :** The railway companies concerned are taking steps in connection with the report, but I am not in a position to say exactly what they are doing, without having notice of the question.

**Mr. Gaya Prasad Singh :** Are Government in a position to say that the railway companies will take the necessary action before the time when the next floods are expected ?

**Mr. C. D. M. Hindley :** I am not prepared to say that the railway companies will carry out in full all the recommendations in the report ; but the Honourable Member may be satisfied that the railway companies will take all the steps necessary before the next floods.

**Mr. Gaya Prasad Singh :** Will the railway companies be able to take the necessary steps before the rains this year ?

**Mr. C. D. M. Hindley :** I will want notice of the question, but would suggest that it would be more convenient if the Honourable Member will come to my office and see the papers on the subject, as the matter is somewhat complicated.

**Mr. Gaya Prasad Singh :** Are Government in possession of expert opinion in the matter ?

**Mr. C. D. M. Hindley :** The matter refers to large areas of country and to varying conditions, and it is not possible to expect that a full report can be given on the subject at such short notice. There is no doubt that measures will be concerted to meet special difficulties.

#### PROSCRIPTION OF MR. HYNDMAN'S BOOK "THE AWAKENING OF ASIA."

1167. \***Mr. Gaya Prasad Singh :** With reference to the reply given to Mr. K. C. Roy's question of the 4th February, 1924, printed at page 165 of the Legislative Assembly Debates. Volume IV. No. 4, will the Government kindly state the name of the book which has been proscribed, and the name of the author, as well as give reference to the official notification by which the book was proscribed ?

**The Honourable Sir Alexander Muddiman :** The book referred to by Sir Malcolm Hailey was "The Awakening of Asia" by Mr. H. M. Hyndman. It was proscribed by Commerce Department Notification No. 3044, dated the 17th May 1919.

#### PROSCRIPTION OF LALA LAJPUT RAI'S BOOK "YOUNG INDIA".

1168. \***Mr. Gaya Prasad Singh :** With reference to starred Question No. 328 of the 18th February, 1924, will the Government be pleased to state how long they intend to maintain their order of proscription of Lala Lajput Rai's book "Young India," with a foreword by Colonel Wedgewood ?

**The Honourable Sir Alexander Muddiman :** No time can be stated. Government are not at present prepared to withdraw the proscription.

UNCOVERED PLATFORMS AT KOTRI JUNCTION ON THE NORTH-WESTERN RAILWAY.

1169. \*Mr. Harchandrai Vishindas : (a) Are Government aware of the complaints published in Sind papers from time to time regarding the great inconvenience to railway passengers during the hot days for want of roofing over the platforms of the Kotri Junction station on the North-Western Railway ?

(b) If so, do Government propose to order the roofing in of the said platforms ?

Mr. C. D. M. Hindley : (a) Government have not seen the complaints referred to but understand that the Agent, North-Western Railway, has recently received one complaint.

(b) As waiting rooms and a large waiting hall exist at Kotri, it is not considered necessary to provide additional shelter on the platforms.

UNCOVERED PLATFORMS AT KARACHI CANTONMENT STATION.

1170. \*Mr. Harchandrai Vishindas : (a) Is Karachi Cantonment station considered by the Railway authorities a first class station ?

(b) If so, why are its platforms left uncovered thus exposing passengers to heat and rain ?

Mr. C. D. M. Hindley : (a) Yes.

(b) Roofing of the platforms is not considered necessary, as waiting rooms and a large waiting hall have been provided at this station.

PROPOSED CONSTRUCTION OF AN OVERBRIDGE AT THE CLIFTON RAILWAY CROSSING AT KARACHI.

1171. \*Mr. Harchandrai Vishindas : (a) Are Government aware that the construction of an overbridge at the Clifton railway crossing at Karachi was sanctioned and the respective contributions by the Railway and the Municipality settled years ago ?

(b) If so, why has there occurred so much delay in carrying out the said construction ?

(c) Are Government aware that since the erection of the Kothari parade, and Lady Lloyd Pier at Clifton there has been enormous traffic between that sea resort and the city of Karachi ?

(d) And are Government aware that the absence of such overbridge is the cause of exasperating interruption and delay to such traffic ?

(e) Are Government aware of the complaints from time to time published in newspapers in this behalf ?

(f) Do Government propose to direct the early construction of this overbridge ?

Mr. C. D. M. Hindley : (a) and (b). The necessity for an overbridge at the Clifton Road level crossing was accepted many years ago, but the actual execution of the scheme had to be deferred owing to conditions consequent upon the late war.

(c), (d) and (e). Yes.

(f) The estimate for the railway portion of the work has been sanctioned recently, and provided there is no delay on the part of the Municipality in handing over the necessary land, work will be put in hand at once.

**EXEMPTION FROM PAYMENT OF EXCISE DUTY ON MOTOR SPIRITS, GRANTED TO THE INDIAN PRODUCTS COMPANY AND THE HARTIKOOL OIL COMPANY.**

1172. **Mr. Harchandrai Vishindas** : Will Government be pleased to state if it is true that they granted exemption from excise duty to the Indian Products Company and the Hartikool Oil Company on motor spirit ?

**The Honourable Sir Basil Blackett** : The answer is in the affirmative.

**GRANT OF PASSPORTS TO THE PROPOSED MEMBERS OF THE KHILAFAT DELEGATION TO TURKEY, ETC.**

1173. **\*Mr. Harchandrai Vishindas** : (a) With reference to my Question No. 548, dated 12th March 1923, published at page 3229 of Vol. III of the Assembly Debates in reference to adjournment motions under Chapter VI of the Manual of Business, will Government be pleased to state whether there is any legal provision or connection under which it is ordinarily the duty of Government to give effect to the desire of the House as expressed by the vote of the majority on a motion of adjournment ?

(b) If so, has effect been given to the wish of the Assembly as indicated by their adoption of Diwan Chaman Lal's motion of adjournment on the 25th March last by the grant of passports to the proposed members of the Khilafat delegation to Turkey ?

**The Honourable Sir Alexander Muddiman** : (a) The answer is in the negative.

(b) The Honourable Member is referred to the answers given by me to-day to the questions by Mr. Gaya Prasad Singh on this subject.

**Mr. C. Duraiswami Aiyangar** : May I know when any Resolution is passed by this Assembly recommending to the Governor General in Council, whether there is any method by which we may know what his reply is, whether His Excellency the Governor General in Council has accepted or rejected the Resolution ?

**The Honourable Sir Alexander Muddiman** : By asking a question.

**Mr. C. Duraiswami Aiyangar** : Would it be convenient for His Excellency the Governor General in Council's opinion to be communicated to this Assembly at the next sitting by the Home Member ?

**The Honourable Sir Alexander Muddiman** : At the next sitting ?

**Mr. C. Duraiswami Aiyangar** : May I know, when a Resolution has been passed by this Assembly and forwarded to the Governor General in Council, whether it will be convenient to the Home Member to communicate to the next sitting of this Assembly whether His Excellency the Governor General in Council has accepted or rejected the Resolution ?

**The Honourable Sir Alexander Muddiman** : It would be extremely inconvenient to the Home Member. Naturally a Resolution passed by this Assembly receives full consideration, and in the time which elapses until the next sitting it would be impossible.

**Mr. C. Duraiswami Aiyangar** : May I know whether it would be convenient at the next sitting after the Governor General in Council's consent has been given or not given, as early as it is possible, for this Assembly to know ?



**The Honourable Sir Alexander Muddiman :** A question assures that, I understand. A question is always put in my experience.

SEIZURE BY THE POLICE OF CERTAIN MANUSCRIPTS BELONGING TO MAULANA ABUL KALAM AZAD.

1174. \*Mr. Abdul Hays : (a) Will the Government please state whether it is a fact that the manuscripts of Maulana Abul Kalam Azad, entitled the " Tarjman-ul-Quran " and " Tafsir-ul-Biyan " were taken away by the Calcutta Police in a search made at the residence of the Maulana in November 1921, and that the said manuscripts are now lying with the Government of India ?

(b) If so, will the Government please also state reasons as to why the above-mentioned manuscripts have not as yet been returned to the Maulana and whether the Government propose to return them at an early date ?

**The Honourable Sir Alexander Muddiman :** (a) The manuscripts are not with the Government of India, who have no information in regard to their alleged seizure.

In that case, the second part of the question does not arise.

**Mzulvi Sayad Murtaza Sahib Bahadur :** May I know if the Honourable Member is aware that in the search sacred books which are held as holy as the Koran itself were removed, and, if so, will the Government be pleased to make early inquiry and return the books to Maulana Abul Kalam Azad ?

**The Honourable Sir Alexander Muddiman :** I have already told the Honourable Member that I have not got the books.

**Maulvi Muhammad Yaqub :** May I know if you will return those books to some other Honourable Member of this Assembly ? Then they will be safe in his possession. I thought I heard you say you had the books ?

**The Honourable Sir Alexander Muddiman :** I have not got the books.

PROPOSED LUDHIANA-KALKA RAILWAY viâ SAMRALA AND ROPAR.

1175. **Mr. Abdul Hays :** Will the Government please state whether they are contemplating any scheme of Ludhiana Kalka Railway through Samrala and Roper, and if so, when the work is likely to be taken in hand ?

**Mr. C. D. M. Hindley :** The reply is in the negative.

INDIAN LAW REPORTS COMMITTEE.

1176. \***Mr. K. Ahmed :** (a) Is it a fact that during the Autumn Session in 1922 there met a Committee composed of the Law Member and representatives from all the High Courts and Judicial Commissioners' Courts to discuss what steps should be taken to amend the Indian Law Reports Act and to suggest means as to how the present system of law reporting could be improved, and that the Committee held its meetings for about ten days or so ' *en camera* ' and arrived at some decisions, and that the recommendations of the Committee were approved by the Law Member ?

(b) If the answer be in the affirmative, do Government propose to state at what stage the matter is now pending and expedite the publication of the recommendations of the said Committee along with the decisions arrived at by the Government ?

(c) Will the Government be pleased to state in full what amount of money was spent in the matter of convening the aforesaid Committee ?

**Sir Henry Moncrieff Smith :** (a) and (b). The Honourable Member is referred to the answer given to Maulvi Muhammad Yaqub's question on the same subject on the 18th of February 1924. The Government of India do not propose to publish the Report of the Committee, but a copy of the Report will be placed in the Library of this House for the information of Members. It is for the Local Governments of the Provinces concerned to take such action on the recommendations of the Committee as they think fit.

(c) The total expenditure incurred on the Committee was Rs. 5,118 and was met by the Local Governments concerned.

**Mr. K. Ahmed :** Would not that amount be wasted if the Central Government did not think they were responsible to spend the amount for the purpose of a Committee ?

**Sir Henry Moncrieff Smith :** I explained in answer to a question in February.

**Mr. K. Ahmed :** Is not that amount squandered ? Is not the responsibility of that on the Government ? (Laughter.)

**Sir Henry Moncrieff Smith :** I am afraid I only heard the laughter of the House.

**Mr. K. Ahmed .** I suppose the Government of India have wasted the amount which the Honourable Member gave, probably some five thousand rupees, owing to the fact, that it is left to the discretion of the Local Government to decide whether they will consider the matter of reporting.

**Mr. President :** The Honourable Member has put no question.

**Mr. K. Ahmed :** Is not that so, Sir ?

#### VALIDITY OF CERTAIN CLASSES OF INSTRUMENTS EXECUTED UNDER THE INDIAN STAMP ACT.

1177. \***Mr. W. S. J. Willson :** (a) Has the attention of Government been directed to Question No. 102 and supplement asked in the Punjab Legislative Council by Mr. V. F. Gray on 29th February 1924 and the answers given by the Honourable Sir John Maynard ?

(b) Are Government aware that the validity of instruments required to be executed on embossed stamped paper under section 11 of the Stamp Act, 1899, but which have been executed between the 6th and 10th October 1923 upon which stamp duty has been paid by application of adhesive stamps remains in doubt ?

(c) Do Government propose to take any steps to give protection to all such instruments executed in British India at any place which could not have received the Government of India Gazette of 6th October 1923 before the 10th idem and later if necessary, having regard to sections 35, 48, 66, 67 and 68 of the Stamp Act, 1899, which deal with the admissibility or rejection in evidence of insufficiently stamped documents in Courts of Law, recovery of stamp duty by distress and sale of moveable property and offences ?

**The Honourable Sir Basil Blackett :** (a) The answer is in the affirmative.

(b) Attention is invited to the Notification, dated the 1st October 1923, permitting the use of adhesive stamps, on these instruments and also to the Press Communiqué, dated the 12th May 1924, from which it will be seen that the difficulty complained of does not arise.

(c) Attention is invited to the Bill which has been published in the Gazette of India Extraordinary, dated the 20th May 1924, and will shortly be placed before this House for validating on payment of the difference of duty on such of these instruments as were made on or before 31st December, 1923, without any payment of penalties.

REPORT OF THE INDIAN MERCANTILE MARINE COMMITTEE.

1178. \*Dr. H. S. Gour : (a) Will the Government be pleased to state whether the Indian Mercantile Marine Committee have submitted their report to Government ?

(b) If so, when was the report submitted ?

(c) What action have the Government taken or do they propose to take upon the report ?

(d) Will the Government be pleased to state why the report has not been published as yet ?

(e) Do Government propose to publish the report and make it available to Members of the Legislature ?

The Honourable Sir Charles Innes : (a) and (b). The report was received by the Government of India on the 5th March, 1924.

(c) to (e). The Government have not yet considered what action they will take on the report, but I hope it will be possible to publish it very shortly.

PAY OF OFFICERS OF THE INDIAN TERRITORIAL FORCE HOLDING HONORARY KING'S COMMISSIONS.

1179. \*Dr. H. S. Gour : (a) Is it a fact that an officer of the Indian Territorial Force is held entitled to receive the pay only of his Indian Commission, even though he may also hold the Honorary King's Commission ?

(b) If so, what difference does it make in the pay ?

(c) Is it a fact that an Indian Officer with Honorary King's Commission receives the pay of his King's Commission in the Indian Army ?

(d) If so, why does such an Indian Officer not receive his pay when he happens to be an officer of the Territorial Force ?

(e) Is this discrimination consistent with Rule 17, Part IV of the Indian Territorial Force Act of 1920, wherein it is distinctly laid down that every person, other than a person enrolled in the University Corps, shall for any period during which he is called out or embodied for training, be entitled to such pay and such allowances as are for the time being admissible to corresponding ranks of His Majesty's Indian Forces ?

Mr. H. E. Pate : (a) Yes.

(b) I understand that the Honourable Member wishes to know what rates of pay are drawn by Indian officers with the Viceroy's Commission and by Indian officers with the King's Commission. If that is so, I would

refer him to Part I of the Pay and Allowance Regulations of the Army in India, a copy of which is in the Library. Indian officers holding the King's Commission draw the same rates of pay as British officers of the Indian Army.

(c) Yes.

(d) Honorary King's Commissions are granted in the regular army only to risaldar-majors, subedar-majors, risaldars and subedars who have rendered specially distinguished service and who are serving on the active list. These commissions, with their higher rates of pay, are granted as a reward for services of exceptional merit, a consideration which does not arise in the case of officers of the Indian Territorial Force.

(e) Yes. The corresponding ranks in His Majesty's Indian Forces are Subedar and Jemadar.

#### RANK AND PRECEDENCE OF OFFICERS OF THE INDIAN TERRITORIAL FORCE.

1180. \*Dr. H. S. Gour : With reference to the provision made in the Provisional Regulations for the Indian Territorial Force issued as an Annexure to the India Army Order No. 282, dated the 4th April 1921, under the heading " Army Procedure " which lays down that the officers of the Indian Territorial Force will for the purposes of command take rank and precedence below all Indian Officers of the Army of the same rank, will the Government be pleased to state what will be the corresponding Indian rank of a Territorial Captain, Major or Colonel, and what rank and precedence will he take for the purpose of command ?

Mr. H. R. Pate : Officers appointed to the Indian Territorial Force receive commissions as Honorary Lieutenants and Subedars, or Honorary 2nd-Lieutenants and Jemadars. In the case of the University Training Corps, an officer, on confirmation in the substantive appointment of Company Commander, may be promoted to the honorary rank of Captain, if recommended by the General Officer Commanding, District. His rank for the purposes of command, however, is only that of Subedar, since there is no higher rank admissible to an officer under the Indian Army Act (see Section 2 (1) (a) and Section 7 (2) of that Act), and he would, therefore, take rank and precedence, for purposes of command, below all Indian officers of the Army of the same rank.

The present form of commission in the Indian Territorial Force is an *interim* arrangement ; the question of the rank and precedence which an Indian Territorial Force colonel, major or captain will take for purposes of command is accordingly being deferred for the time being.

#### DUAL COMMISSION IN THE INDIAN TERRITORIAL FORCE.

1181. \*Dr. H. S. Gour : Will the Government be pleased to state the reasons for creating a dual commission in the Indian Territorial Force ?

Mr. H. R. Pate : I would invite the attention of the Honourable Member to the Press Communiqué which was issued on the subject in November, 1922, a copy of which is laid on the table.

*Copy of Press Communiqué issued on 30th November 1922.*

" In March 1921, the Legislative Assembly adopted a Resolution to the effect that commissions in the Indian Territorial Force should be on the same basis as commissions in the Indian Auxiliary Force in so far as the authority signing the

commissions is concerned, and that officers in these two forces should take rank *inter se* according to dates of appointment. The recommendation was accepted by the Government of India in principle, but certain difficulties have for a time delayed its practical application.

The main difficulty has been that under the Indian Territorial Force Act officers of the Territorial Force are in respect of powers of command and other matters affecting their status, governed by the Indian Army Act, and the latter Act provides only for Indian officers commissioned by the Viceroy in an Indian rank, *e.g.*, Jemadar or Subedar. Legislation would therefore be necessary in order to give full effect to the Resolution of the Legislative Assembly which has been mentioned above since officers of the Auxiliary Force hold commissions with British titles; and Government would not be in a position to embark upon legislation until a decision has been reached upon certain important questions connected with changes which may require to be made in the regular Indian Army in connection particularly with proposals for Indianisation. The Indian Territorial Force is intended ultimately to be a second line to the regular Indian Army; and the final organisation of the latter must be settled first. It would be manifestly incongruous and would give rise to grave difficulties to invest officers of the second line at any time with higher powers of command than those enjoyed by officers holding corresponding positions in the regular forces. In order, however, to stimulate healthy development of the Territorial Force it was plainly necessary to devise some interim arrangement which should go as far as possible in the direction recommended by the Legislative Assembly, and it has accordingly been decided, with the approval of the Right Honourable the Secretary of State for India, that for the present officers of the Indian Territorial Force will exercise command by virtue of commissions granted by His Excellency the Viceroy under the Indian Army Act, and at the same time will receive honorary King's commissions in His Majesty's Indian Land Forces. By virtue of these latter commissions they will possess such rank and precedence as are enjoyed by British officers holding the King's commission, being junior of their rank only to officers of the regular army who hold the King's commission. While for the reasons which have been given officers of the Indian Territorial Force will for the time being hold dual commissions, they will be styled by the rank conferred by their King's commissions and wear the uniform with the authorised badges of rank prescribed for officers commissioned by His Majesty."

#### ABOLITION OF PAY FOR OFFICERS OF THE INDIAN TERRITORIAL FORCE.

1182. \*Dr. H. S. Gour : (a) Is it a fact that a Second-Lieutenant and a Lieutenant in the Indian Territorial Force get less than Rs. 70 and 120, respectively, as their pay for 28 days in a year and receive no salary for the remaining period of the year during which they are liable to be called out for service ?

(b) Are the Government prepared to consider the question of abolishing all pay and make the officer's rank purely honorary ?

Mr. H. R. Pate : (a) Honorary Lieutenants and Honorary 2nd-Lieutenants of the Indian Territorial Force receive pay at the rate of Rs. 130 per mensem and Rs. 75 per mensem respectively, *plus* rations, for any period during which they are called out or embodied for training, or are attached at their own request, under the orders of the General Officer Commanding, District, to a regular unit—*vide* rule 17 of the Indian Territorial Force rules.

(b) This question will no doubt receive the attention of the Auxiliary and Territorial Force Committee which is to meet very soon.

#### HIGH PRICE OF PETROL IN INDIA.

1183. \*Mr. Harchandrai Vishindas : (a) Will Government be pleased to state if it is true that the price of petrol is nine pence (=9 annas) per gallon in the United States of America and one shilling eight pence (= one rupee eight annas) in Great Britain, and that the Indian consumer of petrol has to pay one rupee eleven annas and a half per gallon ?

(b) If so, do Government propose to take measures for giving relief to the Indian consumer ?

(c) Are Government aware that the high price of petrol prejudicially affects trade ?

**The Honourable Sir Charles Innes :** (a) The price of petrol in India now is Rs. 1-11-0 per gallon. The price in the United Kingdom is believed to be 1s. 11d. The Government have no authoritative information regarding prices in the United States.

(b) As the Honourable Member is aware, the Government of India proposed in March last to grant relief to consumers by removing the import duty of 2½ annas and by reducing the excise duty from 6 annas to 4½ annas a gallon, but the Assembly declined even to consider the proposal.

(c) It is possible that a considerable reduction in the price of petrol would stimulate consumption.

#### PENSION OF ONE BEDAR BAKHT.

1184. **\*Khan Bahadur Sarfaraz Hussain Khan :** With reference to the starred Question No. 691 regarding the pension granted to a descendant of Bahadur Shah, asked by me in the last Delhi session of the Assembly and its answer, will the Government be pleased to state :

(a) if the inquiries have been completed ?

(b) if so, what has been the result ?

**The Honourable Sir Alexander Muddiman :** The inquiries have not yet been completed.

#### BOOKING DIFFICULTIES AT JHARIA STATION, ETC.

1185. **\*Khan Bahadur Sarfaraz Hussain Khan :** (a) Has the attention of Government been drawn to the letters published in the *Forward* of 1st May 1924, page 8, under the headings "Booking difficulties at Jharia station" and "No Signboard at Naihati Station" ?

(b) If so, will they please state :

(i) whether the statements made therein are correct ;

(ii) If correct, whether Government are prepared to issue necessary instructions to the Railway authorities to redress the grievances complained of ?

**Mr. C. D. M. Hindley :** (a) Yes.

(b) With regard to booking difficulties at Jharia station, Government understand that the position is as follows :

There is a booking office with 2 booking windows facing the 3rd class waiting hall. There is a light over one of the windows and a high power lamp is situated at the south end of the waiting hall, and arrangements have been made to lower this lamp so as to provide sufficient light in the hall.

The bookings on ordinary days at this station do not justify more than one booking clerk at a time being regularly employed. But booking towards the end of the week is heavy and it has, therefore, been arranged for another clerk to assist the booking clerk during rush hours. This, it is considered, meets present requirements.

2. With regard to Naihati station, indication boards for the direction of passengers who should change at this station have not up to the present been provided, but Government understand that their preparation is now in hand and they will shortly be erected.

3. In the circumstances no action on the part of Government is considered necessary.

**ARREST AFTER ACQUITTAL OF PERSONS INVOLVED IN THE ALIPUR CONSPIRACY CASE.**

1186. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state :

(a) whether the 4 persons who were acquitted by the Sessions Judge of 24 Parganas in the Alipur conspiracy case, were arrested immediately after their release ;

(b) if so, under what authority ?

The Honourable Sir Alexander Muddiman : I would refer the Honourable Member to the answer I have just given to Mr. Neogy on the same subject.

Mr. K. C. Neogy : Is it not a fact that the warrants were not produced when they were asked for in this particular case ?

The Honourable Sir Alexander Muddiman : I believe it is the fact.

Mr. K. C. Neogy : How far is such arrest without warrant justified either by Regulation III of 1818 or by Amir Khan's case ?

The Honourable Sir Alexander Muddiman : That is a question of law on which I do not propose to give an opinion.

**DANGERS ATTENDANT ON THE LOCATION OF THE NEW TARGET FOR THE USE OF THE GHORPADI CAVALRY.**

1187. \*Mr. N. C. Kelkar : (a) Are Government aware that the location of the new firing target for the use of the Ghorpadi Cavalry near the Mula Mutha river in Survey No. 40 in Ghorpadi near Poona has become a source of great trouble and anxiety to the agriculturists within two or three miles in certain directions around the target ?

(b) Is it a fact that a largely signed petition by the villagers of Wadgaon Sheri and others has been submitted to the Collector of Poona, detailing their grievances in this matter ?

(c) Is it a fact that the officiating Patel of the village has also submitted a report to the Mamledar of Poona Haweli praying for an inquiry into the grievances ?

(d) Is it a fact that the firing practice arrangements are intended to be made permanent in this new locality ?

(e) Is it a fact that apart from rifle practice even machine gun practice is being made on this spot and that bullets of both the rifle and the machine gun are found scattered in the fields quite beyond the limits indicated by stone pillars nominally put up as a warning ?

(f) Is it a fact that two cart roads and two foot tracks leading to Poona and serving a number of villages to the east and the north of the firing target have been put out of use owing to the danger of stray bullets since 26th March ?

(g) Is it a fact that the actual range of the firing commands fields in active culturation and a large number of farm houses occupied by agriculturist owners as well as workers ?

(h) Is it a fact that owing to the new location of the firing target, most of the agricultural operations within an area of two miles to the north of the target have been suspended, that some sugarcane fields and pomegranate gardens have been abandoned ; and that the cultivators who have taken loans from Co-operative societies for the improvement of their lands are in danger of becoming insolvent owing to the stoppage in agricultural operations ?

(i) Are Government prepared to order an inquiry into the above grievances in co-operation with non-official gentlemen and take steps to remedy the same ?

**Mr. H. R. Pate :** (a) to (i). The Government of India have no information on the subject but are inquiring. I will let the Honourable Member know the result as soon as possible.

#### DISCONTINUANCE OF THE SALE OF GOVERNMENT OF INDIA PUBLICATIONS AT THE PROVINCIAL GOVERNMENT BOOK DEPOTS.

1188. \***Mr. N. C. Kelkar :** Is it a fact that Government have recently ordered the discontinuance of the sales of the Government of India Publications at the Provincial Government Book Depôts ? If so, will Government fully state the reasons for this step ? Has it been brought to the notice of Government that the discontinuance of these sales is likely to cause inconvenience, delay and unnecessary expenditure to intending purchasers ?

**The Honourable Sir Bhupendra Nath Mitra :** No such orders have been issued by the Government of India.

**Mr. Devaki Prasad Sinha :** Can the Government of India name any place where the public can get the publications of the Government of India ?

**The Honourable Sir Bhupendra Nath Mitra :** Any bookstall.

**Mr. Devaki Prasad Sinha :** Are Government aware that, in spite of repeated letters being written by members of the public to the Superintendent of the Government of India Printing Works, no reply is ever sent to them and sometimes the publications asked for are not sent even after one month ?

**The Honourable Sir Bhupendra Nath Mitra :** The Government of India are not aware.

**Mr. Devaki Prasad Sinha :** Will the Government of India be pleased to make inquiries into the causes of the delay in supplying Government publications in spite of the fact that three or four times orders are placed with the Superintendent, Government Printing Works ?

**The Honourable Sir Bhupendra Nath Mitra :** If the Honourable Member will address my office giving specific cases, the necessary inquiries will be made.

**Mr. Devaki Prasad Sinha :** I may inform the Honourable Member that I myself wrote for a catalogue of these publications three times without getting any reply.



**Mr. N. M. Joshi :** May I ask whether the Honourable Member will consider the advisability of having bookstalls in the Secretariat at Delhi and Simla ?

**The Honourable Sir Bhupendra Nath Mitra :** If the Honourable Member will make a specific request—will send a specific request to my office—the matter will be given due consideration.

**Mr. N. M. Joshi :** May I ask whether a request made on the floor of this House is not a specific request ?

**Mr. A. Rangaswami Iyengar :** May I know, Sir, if one month's time is considered by the Government of India to be a reasonable time for the Government of India Printing Department to receive a money order and not to send books to us ?

**The Honourable Sir Bhupendra Nath Mitra :** I have no information on the subject but I should say that that is a reasonable time.

**Dr. H. S. Gour :** Sir, the Honourable Member has given no reply to Mr. Joshi's question, namely, that bookstalls should be opened here and at Delhi during the session to facilitate the sale of these publications to Members of the Legislature and others.

**The Honourable Sir Bhupendra Nath Mitra :** The matter will receive due consideration.

**Mr. A. Rangaswami Iyengar :** May I know, Sir, how the Members of this House are going to carry on their work, which involves constant reference to Government publications, if these publications cannot be had for months either for love or for money ?

**The Honourable Sir Bhupendra Nath Mitra :** That is a matter of opinion. The publications are placed in the Library as soon as possible.

**RULES UNDER THE IMMIGRATION INTO INDIA ACT, 1924.**

1189. **\*Mr. N. C. Kelkar :** Will Government state what progress, if any, has been made by them in the matter of making rules under the Immigration into India Act, 1924 ?

**Mr. J. W. Bhore :** The Government of India have framed no rules under the Immigration into India Act, 1924.

**Mr. N. C. Kelkar :** Will Government state when they propose to do so ?

**Mr. J. W. Bhore :** When circumstances arise rendering it expedient to do so. They do not consider that those circumstances have yet arisen.

**Mr. A. Rangaswami Iyengar :** May I know why, if no circumstances have yet arisen under which the Act could be put into force, the Government were in a hurry to pass it ?

**The Honourable Sir Narasimha Sarma :** The Government were not in a hurry. It was a private Bill. The Council of State and the Legislative Assembly asked the Government to put it on the Statute-book.

**Mr. N. M. Joshi :** May I ask the Government what those same circumstances are which they are awaiting to arise and which do not at present exist ?

**The Honourable Sir Narasimha Sarma :** When any specific request is made or Government think the interests of the country will be served by the framing of regulations under this Act, the Government will do so.

**Mr. N. M. Joshi :** What is a specific request ? Do they want a Resolution moved in this House or a letter from a private gentleman like myself ?

**The Honourable Sir Narasimha Sarma :** A letter from a private gentleman like Mr. Joshi would reflect his own opinion and it may be worth the Government's while to consider it, but it will depend on the nature of the request and the time at which it is made.

**Pandit Shamlal Nehru :** Is Mr. Joshi a private member or a public man ?

#### RAILWAY CARRIAGES FOR FEMALE PASSENGERS.

1190. \***Mr. N. C. Kelkar :** Will Government be pleased to state whether they have considered or will consider the desirability of :

- (a) Painting figures of women in appropriate provincial dress on glass panels on Railway carriages reserved for women, so that such carriages may be easily identified by women for themselves even in the night time ?
- (b) Issuing railway time-table and guides in the vernaculars in addition to those issued in English ?

**Mr. C. D. M. Hindley :** (a) The matter has already received the consideration of Government and the necessity for making carriages or compartments reserved for females readily distinguishable, either by painting the figure of a woman on the door or by boards of a distinctive colour, has been brought to the notice of Railway Administrations.

(b) The provisions of the Indian Railways Act, 1890 (IX of 1890), require railways to exhibit at stations time tables and fare lists in the vernacular in common use in the territory where the station is situated, and, so far as Government are aware, this has generally been found sufficient.

The suggestion will, however, be brought to the notice of railways.

#### LICENSE FEES RECEIVED BY RAILWAY COMPANIES FROM HAWKERS, REFRESHMENT ROOM KEEPERS AND HOTEL KEEPERS.

1191. \***Mr. N. C. Kelkar :** Will Government ascertain from the different Railway Companies the figures of total amount of license fees received by them from hawkers, refreshment room keepers and hotel keepers during the years 1922 and 1923 ?

**Mr. C. D. M. Hindley :** The figures for Class I railways are being collected and will be supplied to the Honourable Member when they are ready.

#### LOCAL ADVISORY COMMITTEES FOR RAILWAYS.

1192. \***Mr. N. C. Kelkar :** (a) Will Government lay on the Table a list of the members of the Advisory Committees appointed for the different Railway Companies ?

(b) Do Government propose to direct the Chief Commissioner for Railways to frame rules for the meetings and the business of the Advisory Committee ? If any rules or directions are in existence, will a copy of the same be laid on the table ?

**Mr. C. D. M. Hindley :** (a) Lists of Members of those Local Advisory Committees which have been formed have been placed in the Library.

(b) The Honourable Member is referred to item (ii) of the reply given to Mr. B. S. Kamat's Question No. 376 in this Assembly on the 19th February 1923.

**Mr. N. C. Kelkar :** Are there any companies in respect of which Advisory Committees have yet to be appointed or have Advisory Committees been appointed for all railways ?

**Mr. C. D. M. Hindley :** I have not caught the Honourable Member's question.

**Mr. N. C. Kelkar :** Have Advisory Committees been appointed for all the railways or are there any companies in respect of which Advisory Committees have yet to be appointed ?

**Mr. C. D. M. Hindley :** No, Sir, one or two railways have not yet formed Advisory Committees. I think this is a matter which was dealt with in reply to a question which was answered in the Assembly before.

**Mr. N. C. Kelkar :** Will the Honourable Member state the reasons as to why Advisory Committees have not yet been appointed for all the railways ?

**Mr. C. D. M. Hindley :** The question of appointing Advisory Committees has been left to local administrations. Most of the railways have already appointed Local Advisory Committees, and those who have not appointed such Committees, I believe, are considering the matter, and I have no doubt that they will in time appoint such Committees.

**Mr. N. C. Kelkar :** Who will ultimately decide these matters ?

**Mr. C. D. M. Hindley :** In the case of the Company worked railways, the Boards of Directors, and in the case of State railways, the Government of India.

**Mr. W. S. J. Willson :** Who fixes the fees of Members for attendance on these Advisory Committees ?

**Mr. C. D. M. Hindley :** I think, if my memory serves me correctly, the fees are fixed by the railway administrations, with the approval of the Government.

**Mr. President :** Mr. Kelkar.

**Mr. K. Ahmed :** And what is the amount of fees the Members get ?

**Mr. President :** I have already called upon Mr. Kelkar.

REVISION OF THE PAY AND ALLOWANCES OF DIVISIONAL ACCOUNTANTS OF THE BOMBAY PRESIDENCY.

1193. **\*Mr. N. C. Kelkar :** (a) Is it a fact that about 50 or 60 divisional accountants of the Bombay Presidency have been memorialising the Government of India since 1920 and praying for a revision of the scale of their pay and allowance ? If so, will Government state whether and when they intend to consider and decide this question definitely ?

(b) Is it a fact that the scale of pay and allowance of this class of the accounts department subordinates did not undergo any revision between 1864 and 1920 ?

(c) Is it a fact that the scale of pay and allowance of the Subordinate Provincial Establishment in the Public Works Department in Bombay has recently undergone a revision ?

(d) Is it a fact that in the Public Works Department code and Public Works Accounts code the divisional accountant is recognised as the senior member of the Public Works Department office establishment and the equivalent of the Public Works Department sub-divisional officer or the provincial assistant engineer ?

(e) Is it a fact that the minimum of the pay of the office establishment over which the divisional accountant is supposed to hold control, exceeds in many cases the minimum of the pay of the divisional accountant ? If so, do Government propose to remove the resulting anomaly ?

(f) Are Government prepared to consider the desirability of giving some temporary but immediate relief to the divisional accountants in the Bombay Presidency pending the decision of the question of permanent revision of their pay and allowance ?

**The Honourable Sir Basil Blackett :** (a) and (b). The answers to parts (a) and (b) are in the affirmative. Advance copies of further memorials praying for a revision of pay have recently been received and the prayer of the memorialists will be considered when the original memorials are received by the Government through the proper channel.

(c) The Government of India have no information on the subject.

(d) and (e). I would invite the attention of the Honourable Member to the complete reply† (which will be found in the Members' Library) to a similar question asked in the Legislative Assembly by Mr. Harchandrai Vishindas on the 6th September 1922.

(f) The answer to part (f) is in the negative.

#### MATURING OF GOVERNMENT POSTAL ENDOWMENT ASSURANCE POLICIES.

1194. \***Mr. N. C. Kelkar :** (a) Is it a fact that the rules governing the Government Postal Endowment Assurance Policies allow the repayment of the amount of the policy only at the end of the month in which the birthday of the assured occurs, and not at the end of the month in which the payment of the premiums stops, though the latter may happen months before ?

(b) Has it been brought to the notice of the Government that this means a loss to the assured ?

(c) Are Government aware that most of the Insurance Companies now follow the practice of repaying the amount of the Endowment Policy as soon as the last stipulated premium instalment is paid ? And that such practice has received actuarial sanction ?

(d) Do Government propose to bring the rules governing their Endowment assurance into line with those of such Insurance Companies ?

(e) Is it a fact that Government by G. R. No. 4038, dated 9th June 1919, have changed the old practice in the matter of the time of termination of the payment of premiums and now allow stopping of payment of premiums at the end of so many complete years of payment, instead of in the month in which the birthday of the assured occurs though the latter may happen later than the former ?

(f) Do Government propose to change in the practice referred to in (e) along with a change in the rules referred to in (d) ?

† Vide page 122 of Legislative Assembly Debates, Vol. III.

**The Honourable Sir Bhupendra Nath Mitra :** (a) Yes.

(b) Although the existing procedure is not so advantageous to the assured as the procedure suggested by the Honourable Member, Government do not admit that it means a loss to the assured.

(c) Government understand that both methods are followed by Insurance Companies.

(d) No.

(e) Yes.

(f) No.

**CALCULATION OF PERIOD OF RE-EMPLOYMENT IN THE MILITARY ACCOUNTS DEPARTMENT DURING THE WAR FOR PENSION OR GRATUITY.**

1195. \*Mr. N. C. Kelkar : Will Government state :

(1) Whether persons with short service who had retired before were re-employed in the Military Accounts Department during the period of the Great War ?

(2) Whether any of such pensioners were allowed to count towards pension or gratuity, their re-employed service ?

(3) Whether on re-employment any persons who had retired or were discharged before were reinstated in their former appointments ?

**The Honourable Sir Basil Blackett :** (1) Yes.

(2) No.

(3) In one exceptional case only.

**CLAIM OF MR. S. R. MULEY, FORMERLY A CLERK IN THE OFFICE OF THE CONTROLLER OF MILITARY ACCOUNTS, POONA, TO PROPORTIONATE PENSION.**

1196. \*Mr. N. C. Kelkar : (a) Will the Government state whether Mr. S. R. Muley, a former clerk in the Office of the Controller of Military Accounts, late 6th (Poona) Division, Poona, invalided after seven years' service, had put in a representation requesting that his subsequent re-employment service of six years in the office of the Field Controller of Military Accounts which was supported by a physical fitness certificate, be taken into consideration for a claim to proportionate pension ?

(b) Will Government be pleased to say if they propose to deal with such cases under Article 361 (a), Civil Service Regulations ?

**The Honourable Sir Basil Blackett :** (a) A representation on the subject addressed to His Excellency the Viceroy by Mr. S. R. Muley was received.

(b) Cases can only be dealt with under Article 361-A of the Civil Service Regulations on their merits and Government are not prepared to give any general undertaking.

### ELECTION OF PANDIT SHAMLAL NEHRU TO THE COMMITTEE ON PUBLIC ACCOUNTS.

**Mr. President :** I have to inform Members that Pandit Shamlal Nehru, being the only duly nominated candidate for election to the Committee on Public Accounts *vice* Mr. K. C. Roy, is declared to be elected to that Committee.

### THE STEEL INDUSTRY (PROTECTION) BILL.

**Mr. President :** We will now take up the consideration of the Bill to provide for the fostering and development of the steel industry in British India. The question is :

“ That the Bill, as amended by the Select Committee, be taken into consideration.”

**Dr. S. K. Datta (Nominated : Indian Christians) :** Sir, I rise to move the amendment standing in my name, namely :

“ That the Bill to provide for the fostering and development of the steel industry in British India, as amended by the Select Committee, be circulated for opinion.”

Sir, the main Bill is based upon two Reports of the Industries Commission and the Fiscal Commission, whose recommendations were apparently very largely accepted by the Government. The Tariff Bill is the result of the investigations and the Report made by the Tariff Board. The first reason why I desire that this Bill should be circulated for public opinion is that the House and the public have not yet had an opportunity of studying fully the provisions of the Bill which has been laid before the House. The Tariff Board Report appeared four weeks before the House assembled, and the Bill was not presented to the Members of the House until a few days before they actually had to leave for Simla. It is because of the shortness of time that I urge that the Bill, as amended by the Select Committee, should be circulated for public opinion.

In the second place, Sir, the House is new. The first session of this Assembly was taken up very largely with the discussion of political questions. And here at last we are face to face with a great practical question, a question which will affect the destinies of many millions of people in India. It has been said by the present House, at least by certain Members who form a substantial majority in this House, that the last Assembly was unrepresentative of India. We are told also that we have to-day a House which is far more representative than the last Assembly.

I would say, therefore, that this House cannot possibly accept the

12 noon.

recommendations made by a previous House. We desire to examine *de novo* the principles which, though accepted by a previous House, we feel we ought to examine again in this place. The Bill concerns certain particular interests. I will not say the Bill itself concerns those interests, but this Bill will affect certain interests here in India. There is the interest of the manufacturer ; there

is the interest of the worker ; and there is the interest of the consumer. Now, the Bill as it emerges from Select Committee confers very substantial benefits upon the steel manufacturer. As to all other parties to this transaction, they are merely to be content with the phrase "with due regard to the well-being of the community." I ask, Sir, is this fair ? Is it not the duty of this House to make this phrase really effective and not merely a pious expression of opinion ? And, therefore, I suggest that, before the Bill is passed, the country should have an opportunity, and this House should have an opportunity, of stating under what conditions it is willing to pass the Bill so that those who are affected by it might also have protection.

Sir, I have had opportunities of travelling in many countries. I have seen the effect of industrialisation. We have talked about America. We have talked about England. Now, rapid industrialisation by means of protection may be possibly an instrument for good, but it may be a most evil thing. America has been cited as a prosperous country, but those who will look at the prosperity of the country from the point of view of the consumer or of the industrial worker in that country would be willing possibly to revise their opinions as to the prosperity of the bulk of the people. Might I suggest to the Members of this House that they should read Mr. Sidney Webb's *History of British Trade Unions* or Hammond's *Town Labourer in England* ? Reading these works one begins to pause and ask whether, when we are about to embark on this new enterprise, certain precautions should not be taken so that the evils which have come upon those countries may not come upon us too.

How are we going to use this new instrument that has been given into our hands ? Let us take measures that evil consequences do not follow in its train, as has been the case in other protectionist countries. Now, let us look at the Bill from the point of view of the consumer. I have tried to read it, in the very short time at my disposal, not merely the Report but have taken time to consult the Evidence Volumes of this Tariff Board Report. I have tried to discover from that evidence what the consumer thought of the proposals that were being made, and I find singularly little information as to any measures having been taken to discover what the consumer thought, what his point of view was. And yet, Sir, there are indications in those cautious documents that have come from Local Governments regarding the position of the consumer. Here is one from an official of the Madras Government, who says :

"The consumer contemplated in the question will have to pay much more for his necessities and, when the expected millenium of mass production is reached, it will be the death-knell of the small producer, the village blacksmith, carriage and cart builder and knife maker."

May I then turn to the evidence from the Director of Industries in a letter to the Financial Commissioner of the Punjab ? He says :

"It will be seen that, if the import duty on iron and steel is increased, it will entail a considerable burden on the people of this province."

Then he goes on :

"I would draw your attention to the extraordinary set-back in building and general business enterprises which took place in the year 1919 in this province when the price of iron was at a very high rate, and, if the import duty as suggested is imposed, a similar impediment to industrial expansion will undoubtedly occur. For these reasons I am of opinion that this Government should strongly protest against any increase in the import duty on iron and steel."

[Dr. S. K. Datta.]

May I also turn for a moment to the evidence of the Government of Bengal :

“ Referring to the latter portion of paragraph 2, I am to say that this Government does not view with favour the suggestion to raise the import duty, as the proposal is the request of a firm, for it does not appear that the necessity for protection by the imposition of an enhanced import duty has been proved.”

As I said before, I do not think that the evidence of the consumer has come before this House. But I say, what little evidence there is in this book, in this volume of evidence taken by the Tariff Board, makes us uneasy and makes us desire an opportunity for still further exploring the matter and discovering where really the interests of the consumer lie. My whole point is that this House at the present moment has no conception as to how the policy embodied in the Bill will react on the consumer and the artisan communities. We have little or hardly any evidence. Here for the first time the policy of protection has been embodied in a Bill. Let it be circulated, if the House has the courage of its protectionist convictions, not to the Chambers of Commerce (this has already been done), but to the local Legislatures, municipalities, district boards, co-operative unions and communal associations. If you are embarking on this new policy, let us carry the people of India with us in this new departure. That is what I would urge.

To sum up, then, I would say, the consumer's opinion has not been before the Tariff Board. And, secondly, let us give an opportunity for it to be expressed. Sir, I am the representative here of a particular minority community in India,—a community desperately poor, a community to whom “ the pick, the *khudali* the *phaura*, the *mamootie* and the hoe ” are the sombre companions of life from youth to the grave. I hold that that community has not been consulted. Nobody has been to them and asked, what are your interests ? Here are these things upon which they depend. I hold that I at least will not have discharged my duty towards them unless I have had an opportunity to consult them. My community is not alone in this. There are scores of other communities represented here in this place who are in a similar position. Furthermore, my community is one that has largely come from the very depths of Indian Society. They have turned their faces towards the sun, determined to get freedom, determined to get education. Shall we say to them, “ We are going to make life more expensive for you ” and thus dash their hopes to the ground ? I feel that we ought to consider the consumer in these communities, the great communities of the poor, who make up the bulk of the population of India.

There is one other consideration, Sir, to which I do not think public attention has been directed, and that is the problem of the Indian States. So far we have had an understanding with the Indian States in India that all materials coming from abroad should be taxed even if these particular materials are destined for consumption in the Indian States themselves, yet they have had to pay the tax which after all goes into our revenues. But you are here making a new departure. Here is British India saying, “ We are going to put a tax on materials coming into your territory to foster our own industries.” Have we asked the Indian States their opinion on this matter ? We say that the burden will also fall upon them. Is it justice to them to turn round and say to



them that without their opinion, without their consent, without even referring the matter to them, we shall impose these duties which after all will also affect every man in their States? I merely ask, "Is this justice?" For that reason I would urge again that this Bill should be recirculated for opinion.

There is one other point. I do not know whether this House will have very much sympathy with me in it. For four bitter years my companions in France were the workmen of England. I did not discover among them political units but just ordinary men, who want to be left alone with an opportunity to work. They were largely without a political outlook at all, just human beings just like our own people, human beings,—just ordinary folk. I said to myself, as I read the provisions of this Bill, "Can I vote for a measure here in this House which will make the condition of those men who were my companions more wretched and which will increase unemployment in their own country?" This may not be worth considering, but at least to my mind it is a factor which weighs with me and I would ask this House at least to consider some of these problems as affecting them. Well, Sir, we have had our economic freedom. This Bill embodies the fiscal freedom—or tariff freedom whatever the expression may be—that we have received. The British Government in England are apparently willing that we should exercise this freedom, but I trust that this newly got freedom will be applied with caution, with intelligent understanding of the situation and above all with justice and sympathy.

**Mr. President :** Amendment moved :

"That the Bill be circulated for opinion."

**Mr. K. G. Lohokare** (Bombay Central Division : Non-Muhammadian Rural) : I think, Sir, that this amendment is the only solution of the difficulties that we have before us regarding this Bill. After the Bill was considered by the Select Committee, we have here on the agenda not less than 79 amendments to the Bill. It means that the House and the public require more time for consideration of this item of vital importance. The Fiscal Commission's Report has laid down certain recommendations which are not found in the Bill at all. One of their recommendations, recommendation No. 8, was that :

"concessions be granted only to companies incorporated and registered in India with rupee capital, such companies to have a reasonable proportion of Indian Directors and to afford facilities for training Indian apprentices."

Allow me to submit, Sir, that the Tariff Board Report, which we have before us, does not take into consideration the recommendations of the Fiscal Commission in this behalf. I do not know whether the question was referred to them or whether they dropped it without consideration. The question is of vital importance to the country and consequently, while framing the Bill, it should have been first considered. I might draw attention, Sir, to page 254 of the Fiscal Commission's Report, paragraph 53 :

"There is one aspect of the question to which attention must be drawn. If our colleagues' recommendation is accepted, (this is a Minute of Dissent) it will be open to every foreigner to establish manufacturing industries in India by means of companies incorporated in their own countries and in their own currency. This danger did not exist under a policy of free trade, but it is open to materialise when the benefit of protective duties becomes available."

[Mr. K. G. Lohokare.]

I have already submitted, Sir, in my own Minute of Dissent that this Bill is dangerous in this fact that it gives to our country the disadvantages of free trade and yet taxes the general consumer and the tax-payer with the cost of the bounties and the cost of the import duties. The same fact has been noted here also (the Fiscal Commission's Report) :

" It will also be possible for these countries to obtain their whole capital in their own countries and thus carry away the entire profit of manufacturing industries behind a tariff wall. The consumer will have paid a higher price due to protective duties and their entire manufacturing profit will have gone out of the country. We cannot obviously understand how under such conditions the main and ultimate end, namely, the enrichment of the country, will be attained. We would venture to assert that India cannot possibly be expected to adopt a policy which is likely to lead to such a result."

In paragraph 55 of the same Minute of Dissent it is laid down.....

**Mr. President :** I would remind the Honourable Member and the House that the question that is being debated at present is only the narrow question whether the Bill should be taken into consideration now or whether it should be circulated for opinion. It is not open, therefore, to Members to go into the merits of the various points which they may wish to be further considered. They can merely indicate the points on which they think there should be further consideration by the country. But I will not allow Members to go into the merits of the various points that may arise, nor will it be permissible to Members to discuss in this debate the principle of the Bill which has already been affirmed by the Assembly in referring the Bill to the Select Committee.

**Mr. K. G. Lohokare :** I submit to your ruling, Sir, and I will simply refer to the points in general.

The next question, Sir, that is before us is organisation of the labour, and the expert labour, that is to be involved in this industry. If all the profits and all the payments that are to be paid in this industry are to be sent out from India, I do not think we shall be able to derive any benefit out of the protection that we are going to give to this industry. Moreover, the greater and more vital question is that, by allowing in this country foreign capital to grow in such a vital and basic industry, we have been handing over the basic and the most essential industry of the country to foreigners, and perhaps it will not serve the purpose of the national interest of the industries that we have before us in allowing the country to suffer the whole cost of protection. These are some of the aspects of the question, Sir, which we have to consider, and I therefore request my friends to see that more time is allowed for the consideration of all these points, so that Government may send the Bill to the Tariff Board for detailed examination of these aspects of the question and then come before the House after a detailed and more careful examination.

**Pandit Shamlal Nehru** (Meerut Division : Non-Muhammadan Rural) : I have no objection, Sir, if the Bill is recirculated, but the reasons given by Dr. Datta do not appeal to me. He mentions the Indian States. I submit, Sir, that we have nothing to do with Indian States at all here. In fact, their very name is taboo in this Chamber. We are not allowed to mention anything about them or their doings. I do not see any reason why we should take their interests into consideration here. Besides,

I believe that there are some Indian States in which there are seaports. I think one of them is Bhavnagar, and if they want to import their own steel, they can do it through that seaport. Again, those Indian States who have not got any seaports can open seaports of their own or they can use the aeroplane. (Laughter). I do not think that there is any use in circulating the Bill for opinion. If the House wants to throw it out, we might throw it out now. But circulation means inviting opinions. My experience has been that nobody cares to give opinions. It is only the Members of this Assembly and other Councils who take any interest in these things at all, and I think it is best to decide the matter now one way or the other.

**The Honourable Sir Charles Innes** (Commerce Member) : I am rising to speak rather early on this motion because I want to emphasise the point which has just been made by Pandit Shamlal Nehru, namely, that we should decide this question one way or the other as quickly as possible. There are a very large number of amendments on the paper. We have a very hard day's work before us, and I should like to have an early decision upon this preliminary point.

I take first Dr. Datta's speech. Dr. Datta's speech would impress me more had it been really relevant to the subject before us, but it was not. The real trouble of Dr. Datta is that he is a free trader and the whole of his speech was directed against the whole principle of protection. It was directed against the whole policy of the Bill, and I submit that it is too late for the Honourable Member to take that point. I submit, Sir, that when this question was discussed in this House on the 27th May, that is, last Tuesday, the House agreed to the principle of the Bill when it referred the Bill to a Select Committee. We are now merely considering the Bill as amended by the Select Committee. Very few amendments have been made by the Select Committee and the House has been committed to the principle of the Bill. I submit, Sir, that if on Dr. Datta's special pleading we now went back on the principle of the Bill and ordered recirculation, not, mind you, on points connected with the details of the Bill, but on the general question whether we should have a policy of protection or free trade, I submit that the House would be stultifying itself.

Dr. Datta suggested that the House has not had sufficient time to consider this Bill and all the implications of the Bill. I say, Sir, that there has never been a Bill presented to this House which has been presented after more careful preliminary investigation and preparation. Let me, for a moment, recount the history of this measure. As far back as 1916 the old Imperial Legislative Council asked that an examination might be made into the whole fiscal policy of India. That examination was made when the Fiscal Commission was appointed. It made certain recommendations. Those recommendations were put up before the Indian Legislature and they were accepted. As the result of a Resolution passed by this Legislature this Tariff Board was appointed. It was directed to go into the steel industry and report its recommendations. It spent eight months in doing so. Every single interest affected,—consumers, industries, Local Governments,—had the fullest opportunity of representing their views before the Tariff Board. Dr. Datta said that his community had no opportunity of doing so, and that he would not like to commit his community to the principle of this Bill without consulting them. Why did he not come before the Tariff Board and represent the special interests of his community? It seems to me that, if he feels so strongly in

[Sir Charles Innes.]

the matter as he says just now he does, he failed clearly in his duty in not making the representations of his community before the Tariff Board.

**Dr. S. K. Datta :** I may say I was away from India. That is the obvious reason.

**The Honourable Sir Charles Innes :** I presume that he is not the only leader of his community and that the Indian Christian community does not contain only one leader in India.

Then, Sir, the Report of the Tariff Board has been before the public for five weeks. The Bill has been before the public for over a fortnight. The reception received by the Report in the Press has been, I may say, uniformly favourable. There are differences of opinion, but these differences do not relate to the principle or the policy of the Bill. They are merely on questions of detail, whether the form of protection should be in the shape of bounties or whether it should be duties. I say with confidence that right through the country the principle of protection has been accepted, and it seems to me that the time has come for the Indian Legislature to make up its mind. The whole facts are before them. All the provisions in the Bill have been carefully examined by the Tariff Board. I say therefore that we have all the material necessary to come to a decision one way or another. I submit that this motion for circulation is merely a dilatory motion, a motion designed to shelve the consideration of the Bill for a period, and I do not think that this House should agree to a dilatory motion of that kind. If Honourable Members generally disapprove of the policy of protection or the principle of protection, their remedy is clear. They can throw out this Bill, but let them make up their minds here and now and let them not shelve the question for another six months—that is what it will mean, for let me warn the House, if you shelve this question now, when the time comes when we will have to consider the question of protection of the steel industry you may have no steel industry to protect. I say, Sir, that it is the clear duty of this House now to make up its mind one way or another, and not allow ourselves to be persuaded by Dr. Datta or anybody else into prolonging this question for several months more.

**Mr. M. A. Jinnah (Bombay City : Muhammadan Urban) :** Sir, a more mischievous amendment could not have been moved in this House than the one before us. (*A Voice :* "Louder please.") Let us see what the position is. Dr. Datta has indulged in platitudes and nothing else. As the Honourable Member in charge of the Bill has pointed out, he is a free trader. It was open to him to oppose the Bill when it came up for the discussion of its principle. He actually served on the Select Committee and I take it that he has accepted the principle of this Bill. Otherwise, I cannot understand how any Honourable Member who is opposed to the principle of that Bill could have served on the Select Committee.

**Dr. H. S. Gour (Central Provinces Hindi Divisions : Non-Muhammadan) :** Yes, he can.

**Mr. M. A. Jinnah :** Well, I do not know, his principles must be very loose then. Sir, let us remember that, when this Bill was taken up for consideration, it was open to the Honourable Member to move that it be circulated for opinion. Under our Standing Orders it was open to him to do so. He did not avail himself of that opportunity. The Bill was committed to a Select Committee. The Bill has emerged from the Select Committee.

substantially the same as it was before. What ground is there now for circulating this Bill for opinion? I say it is a purely mischievous amendment and nothing else. If the Honourable Member wishes to throw out this Bill let him do so. What is the ground on which we are asked at this stage, when I say this Bill has emerged from the Select Committee practically and substantially the same as it was before, for suggesting that this Bill should be circulated?

Dr. Datta says that you are giving protection to the manufacturer and that you are not considering the protection of other interests. And what are those other interests? He spoke of the workman and the consumer. Now, Sir, was that not present to the Honourable Member when he agreed that this Bill should be referred to the Select Committee? These two points were present to this House. The House was aware that there was a strong feeling, so far as the protectionist argument is concerned. But, Sir, so far as the protectionist argument is concerned, the House will have to consider this. Is it possible for us, having regard to the discussion which has already taken place when we discussed the principles of this Bill, however much we may desire it, (and I may tell you that I fully sympathize with the desire that some measures must be devised for the protection of labour and workmen) to incorporate in this Bill provisions which must be self-contained, provisions which will mean a totally different Bill on a different subject? That will be for you to consider when that question comes before you. Personally, I think that in fairness to workmen there should be a totally separate legislation on this subject. It is not only that we are concerned with the Jamshedpur labourers but we are concerned with workmen all over India, and I think, Sir, the Honourable Member must have noticed that in the Select Committee it was unanimously decided by the non-official Members that the need for legislation for the protection of labour and workmen is more urgent than it ever was. Let there be a definite Bill introduced in this House dealing with that subject fully and completely, but let us not try by this back door to get a clause incorporated in a Bill of this character, which is intended to be a purely protectionist measure.

**Mr. N. M. Joshi** (Nominated; Labour Interests): It is not a back door. It is a front door.

**Dr. H. S. Gour**: That is a side door.

**Mr. M. A. Jinnah**: One more point with regard to the consumer. The question of the burden on the consumer was fully discussed and the Tariff Board has fully dealt with that in their report, but there again Dr. Datta has tried to tickle the sentiments of some Honourable Members by saying that the agriculturist has only some sombre companions, namely, his implements, I am sure that these sentiments, expressed in most carefully considered and studied speech, with beautiful phrases, cannot really impress us. I want to point out—and I want the House to understand this—that in the first instance the Tariff Board say this:

“It would be different if it were intended to impose a protective duty on agricultural implements generally.”

So, first of all, the protective duty is not imposed on agricultural implements generally but on the ground that there are certain articles upon which the duty is imposed which are no doubt agricultural implements; but that is a very very small number of articles.

**Baba Ujagar Singh Bedi** : (Punjab : Landholders) : It may be small according to the Honourable Member.

**Mr. M. A. Jinnah** : I did not know that you are an agriculturist. If the Honourable Member is a zamindar, he had better give more protection to his workmen and labourers.

**Baba Ujagar Singh Bedi** : That I am doing already.

**Mr. M. A. Jinnah** : This is what the Tariff Board say :

" If all the steel bars produced in India were used for no other purpose than to provide the agriculturist with steel, an increase of duty to Rs. 30 per cent. would mean an annual burden of about 43 lakhs of rupees, and spread over the whole population it will come to hardly one anna per head."

Therefore, Sir, that argument is not really a powerful argument, and I say, Sir, as the Honourable Member in charge of the Bill said, that either you are against protection or not. If you are, then throw out this Bill. If you are of opinion that, under the present circumstances, we are dealing only with one industry and that the steel industry is entitled to protection, then I submit there is no case made out for this Bill being circulated for opinion.

**Mr. Devaki Prasad Sinha** (Chota Nagpur Division : Non-Muhammadan) : The Honourable Mr. Jinnah has said that this is the most mischievous amendment on the list. With great respect to the Honourable Member who has just preceded me, may I be permitted to say that this Bill which is before the House is the most mischievous Bill that has ever been placed before the Indian Legislature. Sir, the Honourable Mr. Jinnah has criticised my Honourable friend Dr. Datta who has moved this amendment, on the ground of his being a member of the Select Committee and as such having approved of the principles of the Bill. I have been a close student of Mr. Jinnah's brilliant career in our politics. If I remember aright, the Honourable Mr. Jinnah was a member of the Imperial Legislative Council when the Bills that were known as the Rowlatt Bills were on the legislative anvil. Mr. Jinnah opposed the Bill in the first stage, then became a member of the Select Committee and when the Report of the Select Committee was placed before the Imperial Legislative Council he opposed the principles of the Bill as strongly as any other public man in the country could have done. These arguments are of no avail. Let us now.....

**Mr. M. A. Jinnah** : I do not think I was on the Select Committee. The Honourable Member is quite wrong.

**Mr. Devaki Prasad Sinha** : I am speaking from memory. I am not sure if I am correct, but I believe that Mr. Jinnah was a Member of a committee on one of the Bills at least.

**Mr. M. A. Jinnah** : Not on the Rowlatt Bill.

**Mr. Shamlal Nehru** : May I know what is the principle of the Congress with regard to protection for India ?

**Mr. Devaki Prasad Sinha** : I am very glad the Honourable Member has interrupted me. Anybody who stands to question the principle of the Bill is threatened with excommunication from the Congress. Sir, we are told that the established policy of the Congress has been the policy of protection and this Bill has been welcomed on the ground that it ushers in a new era of industrial development for the country. This at any rate was

the burden of the speech which the Honourable Sir Purshotamdas Thakurdas delivered on the first day on which this Bill was introduced.

**Mr. President :** The Honourable Member must bear in mind what I said, that we are now not discussing the principles of the Bill at all. The question before the House is a very narrow one, whether the Bill should be considered now or should be circulated for opinion, and Honourable Members must confine their remarks to that narrow question.

**Mr. Devaki Prasad Sinha :** I am much obliged to you. I am only replying to the arguments which were advanced by the Honourable Mr. Jinnah and Sir Charles Innes for not recirculating the Bill to the country for eliciting further opinion.

**Mr. M. A. Jinnah :** I did not refer to the Indian National Congress or its policy.

**Mr. Devaki Prasad Sinha :** If that was irrelevant I am prepared to give it up. Leaving aside the point of my Honourable friend Pundit Sham-lal Nehru, I shall take the argument that has been advanced by Sir Charles Innes. Sir Charles Innes said that this Bill has received almost "uniformly favourable" support from the country. I hope that Sir Charles Innes will not dispute it when I say that at the present moment the majority in the country are in favour of what is known as the Congress view. This Bill embodies the principle of protection. Now, there are two institutions in the country, two very prominent institutions, that are entirely in the hands of the Congress. I refer to the Bombay Corporation and the Calcutta Corporation. These two Corporations are presided over by two of the most prominent Congress men in the country, and I take it that they are the representatives of public opinion.

**Mr. President :** Order, order. This Bill has nothing to do with the Congress or who rules the Bombay and the Calcutta Corporations.

**Mr. Devaki Prasad Sinha :** With great respect, if you will allow me to finish my sentence, I hope you will find that I am relevant.

**Mr. President :** I cannot allow irrelevant matters to be discussed and I must ask the Honourable Member to confine himself to the narrow question whether the Bill should be proceeded with or should be circulated for opinion.

**Mr. Devaki Prasad Sinha :** Sir, I am replying to Sir Charles Innes's argument that the Bill has received uniformly favourable support from the country.

**Mr. President :** That has nothing to do with the Congress or the Municipal Corporation of Bombay.

**Mr. Devaki Prasad Sinha :** Sir, if you allow me to point out I shall show that, although it has been proclaimed from the housetops of various platforms that this Bill embodies a principle for which many prominent public men in the country have always fought, important institutions like the Bombay and Calcutta Corporations have claimed exemption from the operations of this Bill. Now, Sir, what does that mean? Does it not mean that the principle which this Bill seeks to embody is a very good principle? It is good for the country that it should accept this Bill. It is good for you but not for me because we do not want to pay more for our iron and steel, but the cost should be saddled on the poor people of the country. I ask, is this accepting

[Mr. Devaki Prasad Sinha.]

the principle of the Bill? Then, Sir, Sir Charles Innes has forgotten the editorial remarks of a paper which is known as "Forward" and which is edited by a prominent Swarajist of this country. That paper, in its issue of the 16th May, 1924, reviewing the report of the Tariff Board.....

**Mr. President :** The Honourable Member is not entitled to refer to what is said in newspapers outside.

**Mr. Devaki Prasad Sinha :** Very well, Sir. As you want me to confine myself to the principles of the Bill, I shall do that.

**Dr. H. S. Gour :** Confine yourself to the principle of the Bill! That is the very thing you are not to do.

**Mr. President :** Order, order. I have already told the Honourable Member that the principle of the Bill is not now under discussion. The principle of the Bill was accepted by the House when it referred the Bill to a Select Committee. All that is now being debated is, as I have repeatedly pointed out, the narrow question whether the Bill should be circulated for opinion or taken into consideration, and I do desire that the Honourable Member would confine himself to that narrow point.

**Mr. Devaki Prasad Sinha :** Sir, I bow to your ruling entirely.

**Mr. President :** What is the use of your bowing to the ruling when you straightaway begin to disobey it.

**Mr. Devaki Prasad Sinha :** Sir, I do not know what justification Dr. Gour had for saying I was reviewing the principles of the Bill.

**Mr. President :** Do not mind Dr. Gour, but address the Chair.

**Mr. Devaki Prasad Sinha :** I was only referring to the fact that this Bill seeks to carry out the principles of discriminating protection. But Dr. Gour, who very often usurps the functions of the President, interrupted me.....

**Dr. H. S. Gour :** Corrected you.

**Mr. Devaki Prasad Sinha :** Well I do not need this correction. I am much obliged to you, but I can go on without your correction. Well, Sir, this Bill seeks to embody the principles of discriminating protection. I submit that it was for the Select Committee to see how far the principle of discrimination which this Bill seeks to perpetuate is exercised in favour of those who need discrimination. I shall, Sir, examine the Report of the Select Committee in order to show that in this case discrimination has been shown in favour of those who do not deserve preferential protection, and the heaviest burden has been imposed upon that portion of the community which is the least able to bear the burden thrust upon the country by this Bill. Sir, there are three classes of consumers in India if I may divide them.....

**Mr. President :** The Honourable Member is again going into the merits of the Bill and its principles which I have told him not to do.

**Mr. Devaki Prasad Sinha :** Sir, I am not going into the principles. I am referring to the.....

**Mr. President :** Order, order. I trust you will obey the ruling of the Chair.



**Mr. Devaki Prasad Sinha :** Well, Sir, I am obeying the ruling of the Chair. I am trying my best to obey the ruling of the Chair. Sir, the Honourable Mr. Jinnah has said that this Bill involves a burden of one anna per head on the population of the country. Well, if we take into consideration the fact that at the present time the total production in the country is barely one-third of the entire consumption of iron and steel in the country, we shall not fail to be impressed by the fact that this Bill as it has emerged from the Select Committee imposes an unduly heavy burden upon two-thirds of the total consumers of iron and steel in the country who would not at all have the opportunity of purchasing things that are made in India. Sir, it is admitted by the framers of the Report of the Tariff Board that the production from Indian factories would not be able to meet the entire demand for iron and steel in the country. Well, Sir, however much Tata's may try to increase their total output, that output would hardly come up to one-third of the total demand in the country. I ask, Sir, what is the justification for imposing this heavy burden upon the entire body of consumers of iron and steel in this country when the products of the country can supply only to the extent of one-third of the demand? In this Bill it has been sought to balance bounties and tariff duties. Well, Sir, I hope I shall be in order in referring to those articles of the Schedule in which tariff duties have been increased and those provisions of the Bill where only bounty is recommended for certain articles. Well, Sir, about 60 per cent. of the total.....

**Mr. President :** I do not think the Honourable Member will be in order in referring to these duties and bounties. I have repeatedly warned him that the only question before the House is whether the Bill should be considered now or whether it should be circulated for opinion, and I do ask him not to go into the merits of the question at all. The Honourable Member should bear in mind that I have given him sufficient warning, and if he will still persist in disobeying my ruling I will have to take action.

**Mr. Devaki Prasad Sinha :** I assure you, Sir, that I am doing my best to obey the ruling of the Chair.

**Mr. President :** The Honourable Member is not doing so.

**Mr. Devaki Prasad Sinha :** But, Sir, my only argument is this that certain provisions in this Bill are so objectionable that it is necessary that those who are affected by the provisions of the Bill should be consulted before we finally enact this Bill into law. Sir, it is in order to support my argument that I am giving some instances. But, if I am not in order in giving these instances, then I shall give up doing that. Taking the Bill generally as it is, my first objection to it is that.....

**Mr. President :** The Honourable Member cannot now go into the objections to the Bill. All that he has to show is that the Bill should not be considered now.

**Mr. Devaki Prasad Sinha :** I have only to submit that these points require consideration.

**Mr. President :** If the Honourable Member will not perceive what I am saying, I will have to ask him to resume his seat.

**Mr. Devaki Prasad Sinha :** Then I am prepared to resume my seat.

**Mr. C. S. Ranga Iyer** (Rohilkund and Kumaon Divisions : Non-Muhammadan Rural) : Sir, I rise to oppose the proposition of my Honourable friend from Bengal, and in doing so I shall try to place before the House a few considerations. The Honourable Member has placed before us the hardships which the agricultural population will have to undergo if this Bill is accepted. Sir, if he goes through the report of the Tariff Board he will find the expert opinion on the question. The report, I believe, has made it clear that the agriculturist has not to suffer more than one anna. . . . (Interruption by Baba Ujagar Singh Bedi.) I am asked as to why he should suffer at all. If you put in one balance this one anna suffering and in the other balance the great amount of good that comes to the country by encouraging the industries of this country and by solving the question of unemployment by giving opportunities to agricultural people who are unemployed for half the year, then I do not think anyone can say that the imposition of this one anna on agriculturists will be a hardship.

Sir, this question of encouraging Indian industries has been before the country for long years, and when Government have been holding out. . . .

**Mr. Devaki Prasad Sinha** : May I know if the Honourable Member is in order in referring to the question of unemployment while this motion is being discussed ?

**Mr. President** : This is not a point of order. Go on, Mr. Ranga Iyer.

**Mr. C. S. Ranga Iyer** : The question has been before the country for long years, and at a time when Government comes forward to help the industrial cause,—however feebly and half-heartedly—I am surprised that the friends of agriculture, the friends of the masses, should in the name of the people of India come forward and say that the Bill has not been adequately circulated ! Whose fault is it ? Has it not been before Honourable Members for some time ? Has not the Report been before Honourable Members for over a month ? I would ask Honourable Members who have spoken in favour of circulating the Bill, that is to say, in favour of postponing the introduction of this Bill on the Statute-book, I would ask them if they have gone to their constituencies, to the agricultural people and told them what it means to them. It is all well and good, not having done their duty in the matter, to come here and say, “ Circulate the Bill ; give us opportunity to procrastinate.” I, Sir, vehemently oppose this as being not only “ mischievous ” but dangerous, because we are fruitlessly postponing a thing of vital consequence to the masses as well as to the classes. Suppose, for instance, Jamshedpur becomes a jungle to-morrow on account of the Bill being thrown out, what becomes of those numerous labourers there ? Sir, the question that has been before this country is this : are we to be merely an agricultural people ? Are we not to be an industrially advanced people, so that the question of unemployment may be once for all solved ? In the face of increasing unemployment, I am surprised that Members of this House should say, “ Postpone the measure.” My friend from Bengal was talking of Indian States. What is good enough for British India should be good enough for Indian States. He was also talking of his own community. I believe what is good for other communities is equally good for his own community. The previous speaker, in his unusually interrupted speech,

took his stand on the principle, but I should say the principle of protection is in my favour. If he takes his stand on this policy, I say that the protectionist policy is also in my favour, because it has been the policy of every accredited political and non-political party in this country. It has been the policy of political leaders of any importance in this country—Moderates, Extremists, all have been for protection. Government having met us though not generously, is it fit that we should pause and postpone and end by letting things alone? The danger of procrastination lies not so much in India as in England. In England we have a Free Trade Party of Socialists-in-Power. India is ruled from England. At any time a message may come from England stopping the new move altogether. I am anxious to commit the Government to the policy of full-blooded protection. We do not know the mentality of the Socialists. They talk a different language every third day. (Laughter.) At such a time I am anxious to commit the Government of India to a policy of protection, so that the Government of India, backed by the Indian people, may stand in opposition to the Socialists and Liberals.....

**Mr. N. M. Joshi :** May I ask the Honourable Member whether his constituency has sent him here to support the Government?

**Mr. President :** Order, order. Don't interrupt the Honourable Member.

**Mr. C. S. Ranga Iyer :** I thank the Honourable Member for the suggestion. I have consulted my constituents well enough. I know their mind on protection. If I had not consulted my constituents, if I did not know their mind, I would not have stood up in support of this Bill. Well, then, Sir, for these considerations I think Honourable Members here should not at all give any kind of sympathy to the motion before this House.

**Dr. H. S. Gour :** I should like to make my position perfectly clear in connection with this Bill (Laughter.) On the last occasion, on the 27th, when the question arose whether this Bill should be taken into consideration or referred to a Select Committee under the existing Standing Orders, it was open to any Member of this House to propose that it should be circulated for the purpose of eliciting public opinion thereon. The Honourable Dr. Datta was in the House, but he did not then move that the Bill be recirculated for eliciting public opinion thereon, and my Honourable friends who now support him for a recirculation of the Bill neither tabled an amendment to that effect nor moved in the open House for its recirculation. Now, Sir, in accordance with the established practice of this House, when the Bill is committed to a Select Committee, this House stands committed to its principle.....

**Mr. Devaki Prasad Sinha :** Is Dr. Gour giving a ruling from the Chair?

**Mr. President :** Order, order.

**Dr. H. S. Gour :** Now, Sir, that is the established principle. What is the principle then to which this House stood committed when it acceded to the motion to refer the Bill to the Select Committee? The principle of protection.....

**Mr. Chaman Lal (West Punjab : Non-Muhammadan) :** May I rise to a point of order and ask whether Dr. Gour is in order in discussing the principle of the Bill?

**Mr. President :** Go on, Dr. Gour.

**Dr. H. S. Gour :** Now, Sir, this Select Committee has made a report. A number of amendments upon certain details of the Bill have been set down for consideration of this House. At this stage, Sir, we are not here concerned with the details of the various provisions of the Bill. We have been told by the Honourable Dr. Datta that he wants to consult public opinion, but he has been beautifully vague because he has not informed this House upon what particular provisions of this Bill he wants to consult public opinion. We are told that public opinion would be consulted upon the general question of protection, which is the underlying policy of this Bill.

**Mr. Devaki Prasad Sinha :** Who said that ?

**Dr. H. S. Gour :** The Honourable Dr. Datta said so. Well, Sir, if this is the intention of the mover of this amendment, I beg to point out to him that he is not only too late, but he is guilty of a dereliction of his duty as a representative of his people in this House, for I claim, Sir, that this House is the forum of public opinion and my friend Dr. Datta is a plenipotentiary of the people to speak for them on the floor of this House. For him to say, "I wish to consult public opinion; I wish to consult my constituents" is, I submit, a dereliction of duty of which I submit, Sir, no elected representative of this House should take advantage (Laughter.) As my friend Mr. Ranga Iyer has rightly pointed out, he is here with the consent of his constituents to support the principle and the policy underlying this Bill, and I stand here, Sir, with similar powers to support the principle and policy of this Bill. If there are any objections to these

1 P.M.

detailed clauses we shall consider them later on; but here I submit there is no reason whatever to accede to the blocking motion of my Honourable friend Dr. Datta and those who have supported his motion. My Honourable friends here in supporting this motion say "What of the agriculturists? The burden that will be placed upon the agriculturist—which will amount to one anna per head—is not justified by this Bill."

**Baba Ujagar Singh Bedi :** What is the average income of the agriculturist per head ?

**Dr. H. S. Gour :** My Honourable friend Baba Ujagar Singh Bedi queries me as to what is the income of the agriculturist... .

**Baba Ujagar Singh Bedi :** Per head ?

**Dr. H. S. Gour :** A question which he is most competent to answer for himself, and it has already been answered for him by my Honourable friend on the back benches.

**Baba Ujagar Singh Bedi :** It is a mere postulation.

**Dr. H. S. Gour :** I ask those who are concerned for the protection of agriculturists clearly to state as to how far the agricultural community is prejudicially affected by the provisions of this Bill. Conceive the case of free trade and the free influx of foreign steel manufactures into this country. We know that to-day steel is cheap, but if our industry dies, who can predicate that in three years or six years the agriculturists will not have to pay six, nay twelve, times the price which they have to pay to-day for their *kodalies* and *pourahs* in the name of which the Honourable mover of the amendment has appealed to this House? Can he get

up and say that the price of steel for *kodalies* and *powrahs* will continue as it is. I submit that between the low prices to-day and the higher prices to come, there stands this protective Bill, and if this is passed it will be the surest safeguard against the dumping of foreign goods upon this country. I therefore ask, Sir, the Honourable Members of this House to take long views not only of the persons who are employed in this industry, but of the great industry which we are striving to protect to-day. My Honourable friend Dr. Datta says that this new liberty granted to the people of this country of fiscal autonomy should be used with caution and due deliberation. As a student of history Dr. Datta cannot be unaware of the fact that, when the emancipation of the slaves of the West Indies was decided upon, those unfortunate wretches went to their masters and said "Masters, move slowly; free us slowly; we are not yet ready for our liberation". Shall this be the attitude of this House? Shall this be the attitude of those who are crying for greater freedom, for greater independence, political, social and economic? Surely, Sir, when I think that and when I think of the vehement and violent protests made from all sides of the House at the slow progress of reforms, I shudder to think of the consequences when Honourable Members stand up and say "You have offered this fiscal independence to the people of this country; please let us pause and wait; we are not at present ready to accept it." Surely, Sir, those are not the people who can stand up and ask for political independence. Surely, Sir, those are not the people who can say, "We are not only ready to-day but we were always ready for political, economic and social independence." Surely, Sir,.....

**Mr. President :** I am afraid the Honourable Member is travelling a little too far beyond the motion before the House.

**Dr. H. S. Gour :** Very well, Sir. But I want to ask those Honourable Members who are adopting a policy of "strangling" this measure by recommitting it to the country to pause for a moment at the dangers that loom ahead. If this measure is recommitted to the country for the purpose of eliciting public opinion thereon, you might just as well, Sir, throw it out to-day. Remember, that, so far as the rates and duties are concerned, this measure has a short life of three years. Foreign importers are watching its progress through this House, and if you were to send it to the country for the purpose of eliciting public opinions, can you prevent wholesale dumping of steel products into this country which in three or six months' time would render the passage of this Bill entirely nugatory. That is the position with which this House is confronted, and I ask, Sir, rather than send it back to the country, let us throw it out if we feel strongly against it. Rather than throw it back to the country, straight-away say that "We are not prepared to assist you" in rehabilitating an industry which the Fiscal Commission regards as a basic industry in this country. On these grounds, Sir, I oppose the motion of my Honourable friend who says that it should be recirculated for the purpose of eliciting public opinion thereon.

**Rai Bahadur Raj Narain (Delhi : Nominated Non-official) :** I move, Sir, that the question be now put.

*Several Honourable Members :* "No, no."

**Baba Ujagar Singh Bedi :** Sir, before I proceed with my observations, I wish to thank the Honourable Chair for allotting me time to express my views. Sir, I will not enter into the details of the Bill, because

[Baba Ujagar Singh Bedi.]

it has been already ruled out by the Honourable Chair, but I will only answer one or two questions which have been raised while proposing that the Bill should be recirculated for eliciting public opinion thereon. Unfortunately, Sir, not being an economist, but as a layman, I will only look at the matter from a practical point of view. As I have already said I will not enter into the details of the Bill. But, Sir, I am reminded here of the story of a great mathematician who was once along with his family standing on the side of a river, and by the virtue of his great mathematics, he took the average depth of the river and advised his family to wade through the river. But, unfortunately, before the family could reach the other side of it they were all drowned. I will not say that the policy enunciated in the Bill is likely to prove beneficial or otherwise to the country at large, because, as I have said, I will be ruled out of order, but I will just reply to one or two questions.

It has been said, Sir, that it is too late now to ask for the recirculation of this Bill. I do not know whether there is any time-limit, say three months, six months or a year. I think the Honourable Member who has moved this motion is quite in order to ask for the recirculation of this Bill. It has been said that the Bill was published in the Gazette, but as Honourable Members are well aware, there are millions of people whom this Bill affects who do not study the Government Gazettes. Only a small portion of the people of India are articulate, like some of our great lawyer friends in this House, but the great bulk of the people of this country is uneducated and is mute. Therefore they deserve some sort of latitude. It is also said : Why did not they apply before the Tariff Board ? Sir, is there any impediment in the way if they make an appeal now that their case may be reconsidered ? Have they got no right to ask this ? I cannot understand why all these Honourable Members try to rush this Bill in such a hurry. With these remarks, Sir, I would strongly support the motion before the House and would ask and implore the House to reject the arguments of those who oppose this motion.

**Rai Bahadur Raj Narain** : I move, Sir, that the question be now put.

**Mr. Jamnadas M. Mehta** (Bombay Northern Division : Non-Muhammadan Rural) : Will you, Sir, protect us against the tyranny of the majority in this case. There is a clear indication that the majority want to tyrannise over the minority. It is a little more than an hour only since the discussion on this important matter began, and it would be a sheer act of tyranny on the part of the majority to carry the closure unless you, Sir, protect us by disallowing it.

**Mr. President** : As I have pointed out, the question of the principle of the Bill is not now before the House. The only question is whether the Bill should be considered now or further circulated for opinion—a very narrow point which does not involve the merits of the Bill at all. I am prepared to put the question, that the question be now put.

**Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions : Non-Muhammadan Rural) : Will you be pleased, Sir, to allow me to say a few words before you put the closure. It is true that the question before the House is in one sense a narrow one, namely, whether the Bill shall be recirculated for opinion, but that involves the whole case, Sir, and upon the decision of this House whether the Bill shall be recirculated or not will

depend the attitude of many Members of this Assembly, as I understand it, as to the manner in which they will vote. I submit that it involves a very important principle—not the principle of protection alone but the principle whether, on a motion of this vast importance, the closure should be moved at this early stage. I think, Sir, you will find that there are many Members who wish to put their points of view before the Members of this Assembly, and I appeal to you to allow the discussion to continue for some time further.

**Sir Purshotamdas Thakurdas** (Indian Merchants' Chamber : Indian Commerce) : If I may say a word in support of what the Honourable Pandit has appealed for, I also feel that it would be in accordance with the wishes of many Members of this House that this amendment be allowed to be discussed for a few minutes more and the closure be not accepted at this stage.

**Mr. President** : If that is the general desire, I will allow the discussion to proceed further.

**Rai Bahadur Raj Narain** : May I say a word, Sir ? It is this. . . .

**Mr. K. Ahmed** (Rajshahi Division : Muhammadan Rural) : Sir, my friend having moved the closure, how can he himself rise to speak ? I submit, Sir, he is not in order.

**Rai Bahadur Raj Narain** : I only wish to say, Sir, that we have had a repetition of arguments both in support of the motion and in opposition to it and I ask, if this discussion is to be permitted, that the proceedings might be carefully watched and a repetition of arguments should not be allowed.

**Mr. Jamnadas M. Mehta** : Sir, I am one of those who have been protectionist by political conviction. I am in favour of the principle of this Bill, and I would ask the country to make as large a sacrifice as may be necessary in order that the steel industry of this country may be protected. But, Sir, before I support this Bill, I must feel convinced that it does really protect the indigenous steel industry. That is the one thing which has concerned us all these days : and my object in supporting the motion of my friend, Dr. Datta, is this, that I am not yet satisfied that in the Bill before the House we have got a genuine article,—coming as it does from a source which has for 150 years done everything in its power to crush and ruin the industries of this country. It makes me all the more suspicious that this Bill comes from Government which have never yet been in favour of fostering the industries of this country, and therefore I would like to watch it on all fours to see whether it is a genuine article or a bogus one. You will remember, Sir, the history of the industries of this country ; for 150 years, as I have said in my Minute of Dissent, the Government of this country, first the East India Company, and now this Government from 1858, have done everything in their power either to kill or to be negligent of the industries of this country. Mir Jaffer and Mir Kasim, the Nawabs of Bengal, lost their lives on their thrones in protecting the industries of their country against the attacks of the East India Company.

**Mr. President** : The Honourable Member is travelling far outside the scope of the present discussion.

**Mr. Jamnadas M. Mehta** : This history I submit, Sir, is not far outside the scope of the present Bill, and therefore I am very suspicious ;

[Mr. Jamnadas M. Mehta.]

it seems almost, Sir, as if the Tariff Board's Report was drafted by Sir Charles Innes and signed by the gentlemen of the Board. It is really so very suspicious. They are agreed with each other. This is for the first time that a Committee's Report has been so much hugged to the shoulders by the Government of this country and therefore I am most suspicious of this Bill. For that reason, Sir, I would like more time to examine this Bill and that is my first reason for supporting my friend Dr. Datta's motion.

My second reason is, Sir, that we do not want to give more protection to the Tatas than may be necessary, and some of us are not yet quite satisfied on that point. Perhaps the Bill might be giving them less than necessary; but we are not yet quite satisfied that it does not give them more. I am particularly keen because, Sir, the Tatas have inherited a great name; those however who have followed the late Mr. Tata while they occupy his place—I regret to say—do not fill it. They have turned anti-nationalist. They have thrown overboard the nationalist sentiment by the employment of foreigners on their works.

**Mr. President:** Order, order. The Honourable Member is now travelling far beyond the scope of the issue before the House in discussing how the Tatas are managing their affairs.

**Mr. Jamnadas M. Mehta:** All I can say is that that is my second reason, the unpopularity of the Tatas, my own suspicion of their intentions for the future, is my reason for not allowing this Bill to be considered with so much hurry. I will stop at that if you, Sir, think that I am travelling too far.

The other thing—the main ground—is that we are being hustled in considering this Bill. We are told that, if we do not consider this Bill to-day, the Tata industry will collapse. That is the ground on which, during the last week, a huge propaganda has been going on, and here I will pause to congratulate the Tatas on the remarkably resourceful propaganda they have been carrying on. Many gentlemen on whose support we had counted are already in the pockets of Sir Charles Innes, and it is becoming impossible fully to consider this Bill because the question of principle comes in the way and we are being confined by you—very properly I admit, Sir,—to the strict limits of this measure. Moreover, I want to assure the House that this bogey that the Tatas will collapse unless we consider this Bill here and now is absolutely unfounded. Here I am to prove, on the statement made by the Tariff Board itself, that this is a bogey which has frightened well-meaning people and which has made them hustle and hurry far beyond what the circumstances of the case require. I have noticed that some people are more anxious than even Sir Charles Innes to proceed with this Bill, and yet I find no justification for their assumption throughout that the Tatas will otherwise collapse. If they were to collapse, as is being suggested, I will certainly pass the Bill to-day. But from the Report of the Tariff Board itself I find that there is no justification for this assumption. The Tariff Board Report says on page 53 :

“ We have not overlooked the fact that part of the fixed capital expenditure has been financed by the issue of debentures, and that interest on these debentures is a primary charge on the Company's resources. The production in 1924-25 we have taken as 250,000 tons of finished steel and, even if the works costs amount to Rs. 130 per ton, a selling price of Rs. 150 per ton means a surplus of Rs. 125 lakhs.”



“ To this sum at least Rs. 20 lakhs must be added on account of the surplus pig-iron. The debenture interest (Rs. 48 lakhs) and the interest on working capital (Rs. 26.25 lakhs) are therefore amply covered.”

This is what the Tariff Board themselves say, and all that the amendment before us asks for is, let us wait for two months or a little more during which time the Bill will circulate for the opinion of the country. Messrs. Tatas will produce during 1924-25 steel amounting to 250,000 tons, and, according to the Tariff Board, they will make on it a profit of Rs. 125 lakhs plus Rs. 20 lakhs of profit on pig-iron; that is, they will make Rs. 145 lakhs. Debenture interest is Rs. 48 lakhs and working capital interest is Rs. 26 lakhs. So that even on the showing of the Tariff Board they will make Rs. 145 lakhs, and for creditors, that is, the debenture holders and those who give them working capital, they have merely to spend Rs. 74 lakhs. The remaining Rs. 71 lakhs would be available for the shareholders on the basis of the proposed tariff. That is what the Tariff Board says. If we wait for two months the utmost that will happen is that the 71 lakhs for the shareholders will be reduced by 12 lakhs.

**The Honourable Sir Bhupendra Nath Mitra** (Industries Member) : What about overhead charges ?

**Mr. Jamnadas M. Mehta** : You can ask the Tariff Board. They clearly say—I myself have wondered, they have made bewildering statements, but here they are themselves saying that,—that it will leave to the shareholders 71 lakhs after giving Rs. 48 lakhs to the debenture holders and Rs. 26 lakhs to the people who supply the working capital. That being so, the matter is not at all urgent and it does not seem at all probable, in view of the Board's aforesaid statement, that the Tatas will collapse if we wait two months. The sole justification for rushing this Bill in this indecent way, namely, that the Tatas will otherwise collapse, is thus taken away. On the statement of the Tariff Board it is clear that they are to day in a position to go on with the payment of the debenture holders' interest and the working capital interest and save some Rs. 71 lakhs for their shareholders. So that by waiting for two months, the only thing that is likely to happen is the reduction of the 71 lakhs by about Rs. 12 lakhs but certainly not the risk of a collapse; they might feel an amount of suspense for those two months, but not the danger of collapse. Therefore, I say, on the showing of the Tariff Board themselves, we need have no fear of the industry collapsing. It is quite proper that the House should give the country more breathing time and allow it to consider whether this Bill is a genuine article or will let in foreign competitors who will really strangle the indigenous industries and then become monopolists. That is what we are anxious about, and I hope people will not be frightened by this insidious propaganda that has been carried on on behalf of the Tatas that they are collapsing and have to be saved here and now. That is taking advantage of the fears of this House. That is taking advantage of the ignorance of this House. That is taking advantage of the patriotism of this House. The apprehensions of this House have been taken advantage of, and we are being rushed in the consideration of the Bill which can easily wait for two months even on the showing of the Tariff Board themselves.

**Diwan Bahadur M. Ramachandra Rao** (Godavari *cum* Kistna : Non-Muhanmadan Rural) : Sir, I should like to address the House on the narrow issue to which some reference was made at the beginning of our proceedings. It seems to me, after hearing the speeches of Honourable

[Diwan Bahadur M. Ramachandra Rao.]

Members in this House, as if we are at the first reading stage of this Bill. May I ask Honourable Members whether there is one single argument which has been placed before us which they could not have urged on the first reading of this Bill? Therefore, I would invite your attention to the rules and to one paragraph in the Report of the Select Committee. I concede that it is open to my Honourable friend to make a motion for recirculation or recommitment even after the Select Committee stage. In the first place, Standing Order 39 says that when the principle of the Bill is under discussion it is open to any Honourable Member to move that the Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion. Then at the subsequent stage, after the Bill has been committed to the Select Committee, it is certainly open to an Honourable Member to again move that the Bill be recirculated for the purpose of obtaining further opinion thereon. Sir, so far as I know the practice in regard to Bills, I feel certain that, if the Bill has been so altered, so radically altered, either in detail or by the introduction of principles which were not in the original Bill, certainly my Honourable friends would be in perfect order in ascertaining further opinion.

**Baba Ujagar Singh Bedi :** Is it in the provision?

**Diwan Bahadur M. Ramachandra Rao :** Yes, I am reading the rule. Then again I would invite your attention to paragraph 15 of the Report of the Select Committee that the Bill has not been so altered as to require republication. I believe that that recommendation is in accordance with the usual practice that where a Bill has not been so altered, either in detail or by the introduction of a further principle which was not in the original Bill, it is usual for the Select Committee to report that the Bill be passed without republication. I do not know whether I am right in regard to procedure in this House. I am new to this House. This has been the practice in the Madras Legislative Council and the Provincial Councils and, so far as I am able to see, that is the procedure in this House.

Taking that view, may I ask my Honourable friend, who has mentioned the case of the consumer, whether this Bill has increased the burden of the consumer more than what it was when the Bill was originally introduced? I contend that it has not.

Then my Honourable friend mentioned the case of Indian States. May I ask whether there is anything in this Bill out of place and different from what was proposed in the original Bill? The question in regard to customs in their relation to Indian States is one of great complexity and I do not wish on this motion to raise it or answer it, but I contend that this Bill has not said a single word different from the original Bill. There is absolutely no change in regard to the Indian States.

Then agriculturists have been mentioned. May I ask whether there is anything in this Bill different from the original Bill to make the burden on the agriculturist more onerous than it was under the original Bill? I think there must be some conformity to our own rules of procedure and I contend that everything that has been said to-day could have been said on the last occasion. It is not open to my Honourable friends who have spoken on this matter and who feel that they should not commit themselves to this principle of protection to

bring forward a dilatory motion of this character. If we are committed to the principle of protection, then let us face it, and certainly the only way open to those Honourable gentlemen who differ in regard to the principle of protection was to have voted against the first motion on the day on which the principle was discussed. The fact is that there are several Honourable Members who cannot, I see, agree to the principle of protection. But the opportunity for them was when the principle was discussed, and to repeat the same arguments and reintroduce the same matter at a stage when it ought not to be discussed is certainly not in consonance with the procedure of this House. I may conclude by saying that several Honourable Members have appended notes of dissent. Except my friend Dr. Datta there is not a word in these minutes objecting to the Bill being passed.

**Mr. Chaman Lal :** May I ask whether the Honourable Member has read my minute of dissent and whether it says that the Bill ought to be passed ?

**Diwan Bahadur M. Ramachandra Rao :** It is unnecessary to ask such a question. I did not suggest that. Let us face this question as we ought to. If we are for the principle of protection, it is certainly open to any Honourable Member to amend the Bill in detail. The Honourable gentleman who has spoken to-day is rather inclined to oppose the principle of the Bill and I contend he is frankly against protection.

**Sir Purshotamdas Thakurdas :** I must admit, Sir, that whilst I greatly sympathise with the point of view that has been put before this House by my friend Dr. Datta, I was rather taken aback to hear my friend Mr. Jammadas Mehta supporting this amendment that the Bill be recirculated and that the passing of the Bill be similarly put off for six months. For although in the Select Committee's Report I see several minutes by my Honourable friend there is not a single minute of his which recommends that the Bill be recirculated and he has duly signed the main body of the Report, which says that the Bill does not require to be recirculated. I feel therefore, Sir, that when he signed his minutes of dissent, and when he signed the Select Committee's Report, my friend from Bombay did not think that the Bill required recirculation. I propose therefore only to say a few words in regard to the various points raised by Dr. Datta.

I must admit, Sir, that I should have been rather surprised if sentiments, ideas and appeals of the nature made by my Honourable friend from Bengal had not been made in this House on the consideration of this measure. And when I, Sir, supported the Honourable Pandit Madan Mohan Malaviya in his appeal to you not to accept the closure a little while ago, it was because I felt convinced that in the consideration of an important measure like this, which from one quarter of the House is styled as mischievous and from another quarter of the House, perhaps wrongly, but certainly with great sincerity, is looked upon as an epoch-making measure in the Government of India, full latitude should be given for the reflection of opinions on both sides. (Hear, hear.) But, may I submit, Sir, that the case put before the House by Dr. Datta is a case which does not do justice to the Tariff Board or to their report. The very same grounds on which Dr. Datta bases his case have been examined by the Tariff Board in paragraph 124 of their Report, where they say that—

“ The principal objections to protection for steel have been placed before us and may be briefly stated as follows :

[Sir Purshotamdas Thakurdas.]

First, that the Indian agriculturist is very poor—repeating all the appeals that Dr. Datta has so eloquently made to this House.

Secondly, that protection for the steel industry is contrary to the interests of agriculture because it will involve a considerable reduction of imports into India and consequently of exports from India ; a point which has not been touched on by Dr. Datta but which carries the argument one step further and will, I am sure, be approved as having been gone into by the Board.

And thirdly and lastly, that the cost of every industry in India will be raised if the price of steel rises and that the effect of a duty on steel is therefore cumulative and far-reaching."

Sir, the Tariff Board themselves have examined these thoroughly and I cannot believe that Dr. Datta could not have read that part, or has forgotten that part of the Report, for I know how deep and thorough-going a student he is of every detail when he speaks on a subject. Dr. Datta .....

Mr. Devaki Prasad Sinha : May I, Sir, point out .....

Mr. President : Order, order.

Mr. Devaki Prasad Sinha : I have not been heard.

Mr. President : Are you raising a point of order ?

Mr. Devaki Prasad Sinha : I am only interrupting .....

Mr. President : Are you raising a point of order ?

Mr. Devaki Prasad Sinha : No, Sir.

Mr. President : If not, then Sir Purshotamdas Thakurdas is in possession of the House.

Sir Purshotamdas Thakurdas : Sir, if I may have your permission I should certainly like to give way to my Honourable friend.

Mr. President : It is very irregular that Members should be interrupted while they are in possession of the House. I cannot yield to your predilection for being interrupted.

Sir Purshotamdas Thakurdas : Sir, the Honourable Dr. Datta said that the Bill should be recirculated and recirculated not to Chambers of Commerce, which represent capital and therefore are prejudiced in this matter, but should be recirculated to municipal bodies, local boards, co-operative societies and various other bodies which I do not remember. (*A Voice* : " Association.") Associations I have mentioned, as I remember them, the various bodies to which the Bill was suggested to be recirculated.

Sir, may I ask why it is that not a single individual from these various bodies went before the Tariff Board to put forward the point of view that Dr. Datta has to-day put forward before this House. The Tariff Board in their Report say :

" We are indebted to Mr. Pilcher of Calcutta for a very full and able discussion of the points that have been referred to."

What is the guarantee, may I ask Dr. Datta, that these various bodies whom he expects to express opinions on this question will do so ; and, further, how can you carry on legislation if, in spite of having

been given opportunities, you find that none of these bodies, as far as the Report goes,—very few of them indeed—said anything at all about it and it was left to Mr. Pilcher to express before the Tariff Board the views which Dr. Datta has so eloquently expressed on behalf of the Indian agriculturists, the lower middle class and the small industries. I feel, Sir, that to a certain extent it can be said that the Tariff Board have examined every one of the points of view which Dr. Datta has tried to put before this House. Chapter IX deals with this very aspect thoroughly, and in that Chapter the Tariff Board come to the conclusion that the burden on the consumer is likely to be very small—in fact such as not to make one go against the adoption of this measure. I saw my Honourable friend Baba Ujagar Singh Bedi interrupting one Honourable Member who spoke in about the same strain as I do and asking—I have taken down practically the very words that he said—“Why should the agriculturist even pay one anna per head.” That, I think, is a very pertinent point to raise. And on this question, if the House to-day has any difference of opinion, I am inclined to support the Honourable the Commerce Member when he said that the House must make up its mind definitely to-day whether it wants protection at all or whether it wants to be free traders. After all, if agriculturists comprise 75 per cent. of the total population of this country, and if the policy of protection means the policy of a certain burden on the present generation in order that the future generations may derive the fullest benefit of that policy, may I ask my Honourable friend from the Punjab whether he thinks that 75 per cent. of the people can possibly be excluded from that burden? I fully agree with him and, in fact, I will be one of the loudest to oppose any measure which threw on the agriculturists a burden out of proportion either to their capacity or out of proportion to what they, in the opinion of this House, can safely be asked to pay. But to say that the agriculturists should not be taxed even to the extent of less than one anna per head, as said in paragraph 125 of the Tariff Board Report, is not what I believe my Honourable friend from the Punjab really wishes this House to accept. I think the whole discussion on this subject should be crystallized in a few words. Do we want the policy of protection, protection meaning burden on the present generation in the hope that the benefit thereof will come with compound interest, to the future generations as has been the case in other countries, provided the correct policy is carried through? Do we want that policy to be enunciated and accepted from to-day or do we want to follow what my Honourable friend from Bengal, Dr. Datta, said that we cannot afford a single pie more than what we can help?

**Baba Ujagar Singh Bedi :** Am I entitled to give the answer to the Honourable Member on a point of personal explanation?

**Mr. President :** There is no personal explanation here.

**Sir Purshotamdas Thakurdas :** There is just one more point that I should like to refer to before I sit down. I also feel that on this one question the amendment practically means that the House should accept protection for the steel industry now or give it up, practically indefinitely, as the Honourable Commerce Member said. On this question, let this House make up its mind definitely and let it make up its mind without hesitation. The agriculturists and the middle classes will all have to pay something. That in fact is the underlying principle of protection.

*An Honourable Member* : I beg to move that the question be now put.

**Mr. President** : I think the question should now be put. I have no desire to stop discussion, but Honourable Members will remember that on the first day when the motion for reference to Select Committee was made, we had a full day's discussion, and strictly speaking, any motion for circulation for opinion should have been made then. Although not made then it can under the Standing Orders be made now, but obviously it must be based on something that has happened since the reference to the Select Committee. I am ready to accept the motion for closure. The question is :

“ That the question be now put.”

The Assembly divided :

AYES—46.

Ahmad Ali Khan, Mr.  
Aiyer, Sir P. S. Sivaswamy.  
Bell, Mr. R. D.  
Bhore, Mr. J. W.  
Bray, Mr. Denys.  
Cochran, Mr. A.  
Cocke, Mr. H. G.  
Dalal, Sardar B. A.  
Das, Mr. Bhubanananda.  
Davies, Mr. G. H. W.  
Faridoonji, Mr. R.  
Ghulam Bari, Khan Sahib.  
Gour, Dr. H. S.  
Hezlett, Mr. J.  
Hindley, Mr. C. D. M.  
Hohne, Mr. H. E.  
Hudson, Mr. W. F.  
Hussanally, Mr. W. M.  
Hyder, Dr. L. K.  
Innes, The Honourable Sir Charles.  
Jinnah, Mr. M. A.  
Littlehales, Mr. R.  
Malaviya, Pandit Madan Mohan.

Mitra, The Honourable Sir Bhupendra Nath.  
Moncrieff Smith, Sir Henry.  
Muddiman, The Honourable Sir Alexander.  
Muhammad Ismail, Khan Bahadur Saiyid.  
Nag, Mr. G. C.  
Neogy, Mr. K. C.  
Pate, Mr. H. R.  
Purshotamdas Thakurdas, Sir.  
Ramachandra Rao, Diwan Bahadur M.  
Rajan Bakhsh Shah, Mukhdum Syed.  
Raj Narain, Rai Bahadur.  
Rushbrook-Williams, Prof. L. F.  
Sams, Mr. H. A.  
Sarda, Rai Sahib M. Harbilas.  
Sastri, Rao Bahadur C. V. Visvanatha.  
Singh, Mr. Gaya Prasad.  
Singh, Rai Bahadur S. N.  
Sykes, Mr. E. F.  
Tonkinson, Mr. H.  
Tottenham, Mr. A. R. L.  
Townsend, Mr. C. A. H.  
Venkatapatiraju, Mr. B.  
Wright, Mr. W. T. M.

NQES—34.

Abdul Karim, Khwaja.  
Abdul Qaiyum, Nawab Sir Sahibzada.  
Abul Kaseem, Maulvi.  
Ahmed, Mr. K.  
Aiyangar, Mr. C. Duraiswami.  
Aiyangar, Mr. K. Rama.  
Akram Hussain, Prince A. M. M.  
Alimuzzaman Chowdhry, Mr.  
Chaman Lal, Mr.  
Datta, Dr. S. K.  
Damasia, Mr. N. M.  
Duni Chand, Lala.  
Dutt, Mr. Amar Nath.  
Ewing, Mr. E. C.  
Hari Prasad Lal, Rai.  
Hira Singh, Sardar Bahadur Captain.  
Ismail Khan, Mr.  
Joshi, Mr. N. M.

Kartar Singh, Sardar.  
Kazim Ali, Shaikh-e-Chatgam Maulvi Muhammad.  
Lohokare, Mr. K. G.  
Makan, Mr. M. E.  
Malaviya, Pandit Krishna Kant.  
Nehru, Mr. Jannadas M.  
Narain Dass, Mr.  
Reddi, Mr. K. Venkataramana.  
Sarfaraz Hussain Khan, Khan Bahadur.  
Shams-uz-Zoha, Khan Bahadur M.  
Sinha, Mr. Devaki Prasad.  
Sinha, Kumar Ganganand.  
Ujagar Singh Bedi, Baba.  
Willson, Mr. W. S. J.  
Yakub, Maulvi Muhammad.  
Yusuf Imam, Mr. M.

The motion was adopted.

Mr. President : The original question was :

“ That the Bill be taken into consideration.”

2 P.M. Since which an amendment has been moved :

“ That the Bill be circulated for further opinion.”

The question is that that amendment be made.

The Assembly divided :

AYES—21.

•Abdul Karim, Khwaja.  
Abdul Qaiyum, Nawab Sir Sahibzada.  
•Abul Kasem, Maulvi.  
•Ahmed, Mr. K.  
Akram Hussain, Prince A. M. M.  
Datta, Dr. S. K.  
Dutt, Mr. Amar Nath.  
Fleming, Mr. E. G.  
Hari Prasad Lal, Rai.  
Hira Singh, Sardar Bahadur Captain.  
Kartar Singh, Sardar.

•Kazim Ali, Shaikh-e-Chatgam Maulvi  
Muhammad.  
Lohokare, Mr. K. G.  
Mehta, Mr. Jannadas M.  
Miera, Pandit Shambhu Dayal.  
•Rajan Bakhsh Shah, Mukhdum Syed.  
•Sarfaraz Hussain Khan, Khan Bahadur.  
•Shafee, Maulvi Mohammad.  
•Shams-uz-Zoha, Khan Bahadur M.  
Sinha, Mr. Devaki Prasad.  
Ujagar Singh Bedi, Baba.

NOES—51.

Aiyangar, Mr. K. Rama.  
Aiyer, Sir P. S. Sivaswamy.  
•Alimuzzaman Chowdhry, Mr.  
•Bell, Mr. R. D.  
Bhore, Mr. J. W.  
Blackett, The Honourable Sir Basil.  
Bray, Mr. Denys.  
Cochran, Mr. A.  
Cocke, Mr. H. G.  
Dalal, Sardar B. A.  
Das, Mr. Dhubanananda.  
Davies, Mr. G. H. W.  
Dumasia, Mr. N. M.  
Faridoonji, Mr. B.  
•Gulam Bari, Khan Sahib.  
Gour, Dr. H. S.  
Hезlett, Mr. J.  
Hindley, Mr. C. D. M.  
Holme, Mr. H. E.  
Hudson, Mr. W. F.  
•Hussanally, Mr. W. M.  
•Hyder, Dr. L. K.  
Innes, The Honourable Sir Charles.  
•Jinnah, Mr. M. A.  
Littlehales, Mr. E.  
•Makan, Mr. M. E.

Mitra, The Honourable Sir Bhupendra  
Nath.  
Moncrieff Smith, Sir Henry.  
Muddiman, The Honourable Sir Alexander.  
•Muhammad Ismail, Khan Bahadur Saiyid  
Nag, Mr. G. C.  
Jeogy, Mr. K. C.  
Pate, Mr. H. R.  
Purshotamdas Thakurdas, Sir.  
Ramachandra Rao, Diwan Bahadur M.  
Laj Narain, Rai Bahadur.  
Reddi, Mr. K. Venkataramana.  
Rushbrook-Williams, Prof. L. F.  
Sams, Mr. H. A.  
Sarda, Rai Sahib M. Harbilas.  
Sastri, Rao Bahadur C. V. Visvanatha.  
Singh, Rai Bahadur S. N.  
Sinha, Mr. Ambika Prasad.  
Sykes, Mr. E. F.  
Tonkinson, Mr. H.  
Tottenham, Mr. A. B. L.  
Townsend, Mr. C. A. H.  
Venkatapatiraju, Mr. B.  
Willson, Mr. W. S. J.  
Wright, Mr. W. T. M.  
•Yakub, Maulvi Muhammad.

The motion was negatived.

The Assembly then adjourned for Lunch till Three of the Clock.

The Assembly re-assembled after Lunch at Three of the Clock,  
Mr. President in the Chair.

Mr. Devaki Prasad Sinha : On a point of order, Sir, may I ask your ruling if I am entitled to move in accordance with the procedure of the House of Commons which is embodied in Ridliegh's Parliamentary Practice and also in May's Parliamentary Practice the following proposition.

**Mr. President :** Order, order. I have yet to put the original question. We disposed of the amendment and I now put the original question, namely :

“ That the Bill, as amended by the Select Committee, be now taken into consideration.”

The motion was adopted.

**Mr. President :** What is your point of order ?

**Mr. Devaki Prasad Sinha :** My point of order is this. I find from Ridliegh's book on Parliamentary Practice and also from May's Book on Parliamentary Practice that a motion like this—

“ That the Speaker do now leave the Chair ”

is considered to be in order and is the only proper motion for considering the rulings of the Chair. May I ask your ruling whether I shall be in order if I propose :

“ That the Honourable the President do now leave the Chair ? ”

My object in proposing this motion is that we want to discuss the ruling which you gave this morning at the time when the debate on Dr. Datta's motion was going on. That ruling, Sir, is considered by many Members to be not a correct ruling.

**Mr. President :** What particular ruling are you referring to ?

**Mr. Devaki Prasad Sinha :** The ruling that while discussing the motion of Dr. Datta for recirculating the Bill, no Honourable Member was entitled to go into the question of the principle of the Bill even though it may be....

**Mr. President :** You will not be in order in moving the motion that you want to move that the President do leave the Chair. We have no such procedure at all. Here the decision of all points of order is entirely and finally vested in the Chair and the House cannot discuss the ruling of the Chair.

**Mr. Devaki Prasad Sinha :** Am I to understand that I am not in order in moving that motion ?

**Mr. President :** No, the Honourable Member is not in order.

**Mr. Devaki Prasad Sinha :** On another point of order, Sir. I find from May's book at page 339.....

**Mr. President :** Please state your point of order without referring to May.

**Mr. Devaki Prasad Sinha :** My point is this that, since we are discussing here a Bill relating to a matter of public policy which directly affects one particular industry in the country, I propose that any Honourable Member, whether in the capacity of a Member of this House or in the capacity of its President, who is at all interested in the Tata Company, should be allowed to take no part in the debate. Sir, I have authority for this if you choose to follow the authority of the British Parliament. May I, Sir, draw the attention of this House to a paragraph on pages 338 and 339 of May's book ? The decision of this question rests entirely with the House. On more than one occasion in the British House of Commons this procedure has been followed and the votes of several Members who were deemed to be interested in the success of a policy have been nullified. This decision, Sir, rests entirely with the House. Following the procedure of the House of Commons which has been so far very much respected by this Assembly, I ask your permission to move this. I refer to pages 338 and 339 of May's book.



**Mr. President :** To move what ?

**Mr. Devaki Prasad Sinha :** To move that any Honourable Member of this House who may be interested in the Tata Iron and Steel Company either as a shareholder or as a director should not be allowed to take part in the proceedings of this meeting of the Assembly and should not be allowed to guide its deliberations in the capacity of the President of this Assembly.

**Mr. K. Ahmed :** From that point of view, Sir, what will be the result of the voting on the subject this morning and before to-day ? Will there be a revoting, because I understand that some of the Honourable Members who took part were either shareholders or directors or were interested in the Tata Company. That is what I hear and that is what I believe to be the fact.

**Mr. Devaki Prasad Sinha :** May I read.....

**Mr. President :** You are much too late. Considerable discussion on the Bill has taken place for the last two days and you are much too late to raise this point.

**Mr. Devaki Prasad Sinha :** I have to make a submission. I submit that since the most important part of the passage of a Bill is the voting on amendments, this is the only proper time when I could bring this point to your notice. The amendments on the paper are very important because one amendment may concern the life of the company. That is the reason why I submit that this is the proper time for making a motion of this kind. I am entirely in your hands, but I submit that for the sake of justice and fairness and for the sake of the success of a public policy it is necessary that a debate on this question, which involves the interests of so many millions of our countrymen, should be carried on in a most disinterested way. I may again refer to the practice of the House of Commons and there are not one but several instances quoted on pages 378-379 of the book I have just referred to.

**Pandit Kirshna Kant Malaviya** (Benares and Gorakhpur Divisions : Non-Muhammadan Rural) : May I know if it is too late to amend ?

**The Honourable Sir Alexander Muddiman** (Home Member) : The point of personal interest is one that has been taken in the House of Commons undoubtedly. There the extent to which a Member with a personal interest is justified in voting is a matter that in the first instance Members should decide for themselves. The vote can only be challenged after it has been recorded.

**Mr. President :** I think we had better proceed to the consideration of the Bill.

**Mr. Devaki Prasad Sinha :** May I know what your ruling is, whether I am entitled to.....

**The Honourable Sir Charles Innes :** May I point out that several Members of this House on Tuesday last definitely announced that they were shareholders in the Tata Iron and Steel Company, and in spite of that declaration on the part of those Members, the House as a whole decided to put them on the Select Committee, a Select Committee which was charged with very responsible functions in the shaping of this Bill. It seems to me therefore that the House has already given its opinion on this point.

**Mr. K. Ahmed :** I submit, Sir, that we have to follow the practice and precedent of the House of Commons. When this House was opened, His Royal Highness the Duke of Connaught came here and made a speech in which he paid us the compliment of saying that this House is really the House of Commons of this country. If that is so, since your arrival here on the 27th May when I saw you here I thought that self-government in this country had started. You being the first Indian President in the Chair, we expect that you will keep up the dignity of the Chair and the dignity of the Parliament of this country, and I ask you to give a ruling on this matter.

**Sardar V. N. Mutalik** (Guzarat and Deccan Sardars and Inamdars : Landholders) : May I suggest one thing in reply to what has fallen from the Honourable Sir Charles Innes ? I think that when this House decided to put on the Select Committee Members interested in the Tata Company it did the most proper thing. The House offered an opportunity to them to have their say before the Select Committee on behalf of the Tata Company as well as on the occasion when the Bill was first discussed. I submit that, when we are considering the Bill clause by clause, this is the proper time when they should not be allowed to take any part in the voting.

**Mr. V. J. Patel** (Bombay City : Non-Muhammadan Urban) : There are in the various Acts of the Indian Legislature and the Provincial Legislatures provisions which preclude a member of a municipality or any other local body from taking part in the proceedings if the question under discussion is one in which he is interested either as shareholder or in any other capacity. There are express provisions to that effect. Unfortunately, in the Government of India Act, we have got no such provision and we must therefore be guided by the practice in the House of Commons. It is, I submit, not at all a question for this House to decide. It is entirely a question for the President to decide on the interpretation of the Act or on the practice in the House of Commons. It is not for this House to say whether a particular Member shall or shall not take part. It is entirely a matter for your ruling. If you choose to follow the practice of the House of Commons you are bound to rule that Members who have a pecuniary interest in the Tata concern shall not be entitled to vote. If, however, you do not choose to follow the practice of the House of Commons and say that the Government of India Act makes no provision in the Act, you are bound to rule to the contrary. Because certain Members holding shares in the Tata Company were elected to the Select Committee, that does not in the slightest degree alter the situation. The question is whether the persons who have got personal interests in the subject-matter of the discussion should be allowed to take part in the proceedings or not, and that is a question entirely for you to decide.

**Mr. Jamnadas M. Mehta :** I want the House and you, Sir, to consider whether a person may not vote against his own interests. A measure may be favourable to his own interests, and therefore by voting against it he would really vote against his own interests. Surely he can do that. In giving your ruling, Sir, you will take note that whatever may be my interests, as my attitude shows, I am not voting for the Tata Company.

**Mr. N. M. Joshi :** I want to say one word on this point. It is necessary for Honourable Members of this House who have got personal interests in the subject of the discussion not to take part in the discussion and the voting. If there is no legal obligation upon them not to take part,

still it is open to us to establish good traditions and thereby enhance the dignity and prestige of this House. My friend Mr. Patei has already pointed out that there are certain municipal corporations in which the people interested in the subject-matter of the discussion are not allowed to take part. In the Bombay Corporation itself several members are interested in matters like the tramways and they are not allowed to take part where their personal interests are involved. We should therefore establish a tradition here and people who are personally interested in the subject of the debate should not be allowed to take part in it.

**Mr. M. A. Jinnah :** If the House remembers it, I was the first Member who pointed out to this House that I happen to be a shareholder.

**Mr. K. Ahmed :** I never heard it.

**Mr. M. A. Jinnah :** The Honourable Member is perhaps hard of hearing.

**Mr. K. Ahmed :** Sometimes.

**Mr. M. A. Jinnah :** I made it quite clear that I am a shareholder of this company and I asked the House to consider that point before it elected me to the Select Committee. I shall be the last person to exercise my vote in my own interests, but it is not a matter for you to give a ruling. The object with which this point has been now mooted is not quite on that high level on which the Honourable Members are now trying to put it. The Honourable Members of this House were all aware of it and yet they did not grasp the question and decide it at the time. Now that the voting has gone against them on two matters, they come forward and they say that those who are interested should not be allowed to vote. (Cries of "No, no.") I want to inquire why was it not present to the Honourable Member here who has been flinging into the face of this House the Parliamentary practice... (*Mr. K. Ahmed.* "Did I not interject?")

**Mr. President :** Order, order.

**Mr. M. A. Jinnah :** I entirely agree with the Honourable the Home Member that if the House desires I am not going to take up the plea that this is too late. It is never too late mend and I shall be the last person to advocate any principle whereby any man who is interested should vote in his own favour. And if there is the slightest feeling in this House, whether this House decides or not, whether you give a ruling, Sir, or whether you do not, I personally shall refrain from voting. (Hear, hear.) But I doubt whether those who are now moving this matter are doing it on those high principles for which they profess to stand to-day.

**Mr. K. Ahmed :** Sir, since reference has been made by my Honourable friend Mr. Jinnah to the fact that this matter was not pointed out before the voting took place, I may say that I did interject to Sir Purshotamdas Thakurdas that directors and shareholders should not vote and express a free opinion on this subject because this House would not accept that. Apart from that, Sir, after what has fallen from the Honourable Mr. Jinnah it will probably do him and the Assembly good if I cite certain rulings of the High Court, for I suppose my friend Mr. Jinnah, being himself a lawyer, has a great respect for such rulings. He has taken two points into consideration. One of the Chief Justices of the Calcutta High Court, Sir Lawrence Jenkins, said only a few years ago when he was to hear a case brought by a private company against the Calcutta Tramways

[Mr. K. Ahmed.]

Company that he could not hear the case because he held shares in the Tramways Company, and so he refused to hear the appeal which was against the judgment of one of the Judges of the original side. And the two Judges who used to sit along with the Honourable the Chief Justice both declined to hear the case because his Lordship the Chief Justice was interested. That is exactly the position of my Honourable friend Mr. Jinnah to-day. And the fact that he did not tell us of his interest before and we therefore chose him to sit on the Select Committee, does not constitute estoppel. He should have taken the House into his confidence and told us. We have taken his disinterestedness for granted. I never heard him. (Laughter.) No gentleman having himself an interest in a matter like this should have been elected and, furthermore, presided over the Committee meeting, when there were so many dissenting voices and notes. And as I read the matter, others also who hold shares or are directors ought not to have taken part. When my Honourable friend Sir Purshotamdas Thakurdas spoke on this measure I interjected by saying "You are a director; you should not have taken part and you are making a speech that has no sense." (Laughter.) Disinterestedness is a thing of which this country is proud. Sir, it is a thing to which the greatest regard is paid even when the juries for a case are selected and when they are taken in a panel. I think that things have gone very far and I suppose the fact that some people have the honour to represent interests in this matter has now been disposed of. Apart from the fact that my Honourable friend Mr. Devaki Prasad Sinha has said regarding the practice and procedure of the House of Commons which this Assembly has to follow, there is a law, a custom and a tradition of this country also. Besides all the speeches that were delivered after the speech of Mr. Devaki Prasad Sinha go to indicate that there should be a distinct ruling from the Chair, otherwise we lose our status and our self-respect is lowered. That being the case, I request you, Sir, to give your ruling.

**The Honourable Dr. Mian Sir Muhammad Shafi (Law Member) :** Sir, in view of the difficulty of the question which has been raised by my Honourable friend over there, I trust you will permit me to make a few observations and to invite your attention to certain important considerations in connection with this matter. I may at the very outset be permitted to declare that personally, I have no interest of any sort or kind in the Tata industry (*Mr. K. Ahmed* : "Nor have I".) (Laughter) and therefore the observations which I am about to submit to you, Sir, as the President and to the House are entirely disinterested. In the House of Commons a distinction has always been made between private Bills and public Bills. In the case of private Bills it is a settled rule that any person directly and personally interested in the promotion of the scheme which is the subject-matter of the private Bill is not allowed to vote. But the case of public Bills stands on an entirely different footing. With reference to public Bills the proposition which was enunciated on 17th July 1811 by Mr. Speaker Abbott in the House of Commons runs as follows :

"This interest must be a direct pecuniary interest and separately belonging to the person whose votes were questioned and not in common with the rest of His Majesty's subjects or on a matter of State policy."

Now, the Bill before the House is not a Bill dealing with the Tata Iron and Steel Company direct (*Mr. M. A. Jinnah* : "Not only") nor is it, I was

going to add, a Bill dealing with that company alone. This is a Bill which embodies a very important principle of State policy which the Government of India have for the first time adopted in this piece of legislation—protection of Indian industries in general. It is a mere accident—no doubt very important in its nature—that the Tata Iron and Steel Company is directly and very materially affected by the results of the measure which you are about to enact.

But it seems to me that the principle embodied in the Bill is one of general applicability. The intention of the measure which is now before you is to protect a vital industry, the steel industry of the country as a whole, including the Tata's. It seems to me, therefore, that a distinction ought to be drawn in a case like this where the Bill before the House is not a private Bill. It is a Bill of a public nature introduced not by a private Member, but by the Government of the country for the protection of one of the industries of the country and in the interests of not any particular company but of the country as a whole. It is a mere accident that a private company will benefit.

**Pandit Motilal Nehru** (Cities of the United Provinces : Non-Muhammadan Urban) : Sir, I am in the same happy position as my friend, Sir Muhammad Shafi, with regard to any connection or want of connection with the Tatas. I have no interest in the Tata Company, or for the matter of that in any other industry. The only interest I had at one time was that Mr. R. D. Tata had kindly put one of his motor cars at my disposal and I took good care of it while it was in my use, that was the only interest I ever had in the Tatas. I had no other but do not despair of having some interest in future.

Now, so far as the general rule that Members who are interested in any subject—and the interest, as has been pointed out must be a direct pecuniary one—are precluded from voting is concerned, I have no hesitation in saying that it is a most salutary rule. But that rule has been enforced and adopted, not only in the interests of the general public, but also in the interests of the Members themselves, because, as the House can very easily imagine, a Member who is personally interested in the subject-matter of a debate, feels himself in a somewhat difficult position when he has to give an opinion either for or against his own interest. So I say that the rule is in the interests of both. I am sorry, however, that objection should have been raised on an occasion like this and in relation to a matter of national importance. I do not think that the gentlemen who have raised the question have the slightest doubt as to the honesty, the integrity and the high character of Members of the House who are interested in the Tata concern. I do not endorse the opinion of my friend Mr. Jinnah when he says that there was some ulterior motive behind it. But, at the same time, I think I am voicing the opinion of a large number of the Members when I say that they have no fear whatever on the score of some Members having an interest in the Tata concern not voting according to the best of their lights. So far as I am concerned, I shall attach a special value to their votes, for this reason that I know that they are all Honourable gentlemen who would think twice, even a hundred times, before they give an opinion in their own favour.

**Mr. W. S. J. Willson** (Associated Chambers of Commerce : Nominated Non-Official) : Sir, while we are on this subject and before you give any ruling—if you do—I would like to ask the House to realise that it is

[Mr. W. S. J. Willson.]

impossible for a Member of this House associated with certain concerns to refrain from voting. If you take my own case, Sir, I believe my investments in companies in this country would probably exceed 150 in number.

It is probable also that a great many of those concerns will come before this House in the general clamour for protection which has now started. For myself, Sir, I should be quite willing to refrain from voting on these occasions, but what is my position? I belong in this House to an exact party of one. There is no one who can take my place. I represent the Chambers of Commerce, some of the largest interests in India, and they have been pleased to send me to this House to represent them. If, Sir, I am to remain in my seat and take no part either in voting or in the discussion, it follows that the interests that I specially come to Simla to represent, go absolutely unrepresented! When this debate started in Delhi, Sir Purshotamdas Thakurdas was the first to speak on the subject and say he held an interest in Tata's, though it was a very small one. I immediately followed that excellent example and declared myself. In opening the debate in this House I again declared my interest; so Mr. Jinnah was the third, and I submit, Sir, that when we put before the House exactly what our position is no Honourable gentleman can do more, or can be expected to do more, and ought certainly to do no less.

**Sir Purshotamdas Thakurdas :** I did not expect to take any part in this debate, and I certainly assure the House that I would not have wasted a single minute of their time but for the fact that Mr. Kabeerud-Din Ahmed has been dragging in my name in causing that merriment in this House which is generally connected with his remarks. It is quite true that, when I addressed the House earlier in the day, Mr. Kabeerud-Din Ahmed did say something about my being interested in the Tata Steel Company. I halted then so that he might repeat it louder and I might reply to it then and there; but, as usually happens to Mr. Kabeerud-Din Ahmed, he sat back and said nothing. (Mr. K. Ahmed made a remark which was inaudible). I am in possession of the House and I do not propose to give way to him now. When I sat down, I went up to Mr. Kabeerud-Din Ahmed and told him in the presence of his neighbours on the benches that he had best know how to behave himself, because if he intended to level a charge against me, it was for him to stand up erect and say so instead of interrupting me, in spite of the fact, as the Honourable Mr. Willson has told the House, that I was the first to say last March in Delhi that I was a director and consequently interested in the Tata Steel Company. I therefore greatly welcome this opportunity and this debate that has been raised by Mr. Sinha. If the House wishes that nobody who has any share or any interest in steel companies in India should vote, I will be the first to bow to that decision and welcome it. Mr. Willson has pointed out that he himself is, and so would any merchant of any standing be, interested in several companies. But may I ask Mr. Kabeer (Mr. K. Ahmed: "My name is not Kabeer, but Kabeerud-Din Ahmed"), one question. Why does he take it for granted that a man cannot, even when he addresses the House, put before this Assembly the various aspects of a question which is not merely a question of the Tata steel industry? And I have all along spoken before this House, only on the question of protection generally and to the steel industry as a whole in particular. A good deal of merriment, Sir, is usually due to Mr. Kabeerud-Din in this House, but I certainly think he is not justified in causing that merriment

at the expense of anybody wrongly. I think the House should show its strong disapproval of the manner in which Mr. Kabeer chooses to butt in and say whatever he likes irrespective of whether it is merited or not. I strongly object to the way in which Mr. Kabeer has tried to put things before the House in a manner which can carry all sorts of insinuations.

Now, Sir, as to the matter before the House, on page 112 of the Tariff Board's Report, where they speak of the engineering industry, they say that there are engineering concerns all over India, the capital of which is 12 crores, etc. Besides the Tata Iron and Steel Company, there are other industries that the second and third reports of the Tariff Board cover; and I do not think that any shareholder in any of these concerns would object if the House laid down the principle that they should not vote. But I would like to say this regarding the question of taking part in this discussion. As the Honourable the Law Member has pointed out so clearly and lucidly, this question is, besides being a question of immediate interests in a particular concern, a question of State policy, and a question of public policy, and I venture to think that the House would not rule that a Member of this House, even though interested as a shareholder or a director, would be deprived of his privilege of putting before the House his opinion on the broad question before the House. He may not give explanations; he may not, if you so like it, give any sort of facts or figures in reply to any criticism that may be made regarding any particular concern, but in so far as the point raised may affect the relative State policy, I think the House should not cut out any Member, whether thus interested or not, from expressing his opinion upon it. Sir, I am not very anxious as Mr. Kabeerud-Din Ahmed may think, to give my vote on this question. As a matter of fact, I do not think that this is a question which could be carried or lost by one vote or a few more votes here or there. I therefore gladly refrain from voting if that is all that would satisfy the party that has raised this question. But I certainly think, Sir, that every Member here is entitled to ask if there is to be an attack, that it should be an attack from the front and not an attack from the back or the side. A question raised boldly on the floor of the House can alone permit a Member to meet it in a straightforward manner and respect the wishes of even a few Members of this House.

**Mr. Chaman Lal :** Sir, I am very sorry that the heated atmosphere in which this question has been raised has led one Honourable gentleman to cast some aspersions on the motives of those who raised this question. I did not raise this question. I had no inkling of this question until I came into the House and heard my Honourable friend Mr. Devaki Prasad Sinha put this motion before you. But, Sir, may I be allowed to point out to the Honourable Mian Sir Muhammad Shafi that the quotation he has given us is a quotation directly against any suggestion which says that those who have a direct pecuniary interest in any particular concern should be allowed to vote. Under section 141 of the House of Commons Manual of Procedure you will find that a member may not vote on any question in which he has a direct pecuniary interest. If he votes on such a question his vote may be disallowed. And, Sir, I take up May, page 338, and read as follows :

" In the Commons it is a rule that no member who has a direct pecuniary interest in a question shall be allowed to vote upon it ; but in order to operate as a disqualification this interest must be immediate and personal and not merely of a general or remote character."

[Mr. Chaman Lal.]

It would be of a general or remote character, Sir, applying to people like myself and Pandit Motilal Nehru who do not hold any shares in the Tata concern ; but it is a matter of direct pecuniary interest to those who do hold shares :

“ On the 17th July 1811 ”—I proceed further—“ the rule was thus explained by Mr. Speaker Abbott ”—I am quoting from the very same passage that the Honourable Sir Mian Muhammad Shafi referred to—“ This interest must be a direct pecuniary interest and separately belonging to the persons whose votes were questioned and not in common with the rest of His Majesty's subjects or on a matter of State policy.” Now further on May gives an explanation as to what sort of interest it must be and he says—“ This opinion was given ”—he gives an example :

“ This opinion was given upon a motion for disallowing the votes of bank directors upon the Gold Coin Bill.”

Now, I assert, Sir, that the statement is perfectly clear that those who have a direct pecuniary interest in any particular question brought before the House should not be allowed to vote ; and I think as a matter of State policy, as Mr. Joshi has pointed out, we should make it a rule, we should make it a convention of this House, that those who are directly interested in a pecuniary sense should not be allowed to vote.

There is just one point I should like to bring to your notice. Another example which May gives on page 339 is as follows :

“ On the 1st June 1797, however, Mr. Manning submitted to the Speaker whether he might vote consistently with the rules of the House upon the proposition of Mr. Pitt for granting compensation to the subscribers of the Loyalty Loan, he himself being a subscriber. The Speaker explained generally the rule of the House and Mr. Manning declined to vote.”

I assert, Sir, if you do not apply the rule strictly—and there is no reason why you should not apply the rule strictly—it is up to the Honourable Members who are themselves directly concerned, pecuniarily concerned, in the Tata Company to refuse and refrain from voting upon this question. I am perfectly certain that those who are against this Bill have not raised this point because they want to side-track the issue by not making a frontal attack but a flank attack or an attack from behind. They want to assert a certain principle. That principle ought to be the accepted rule. I do not care whether my friend Mr. Willson, as he has pointed out, is interested in 150 concerns or not, but what I do care for is that public policy should not be left in the hands of those who have any pecuniary interest in those concerns.

**The Honourable Sir Alexander Muddiman :** Sir, I just want to make one point clear to the House, and I hope the House will consider it. In the House of Commons, it is not possible to raise questions like these on a point of order. It is only possible to raise such questions on motions to disallow a vote after the vote has been given. That is an important point.

The second point is this. There is no suggestion in the House of Commons procedure that a Member interested in a Bill should not take part in the debate. That is an entirely different proposition, and though I have heard it put forward here there is no basis for it in the English procedure. The proposition that I wish to put to the House is that, if a Member votes in a division, then there can be, under the House of Commons procedure, a motion to disallow that vote, but you cannot under that procedure do so before the vote has been given, and the point cannot be raised, as it has been raised in this House, on a point of order. That is my submission, Sir.



**Dr. H. S. Gour :** Sir, Honourable Members have referred very frequently to May's Parliamentary Procedure, and they have pointed out that in the seventeenth century certain rulings were given by the speakers of the then House of Commons to the effect that Members of Parliament having a direct pecuniary interest in a Bill should not vote thereupon. Now, Sir, my Honourable friends have cited the earlier portions of May's Parliamentary Practice from pages 338 and 339 ; but what is the latest Parliamentary practice ? It is set out by the author at pages 340 and 341. Let me now cite to the House two extracts which will settle the point so far as that question is concerned. May says, page 340 :

" The extent to which the rule of personal interest in a vote given by a member against a private Bill which would create a project intended to compete in an undertaking in which he has a pecuniary interest, is as yet undecided. As the Speaker stated, on the 12th May, 1885, there is no rule of the House on the subject."

This question, Sir, came up, as May points out, on four occasions, and on every one of those occasions the vote of the shareholders in the project with which the private Bill was concerned, was held by the House as good. Let me give you two of the latest cases. I omit the earlier cases for the same reason that I do not wish to go into the ancient history of this subject. I give you the latest cases from page 341 :

" On the 16th June, 1846, objection was taken to the vote of a member who had voted with the noes, because as director and shareholder in the Caledonian Railway Company, he had a direct pecuniary interest in the rejection of the Glasgow, Dumfries and Carlisle Railway Bill. Whereupon he stated that the sole direct interest that he had in the Caledonian Railway was as holder of twenty shares to qualify him to be a director in that undertaking ; and that he voted against the Bill conceiving the proposed railway to be in direct competition with the Caledonian Railway, as decided by the legislature in the last session. A question for disallowing his vote on the ground of direct pecuniary interest was negatived. On the 9th March, 1886, objection was taken to the votes of two members, given in favour of committing the Manchester Ship Canal Bill to a Select Committee on the ground that, as directors of the London and North-Western Railway, the receipts and dividends of which might be affected by the construction of the canal, they were pecuniarily interested in the matter. The motion for disallowing their votes was negatived."

Now, Sir, that is with reference to private Bills. On all the occasions mentioned by May on pages 340 and 341, when the vote of a Member was challenged on the ground that he was a shareholder in a company competing with another company which was the subject of discussion in the House of Commons and in which he was directly concerned, it was decided by the House that his vote was a good vote.

Well, Sir, so much I submit as to the question of law. My Honourable friend appealed to you and said that you should follow the practice of the House of Commons. I have given to you, Sir, from the very book which my friend cited the practice of the House of Commons in general terms and as applied to specific cases in which that question came up for adjudication. (*Mr. K. Ahmed :* " That does not apply in this case.") Now, Sir, that is the first point.

The second question, Sir, is the question of propriety and expediency. As my friend the Honourable Mr. Willson has pointed out, if Members of this House interested merely as shareholders in a company are debarred from discharging their duty to their constituents who have sent them here, then I do not think, Sir, that there will be many Members of this House who will not be directly or indirectly interested in many of the questions that come up for adjudication before this

[Dr. H. S. Gour.]

House. And, further, I beg to say that, if my Honourable friend Mr. Sinha had raised this objection on the last occasion, when the Bill was discussed and committed to Select Committee, Members interested in the Tata Iron and Steel Company or any of its auxiliary companies would have abstained from giving notice of amendments which they have given and which they are now in honour bound to press. If my friend had said that Members interested in the Company should take no part in the debate and should not record their votes, they would have got other people to give notice of the amendments which they have done in the discharge of their ordinary public duties. Now, what answer has my friend to give to the fact that, after these amendments have been tabled, he wants to muzzle those Members by saying, "You are interested in these concerns and therefore disqualified from taking part in the discussions of this House." I say, Sir, with Sir Purshotamdas, that Members of this House have not only a duty to themselves but to their constituents; and what is the quantum of interest which debars them from taking part in the discussion of this subject in this House? The other day, the question of income-tax came up before this House. I have no doubt the question of income-tax, the reduction of income-tax or the increase of income-tax, would have affected—and directly affected—a large body of Members of this House. Would it be said by the Honourable Mr. Sinha: "You stand aside because this question will directly and vitally affect your income-tax whether it is decided one way or the other?"

My friend has been speaking of direct personal interest. What is the meaning of "direct personal interest in the concern"? He has not vouchsafed any reply or any explanation of the meaning of those terms, and I submit (*Mr. K. Ahmed*: "Income-tax has no analogy to this?") that, guided by the procedure and precedents of the House of Commons, we stand on safe ground in urging that a Member of this House, merely because he happens to be a shareholder, should not be disqualified from taking part in the discussion before this House. I have already said, Sir, on the last occasion, and I repeat it, that like Mr. Jinnah, I also made a declaration that I am a shareholder in the Tata Iron and Steel Company, and that, in spite of that declaration, the House appointed me as a member of the Select Committee, and as a member of the Select Committee I have taken part in the deliberations of that body. For the rest, Sir, I am entirely in the hands of the House and of yourself. If a ruling is given, I, as a shareholder, will certainly abstain not only from voting but also from further taking part in the discussions in this House.

**The Honourable Sir Basil Blackett** (Finance Member): Sir, this discussion professes to arise out of an attempt to apply the rules of the House of Commons in this Assembly. The rules of the House of Commons on this matter have already been repeated more than once. I cannot share the natural advantage of Mr. Kabeerud-Din Ahmed in being deaf. I have already heard them read out several times. But it is perhaps worth while repeating the important passage. It is on page 338 of Erskine May's Parliamentary Practice:

"This interest must be a direct pecuniary interests \* \* \* and not on a matter of State policy."

Nearly all the cases that have been quoted are private Bills. It has already been explained that the rules in regard to private Bills are different. . . . . (Mr. N. M. Joshi : "Gold coinage.") . . . . . that the rules in regard to private Bills are different from those in regard to public Bills. The rule is that "the interest must be a direct pecuniary interest and not on a matter of State policy." I think this is a very important matter and although, possibly, the moment at which it has come up is not quite the most regular one, I do not think that it is at all unfortunate that the matter should have been discussed. But I do think it will be very unfortunate if we were to rush into a decision or the establishment of a convention which is not suitable to a case of this sort. Mr. Willson has pointed out very clearly the difficulty in which an Honourable Member will get in relation to his constituents if the rule is pressed that nothing which directly or indirectly interests him in a pecuniary way can be spoken on or voted on by such a Member. After all what we have before us is not a private Bill to give money to the Tata Iron and Steel Company. It is a Bill to protect the steel industry in pursuance of a policy of discriminating protection. If it were Mr. Patel's Bill to purchase the Iron and Steel Company for the State, then there might be objection to Sir Purshotamdas Thakurdas voting on the subject. But it is not such a Bill. The position of the Tata Iron and Steel Company is accidental to this Bill. The same question might have been raised on every Budget that has been before this Assembly. In the year 1921, and again in the year 1922, Customs duties were raised all round. I believe that the Customs duty on steel was raised in 1922. There is no difference in essence between the decision of 1922 to raise the Customs duty from whatever it was to 10 or 15 per cent. on particular classes of steel and the decision which we are now discussing. If a rule is introduced that Members may not speak or vote on a matter in which they are pecuniarily interested when it is a question of public policy, we shall, Sir, I submit, deprive this Assembly of the valuable advice and assistance and judgment of a large number of persons whom we particularly want to listen to in this Assembly.

**Maulvi Muhammad Yakub** (Rohilkund and Kumaon Divisions : Muhammadan Rural) : I am unable to agree with the Honourable Mr. Joshi and my Honourable friend Mr. Ahmed when they say that the Members of this House who have got any interest in the Tata Iron and Steel Company should not vote or take part in the discussion on this subject. I fully agree with the Honourable Pandit Motilal Nehru when he says that we have full confidence in the honesty and integrity of the Members, and I would strongly object to any aspersions being cast on the integrity and honesty of any Member of this House ; (*Some Honourable Members* : "Nobody did that.") I am sure that Members of this House will not be guided by any motive of personal interest. It seems to me, Sir, at the same time that the position of the President of the House is quite different from the position of an ordinary Member. The President of the House guides the destinies of the debate. He can stop any Member from speaking. His eye may and may not catch any Member. He can give rulings in any way he likes, and therefore I submit that, although Members who have got an interest in the Tata Company should be allowed to take part in the discussion and voting on this Bill, it would be for the President himself to judge

[Maulvi Muhammad Yakub.]

whether on a Bill like this he should guide the destinies of this House or not. I leave that point to the self-respect of the Honourable the President himself.

**Pandit Madan Mohan Malaviya :** I am very sorry that there has been a great deal of heat imported into this discussion. I do not doubt that the proposal was started purely from the point of view of what practice should be established in this House. I do not think that the Honourable Member who moved the proposal had the smallest idea of suggesting that any Member of this Assembly who happened to own shares in the Tata Company would allow his judgment to be affected by that circumstance in arriving at a decision on a matter of momentous national importance. I think I may safely say that Mr. Devaki Prasad Sinha had not the faintest idea of making any insinuation, nor do I think that any other Member of this House who has supported his proposal had that idea.

Now, Sir, it is important that a matter of this nature should be decided upon once for all, but that it should be decided upon after due consideration. There is a great deal in support of the view that persons who are directly interested in a matter which comes before the House should abstain from voting. I do not think that there can be any law depriving any person of his vote in such a matter, but there may be a convention established, as the Honourable the Home Member was pleased to observe at the commencement of this debate, for the Member himself to decide whether he would vote or not, and I think that the matter should be left at that at the present moment. I think that there is no rule yet of this Assembly that any person who is directly interested in any matter which is affected by a measure before this House should abstain from voting. It is one thing to trust to the good sense of the Member who may be directly interested in a concern and quite another thing to lay down a rule at this stage whereby he shall be deprived of the right which he enjoys as a Member of this Assembly of voting upon every measure that may come up before this House. If such a rule is to be laid down it should be laid down after much greater, fuller, and if I may say so without any disrespect, calmer consideration that has been given to it at the present time. I submit, therefore, that this is not the occasion on which a rule should be laid down on this question. The matter having been discussed, it has been sufficiently ventilated, and it should be left to the good sense of the Members themselves, those who have any direct interest in the Tata Iron and Steel Company, whether they will or will not vote on questions relating to it that will come before the House.

But there is one more reason why I put forward this view before  
 4 P.M. this House. It is a matter for satisfaction that a point of principle has been brought to the notice of the House on an occasion like this. That is entirely a matter for thankfulness, and I think Mr. Devaki Prasad Sinha deserves the thanks of the House for having raised the question but at the same time it is not the proper time, if I may say so, at which it has been raised. The Bill has now been before the House for several days and it is a matter for satisfaction to me, as I am sure it must be to every Member of this Assembly, that the Assembly has shown its entire confidence both in the President and in those Members who had declared that they had a direct interest in the Tata Iron and Steel Company. We have known it, the House has known it, all this time and not a breath of suspicion was raised.

either against the President or against any Honourable Member of this House that he would allow the fact of his holding a few shares in the company to affect his judgment on this momentous matter. That is a compliment to the Members themselves. The President has presided over our deliberations. I am certain that the thought that he had any share in the Tata concern was absolutely absent from the mind of the President. At least I take it so, as I have had the privilege of knowing him for a long period of public life. So also we know, and I appeal to every Honourable Member to think for himself, that during all these discussions Sir Purshotamdas Thakurdas or Mr. Jinnah would not allow their judgments to be affected by the circumstance that they had either at the request of shareholders or of their own will, taken some shares in this concern. We must remember that sometimes people are sought after by companies. They do not always seek the shares of these companies. I know instances in which businessmen of established reputation were requested by the promoters of companies to give the prestige of their names to the company by accepting a seat on the board of directors. Lawyers of reputation have been so requested in order that the fact of their having taken shares may be published, as it is oftentimes an inducement to others to take shares in the company. It creates confidence in the general public. Now we have to discriminate between cases and cases, and I am certain that the House has shown during the last few days that it had not the remotest suspicion that any of these Honourable Members whose public life has been an open chapter for years past, would allow the fact of their holding a few shares in the companies to affect their judgment on a matter in which the interests of the people as a whole throughout the country is concerned, in which an important question of national policy is involved, on which independent public opinion has been practically unanimous for several decades past. That being so, I would suggest, Sir, that this debate might stop here, that you may not lay down any rule for the purposes of the present Bill, and that the matter may be left to the Members concerned who may have a direct interest in the concern either to vote or not to vote as they please. There being no rule of the House at this moment, it would not be desirable to ask any ruling to be laid down at this stage, much less to lay down the rule by a vote of the House at this stage. The matter should be taken up at the proper time, independently of any particular measure or motion and should be considered from all the aspects which have been put before this House, not merely from the points of view which have been urged by the mover of the proposal, but also from the points of view which have been put forward by Mr. Willson, Sir Purshotamdas Thakurdas and others. I therefore suggest that the House may now proceed with the discussion of the amendments. We should certainly welcome and be thankful for the light that any Member concerned in the Tata Iron and Steel Company may throw upon the discussion which will now take place in the Assembly.

As for the matter of voting, that should be left to the Members themselves. They will decide whether the occasion justifies their abstaining from voting when I am sure they will abstain from voting. If they feel that the occasion does not call for it we should leave it to them. And the very last thing that might happen is that if the voting is so close that two or three or five votes would turn the scale, attention may be drawn to the fact and the matter may be considered by the House then. But at any rate at this stage I think the matter should stop here.

**Mr. K. Ahmed :** Unless the ruling is given now, I submit, Sir, that further consideration in regard to the Bill cannot be proceeded with, because that depends upon your ruling. You have two points in your ruling to give. The first point is that, if your ruling upholds the objection raised, what has been passed should not have been passed and is therefore still to be decided. And the second point is that if there is no application of the procedure read from May's "Parliamentary Practice," page 342 by my Honourable friend from Nagpur, Dr. Gour, I say that the Honourable Members who voted should not vote again, and the practice of the House of Commons should be established in this Assembly.

**Pandit Shamlal Nehru :** Sir, I am surprised that the gentleman who has moved this proposal has only included the shareholders of Tata's. There are other firms in India excluding Tata's who are doing the same business. The Kityanand Iron Works in Calcutta is a very big firm. Like Tata's they are sending their apprentices to England to be trained. I believe the capital is many lakhs if not crores. (*A Voice : "50 lakhs."*) Then they must have taken a loan of another two or three crores. Then there are many smaller works in the country. Why should not the directors and shareholders of all these firms be also asked not to vote? If they are asked, I have not the least doubt that some of the Members will turn out to be shareholders of other companies as well. (*A Voice : "Not the Bihar Members."*) Well, I for one cannot say offhand that nobody in Allahabad or the United Provinces is a shareholder of Tata's. There must be. Any way, Sir, I do not see how the shareholders of joint stock companies benefit directly and personally. They certainly do benefit personally in the long run if there is any money left from the Managing Agents, etc. (*Laughter.*) But it is certainly not a direct benefit. In this view, Sir, I think the Government have agreed with me; as in the United Provinces Municipalities Act there is a section which says that a Municipal Commissioner who is directly interested in a firm whose tender is before the Board is not to vote on that question, but it is made distinctly clear there that if he is a shareholder of a joint stock company he can vote. Sir, I think in India this question has already been decided that a shareholder of a joint stock company does not benefit directly. Under these circumstances, Sir, I hope that your ruling will not be such as to debar the shareholders of the Tata Steel Company.

(Mr. Devaki Prasad Sinha rose to speak.)

**Mr. President :** I have heard your point of order.

**Mr. Devaki Prasad Sinha :** Sir, personally .....

(*Cries of "Order, order."*)

**Mr. K. Ahmed :** Since he has opened it, Sir, I think he is .....

(*Cries of "Order, order."*)

**Mr. President :** I have sufficiently heard Members on this point. It has been raised rather in an irregular manner. Still I am not sorry that it has been raised and we have had the expression of opinion from various Members of the House. In the House of Commons objection has been raised to members having a direct personal interest voting--not

taking part in the debates—only in case of private Bills and even then the objection has on a good many occasions not been upheld. My conclusion is that in this case I cannot uphold the objection raised by Mr. Devaki Prasad Sinha. This is not a private Bill designed to promote the interests of the Tata Iron and Steel Company. It is a Bill brought in by Government involving a question of public policy to give protection to the steel industry.

Further, we have to bear in mind the action that the House has already taken during the two days' debate when we appointed as members of the Select Committee of this House various Members who declared that they were shareholders of the Tata Company. I must therefore overrule the objection.

**Mr. Chaman Lal :** May I take it that you would have ruled otherwise if .....

**Mr. President :** I have given my ruling.

**Mr. Chaman Lal :** Sir, as definitely pointed out by Dr. Gour, the rule as far as private Bills are concerned is different. But as far as public Bills are concerned it is another matter. It is Rule 141 of the Manual of the House of Commons which directly governs the point at issue.

**Mr. President :** Order, order. I have given my ruling.

**Sir Purshotamdas Thakurdas :** May I have your permission to make a statement. I should just like to say, in deference to those Members who have raised this question, that I do not wish to take part in the voting on this Bill.

**Mr. Devaki Prasad Sinha :** May I raise another point of order ? In the last debate it has been brought out by two Honourable Members at any rate that the Honourable the President also may be said to be interested in this Bill.

**Pandit Madan Mohan Malaviya :** I rise to a point of order. I think the President's ruling covers every aspect of the question that has been discussed. I think we should now proceed to the discussion of the next point on the Agenda.

**Mr. President :** We will now proceed to the consideration of the Bill clause by clause. We will take clause 2 first, the Preamble and clause 1 will be taken up later.

**Mr. Rangaswami Iyengar :** Sir, the motion that the Bill be taken into consideration has not yet been put.

**Mr. President :** It was put to the vote and carried. The Honourable Member was not here.

We will take clause 2 first.

The question is :

“ That clause 2 do stand part of the Bill.”

There are various amendments to that clause. The first one is, I think, No. 23.

**Mr. Chaman Lal :** On a point of order, Sir. There is an amendment standing in my name in connection with the Preamble.

**Mr. President :** I have already said that the Preamble is always taken last, because the Preamble does not govern the Act but the clauses as passed really govern the Preamble.

**Mr. V. J. Patel :** There is also an amendment to clause 1 against my name.

**Mr. President :** Clause I will also be taken later, because it deals with the title of the Bill. The title may depend on what the clauses are.

The first amendment is No. 23\* standing against the name of Mr. Duraiswami Aiyangar. As I intimated on the first day, in my view that amendment is out of order. It raises the initiation and also the imposition of an augmented duty in the Committee of the House, an authority other than Government, and such a proposal cannot be made except on the recommendation of the Crown. I would however like to hear Mr. Duraiswami Aiyangar if he has anything to say on this matter.

**Mr. C. Duraiswami Aiyangar (Madras ceded districts and Chittoor : Non-Muhammadan Rural) :** I would like first to say just a few words on the ruling which the Honourable President has announced both to-day and the other day. I wish to point out that in the proposal which I have made there is absolutely no initiation of taxation which is raised by that proposal. I quite see, Sir, that the initiation in the sense of the levying of the tax which has been sanctioned by this Legislature rests with the Executive Government of the country. But the initiation, properly speaking, of authorising the levy of any taxation does not rest either with the Executive or with any other body, but with the Legislature. Therefore, Sir, when once the Legislature authorises the levy of any particular tax, it is competent for the Legislature to prescribe the method by which that taxation has to be enforced.

So far as the question of moving in this Assembly any motion to enable the Government to levy any taxation is concerned, I quite admit that the initiation must start from the Crown, and in this country, under the Gov-

\* For sub-clause (1) of clause 2 substitute the following :

“ In the Indian Tariff Act, 1894, the following sections shall be inserted, namely :

- (i) A standing Tariff Board consisting of five members elected by the Legislative Assembly shall be constituted at the commencement of every Assembly and continue till the end of that Assembly and the Tariff Board of the present Assembly shall be in like manner constituted forthwith.
- (ii) If the Tariff Board is satisfied, after such inquiry as it thinks necessary, that articles of any class liable to duty under Part VII of the Second Schedule are being imported into British India at such a price as is likely to render ineffective the protection intended to be afforded by such duty to similar articles manufactured in India, the said Board shall recommend to the Governor General in Council to issue a notification in the Gazette of India and increase such duty or levy such additional or offsetting duties to such extent and for such articles as may be recommended by the said Board, and thereupon such duty shall be levied when imported or subsequently as may be specified in the notification.
- (iii) The Tariff Board shall also have power to recommend to the Governor General in Council such concession in Railway freights or exemption from taxes as they may think fit in the case of all or any of the Iron and Steel manufacturing firms in India.”



ernment of India Act, such motions are made, whether it be by private persons or a Government Member, with the previous sanction of the Governor General. If the Governor General has once sanctioned the introduction of such measure, it is open to the Assembly to pass the measure or not. That initiation has been taken in this case ; that measure has been introduced by Government with the sanction of the Governor General, and now it is open to this Assembly to prescribe in what manner that duty shall be levied. The Bill as it stands says :

“ If the Governor General in Council is satisfied, after such inquiry as he thinks necessary,.....he may, by notification levy such taxation.”

The amendment which I have proposed is to the effect that :

“ A standing Tariff Board consisting of five members elected by the Legislative Assembly shall be constituted at the commencement of every Assembly and continue till the end of that Assembly.”

and that this Board shall go into the question whether the circumstances which are prescribed by the Legislature under the present Bill have arisen or not, and if such circumstances have arisen, it is as much competent for the Legislature to prescribe that a Committee appointed by the Legislature shall take the initiative or that the Executive Government itself should take the initiative. It all depends upon the provision which is now made in the Bill which is now placed before the House as to what form the taxation should take. That taxation itself is sanctioned by this Bill, authorised by this Bill. The only question is whether the Executive Government shall take the initiative directly of making an inquiry and satisfying itself that such circumstances have arisen, or whether it is competent for this Legislature to say that some other body elected by this Assembly, or any body which has been prescribed by the Legislature under the provisions of this Bill should take the initiative of a preliminary inquiry and then recommend to the Governor General in Council that the Executive Government should enforce that taxation. I submit that it may be a committee elected by this House or some other committee authorised by this Bill which is now on the anvil of this Legislature. If any provision is made as to the particular body which is to take the initiative, it is always left to the Executive Government to carry out the order by levying the taxes. I submit that my amendment is perfectly in order according to law, and if the Bill is passed into law it is open to this Legislature to introduce any provision which it thinks proper, leaving it to the Executive Government to levy the taxes.

In reply to the ruling of the Honourable President I may add that if, in spite of what I have stated, the Honourable President is not satisfied with my contention, I will ask him to give a ruling whether by changing “ shall ” into “ may ” my amendment will be in order, that is :

“ If the Tariff Board is satisfied, after such inquiry as it thinks necessary, that articles of any class liable to duty, etc., are being imported into British India, etc., the said Board shall recommend, etc., and thereupon such duty may be levied when imported, etc.”

By this I mean that the body which is elected by this Assembly should recommend to the Governor General in Council or the Executive Government, so that if upon that recommendation the Executive Government are satisfied that such recommendation is proper, they may levy the taxation. If they reject the recommendation it will be for the Assembly

[Mr. C. Duraiswami Aiyangar.]

to judge how much it was justified in doing so. This is my answer to the ruling which is proposed to be given by the Honourable President. If the Honourable President is satisfied with my contention, the amendment will stand as it is. I would also request a ruling as to whether by converting "shall" into "may" my amendment will be in order or not.

**Sir Henry Moncrieff Smith :** I think Mr. Duraiswami Aiyangar's closing remarks show that he realises that he has somewhat misrepresented the effect of the amendment which he proposes to clause 2. He laid great stress on the fact that he was only proposing to set up some authority other than the Governor General in Council to initiate proposals. Well, Sir, his amendment as it stands on the paper goes very much beyond that. It substitutes for the Governor General in Council another taxing authority. He is asking the Legislature here to pass a law which will actually force the Governor General in Council to delegate his power to initiate taxation to a Committee of this House. In fact he would enable the Tariff Board to issue its commands to the Governor General in Council. It is for that reason that he has suggested the possibility of substituting the word "may" for the word "shall," a point which may be considered separately. As his amendment stands on the paper, I have no doubt whatever that it is out of order, that it is asking the Governor General in Council to delegate his powers of initiating taxation, to make a delegation which is not within the power of the Governor General in Council to do.

**Mr. President :** Clause (iii) of Mr. Duraiswami Aiyangar's amendment is clearly out of order, being outside the scope of the Bill.

**Mr. C. Duraiswami Aiyangar :** I wish to submit that I have answered only the objection to parts (i) and (ii) of my amendment.

**Mr. President :** I thought you were dealing with the whole amendment. If you wish to speak about clause (iii), I will allow you to do so.

**Mr. C. Duraiswami Aiyangar :** With reference to clause (iii), my proposal is that the Tariff Board should also have power to recommend to the Governor General in Council such concessions and rights or exemptions from taxes as they may think fit in the case of all or any of the iron and steel manufacturing firms in India. I wish it to be stated and definitely understood by the Honourable Members of this House that we are now dealing, not with any Finance Bill, but with a Bill as to the best form of protecting the industries of India. In proceeding to legislate as to the best form in which the industries should be protected, it is competent for this Assembly to suggest all the various methods by which industries can be protected, and in this view I refer to the utility of a Tariff Board. The Fiscal Commission has also recommended that a permanent Tariff Board should be created, whose duties will be to investigate the claims of particular industries to protection, watch the operation of the tariff generally, and advise the Government and the Legislature in carrying out the policy indicated above. Now, Sir, in view of that policy, it is, I submit, competent for this Assembly, when it is proceeding to legislate as to the best manner or the best form in which the industries of India can be protected, to make a provision in this Bill that there shall be a Tariff Board or Committee,—whatever its constitution may be, which may be settled later on,—appointed, whose

functions will be not to take the initiative, not to take the executive power into its own hands, but only to study the question and to make recommendations. This third clause of mine is only a modest statement that the Tariff Board, which may be appointed if this Assembly approves of it, will be competent to make some inquiries and make a recommendation to the Governor General in Council and nothing else. It is open to the Executive Government to undertake the initiative on such recommendation or not, but when we are proceeding to legislate on the general question as it has been so long stated, not with reference to any particular industry in this country, but as a general question of protecting the industries of this country, about which we have heard so many eloquent speeches just now, I submit it is competent and perfectly within the scope of the spirit and policy of this Bill that we should make a provision for a Tariff Board being authorised to make additional or other recommendations as to the safer and better manner of protecting our industries; and, inasmuch as I have stated in clause (iii) that the Tariff Board will have nothing more to do than to make its own inquiry and make a recommendation to His Excellency, I submit it is not out of order.

**Mr. President :** I think that clause (iii) is clearly out of order, being outside the scope of the Bill. The clause deals with protection to be given by duty and by bounties, while the amendment proposes a new subsidy altogether. Parts (i) and (ii) as they stand, I think, are also out of order for the reasons I have already given. As regards Mr. Duraiswami Aiyangar's request that he should be allowed to alter his amendment by substituting the word "may" for "shall," I think it would be irregular to allow him to do that at this stage because we do not know what the effect of that might be and it is not fair to the House to allow amendments to be altered at this stage. Nor will there be any hardship in the matter, because there are later on other amendments—which I think are in order—about the Governor General in Council taking steps in consultation with a Standing Tariff Board and those amendments will be debated upon.

The next amendment is No. 24\* by Mr. A. N. Dutt. I would dispose of it in the same manner as Mr. Duraiswami Aiyangar's amendment unless Mr. Dutt has anything further to say.

\* In sub-clause (1) of clause 2 for the proposed sub-section (4) substitute the following :

"(4) A Tariff Board consisting of seven elected members of the Legislative Assembly elected by the members of the Legislative Assembly and four members nominated by the Governor General in Council shall be constituted at once, and thereafter at the beginning of each new Legislative Assembly, who shall, whenever they are satisfied, after such inquiry as they may think necessary, that articles of any class, liable to duty under Part VII of the Second Schedule are being imported into British India from any place outside India at such a price as is likely to render ineffective the protection intended to be afforded by such duty to similar articles manufactured in India, recommend to the Governor General in Council to increase such duty to such extent as they think necessary, whereupon the Governor General in Council shall issue a notification in the Gazette of India in terms of the recommendation of the Tariff Board, increasing the duty in respect of such articles imported from or manufactured in any country or countries specified in the recommendations of the Tariff Board.

All vacancies amongst the elected members of the Tariff Board shall be filled by election for the un-expired term of the Board and vacancies amongst the nominated members shall be filled by nomination.

**Mr. Amar Nath Dutt** (Burdwan Division : Non-Muhammadan Rural) : I submit, Sir, that the Tariff Board which I have proposed here does not in any way impair the powers of the Governor General in Council or the Executive which has the power of taxation in India. That being so, Sir, I want only to give relief to the Governor General in Council and Members of the Executive Council by the constitution of a Tariff Board, and I think it is perfectly legitimate that it should be provided in a Bill like this. I think the reasons which have already been submitted before you by Mr. Duraiswami Aiyangar apply to this case also and I think further, Sir, that this provision will not in any way impair the powers of the Governor General in Council and may therefore be allowed.

**Mr. President** : I think Mr. Dutt's amendment is out of order on the same grounds as apply to that of Mr. Duraiswami Aiyangar.

The next amendment to take, I think, is No. 26 of Mr. Acharya :

"In clause 2 (1) in the proposed sub-section (4) for the words 'after such inquiry as he thinks necessary' the words 'in consultation with a Standing Tariff Board composed of three members of whom one at least will be a non-official elected by the Legislative Assembly' be substituted."

The question is :

"That in clause 2 (1), the words 'after such inquiry as he thinks necessary' proposed by Mr. Acharya to be deleted stand part of the clause."

**Mr. M. K. Acharya** (South Arcot *cum* Chingleput : Non-Muhammadan Rural) : I thank you, Sir, for allowing me to place before the House the reasons which induced me to propose that in place of the words "after such inquiry as he thinks necessary" the words "in consultation with a Standing Tariff Board composed of three members of whom one at least will be a non-official elected by the Legislative Assembly" be substituted.

I wish to put the arguments for my amendment very briefly. I assure you, Sir, I am not one of those who are never tired of listening to the music of their own voice and therefore I am as anxious as anybody else to be as brief as possible on the subject. I am glad to find that in a way in the Select Committee's Report, as also in the introductory speech made by the Member in charge of the Bill when he placed the Bill before the House, it was admitted that the Government would consult the Tariff Board in all matters of detail. In the Report of the Select Committee also we find in paragraph 12 this particular question of a Standing Tariff Board has been adverted to. They say :

"We have carefully considered all the amendments of which notice has been given. Our conclusion on many of these is set out in the foregoing paragraphs of this report.....In regard to a series of amendments suggesting that various bodies should be constituted for the purpose of advising the Government in the matter of off-setting duties, we desire to say that the body most fitted to advise the Government in any such matters is the Tariff Board, which has formulated the present proposals and is familiar with all aspects of the subject."

What I wish to point out is that the present Tariff Board has been appointed only for a year—I suppose it was appointed only in July last—and it will cease to exist in the course of a few weeks, unless of course

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The members of the Tariff Board shall elect their own President from among themselves, and in case of difference of opinion the opinion of the majority shall prevail. The members shall get such allowances for themselves and their staff as may be determined by the Legislative Assembly."

the Board is reappointed. Probably, it is in the mind of the Government to re-appoint the Board. If it is so, then an explicit statement and the inclusion of it in the Bill itself will only make matters more clear; so that what is done by executive action will become part of the Statute itself, that a Tariff Board will be appointed from time to time; and in consultation with it the Government will be issuing proposals from time to time and varying the rates of offsetting duties. Therefore, I trust the Honourable Member in charge of the Bill will be disposed to think that this is not a proposal which seeks to affect any very radical change. It is a practical proposal, the value of which has been admitted. I move it, and I desire that it should be made part of the Bill for the simple reason that it is better to have matters put quite clear than to leave them vaguely. I make no insinuation against any particular individual. But somehow or other, there is the feeling in the minds of most of us non-officials that, as far as possible, things should not be left entirely to the good will and charity of the executive. The past history of India does not warrant us to expect a great deal of charity from the Executive Government in matters where Indian industries are concerned. If, therefore, we are to take a lesson from the past,—I dare say we do feel that a change for the better has been initiated just now after a century and a half; that as everybody knows, after long last, the Government of India have now a desire to foster and develop Indian industries; and we are thankful to them—but if we are to take a lesson from the past, we feel that to leave the matter entirely to the good will of the executive, to allow them to appoint a Tariff Board or not to appoint a Tariff Board, and to consult or not consult them is perhaps a little precarious. I therefore think that it should be made part of the Bill that there will be a Standing Tariff Board, and that in consultation with it the Government will from time to time declare what offsetting duties they consider necessary to impose.

Another point that I would like to emphasise in respect of my amendment is this,—that one Member of the Board should be elected by this Assembly. I hope, Sir, although we are now in a very unsatisfactory stage of constitutional progress, the time will come when this House will have the power of the purse completely in its hands; but in the meantime some slight effort may be made to associate this House in some measure with the initiation of financial and taxation matters. To have one member of this Board elected by this House out of the three members will show that the Government are in earnest to take this House into their confidence; and it will establish harmonious and healthy relations between the House and the bureaucracy. It is for that reason that I suggest that one member should be a member elected by this House. There will not be any very drastic change, and I hope Government will accede to my proposal to have a Standing Tariff Board; upon that Board one of our members would be elected and made to sit. That is all that is suggested in this amendment, and I would appeal to the Member in charge of this Bill if he cannot see his way to accede to this small amendment,—it will not set the Jamna on fire or bring down the heavens, and therefore I trust that he will see his way, if possible, to accede to the request and see that it is a very reasonable and a very moderate amendment.

There is only one other small matter. I find even the European Association of Bombay, in a representation that they sent, seem to be a little apprehensive that the whole matter is to be entirely left in the hands of the Executive. They are a little apprehensive of leaving the entire

[Mr. M. K. Acharya.]

discretion with the Executive. It would be well, therefore, if the Executive themselves, and in the Bill itself, provide that they will not take any action without consulting the Tariff Board. I believe, Sir, further that the House will agree that this is desirable. I am sorry that the members of the Select Committee thought that all these amendments *en bloc* should be thrown out. I was not on the Select Committee; had I been there I should have pressed this point at once. It is very desirable. I repeat, it is most necessary, I think, that this House must in some way be associated with the Tariff Board. The whole thing must not be merely a matter of Government nominations, and that is the chief reason for this amendment. I therefore appeal to my Honourable friends here to support this amendment and I shall be very glad, as I said, if Sir Charles Innes will himself accept this amendment. We wish that the Government should not non-co-operate with us. The charge generally is that we non-co-operate with them. But when Government do not accept reasonable and moderate suggestions from our side then Government have not got that real change of heart with respect to national matters as represented by us; which change of heart is absolutely necessary if we are to progress at all. I therefore appeal to the Member in charge to accept the very reasonable and moderate measure that I have suggested.

**The Honourable Sir Charles Innes :** Sir, if the Government are compelled to non-co-operate with the Honourable Member in this particular matter I hope that I shall succeed in convincing him that we have good reasons for doing so. The effect of Mr. Acharya's amendment, if it were accepted by the House, would be that the Government of India could not put on an offsetting duty without consultation with this Tariff Board. Mr. Acharya makes a special point of that. He mentioned, I think, that the Bombay Chamber of Commerce felt rather doubtful about entrusting these wide powers to the Executive Government, and he suggests that the Bombay Chamber of Commerce might be comforted if Government's powers were limited in the manner suggested by him. But I desire to point out to my Honourable friend, Mr. Acharya, that in giving these complete and unrestricted powers to the Executive Government we were definitely carrying out the recommendations of the Tariff Board themselves. The Tariff Board said that, if you are going to give these powers to the Government at all, you must make the powers complete and not hedged about with restrictions. Now, the reason for that is that this offsetting duty clause is a clause intended partly to meet drops in prices which would destroy one of the bases on which the Tariff Board worked. These drops might occur very suddenly and you might have to act in an emergency, and that is the reason why the Tariff Board suggested that the Government's powers should be complete and that they should not be compelled to consult anybody. Supposing you had this body. Well, you would have to assemble them together. They would have to make a complicated investigation into the question whether an offsetting duty would be required, and there might be delay. That is the first point, and that explains why we have not made definite provision in the Bill for consulting any outside body at all. But, as I explained in my opening speech, the Government do not like these powers at all. They do recognise that they are powers upon which commercial opinion might reasonably look with some suspicion, and ordinarily the Honourable Member may take it from me that we shall not exercise those powers without reference to the existing Tariff Board. The Honourable Member asks why we do not put in this

provision in the Bill. The only reason for that is that the Tariff Board, as it exists at present, has no statutory existence. It was appointed in the first instance for one year and that appointment has been carried on for another year by a vote of the Assembly last March. I have no doubt that the existence of the Tariff Board will be continued beyond that. Now, I would ask the House to consider this. We have got a Tariff Board already in existence, a Tariff Board which has just completed a very careful and elaborate and impartial investigation into the steel industry and which is now engaged in an investigation into the claims of other industries for protection. A case arises whether or not we should impose an offsetting duty. Would it not be reasonable, would it not be right, that we should consult, in deciding whether we should put on the offsetting duty, the existing Tariff Board? I may point out that it will be absolutely essential that we should do so. The sort of Board that the Honourable Member suggests would not be in a position to give us any useful advice. If the Honourable Member will look at paragraph 45 of the Tariff Board's Report, he will find that in fixing their basic import prices, they took on weighted prices. They took into account not only the price at which British engineering standard steel was coming in but also the price at which continental steel was coming in. Supposing the price of continental steel drops. Nobody would be in a position to advise us whether that drop necessitates the imposition of an offsetting duty except the existing Tariff Board, because it is only the existing Tariff Board who know exactly how they have arrived at their weighted basic price. I suggest, therefore, that the House will be well advised not to accept Mr. Acharya's amendment. In fact, I hope that in view of the explanation I have given him, he will not himself press that amendment. After all we have got to remember that the people most interested in the way in which we exercise and utilise these offsetting duty powers are the commercial community and I am quite sure that the commercial community, and indeed the community at large, will have more confidence in this independent Board which has already done one useful piece of work and, which has already made a very careful study of the conditions of the steel trade, than in a body appointed *ad hoc* merely for the purpose of this offsetting clause and composed partly of people elected by the Legislature. The experiences of the United States of America and of Australia are both against the Honourable Member. In both countries they have refrained from making Tariff Board's political bodies. They have tried to keep them quite independent bodies. On the whole, I am perfectly sure that the advantage lies in not accepting the Honourable Member's amendment and in leaving the clause as it stands.

**Mr. C. Duraiswami Aiyangar** (Madras ceded districts and Chittoor : Non-Muhammadan Rural) : Sir, as I have not had an opportunity of saying anything about the merits of the amendment which I had sought to place before this Assembly and which has been disallowed on technical grounds, I wish to say briefly what my point was in bringing forward that amendment.

**Mr. President** : The Honourable Member cannot deal now with an amendment that has been ruled out of order.

**Mr. C. Duraiswami Aiyangar** : I beg the pardon of the Chair. I am now speaking in support of the amendment brought forward by Mr. M. K. Acharya.

**Mr. President** : That was not what the Honourable Member said.

**Mr. C. Duraiswami Aiyangar :** I only submitted that having been disallowed, upon the merits of my amendment which involved the same principle as that of Mr. M. K. Acharya's amendment, I took this early opportunity of saying why I brought in an amendment for the purpose of the appointment of a Tariff Board, the present amendment also being for the appointment of a Tariff Board and the reasons being the same. The Honourable Sir Charles Innes has referred to paragraph 45 of the Report of the Tariff Board and pointed out how it will be necessary to consult only the present Tariff Board always upon the question of the imposition of offsetting duties and the circumstances which properly arise for levying such duties. But will he also refer to paragraph 36 of the report in which the Board have stated :

"The power which we propose should be conferred on the executive Government in any legislation undertaken to give effect to our proposals may be defined as follows."

Then they have stated that the Governor General in Council should be given that power. They proceed to say :

"It will be seen that the only point to be determined by inquiry would be the prices at which steel was actually entering India, and these would be compared with the assumed prices taken as the basis of the protective duties determined by the Act itself (*vide* paragraphs 45 and 97 below). Arrangements would be necessary at the Customs Houses in the principal ports to record from the invoices the actual prices at which protected goods were being imported, and if this were done it should be possible to complete the necessary inquiries promptly."

So, according to the Report of the Tariff Board, and according to their opinion, it is not absolutely indispensable that that Tariff Board which recommended this report should become immortalised and that they alone should be consulted in this matter. In fact, the provision that has been made in the draft Bill is not to consult that Board either but that the Governor General in Council should make independent inquiries and on being satisfied that there is ground for levying offsetting duties it is competent for the Governor General in Council to do so. It was only in the Select Committee that this question about the present Tariff Board arose, but it was hardly the idea of the Honourable Member who introduced this Bill that there should be consultation with the present Tariff Board.....

**The Honourable Sir Charles Innes :** May I rise on a point of explanation, Sir? I definitely stated in my opening speech that it was our intention ordinarily to consult the existing Tariff Board. The only reason why we did not put it in the Bill was partly because the Board had no statutory existence and partly because the Tariff Board themselves had said that our power should be complete and not hedged in with conditions. What the Honourable Member has just said is absolutely incorrect. (*The Honourable Sir Basil Blackett :* "Withdraw".)

**Mr. C. Duraiswami Aiyangar :** Even after hearing the Honourable Sir Charles Innes I feel that I was thoroughly justified in having stated that it was not in the contemplation of this Bill, inasmuch as it has not made any specific provision; it was competent for me to say that the Honourable the Commerce Member who introduced this Bill did not make it a specific provision in this Bill thereby going to show that whatever consultation he might have had in contemplation it was not to be obligatory on anybody in future. Therefore, I say that in the framing of this Bill that was not intended or contemplated. Now, Sir, the



Honourable Sir Charles Innes has referred to other countries as parallels. But it is equally clear to anybody that in the other countries which he has quoted as parallels the Executive Government is responsible to the Legislature, the Executive Government is responsible to the people. In this country the Executive Government is in no way responsible either to this Legislature or to the people at large. In this state of things, unless we get Swaraj, unless we get an Executive Government which is responsible to the people of this country, it is impossible for us, whatever respect we may have for particular Members on the Government Bench,—it is impossible for us to commit ourselves to a policy of placing our faith in the executive Government in a matter of so important a nature. The provision that has been made in the Report of the Tariff Board and the method that they have suggested for finding out the circumstances when offsetting duties shall be levied are very peculiar and to my mind to some extent conflicting. They suggest in their report that :

“ Arrangements would be necessary at the Customs Houses in the principal ports to record from the invoices the actual prices at which protected goods were being imported.”

And in their recommendations and in the Bill as it is placed before us it is not upon an *ad valorem* or valuation system that customs duties ought to be imposed hereafter, but as specific duties of so much per ton. In that state I fail to see how it will be competent for the customs officers to find out what the value will be in any invoice which the merchants will not be bound to show or will not be able to place before them. So long as we are not going to value the articles *ad valorem*, so long as we are going to impose only specific duties as per ton, it is competent for the importer and for the merchant who sends and the merchant who receives to show to the customs officer only how many tons he has imported and not what valuation it bears. And still it is said that arrangements must be made with the customs house to find out from the invoice what the valuation will be, at what price it is being imported and upon that basis the executive Government is going to act. Next, I may also point out in this connection that so far as clause 4 of the Bill stands, I am personally unable to understand the meaning of the last sentence in that clause :

“ When imported from or manufactured in any country or countries specified in the notification.”

I am unable to understand the meaning as to how these duties are levied when the goods are manufactured in any country or countries which are specified in the notification. I can very well understand the articles being charged when they are imported here, when the price is known or when they are sold here, when subsequently the prices are known and are brought to the notice of the Government. But taking this aspect of the matter, that the executive Government will take steps to make inquiries as to how these articles are sold here subsequent to their importation, when alone, it is possible for them to know the price under the existing system, the remedy will come after the mischief has been done. Therefore, my object in supporting Mr. Acharya's amendment is to see a Tariff Board which is responsible to this Legislature, whose duty will be constantly to study this question, receive reports, make inquiries and make a recommendation to His Excellency the Governor General in Council and His Excellency in consultation with that body may take the necessary steps. In this view of the matter I entirely

[Mr. C. Duraiswami Aiyangar.]

support the amendment brought by Mr. M. K. Acharya, however, unsatisfactory it is in my view, seeing that my amendment has been lost.

**Mr. Devaki Prasad Sinha :** I ask you, Sir, if I may move my next amendment at this stage as an amendment to Mr. Acharya's amendment or separately. It is generally the practice here that amendments like this are moved as amendments to an amendment.

**Mr. President :** What is your amendment ?

**Mr. Devaki Prasad Sinha :** It is No. 27 on the list. Sir Charles Innes also said that this could be moved as an amendment to this amendment.

**Mr. President :** We are not discussing your amendment. We are discussing Mr. Acharya's amendment.

**Mr. Devaki Prasad Sinha :** Then I shall move it next.

**Mr. President :** I will tell you then what the situation is.

**Mr. K. Rama Aiyangar :** (Madura and Ramnad *cum* Tinnevely ; Non-Muhammadan Rural) : On a point of order. I should like to have your ruling as to whether amendments Nos. 18 and 25 may be taken up now or may be taken up separately.

**Mr. President :** What amendment ?

**Mr. K. Rama Aiyangar :** Nos. 18 and 25. They bear on the constitution of the Board and go together.

**Mr. President :** We are discussing Mr. Acharya's amendment.

**Mr. K. Rama Aiyangar :** I am only raising the matter now, so that it may not be ruled that these are out of order as having been covered or practically covered by Mr. Acharya's amendment.

**Mr. President :** I can not say that now.

**Mr. K. Rama Aiyangar :** I only want to know whether they will be ruled out of order later on. I want to clear up that matter now.

**Mr. President :** I will deal with the matter when the time comes, after disposing of Mr. Acharya's amendment.

**Mr. M. A. Jinnah :** Sir, I rise to speak but I do not know whether I am speaking in the interests of the Tata Co., the steel industry or the State policy. I take it that the mover and supporters of this amendment are trying to help the steel industry and are trying to safeguard the national interests that are involved in the steel industry. If that is to be taken as correct, that they are safeguarding the national interests and thereby indirectly safeguarding Tata's, and if I oppose this amendment, I think I should be opposing my own interest ; and I rise to oppose this amendment. I think that even my Honourable friend Mr. Devaki Prasad will not have any objection to that.

Now, Sir, I oppose this amendment because it seems to me futile, meaningless and very bad draftsmanship to begin with. You will see that if the power that is given to the Governor General in Council is to run as follows, namely, . . . . .

“ If the Governor General in Council is satisfied in consultation with the Tariff Board, one of the members of which shall be elected by this Assembly.”

.....what is the use of that Tariff Board ? After all, if the Government are satisfied in consultation with that Board that they should enhance the protection afforded by increasing certain duties how are you in the least advancing your position, how are you tying down the Government by having an elected Member of this Assembly on that Board ? What will he be doing there ? (*A Voice* : "What are we doing here?") That is exactly why I say it. I say to the Honourable Members who have moved and seconded this amendment that they cannot gain the object that they have at heart. It is a futile amendment altogether and therefore I strongly object to it.

**Mr. Narain Dass** (Agra Division : Non-Muhammadan Rural) : Sir, I rise to support Mr. Acharya's motion. The question before us is to determine the best way in which protection can be given to the steel industry, and in doing so we give the executive Government a very great power. But the question in what manner it is to levy the duties, and when and to what extent to revise them, is not to be determined entirely by the executive authorities. I can well imagine a case in which by levying duties without consultation of the Legislature the Government coffers might be replenished to any extent. I can imagine a circumstance in which even a protectionist, who recognizes the necessity of giving the greatest possible measure of protection to the steel industry, would like to provide safeguards against the free taxing tendency of the executive. And I cannot imagine how you can leave the Government an entirely free hand to determine what duties to levy, what protection to grant. After all, when we are going to extend protection to an industry, the question in what way to extend it is legitimately connected with it. Are we going to leave the Government entirely to determine the scope of the measure of that protection ? I think the amendment of Mr. Acharya involves the whole of the question, and in giving your ruling, Sir, whether it is consistent with the spirit of the Bill, the helplessness of the Legislature should be fully kept in view. It is not that we are going

5 P.M. to adopt the obstructionist policy. It is not our intention to put an obstacle in the way of the proposed measure. But the question is to provide a suitable agency to determine the measure of protection and the best way of giving that protection. Therefore, Sir, I think that the crucial point and the most important point is involved in Mr. Acharya's motion, and I support it.

**The Honourable Sir Basil Blackett** : If the last speaker had been speaking on an amendment to oppose this clause or to include in it the words "after consultation with or by Resolution of the Assembly" I should have understood what he was talking about. But I am afraid that in the circumstances in which he got up in order to support an amendment moved by Mr. Acharya, I could not follow his argument. The position is that under this clause, as drafted, a very great power is given to the executive Government. It is the sort of power that any Legislature dislikes giving to any executive. I do not think that the question of this executive's responsibility to the Legislature is really germane. It is also the sort of power which, on principle, most executives very much dislike having. An executive Government normally does not like having power to decide for itself without consultation with the Legislature whether or not to impose a certain amount of taxation. It stands to be shot at any way and it prefers, where it can, to get the support of its Legislature before imposing new taxation. But we are in a difficulty. The Tariff Board have recommended certain specific

[Sir Basil Blackett.]

duties and certain bounties as being the minimum that are necessary during the transition period, between now and some time at least three years ahead during which the steel industry is to be fully established in this country. That is the minimum protection necessary. But that is on the assumption that certain calculations which they entered into are moderately correct. Now, there are two main variables in their figures. One is the question of the price at which a steel company in India can manufacture and sell steel. That they have after very careful examination put at a figure of 180. But that, again, is not for all classes of steel. So that within that figure there are a great many further variables. But taking that figure they assume that, as a start, it will cost 180 per ton for steel to be produced and sold. But that figure will gradually come down or will vary. That is one of the variables. The other variable is the price at which steel of the type that will compete with Indian steel can be imported into India. There, again, although it is one variable, there are many individual variables within that big variable. There may be many classes of steel and it may be coming in from different countries at different prices and in different qualities. If the protection which we are giving by this Bill is to be adequate, there must be some provision which enables the Government to ensure the adequacy of that protection by imposing an additional duty on occasions when the steel is coming in from elsewhere at a figure considerably lower than that assumed by the Tariff Board. Now, what sort of variations can occur in the cost of imported steel is shown by the history of the last six months. Take the price of the franc. It is the Belgian franc rather than the French franc which is important, but the two vary in proportion and I have the figures of the French franc rather than the Belgian franc in my head just at the present moment. The sterling value of the French franc rose as high as 120 and has fallen as low as 63 within the last three months. Obviously at the moment when the franc is standing at 120, other prices not having adjusted themselves in France or in Belgium, it is possible for Belgian manufacturers of steel to produce steel at a very small cost in terms of rupees or in terms of sterling. That steel could come here at a price for the time not much more than half that at which the Tata Iron and Steel Company in this country could produce steel. Then the franc fell to nearly 60. The price at which steel could be imported from Belgium was nearly double, and so far from under-cutting steel produced in this country, the Belgian manufacturers found themselves in such difficulties that they were unable for a time to quote any price for steel at all. Those are the sort of difficulties that have got to be dealt with. If you do not have a clause of this sort, you leave protection during a considerable period possibly quite useless to the people you are trying to protect. You must therefore have some clause giving the Government power to act quickly in order to pass orders imposing an offsetting duty. Mr. Duraiswami Aiyangar said that he supported the amendment because he was afraid that the remedy might come after the damage had been done. I submit to him that the amendment which he is supporting is much more likely to have that effect because it involves inquiry by a new Tariff Board not at present in existence which has not got the experience and prestige of a year's working, an inquiry which would certainly take time and which may surely be well calculated to have the very effect he fears of bringing the remedy in after the stable door has shut.

The Government, as I said at the beginning, do not themselves feel particularly desirous to have this power, but if it is to be given to them, it must be given to them in circumstances in which they can use it effectively. They must be able to act very quickly, possibly within a few days of receiving particular information. They will of course, wherever they possibly can for their own self-protection, get a report from the Tariff Board, which they will be able to quote as justification for their act in imposing taxation ; but they must be in a position, if necessary, to act quickly. That is one reason why we oppose this amendment, because this amendment puts a statutory obligation on the Government to act in a way which may not be quick enough.

There is another reason which I think I may put to this House. The proposal is that the new Tariff Board should be superimposed upon the existing Tariff Board. The existing Tariff Board, though not a statutory one, yet is a Board which has done what everybody recognises to be an extremely valuable piece of work in a very valuable way. Its composition is one official and two non-officials, one of whom was a Member of this Assembly and one was a Member of the Council of State. Neither of them was a regular supporter of Government. So that in essence you have a Tariff Board not at all unlike the one proposed by this amendment. You have a Tariff Board which has done for you a good piece of work. Its composition was in accordance with the decision of the Assembly. That being so, would it not be a little bit unkind to the members of the existing Tariff Board to pass an amendment of this sort, which to some extent would look like a slap in the face ? It is possible to have a clause which requires that the Government should come to the Assembly in advance and obtain the authority of the Assembly before imposing offsetting duties. The Government would be extremely glad if they could have had some such clause, but they recognise, and the Tariff Board recognises, that such a clause would make this provision largely ineffective. It being impossible therefore for the Government to come for the approval of the Assembly before taking action, we submit that the clause, as it stands, provides the best means of securing that effective protection which is the object of this Bill.

**Mr. K. Venkataramana Reddi** (Guntur *cum* Nellore : Non-Muhamadan Rural) : Sir, I rise to oppose the amendment. I will state that I am in full sympathy with the principle that the executive should consult this Legislature in financial matters and that the executive should be responsible to this Legislature in every matter, but in addition to the reasons given by the Honourable the Commerce Member, I will put another hypothetical one before this House. Supposing a Member is elected by this Assembly to the Tariff Board at the beginning of the session, and supposing that the Board has been entrusted with the investigation whether protection should be granted or not to an important industry which is in urgent need of protection, and supposing that Member is unseated by an election petition, then two contingencies will happen, either a new session should be called to fill up the vacancy or the industry would go to pieces, because the Board cannot go on with only two members. But having regard to the present financial conditions of our country, frequent sessions of the Legislature cannot be held at a heavy cost and I do not think it is advisable that the industry should be allowed to go to pieces. In either case it is not desirable to bring about this state of affairs by accepting this amendment, so I oppose it.

**Mr. President :** Before putting this amendment to the vote, I will tell Honourable Members what the procedure will be with reference to what fell from Mr. Rama Aiyangar. The motion will be put in this form :

“ That the words proposed to be left out do stand part of the clause.”

If that is carried, that is, the words which are proposed to be left out, remain part of the Bill, then Mr. Acharya's amendment will fall. Also, in consequence, Mr. Devaki Prasad Sinha's amendment No. 27 will also fall. If, on the contrary, the House resolves that the words proposed to be left out do not stand part of the clause, then I will next put to the House that the words proposed to be substituted by Mr. Acharya be substituted in their place. If that is accepted by the House, then again Mr. Devaki Prasad Sinha's amendment will fall. If the House does not agree to substitute the words proposed by Mr. Acharya, then Mr. Devaki Prasad Sinha's amendment proposing to substitute some other words can be moved. The amendment of Mr. Rama Aiyangar will not be touched by this because it proposes to add certain words at the beginning of the clause. That will be taken in due course. The question is :

“ That the words proposed to be left out by Mr. Acharya's amendment do stand part of the clause.”

**Mr. Devaki Prasad Sinha :** The motion before the House is for substitution, and may I submit that it is usual for the amendment to be put to the House first.

**Mr. President :** This is the recognised form in which the thing is done in the Houses of Parliament, and it is fair to all to do it in that manner. The question to be put is :

“ That the words proposed to be left out by Mr. Acharya's amendment do stand part of the clause.”

The amendment wants that for the words “ after such inquiry as he thinks necessary,” the words “ in consultation with a Standing Tariff Board, etc.,” be substituted. Therefore it involves first the leaving out of the words “ after such inquiry as he thinks necessary.”

**Mr. C. Duraiswami Aiyangar :** May I rise to a point of order. According to the ruling of the Chair, supposing we omit these words and do not add anything, the effect will be to pass this amendment with these words omitted and no others added, and a difficulty will arise.

**Mr. President :** No difficulty will arise. If the House is so unreasonable as to achieve that result, the whole clause will go.

**Mr. Devaki Prasad Sinha :** But the arguments in favour of the amendment will not be heard.

**Mr. President :** It is very simple, if the Honourable Member will follow it. Supposing the House resolves that these words be left out, that will serve the Honourable Member's purpose. Then when it is put to the House that the words proposed by Mr. Acharya be substituted, Honourable Members who do not want those words to be substituted, but some other words substituted, may vote against it. If the House then resolves that the words Mr. Acharya wishes to be substituted should not be substituted, then it will be open to Mr. Devaki Prasad Sinha to propose that some other words be substituted.

**Dr. H. S. Gour :** May I suggest some simpler form.....

**Mr. President :** There is nothing simpler. The form that I have stated is the proper form and I am going to follow that form.

**Dr. H. S. Gour :** If you....

**Mr. President :** Order, order. The question is :

“ That the words ‘ after such inquiry as he thinks necessary,’ proposed to be left out by Mr. Acharya, do stand part of the clause.”

The motion was adopted.

**Mr. President :** So the words “ after such inquiry as he thinks necessary ” will stand part of the clause. Therefore Mr. Acharya’s proposal to substitute other words for these words goes out, and so does Mr. Devaki Prasad Sinha’s amendment.

**Mr. Devaki Prasad Sinha :** Am I now entitled to move my amendment ?

**Mr. President :** The Honourable Member cannot move his amendment because the House has resolved that the words he wanted to leave out in order to substitute some other words in their stead do stand part of the clause. If they do stand part of the clause, the Honourable Member cannot substitute them by something else.

Then come Mr. Rama Aiyangar’s amendments Nos. 25 and 28 which are in the form of additions to the clause.

**Mr. K. Rama Aiyangar :** Sir, because you did not take clause 1, it becomes necessary for me to refer to my amendment No. 18. I propose there that the following be added to clause 1 :

“ It shall be lawful for the Governor General in Council to constitute at the beginning of each year, or once in a number of years, a Tariff Board consisting of one official member and two non-official members of the Indian Legislature. The Board shall be kept informed of the condition of the steel trade.”

In consequence of that I also wish to move here in clause 2 of the Bill that in the proposed sub-clause (4) the words “ on the report of the Tariff Board or ” be inserted at the beginning of the said sub-clause ; and later on in the same sub-clause that the word “ otherwise ” be inserted after the word “ satisfied.” In view of the constitution I refer to in my amendment No. 18, Honourable Members will now find that all the objections that were raised to the last amendment by the Honourable Sir Charles Innes and the Honourable Sir Basil Blackett will not stand when this amendment is accepted. I give full power.....

**Mr. President :** Before this amendment proceeds further I may draw the Honourable Member’s attention to this, that his amendment, as he has worded it, is rather clumsy and may be set right by a little verbal alteration. As he has put it the sub-clause would run like this :

“ On the report of the Tariff Board if the Governor General in Council is satisfied otherwise, after such inquiry as he thinks necessary, etc.”

That is clumsy. Therefore if I may so suggest it should run :

“ If the Governor General in Council is satisfied on the report of the Tariff Board or otherwise.”

**Mr. K. Rama Aiyangar :** Thank you, Sir. As I said, my amendment when taken with amendment No. 18 that I have referred to will satisfy all the conditions that have been put forward by the Honourable

[Mr. K. Rama Aiyangar.]

Members on behalf of Government in connection with the last amendment. I do not want to interfere with the power that the Governor General in Council should have in this matter. I leave them perfectly free to take action on the information they have received. I only want that there should be a recognised Tariff Board, and I leave the constitution of it to the Government themselves. Not only so, I want the Tariff Board to be constituted, as it has now been constituted. I want that there should be one official and two non-officials on it. That is the way they have constituted the present Tariff Board. But what I want is that Members of the Indian Legislature should be put on the Tariff Board. I dare say that some Members of the Board may be treated as past Members, but of course if necessary past and present Members of the Legislature may be on the Tariff Board.

**Mr. President :** We have kept back clause 1. The Honourable Member's amendment No. 18 is an amendment to that clause. That is why we have not taken it now. But the present amendment that is being moved really hangs on that substantive provision in No. 18. Therefore, I think it will be more convenient if amendment No. 18 is moved first, not as part of clause 1, but as an additional clause after clause 1. The Honourable Member will now move that after clause 1 a new clause be added as specified in No. 18.

**Mr. K. Rama Aiyangar :** Sir, I now move No. 18 in the form that has been suggested by the Honourable the President.

**Mr. President :** That the following clause be added after clause 1.

**Mr. K. Rama Aiyangar :** As I said, Sir, this will give them full power to continue the present Tariff Board, or, if circumstances so require, to modify the constitution of that Board. But I beg to place before the Government the view that, if you put it in the Bill itself in the form that I suggest, it will be a considerable help to Government. It will not take any extraordinary power which is sought to be given to it. The Board that was constituted has reported unanimously, the Government themselves have agreed to impose protective duties, and they are supported by the Tariff Board's recommendations also. Similarly, if the Tariff Board is also allowed to be consulted—and it is conceded on behalf of the Government that they will be consulted—then it should be embodied in the Bill. If there is a provision in the Bill it will give a right to the Tariff Board, and in emergent cases it will give them an opportunity to make representations to the Government so that Government will be left absolutely in a safe position without being attacked even from outside. There will be a Tariff Board with a majority of non-official members who will have made the recommendations to the Government if there was any necessity for such recommendations being made after action is taken in emergent cases by the Government. Where there is no emergent case, or where the Government themselves have not got the time to get the information, the Tariff Board may make the recommendation, and it should be cast upon them as a duty to make the recommendation. The whole effect will be, the representations to be made on behalf of the public will be made by that body, and they may take action independently of Government when necessary. The Government will be supported by the Tariff



Board, if they do not object to it or do not make representations on behalf of those actions taken and the effect will be a complete system which will be quite satisfactory both to the Government and to the public. And I submit that it will be a better safeguard to the Government themselves and it will be absolutely satisfactory. I therefore suggest that the amendment that I have put forward should be accepted. As I have mentioned I purposely intended to cover the necessity to continue the present Tariff Board, if it was considered necessary.

**Mr. President :** That will not be the case, because you want two non-official Members of the Indian Legislature.

**Mr. K. Rama Aiyangar :** I mean the past and present. The object with which I worded it so was that they need not be taken away for the period for which we are now introducing the Bill. I submit it will be very good for the Government under the circumstances to accept it, if necessary in any modified form that they will be pleased to give it.

**Diwan Bahadur M. Ramachandra Rao :** Sir, I regret that I cannot support my friend in regard to the composition of the Tariff Board. Honourable Members are aware that the present Tariff Board consists of three Members and they are paid officials of the Government at present. My Honourable friend proposes that two non-officials in the sense that they do not receive any salary are to be appointed to this Board. I regret, Sir, that the work of this Board will be seriously handicapped. You will see that the Tariff Board were engaged on work in connection with the steel industry for nine months and they have produced an admirable report and had to collect evidence in various places and the evidence has been printed in three volumes. And now again there are a number of questions in regard to paper, cement and various other industries which will mean continuous work by this Board, and, if my Honourable friend suggests that two non-officials without any pay should be engaged in the work of investigation of the various industries from day to day and throughout the year, I think that this proposal is impracticable. On this one ground I recommend that this proposal should not be put into this Bill.

**Pandit Madan Mohan Malaviya :** Sir, I rise to support the amendment of Mr. Rama Aiyangar. May I invite the attention of the Honourable Member in charge of the Bill to some provisions of the Safeguarding of Industries Act, of 1921 ? There they appointed a committee to advise the Board of Trade on the question as to whether any help was to be given to any particular industry. The object of the Act, as Members of this House will probably know, was the prevention of dumping and the supporting of the indigenous industries against foreign competition. In section 7 of that Act it is provided that :

“(1) A committee for the purposes of this Act shall consist of five persons selected by the President of the Board from a permanent panel of persons appointed by him who shall be mainly persons of commercial or industrial experience.

(2) Any persons whose interests may be materially affected by any action which may be taken on the report of a committee shall not be eligible for selection as a member of the committee.”

I think Mr. Rama Aiyangar's proposal is a good one that there should be a Tariff Board appointed at the commencement of the year. And if instead of 3, you have 5 persons coming out of a permanent panel

[Pandit Madan Mohan Malaviya.]

of persons mainly of commercial or industrial experience, they will report to the Government, they will advise the Government of India, who will take the place of the Board of Trade here, as to whether any enhancement of the duty is desirable. I will draw attention to another important provision of the same Act. It proceeds to say :

" If the committee report that as respects goods of any class or description manufactured in any country the conditions specified in sub-section (1) are fulfilled the Board may, after taking into consideration the report, if any, made under sub-section (2) by order apply this Part of this Act to goods of that class or description if manufactured in that country :

Provided that :

- (a) no order shall be made under this section applying this Part of this Act to goods of any class or description unless the committee to whom the matter has been referred under this section have reported that in their opinion production in the industry manufacturing similar goods in the United Kingdom is being carried on with reasonable efficiency and economy ; "

It is further laid down there that :

" (4) If at the time when it is proposed to make any such orders the Command House of Parliament is sitting or is separated by such an adjournment or prorogation as will expire within one month, the drafts of the proposed orders shall be laid before that House and the orders shall not be made unless and until a resolution is passed by that House approving of the drafts either without modification or subject to such modifications as may be specified in the resolution, and upon such approval being given the orders may be made in the form in which the drafts have been approved.

In any other case an order may be made forthwith, but all orders so made shall be laid before the Commons House of Parliament as soon as may be after its next meeting, and shall not continue in force for more than one month after such meeting unless a resolution is passed by that House declaring that the orders shall continue in force, either without modification or subject to such modifications as may be specified in the resolution ; and, if any modifications are so made as respects any order, the order shall thenceforth have effect subject to such modification, but without prejudice to the validity of anything previously done thereunder."

I think, Sir, similar cautious provisions might well be considered by the Member in charge and this amendment of Mr. Rama Aiyangar might be accepted as a fair basis of an arrangement which will guarantee that the matter will be considered duly by a properly constituted Committee and that it is upon the advice of such a Committee that the Government of India will take action and also that any orders passed will be brought before the Assembly at the earliest opportunity.

**The Honourable Sir Charles Innes :** Sir, if any criticism is needed on the Honourable Pandit's speech it is that his suggestions have practically no reference to the amendment moved by Mr. K. Rama Aiyangar. Mr. K. Rama Aiyangar's amendment also was obviously made under a misconception. He thought that if this amendment were accepted by the Government and the House, it would be possible for us immediately to convert our existing Tariff Board into the statutory Board he contemplates. But that is not so. The amendment says that the statutory Board must consist of an official Member and two non-official Members of the Indian Legislature. It is perfectly true that two of the members of the existing Tariff Board were originally Members of the Indian Legislature. But they are not so now and therefore it is quite impossible for us to convert our existing Tariff Board into the new Board suggested by Mr. Rama Aiyangar. Therefore, we should have two Boards, one the existing Board and the other the statutory

Board which—for Mr. Rama Aiyangar's present amendment must be taken with his two other amendments Nos. 25 and 28—would be of no use otherwise and whose duties will be confined to working this offsetting duty clause. Moreover, we should even in that case not be compelled to consult the Tariff Board suggested by Mr. Rama Aiyangar, for he expressly says that we should put on offsetting duties if satisfied on the report of this Tariff Board "or otherwise." Well, having had experience of the working of the existing Tariff Board I think the House may take it from me that we should always make use of the "otherwise" procedure. We should have one Board which is really a competent Board, and another Board that will not be of much use for our purposes. I think that I have shown that Mr. Rama Aiyangar's proposals would not carry us any further. I suggest that he should drop the amendment.

**Mr. M. K. Acharya :** I believe the real idea that is now in the minds of most of us is that there must be some statutory Board provided of some kind or other. There is no idea in our minds that the present Tariff Board should be replaced or that there should be another Tariff Board working on the same lines and for the same purpose. Surely it could not be beyond the ingenuity of the Government to devise some means of putting the present Tariff Board on a statutory basis. That is all we are chiefly concerned with. It is easy at any rate to have some statutory provision made for the Tariff Board to be appointed from year to year or for a period of years. Already an example has been set of having one official, and of course, I myself am ready to admit from what I have heard that the present Report of the Tariff Board is due greatly to the talent and assiduity of the official member. But, instead of leaving it entirely to official discretion, I wish that it were possible for Government to make this Tariff Board a statutory body and I desire that some provision should be made for it in the Act itself.

**Diwan Bahadur M. Ramachandra Rao :** May I put to the Honourable Sir Charles Innes whether he is prepared to put the present Tariff Board on a statutory footing. If he is, I should think the amendment might be modified so as to bring it into conformity with his wishes. Instead of having a Tariff Board as suggested by my Honourable friend and a Tariff Board appointed by the Governor General in Council, with a slight amendment, the amendment of Mr. Rama Aiyangar can be brought into shape. I suppose in that case it will run thus :

"It shall be lawful for the Governor General in Council to constitute at the beginning of each year, or once in a number of years, a Tariff Board consisting of three members."

As regards their qualifications, their salaries, and other questions it will certainly be in the hands of the Governor General in Council.

**The Honourable Sir Charles Innes :** I think the Honourable Member asked me whether I was prepared to convert the Tariff Board into a statutory body, whether it was our intention to convert the Tariff Board into a permanent statutory body. The matter was discussed in connection with the Resolution on fiscal policy in February last year and it was definitely decided by the House that the Tariff Board should be appointed at first on a temporary basis in order that we might see how many applications for protection were forthcoming and whether

[Sir Charles Innes.]

there was any necessity for making it a permanent body. The Tariff Board only exists so long as industries apply for protection. As far as I can see, the Board will go on this year and next year, but I cannot say for certain that it will be a permanent body. That being so, I do not think I can commit Government to making it permanent by converting it into a statutory body.

**Mr. President :** The amendment says :

“ It shall be lawful for the Governor General in Council to constitute at the beginning of each year, or once in a number of years, a Tariff Board consisting of three members,”.....

It leaves it to Government.

**Diwan Bahadur M. Ramachandra Rao :** It may be for any period : it need not be permanent.

**Mr. President :** It merely empowers Government, if they choose, to constitute a Board, not otherwise. The amendment will run thus :

“ It shall be lawful for the Governor General in Council to constitute at the beginning of each year, or once in a number of years, a Tariff Board consisting of three members.”

**Mr. C. Duraiswami Aiyangar :** May I say a few words with reference to the suggestion made by Diwan Bahadur M. Ramachandra Rao ?

**The Honourable Sir Charles Innes :** May I know the suggested amendment ?

**Mr. President :** It will be like this :

“ It shall be lawful for the Governor General in Council to constitute at the beginning of each year, or once in a number of years, a Tariff Board consisting of three members.”

That is all.

**The Honourable Sir Charles Innes :** I have no objection if it merely enables and does not tie us to any particular proposal.

**Mr. M. A. Jinnah :** Is it ever unlawful for Government to appoint a Board ?

**Mr. President :** It is always lawful without saying it in the Act.

**Mr. C. Duraiswami Aiyangar :** With reference to that, since the Government are willing to accept it, I wish to say a few words. There was an objection that the word “ shall ” shall not be converted into “ may ” at this stage so far as my amendment was concerned. But we are now at a stage when an amendment entirely different in spirit, in letter and in effect can be permitted. This is an amendment which converts the entire amendment which was put on the agenda which suggested two non-official members. That is taken away now. We have got three official members to be appointed by the Government at their pleasure ; and when the Government under the present Bill are undertaking to make this inquiry without additional cost why should there be three more officials for carrying on the same inquiry ? If there was any object at all in proposing a Tariff Board, it was the object which myself and Mr. Acharya had, namely, that there should be a body which is independent of the Government, which will be responsible to the Legislature and in which we may have a thorough con-

fidence that it will take the interests of the community into consideration. I therefore oppose this amendment on the grounds, firstly, that we had no notice, secondly, it is out of order, thirdly, it is objectionable and, fourthly, it is not in the interests of the country.

**Mr. M. A. Jinnah :** I object to the amendment very strongly because it seems to me that we give something to the Government and get nothing in return for it. We give them full power to appoint a Tariff Board in such manner as they may think proper. What will be the duty of that Board and what will be the procedure and what will be the consequence of their decisions? We give the Government full power, a blank cheque and say: "You shall appoint a Tariff Board whenever you shall think it lawful." Surely that is not an amendment which we want to press. I can quite understand the Honourable Member saying what the Tariff Board is to be, how it shall be constituted, that it shall consist of the following members who will satisfy the qualifications or the standard that the Statute lays down, that the following shall be their duties, that the following shall be their procedure. Surely this is an absolutely useless sort of amendment, which serves no purpose. On the contrary, you hand over the whole thing to Government and say "You shall appoint the Tariff Board".

**The Honourable Sir Basil Blackett :** I do ask the House not to spend too much time but to get to work and consider something serious. We are at present, as far as I can see, trying to frame up a steel frame that is not of any value to anybody. The Government have already the power to establish a Tariff Board and it has established one. This amendment takes us no further. It attempts to create a Tariff Board which might be a statutory institution, but, as Mr. Jinnah points out, it does not define the duties of the Tariff Board or really add anything to the position as it stands at present. On the other hand, it does prejudice the decision as to whether we do want in the future a permanent Tariff Board and what its constitution should be. My Honourable friend the Member for Commerce has stated that the Government are perfectly prepared to consider the question of having a permanent statutory Board in place of the present Board which is experimental and I suggest that we can take that question up quite separately and that what we are discussing now does not seriously take us forward in the discussion of the Bill now before us.

**Mr. K. Rama Aiyangar :** I think we are here in this Assembly to carry out the objects which we have in view. We are not here to oppose each other. Simply because one amendment is lost and another is more suitable.....

**Mr. President :** Will the Honourable Member tell us whether he is pressing his amendment or not? He cannot make a second speech.

**Mr. K. Rama Aiyangar :** I have no objection to Mr. Jinnah or anybody else putting in the necessary language. The object is to continue the Tariff Board during the period of this Bill.....

**Mr. President :** The Honourable Member has already made one speech. He cannot make another. Does the Honourable Member want me to put the original amendment or the amended amendment?

**Mr. K. Rama Aiyangar :** The original amendment.

**Mr. President :** The question is :

“ That the following be added to clause 1 :

‘ It shall be lawful for the Governor General in Council to constitute, at the beginning of each year, or once in a number of years, a Tariff Board consisting of one official member and two non-official members of the Indian Legislature. The Board shall be kept informed of the condition of the steel trade.’ ”

The motion was negatived.

**Mr. President :** This disposes of amendments Nos. 25\* and 28† which are consequential. Then we come to Mr. Patel's amendment No. 29‡ This is out of order. Then there is Mr. Amar Nath Dutt's amendment No. 30§. I should like to hear Mr. Dutt as to why his amendment should not be ruled out of order.

**Mr. Amar Nath Dutt :** My reason for introducing these words “ with the approval of the Indian Legislative Assembly ” in the proposed sub-section (4) of clause 2 (1), is this. Because I find that the proposed sub-section gives very wide powers to the Governor General in Council to tax the people of India. In fact, Sir, in the present Schedule, Part VII, as it is in the Bill, the amount that is to be levied upon iron and steel goods is too high, and by this sub-section the Governor General in Council wants to reserve powers over and above that, and whenever it seems necessary to them they will be able to levy further duties. I want to limit the powers of the Governor General in Council so that they may have to seek the approval of the elected representatives of the people, before the people are further taxed. Now, Sir, the taxable capacity of the people may be unlimited in the eyes of the bureaucracy, but we, who know the people, and especially the poor people who are to be taxed by this measure.....

**Mr. President :** I am now only asking the Honourable Member to tell me if he has anything to submit why the amendment is in order.

**Mr. Amar Nath Dutt :** It is in order in this way, Sir, inasmuch as I submit that the representatives of the people should be consulted before any steps are taken. Is the Governor General in Council above the wishes even of the representatives of the people ? I submit that this is in order and it may be allowed.

**Mr. President :** I think the amendment is out of order. The next amendment is Mr. Hussanally's which asks for the addition of two provisos to sub-section (4). The second proviso, namely :

“ Provided also that Railway fares or freight shall not be enhanced in consequence of the said enhanced protective duty ; ”

is outside the scope of the Bill. I will hear Mr. Hussanally about it. The first proviso can be moved.

**Mr. W. M. Hussanally (Sind : Muhammadan Rural) :** I thank you, Sir, for allowing me to move the first proviso and I do admit that the second proviso is outside the scope of the Bill. So far as the first proviso

\* “ In clause 2 of the Bill, in the proposed sub-section (4) the words ‘ on the Report of the Tariff Board or ’ be inserted at the beginning of the said sub-section.”

† “ In clause 2, in the proposed sub-section (4), after the word ‘ satisfied ’ the word ‘ otherwise ’ be inserted.”

‡ “ In sub-clause (1) of clause 2, in the proposed sub-section (4), the word ‘ shall ’ be substituted for the word ‘ may ’.”

§ “ In clause 2 (1), in the proposed sub-section (4), after the words ‘ he may ’ the words ‘ with the approval of the Indian Legislative Assembly ’ be inserted.”

is concerned, I propose that the following proviso be added to subsection (4) :

“ Provided that when any article is *bona fide* imported from abroad for ship-building, or for the use of any other nascent industry in India, duty thereon shall not be increased.”

Sir, we are all anxious about our mercantile marine and for that purpose a public inquiry has been instituted and we expect shortly to have their report. It is also expected that they will make certain recommendations in order to encourage the ship-building industry of this country.

**Mr. President :** I cannot hear you at all.

**Mr. W. M. Hussanally :** Sir, it has been admitted that we should encourage the ship-building industry in India with a view to monopolise all the coastal trade of India. Now if ship-building is to be encouraged, steel and iron are the principal things which that industry would need and if this additional duty is imposed upon all imported steel and iron, that industry cannot develop and cannot be encouraged.

Last year Mr. Seshagiri Ayyar in the last Assembly proposed a Bill which had the object of encouraging ship-building and also mercantile marine, but it lapsed on account of the dissolution of the Assembly. I understand that some such Bill will also be brought forward in the near future. If that be so, it is all the more necessary that a proviso of this kind that I advocate should be inserted in the Bill so that the ship-building industry can get steel and iron as cheaply as possible. Mr. Jadu Nath Roy, who is a member of the Indian Mercantile Marine Committee, has written a note on this subject, which I learn has been circulated to all the Members. This is what he says in regard to this matter :

“ The pre-war price of steel was Rs. 5 and 6 per ton and at the present time it stands at from Rs. 9 to 10. But we have reason to hope that with the return of normal conditions the price of steel will come down almost to the pre-war rate. If the duty is raised to 33½ per cent., Great Britain and other European countries will be able to build ships at a cheaper price than India, as they will escape the Indian duty altogether; and the chance of our developing the ship-building industry of India will be lost. At present inland vessels are being built here and we ourselves are building them in our dock. If the duty on the steel is raised it will not be possible to build them here, as big inland vessels which can come on their own steam will be built in Europe and Indian builders will not be able to compete with Europeans. Thus instead of encouraging the ship-building industry here, it will go to put a stop to it altogether. The importance of the ship-building industry for purposes of national defence cannot be ignored. At a time when the Indian Mercantile Marine Committee are inquiring into the prospects of and devising means for the development of the ship-building industry in India a spoke should not be driven into the wheel of progress by raising the duty from 10 to 33½ per cent.”

That, Sir, is the opinion of an expert who is engaged in the ship-building industry. There are ship-building yards at Calcutta, Bombay, Cochin, and we all wish that this industry should be developed as quickly as possible. There are large rivers in India and Burma which are suitable for navigation. For this reason, if this provision is not made this ship-building industry will be killed, and all the labour available now will be dead, and it will be very difficult to revive it again. Similarly, in the case of nascent industries. They should get all their steel and iron cheap from outside India.

In Japan and America there is this protective policy but similar exceptions are made and I hope this House will provide that the duty shall not be increased, in exceptional cases, so that these nascent industries should be encouraged and developed. It may be argued that the provisions in this Bill are only temporary and that therefore no provision is

[Mr. W. M. Hussanally.]

necessary at present for the ship-building industry, but I do not think for a moment that the steel industry will be thoroughly established during the next three years to come, and once a protective policy is adopted, it will have to continue for a very much longer period. For these reasons I recommend to the House the adoption of this proviso.

**The Honourable Sir Charles Innes** : Sir, we have had a very eloquent speech from my Honourable friend Mr. Hussanally about the harm which this Bill, or rather these offsetting duties are likely to cause to the ship-building industry. If the ship-building industry is likely to suffer all this harm, I should have expected my friend to move that iron and steel required for ship-building should be exempted altogether from the enhancements of duty proposed, and not merely from the offsetting duties. I put it to this House that the proposal to exempt these industries from the offsetting duties would not help ship-building at all. Apart from that, I must point out to the House that it is entirely impossible for the House to work a clause of this kind suggested by Mr. Hussanally. In the first place, who is to decide what a nascent industry is. Is it to be the Collector of Customs? In the second place, when a man comes to the Collector of Customs and says, "These wire nails, or this common steel bar is required for the ship-building industry, or for another nascent industry," how is the Collector of Customs to satisfy himself that this is correct or not? Mr. Hussanally's amendment is entirely useless, because it exempts these industries only from the offsetting duties, and also it is impossible for our Collectors of Customs to work. I put it to him that if these industries want protection they should go to the Tariff Board and have their case taken up separately and independently; but this amendment will help no one. I therefore oppose it on behalf of Government.

(At this stage Mr. President vacated the Chair, which was taken by Mr. K. C. Neogy.)

**Mr. Chairman** : The question is :

"That in clause 2 (1), the following proviso be added to the proposed subsection 4 :

'Provided that when any article is *bona fide* imported from abroad for ship-building, or for the use of any other nascent industry in India, duty thereon shall not be increased.'

The motion was negatived.

**Mr. W. S. J. Willson** : Sir, the amendment which stands in my name  
6 P.M. is, as you rightly observe, wider than Mr. Patel's. It covers his, and I shall attempt to do a little justice to his claim as well as my own in the process of moving it. This amendment, Sir, merely seeks to exclude from the operation of this Act certain steel which is in process of coming out to this country, which was ordered from home before the Tariff Board issued their Report. I merely wish to quote two instances. I will quote the instance of the Calcutta Corporation, who nearly two years ago, ordered a large quantity of pipes from England. They deliberately delayed the arrival of these pipes in this country, in order that the money should not be locked up in them and the pipes should not arrive here until the road was ready for them, and they should be paid for by degrees. The case of Bombay is slightly different. They had other reasons for delaying the arrival of their pipes, but the principle is the same. All I wish to say here, Sir, is that I have, in taking into consideration the cases of



Corporations, also in mind the consideration of private interests. There are also people who have ordered goods out for their own factories, their own houses, or whatever it may be, goods ordered out before the report of the Tariff Board was issued. I submit that, as the result of the Tariff Board's finding, the measure now before the House is one of great generosity to the steel trade, and I say that before being generous to one set of interests, we should at least be fair to other interests. I think it is not fair to heap bounties upon some and penalties upon others at the same time and by the operation of the same Act. My amendment goes further than Mr. Patel's only in the fact that it also excludes private property as well as municipal.

(At this stage Mr. President resumed the Chair.)

My submission is that, if it is fair to omit municipal, it is fair to omit private property and make no distinction between one and the other. I have only further to add that I have put the 1st November 1924 as a date in this Bill because I think it desirable that there should be some date, some reasonable date, which will just give people time to get in a reasonable quantity of their orders, but I hold no brief for the 1st November 1924. If any one else has a better date to propose, I shall be quite ready to consider it. With these remarks, I think I need not read my amendment, which is in print upon the paper.

**Mr. President :** Amendment moved :

“ To sub-clause (2) of clause 2, the following proviso be added :

‘ Provided that nothing in the said schedule shall apply to constructional and other steel arriving at Indian ports before 1st November 1924, which can be proved to the satisfaction of the Collectors of Customs to have been definitely ordered from abroad and definitely earmarked for specific constructions in India before the publication of the Tariff Board's Report and not for ordinary sale by the importers.’ ”

**Mr. H. G. Cocke (Bombay : European) :** Sir, I should like to support this amendment. I admit that exemption in special cases is bad in principle but these cases are very exceptional. As regards the Report of the Select Committee, it was decided by a majority, that unless the operation of the protective scheme is to be indefinitely postponed, it would be impossible to make exceptions in particular cases, and further, that if any such exceptions were recommended, it would be difficult to draw distinctions between the numerous claims which would undoubtedly be made. Well, admittedly the Collector of Customs will have some difficulty in sifting out these claims but I do not think it impossible. And as regards the financial aspect, although this Bill is framed on the assumption that the extra tariff will meet the bounties, that is rather guess-work, and it is impossible to say now to what extent the tariff will meet the bounties. By excluding these particular importations it is quite probable, in fact it must be expected, that the tariff will be less able to meet the bounties. Well, I think that is a situation which ought to be faced. I think if the requisite number of lakhs which are required to make this particular concession has to come upon the general surplus, the situation is one which the Assembly should accept.

**The Honourable Sir Basil Blackett :** Sir, I rise to oppose this amendment. I object to it on many grounds. In the first place, it introduces an entirely new principle into our methods of imposing customs duties. It has been the habit in India for a considerable number of years to have a revenue duty on a great many articles and in time of need it

[Sir Basil Blackett.]

has been known that that revenue duty has been increased. In the year 1922, and again in the year 1921, a very considerable increase was made to our customs tariff. In all those cases the usual rule applied that the tariff came into force for all goods to which the tariff applied as from one date—in that case of the introduction of the Bill, but as from a specific date. It has never been the practice to introduce a new customs tariff and then to proceed to make exceptions from it in respect of particular articles. There is the general provision in the law that, if a new duty comes into force between the time when goods were ordered and the date when they are delivered, the duty may be passed on to the consumer. We cannot go further, I submit, and introduce a new principle that the duty should not be chargeable on goods because they have been ordered before the date on which a customs duty comes into force.

Secondly, I oppose it because although, as Mr. Cocks says, it might not be impossible for our Customs Collectors to work it, it would be extremely difficult, cumbrous and expensive and probably not at all in the interest of the consumer. If we were to try and make a distinction between goods said to have been ordered under a contract before a particular date, and goods ordered after that date, it would mean very difficult work for every customs officer throughout the country at every port, and it would mean that all sorts of goods would be held up while the customs administration was trying to find out whether or not a claim—of which certainly many would be made—that the goods were ordered before the date proposed was in fact a just claim.

Thirdly, I object to it because it is at least as unfair to the Finance Member and the tax-payer that he should be saddled with the cost of these exceptions as it is unfair to Mr. Patel and his friends that they should be saddled with the cost. It is impossible to give any accurate estimate as to what the effect of this amendment will be, but from the figures that I have been able to obtain, it would cost at least 30 and probably 40 lakhs. These are not recurrent but total figures. That is rather more than the expected cost to the tax-payer of the bounties during the year 1924-25. If, therefore, this exception is to be made, in justice to the Finance Member and to the tax-payer, you should follow it up with another clause postponing the introduction of bounties until say the 1st of April, 1925. I do not know whether the House would care to do that, but I do not think that, unless that is done, you would be justified in imposing on the general tax-payer a burden which under this Bill is carefully laid on the consumer of steel. I have heard it said more than once that this is a Bill to protect steel, but it is also a Bill to raise the money with which to protect steel, and, unless you are willing to raise the money, I do not think that you should continue to propose bounties which will cost a large sum this year without making provision for paying for it. The objections to excluding all, that is the objections to Mr. Willson's clause as it stands, apply *a fortiori* to the other proposed clauses. Hard cases make bad law, but the justification for the attitude of Government in all cases is the same. If you are going in for a policy of protection, you must be willing to pay the cost, and it is not fair that you should make proposals which will be for the benefit of individual corporations and others unless at the same time you decide that the date at which you can begin paying the bounties is postponed also.

**Mr. V. J. Patel :** Mr. President, I rise to support the amendment of my friend Mr. Willson. The main objection, so far as I have been able to gather, taken on behalf of Government to this amendment is on the score of finance. I say the main, I do not say the only objection. The main objection taken by Government is on the score of finance. The Honourable the Finance Member suggests that if this amendment is carried, then necessarily the grant of bounties must be postponed to an indefinite date. May I ask him whether he would be prepared to compensate these particular bodies in case Government find that they get more revenue than they require at the end of the year for the purpose of bounties? So far as I could see, Government are likely to realise more than double the estimate they have made. They have estimated 38 lakhs of rupees as excess revenue on account of these duties in the year 1924-25, and they have got to pay 24 lakhs of rupees as bounties. But I should like to point out that the Tariff Board cannot possibly have taken into consideration in the estimate of these 38 lakhs, the particular cases which are likely to bring in lakhs and lakhs of rupees as revenue, and my suspicion is that the Government propose to raise revenue beyond the necessities of the case. They want 24 lakhs for the bounties. Let them realise 24 lakhs from these duties. Why should they have more? I want the House to remember that this is a Protection Bill and not a Revenue Bill. My friend says it is also a Revenue Bill. Assuming that that is so, the revenue to be realized should be for the purpose of granting bounty only and no further, and if you grant that principle, then may I ask him once again, whether the Government are prepared to compensate these particular bodies who now seek relief at their hands? My friend says we shall be making a departure from the existing practice in the matter of such legislation, if we were to exempt individual corporations or individual contracts. That is not so. What Mr. Willson says is that certain contracts which were entered into before the date of the publication of the Tariff Board's Report should be exempted from the operation of this Act. There could not be a more just case than this. The claimants never contemplated that the Tariff Board was going to be appointed, or was going to consider the question and that Government were going to introduce a Bill imposing higher duties when these contracts were entered into in 1921 and 1922. And now we say that these contracts having been entered into long before the Tariff Board was ever in contemplation or any such question of protection to the steel industry was ever in contemplation, we justly claim that we should be allowed special treatment in this matter. I am not talking here regarding the special case of the Bombay Municipality. But on general grounds and in fairness to people who have entered into contracts long before the Tariff Board was in contemplation, a case for exemption is clearly made out. I therefore gladly support the amendment of my friend.

**Mr. M. A. Jinnah :** Sir, I was amused to hear the Honourable Member when he spoke and let the cat out of the bag that he was not supporting the Bombay Municipality case at all, but that he was supporting this amendment on general grounds. But surely the Honourable Member knows that the greater includes the less and he knows perfectly well that if he succeeds in supporting this he will be equally supporting the other. He put one question to the Honourable the Finance Member and he said that, if there is any surplus after you have paid the bounties out of the revenue that you realise by this tariff, what

[Mr. M. A. Jinnah.]

will you do with it ? Have you any business if you have any balance ? Well, I do not know whether there will be any balance or not, but will the Honourable Member give a guarantee on behalf of the Municipality of Bombay that, if there is a deficit, they will make good the deficit ? It is a speculation, and therefore really it is beside the point to say : " I say there will be a balance." What ground have you got for saying so ? The Government might turn round and say : " Well, as far as our calculations go, there might be a deficit or the two ends might meet and that's all." Therefore, that is a speculation.

Now, I object to this amendment purely on principle. Why are the people entitled to come to this House and say : " Exempt us because we gave our orders before the Tariff Board's Report was published " ? Why is not a man entitled to come and say : " Exempt me also because I have already given my order before this Act comes into operation." Very well. Then where are you going to draw the line ? We know perfectly well that the principle of tariff legislation—and here is a case which involves both taxation as well as protection—we know perfectly well that the principle of legislation of this kind is that it must come into operation the moment it becomes an Act and it must apply to every single ton of steel or iron that comes into our ports irrespective of any difference or distinction as to when the contract was given and so on. Unless we follow that principle, it will be impossible to deal with this case. Probably the Collector will be flooded with any number of applications and he will have to hold inquiries. Therefore, I say that absolutely no case has been made out.

I will say one word more and that is this. All these people in India knew perfectly well that there was a Tariff Board sitting. They knew perfectly well that there was a Tariff Board which was investigating the question whether the iron and steel industry should be given protection or not. Daily reports were published in every newspaper and I think he must be a very bad business man indeed who did not anticipate that some sort of protection was going to be given to this industry.

**Mr. V. J. Patel :** In 1921 ?

**Mr. M. A. Jinnah :** Mr. Patel says " in 1921." If the Bombay Municipal Corporation gives a contract in 1921 thinking that it was going to get a good rate, it is an incident of contract. It is a pure incident of contract and either the vendor or the purchaser has got to pay the enhanced duty. If you are so circumspect, if you are so very prudent as a merchant, and if you choose to give your contracts as far back as 1921 for steel which is going to arrive in 1924, then you must take the consequences of the incident of your contract and either the vendor or the purchaser has got to pay the duty. That is no argument at all. The only argument that I can understand is this. " We gave our contract before the report of the Tariff Board and therefore give us exemption." That is the only argument. (*A Voice :* " Why not for those who are ? ") Quite so. Why not for those who are ?

**Maulvi Abul Kasem (Bengal : Nominated Non-Official) :** Sir, I rise to support the amendment moved by my friend to my left and in doing so I have only a very few words to say. In the first place the Honourable

the Finance Member said that it would not be fair to the tax-payer and to the Finance Member that the Collector of Customs should have to make all these inquiries, as it will cost much. My submission is that the tax-payer, if he wants to gain by protecting the steel industry in this country, ought to make some sacrifices and suffer losses as well. I do not see any rhyme or reason in the fact that all the burden should fall on consumers of steel or on those who use steel or have to use steel in factories or manufactories. Sir, in Bengal they build ships for inland traffic and we have received intimation from the directors of one of those companies to say that by this protection they are going to kill the ship-building industry and that they will have to close their shop. As we have already decided to give protection to steel, I think it is only fair and reasonable to give some protection and be just and fair to those who had entered into contracts long before the Tariff Board made their Report. Mr. Jinnah, a distinguished jurist, has laid down the principles, but as a man in the street I beg to say this to him. How could an ordinary man anticipate this in the first place when many of these contracts were made long before the Tariff Board itself was created? And even after its creation, how could a man know that the first business of the Tariff Board would be to ask for the protection of steel, and that Government would accept it and introduce a Bill and that that Bill would be passed so soon? Therefore, Sir, I submit that it is only reasonable, that it is only fair, that those contracts which were made before the Tariff Board's Report was presented to the public ought to be exempted. We do not say before the Bill was presented. Mr. Jinnah or somebody else may come forward and say that before the Act comes into operation they ought to give protection. But then, after the Tariff Board Report was published, people had an idea of what was coming and what was in store for them. But before their report was published, nobody, unless he was a great prophet, could have possibly anticipated that steel was going to be protected in this way. It has also been said that, unless you charge customs duty on these contract goods, money will be short to pay the bonus and bounties which are proposed under the Act.

I think that if the income from these new duties is short, the ordinary tax-payer who ultimately enjoys the benefit, as we are assured that he will, should be made to pay for the same. I do not know whether Mr. Patel is correct or the Honourable the Finance Member is correct. Mr. Patel says that there will be no shortage but that they will have more money. The Honourable the Finance Member says that they will be short. Whatever it is, if the income is short, the tax-payer should be made to pay for it. I submit that in protecting the steel industry we should not try to kill a good many others.

**The Honourable Sir Charles Innes:** As Mr. Abul Kasem has referred to the authority of Mr. Patel or rather Mr. Patel's estimates of the excess customs revenue we are likely to get from these enhanced duties, I should like to make a few remarks on that particular point. Mr. Patel says that he does not accept the estimates of the Tariff Board. He thinks, and his information is, that we shall get very much more excess revenue out of these enhanced duties than the Tariff Board have estimated and that after we have paid our bounties we are likely to have a large surplus. Now, Sir, I do not think that I shall have any difficulty in showing that Mr. Patel is too optimistic in this matter. In the first place, the Tariff Board's estimates were the estimates of excess revenue for the whole

[Sir Charles Innes.]

of the year beginning from 1st April, 1924. Already two months of that year have passed, and in these two months we have not got any benefit out of these enhanced duties at all. Therefore, it seems likely that we shall get very much less excess revenue than the Tariff Board estimated. Apart from that, it seems—in fact we are absolutely certain—that our expenditure on bounties is likely to be greater than the Tariff Board estimated. The Tariff Board estimated that we should pay Rs. 26.92 lakhs bounties on rails. They calculated on a production of rails by the Tata Iron and Steel Company of 83,000 tons. My information is that in all probability we shall have to pay bounties on considerably more than 100,000 tons of rails this year. Therefore, we are likely to lose in two ways. Our excess customs revenue will not be so great as the Tariff Board estimated and our payments for bounties are likely to be greater. In addition to that, there is a fact which Mr. Patel has not noticed. We have to pay out of the excess revenue bounties on wagons. I think I have shown that this year our excess revenue will hardly cover the payment of bounties, and if we accept this amendment of Mr. Willson we shall be many lakhs down. That I think is the real aspect of the question.

I should like to put in a word for the Collector of Customs. Does Mr. Willson seriously expect that every consignment of iron and steel coming out to this country is to be held up whilst the Collector of Customs makes a summary inquiry whether this particular consignment is covered by some particular contract, which contract was entered into before a particular date? It seems to me that it is quite impossible to work your customs administration in that way and it will clog the wheels of the administration.

Finally, I come to the third point. I do object on behalf of the general tax-payer to these special interests, very weighty interests who command great influence, coming in and saying "We quite agree in this policy of protection. We quite agree that India should pay the price, but we want to be exempt. Let the other people pay." It means that you are only shoving the burden on other people who are less able to pay, and I say that the House, as a matter of principle, and having regard to these Collectors of Customs, and in the interests of proper administration of our customs houses, should reject this amendment which is a most mischievous one.

Mr. President : The question is :

"That to sub-clause (2) of clause 2, the following proviso be added :

'Provided that nothing in the said schedule shall apply to constructional and other steel arriving at Indian ports before 1st November 1924, which can be proved to the satisfaction of the Collectors of Customs to have been definitely ordered from abroad and definitely earmarked for specific constructions in India before the publication of the Tariff Board's Report and not for ordinary sale by the importers.'

The motion was negatived.

Mr. President : The next amendment is that of Mr. Patel.

Lala Hans Raj (Jullundur Division : Non-Muhammadan) :  
Mr. Neogy told us that the business for the day will conclude after this amendment is disposed of.

Mr. President. I am not bound by what Mr. Neogy said.

**Maulvi Abul Kasem :** On a point of order. After having rejected the last amendment, I want a ruling if Mr. Patel's amendment is in order.

**Mr. President :** It is a lesser proposal than the other.

**Mr. V. J. Patel :** The amendment which I have the honour to move runs as follows :

“ That to sub-clause (2) of clause 2 the following proviso be added :

‘ Provided that nothing in the said amendments shall in any way affect or apply to the steel to be imported on behalf of the Bombay Municipal Corporation by Messrs Braitwaite and Company for the purpose of constructing water pipes in accordance with the contract made between them and the said Corporation in 1922 ’.”

This amendment is in respect of one contract only. I want that this House should make exception in the case of a contract for steel entered into in 1922 by the Bombay Municipal Corporation. The facts are these. In connection with the duplication of the Tansa water pipes the Bombay Municipality invited tenders and in doing so they fixed the 31st of May 1922 as the last date for tender. Now, we received letters from America and from other parts of the world asking us to extend the date of tender in order to enable contractors from those countries to send in their tenders. The Municipality refused to do so, but a few days before the final date of tender the Tata Construction Company wrote to the Bombay Municipality asking the latter to give them an opportunity of sending in their tender which they said they could do only if the time was extended. The Bombay Municipality had resolved that, as far as possible, Swadeshi goods should be encouraged and for that purpose, when the Chief Executive Officer found that there was a company that was wanting to tender for indigenous steel, steel manufactured in India, he naturally, in pursuance of the Corporation's Resolution, gave two months to the company and extended the time of the tender up to the end of July. It was contended in the Select Committee and it will be contended here that the Tata Construction Company has got nothing to do with the Tata Steel Company, and that they are not the same though in my opinion it is a distinction without a difference. In this connection I will invite the attention of the Members to the letter of the Construction Company. I will read the letter :

“ We have been for some time communicating with the Tata Iron and Steel Company regarding the arrangement under which a tender for the above work will be sent in, the pipes being made of steel from Jamshedpur and within the last few days we have received an assurance from the Steel Company that they will supply the required quantity of plates.”

It will thus be clear that on the assurance of the Tata Steel Co. the Tata Construction Co. which to my mind is not a different body, wrote to us asking us to extend the time. We extended the time for two months, in order to encourage the indigenous industry. If we had not given these two months, to-day we would have had our full supply.

**Pandit Shamlal Nehru :** May I inquire what the value of that tender is ?

**Mr. V. J. Patel :** The value of the increased duties will be.....

**Pandit Shamlal Nehru :** No, the municipal tender.

**Mr. V. J. Patel :** Two crores or thereabouts : but the increased duty on the steel that has not yet been imported into India will be 11½

[Mr. V. J. Patel.]

lakhs. We wanted 87,000 tons of steel. Out of that 55,000 tons have already arrived on the existing rate of duty, but 32,000 tons have yet to arrive and they will arrive in a few days' time. So the House will see that, if we had not given two months' time on the application of the Tata Construction Co. based on the assurance given by the Tata Steel and Iron Co., we would already have had our steel in this country. This Bill is intended for the purpose of giving protection to the Tata Steel Co., and that company by the action of this Assembly in passing the Bill as it stands, without including this exemption clause, will be giving an advantage to the Tata Steel Co. for its own wrong. I therefore hope that the House will support this amendment.

I will make one more observation. My friend Sir Charles Innes stated that my estimate of excess duty was not correct. May I ask him whether the Tariff Board had in contemplation the 11½ lakhs which the Government are going to get if this exemption is not allowed, whether they had in contemplation the 6 lakhs or so from the Calcutta Corporation, 17½ lakhs from two Corporations? And the whole estimate for the whole of India is 38 lakhs. Does it stand to reason? The whole estimate is wrong, and I feel confident that the Finance Member will realize more than double the estimate in the year 1924. Perhaps it may be that Government desire to use the excess after paying bounties in giving effect to the recommendations of the Lee Commission. I can quite understand that; but you must say so frankly if that is your object. But this is a protection Bill, why make money out of it? Will you kindly tell me whether, if you find that at the end of the year you get more than 38 lakhs, you are prepared to do justice to the Bombay Corporation?

**Mr. W. S. J. Willson:** Sir, I beg to support the amendment, provided of course that Mr. Patel will allow me to add the words "by or on behalf of the Calcutta Corporation" between the words "imported" and "on". I hope he will accept that. If so, I make him a present of one further argument in his case. The Government have informed us that they are making a grant or payment to the Provinces to cover the duty which the Provinces now have to pay on articles they import, and which are now liable to duty in accordance with the Resolution of this House. That being so, Sir, if it is fair to give reductions of duty to Provincial Governments, my submission is that it is fair to give it to Corporations, which are in effect another form of local government.

**The Honourable Sir Charles Innes:** Sir, Mr. Willson's last argument has no force in it at all. The reason why we make these compensatory assignments, if that is the correct financial term, to Local Governments is that under the proviso to section 20 of the Sea Customs Act goods belonging to Local Governments were free of duty. When we amended that proviso in the last session of the Assembly, it was thought necessary for a time at any rate to make up the loss to Local Governments arising out of that amendment of law, because it would otherwise have upset the financial arrangements.

Then I come to Mr. Patel's amendment. Sir, if the House had passed Mr. Willson's amendment it would have been to a certain extent reasonable, because the amendment would apply to all India.



But since the House has refused to accept Mr. Willson's amendment, I am quite sure that it will refuse to make a special exception in an All-India Act like this in favour of a particular corporation, namely the Bombay Corporation. Now, what are the reasons which have been advanced in favour of this special exemption. Mr. Patel has told us a pathetic story. He has told us how some years ago the Corporation in order to benefit indigenous industries, allowed an extension of time for the putting in of tenders for the steel in order that Tata's might submit their tenders. Sir, we cannot possibly in passing Government of India Acts go into questions of that kind. If the Corporation at that time decided to postpone or to delay the calling for these tenders, we must presume that they had good reasons for doing so. At any rate they were reasons which seemed good for the Corporation at that time, and they have no right to come now and say that because they took that action in the interests of Indian industries, therefore you must exempt them from this additional taxation. Sir, if the Tata Iron and Steel Company has done the Municipal Corporation of Bombay any wrong, then the Corporation should seek its remedy for that wrong in the civil courts, if any wrong has been committed. I must put it once again on the question of principle. The House has refused to accept the wider amendment put forward by Mr. Willson and I put it to the House that we cannot possibly make a special exemption in favour of the Bombay Corporation.

**Mr. Jamnadas M. Mehta :** Sir, I find that the case of the Bombay Municipality has not properly been understood by the Honourable Sir Charles Innes, and the whole discussion has so far gone as if it was a case of exemption on the general grounds. As a matter of fact, Sir, that is not so. I am not claiming any exemption for the Bombay Municipality on the ground that it is a municipal corporation or a local body or a local self-government body. Nothing of the kind. I admit that if you go on making exceptions like these, which may be well deserved generally, you cannot work an Act, and therefore you cannot readily or willingly make exceptions in ordinary cases. But the case of the Bombay Municipality is based on special equities and that is what the Honourable Sir Charles Innes and Mr. Jinnah also to some extent, I am sorry to say,—the Bombay city expected better from him, I think,—have not understood. They have not entered into the spirit underlying this amendment. We do not say that you should exempt the Bombay Municipality because it is a municipality but because this Bill gives protection, among other companies, to the Tata Iron and Steel Company which has done us a grievous wrong. A proceeding at law is not the only remedy and Mr. Patel as a non-co-operator cannot properly go to the Court. (Laughter.) You must remember that point also.

**Mr. President :** The Bombay Corporation will have to go to the Court.

**Mr. Jamnadas M. Mehta :** But, Sir, he is the President and Lord Mayor and he will not allow any such heterodox proceedings. Then, Sir, my case is that it is the Tata Iron and Steel Company who have done a grievous wrong and they are being protected by this legislation. Therefore, this House must see whether in the circumstances under which this contract was entered into the Tata's have not really done us wrong and whether this House will not give us some relief. The Tatas are running an indigenous industry. They came to us when the regular tender time

[Mr. Jamnadas M. Mehta.]

had elapsed and asked us to give them two months' grace which we granted to them. We had refused that indulgence to everybody else. We had many applications from various foreign firms which we refused, and because we wanted to support this indigenous industry we are in this unhappy position to-day. And all that Tatas did at the end of the two months was to say that they were very sorry. In 1921, when this contract was contemplated, we asked the Government of India, through Sir Jamsetjee Jeejeebhoy, what would be the duty leviable on these plates, and we had a letter from the Honourable Sir Charles Innes, who was then Secretary in the Commerce Department, saying :

“ With reference to our conversation this morning, and to the letter you showed me regarding the steel plates which are to be brought out on behalf of the Bombay Municipality, I am to say that, provided the Collector of Customs is satisfied that the steel plates are brought out as part of the Tansa pipe line and are only to be riveted together, the Government of India consider that they can be properly assessed at 2½ per cent. rates.”

This was the opinion of the Government of India on the interpretation of that particular section at the time, and yet when the pipes arrived we were charged 11 per cent. Now we are called upon to be further mulcted here to the tune of Rs. 11½ lakhs. On behalf of the Bombay Municipality I support this amendment, first on account of the Government's interpretation above referred to, and secondly, because the Tata Company are being given this protection after their virtual breach of contract with us. On these two grounds, therefore, we ask that the House should take the very proper view and exempt this Bombay Municipal contract from the duties leviable under this Bill.

Mr. N. M. Dumasia (Bombay City : Non-Muhammadan Urban) : Sir, as a member of the Bombay Municipal Corporation, and a representative of the City of Bombay, I must protest against our city being penalized. Sir, we are not asking any special favour. I would point out to you that when the silver duty was imposed, a large amount of silver was on its way to Bombay, and exchange banks were largely affected thereby. A great hue and cry was raised against the duty imposed upon the silver that was on the high seas ; and the duty was subsequently refunded. We have, therefore, a precedent, to go upon in this case. Sir, delay in this matter has occurred because the Tata Construction Company gave an assurance to the Bombay Municipality on the strength of an assurance given by the Tata Iron Company that they would be able to supply these pipes. The case of the Bombay Municipality has been so ably put by my friends Mr. Patel and Mr. Jamnadas Mehta that I will not take up much time, but I must say that there are special circumstances in this instance. I ask the House not to penalise the Bombay Corporation which has been doing yeoman service to the country. (*The Honourable Sir Basil Blackett* : “ What sort of service ? ”) Bombay is a great industrial and commercial capital and is the gateway of India ; and nothing passes without touching Bombay. Sir, the Government have made this Bill their favourite child. That is no reason, Sir, why Government should ignore the paramount interests of the City of Bombay. Sir, I am a shareholder of Tata's, but it may not be alleged against me that I am giving any undue support to them. Sir, when the Select Committee was appointed, I refrained from putting myself forward as a candidate for the Select Committee because I was interested in the Tata Company, but, Sir, I now say that this is not a matter to be lightly treated. You should not ignore

the claims of the Bombay Municipality when we know that the injury that is now sought to be perpetuated by Government on the Municipality is due to the fault of the Tata Company itself. I see that Mr. Jinnah is trying to be on his legs to reply to my arguments. Mr. Jinnah was a member of the Bombay Municipal Corporation. He is a citizen of Bombay, and I hope he will not do anything to go against the interests of the city, against his own city, where he is thriving and flourishing, and where he is getting a copious supply of water on account of the measures taken by the Municipality.

Mr. M. A. Jinnah : Sir, I can understand the Honourable Member who spoke last. The whole of his argument comes to this ; save the Bombay Municipality 11½ lakhs ; give the Tata Company the benefit, and if there is a deficit, let the tax-payer pay it. That is what it comes to. Exempt the Bombay Municipality from 11½ lakhs. Tatas should get bounties and the poor tax-payer is to bear the burden. I can quite understand Mr. Dumasia, being a shareholder of Tatas and a member of the Municipality, supporting that view. (Mr. N. M. Dumasia : " I am supporting the interests of the City of Bombay.") I say I am not going to be guided by my own city that I love. I am not going to be guided by so small an area as the City and town of Bombay. I have got here as a Member of this Assembly to consider the larger and national interests, and that is one consideration which weighs with me in this Assembly, and I hope that is the only one consideration which will always weigh with me. Certainly, I would be the first to assist Bombay if I could, but not at the expense of larger interests.

Now, Sir, the Honourable Mr. Jamnadas said that Sir Charles Innes wrote a letter. Well there is one thing from which we are perfectly safeguarded and protected, and it is this, that even the Government of India cannot alter the Statutes, whatever may be their opinion. If Sir Charles Innes, on behalf of the Government, happened to express any opinion, and if the Municipal advisers were so badly advised as to have acted on that opinion, it cannot alter the Statute, and if they had to pay more than 2½ per cent., which the Member of the Government of India happened to think was probably the correct thing to do, surely nobody is to blame for that. That does not give the Municipality of Bombay the right to come here and say they want an exemption from this Act. Very well then, what is the special equity ? Special equity in the terms of law, I understand, gives you a legal right. Either it is a legal right or a moral grievance, or a moral complaint, or a moral wrong if you like. If the Tatas gave some sort of assurance to the Bombay Municipality indirectly, of course as far as I can see through the Tata Construction Company, which does not happen to be the same company, and so far as the Agents are concerned, I understand they are different ; but if the Tata Iron and Steel Company, through the Tata Construction Company, gave an assurance to the Bombay Municipality, either it is an actionable wrong, where the Bombay Municipality has suffered damages by reason of certain representations made by this Company, or it is not a legal right but merely a moral consideration which may weigh with that Company. Now are we going in this House to consider either its legal right or that the Bombay Municipality was to a certain extent misled ? Are we going to consider that sort of thing in this Legislature and say that because you were misled therefore you should be exempted ? And therefore what follows ? Therefore these 11½ lakhs of rupees must be paid by the tax-payer. That is

[Mr. M. A. Jinnah.]

what it comes to. Sir, I hope that this amendment will not be pressed. After all the population of Bombay is about 15 lakhs, and even if Bombay has to pay 11½ lakhs of rupees more, it is not such a big sum for Bombay which is the first city in the Indian Empire, and Bombay will bear the brunt better than the general spreading of 11½ lakhs, some of which might fall on the poor people.

**Pandit Motilal Nehru :** Sir, the question before the House seems to be a very simple one and so far as I have been able to follow the arguments for and against the proposition before the House it seems to me that there has been a great deal of beating about the bush. The simple question is whether there should be any exemptions to a taxation Bill on the ground put forward. Now it has been admitted that this is a combined Bill, that is to say, it combines a protection Bill with a taxation Bill. That being so, we have to judge and to examine both the Bills by the special considerations applicable to each. When you consider protection, there is one set of considerations which you have to apply ; when you consider taxation, there is a different set of considerations which must be applied. Now, I ask as a matter of principle, and confining myself merely to the taxation Bill, is it any answer to any fresh taxation to say that this taxation comes upon us as a surprise, that we gave our orders long before this taxation was contemplated ? Is it not always the case, in every case of fresh taxation, that people are taken by surprise ? In the case of ordinary taxation Bills they do not even have the opportunities or the foreknowledge which they had in this case ? I will ask the House to leave entirely out of consideration the fact that this is a protection Bill when you are considering the question of exemptions from the tax. Look upon it merely and solely as a taxation Bill. Now I ask you, suppose for one moment that this taxation had been proposed at the time of the Budget in the Finance Bill, would it have been any answer to say "the Bombay Corporation have given such a large contract ; the Calcutta Corporation also have given a very big contract and they will be great sufferers if this taxation is imposed ?" Of course any taxation Bill may be thrown out on its own merits, but, admitting that the tax is a good tax, can it be said that there should be special exemptions made in favour of persons who had placed orders before the new tax was contemplated ? I say on principle that that is no answer to a fresh taxation Bill.

Then we come to the special equities of the case. What are the special equities of the case ? There has been an *ad misericordiam* appeal made both by Mr. Patel and Mr. Jamnadas Mehta that they have suffered. Why ? Because Tata's are the wrong-doers and they have placed them in this predicament. I hold no brief for the Tatas, but in order to examine whether there are any special equities in the case, let us see what the case really comes to. It comes to this, that at the request of the Tata Construction Company—I will admit for the moment, as Mr. Patel has said, that the Construction Company and the Steel Company are one and the same ;—well, at the request of the Tatas the time for making tenders was extended. Now what does that mean ? It means that the Tatas go to the Corporation and say that they are not in a position to come to an understanding with the Corporation, nor to enter into a contract with them, because they want more time to give their terms. The time is given. At the end of that time, Tatas say : "Thank you for giving us the time, but we are not in

a position to enter into any contract with you." Where is the equity, where is the wrong done, and what court of law will ever consider that a cause of action for damages has arisen? I submit, Sir, that on both these grounds there is no case made out not only for the Bombay Corporation, but for any exemption whatever on the ground that any prior contracts had been made before the Tariff Board made their recommendations.

**Pandit Shamlal Nehru** : I move, Sir, that the question be now put.

The motion was adopted.

**Mr. President** : The question is :

"That to sub-clause (2) of clause 2, the following proviso be added :

'Provided that nothing in the said amendments shall in any way affect or apply to the steel to be imported on behalf of the Bombay Municipal Corporation by Messrs. Braithwaite and Company for the purpose of constructing water pipes in accordance with the contract made between them and the said Corporation in 1922.'

The motion was negatived.

**Mr. Kumar Sankar Ray** (Chittagong and Rajshahi Divisions; Non-Muhammadan Rural) : Sir, after the full discussion on the last two amendments, and especially at this late hour, I do not wish to take up much time of the House. My submission is that the Calcutta Corporation stands on a similar footing as the nascent industries which the Honourable the Finance Member has given us the assurance he would help being public utility institutions. After all, it is the tax-payers who have to pay the amount. Therefore, I submit my amendment to the House. It runs thus :

"To sub-clause (2) of clause 2, the following proviso be added :

'Provided that nothing in the said amendments shall in any way affect or apply to the steel to be imported on behalf of the Calcutta Municipal Corporation for which orders have already been given before this Act comes into force.'

The motion was negatived.

**Mr. President** : The next amendment is that of Mr. Jamnadas Mehta, and he wants to substitute the figures "1929" for the figures "1927" in sub-clause (3) of clause 2. That is not in order because it proposes....

**Mr. Jamnadas M. Mehta** : Sir, it can be only out of order when Sir Charles Innes says he does not accept my amendment.

**Mr. President** : It is not necessary to say that. Without a recommendation of the Crown such a proposition is out of order.

Then the next amendment is that of Mr. Amar Nath Dutt which proposes to substitute the figures "1925" for the figures "1927" in sub-clause (3) of clause 2. Mr. Dutt's amendment really goes with amendment No. 22, which seeks to limit the life of the Bill to 1925. Both these amendments are, to my mind, out of order, because they are calculated to destroy the whole frame and scope of the Bill. Honourable Members will remember that when the motion for reference to a Select Committee was debated, almost every non-official Member insisted that this measure should not be a temporary one at all but should lay down a settled policy of protection in pursuance of which this particular measure was undertaken. And necessary changes were made in the Select Committee to make this a permanent measure but limiting the operation of the particular duties and bounties to three years. That position was accepted by the Government. To limit the life of the Act to 1925 would be really to destroy the whole frame and scope of the Bill and therefore it is out of order. The obvious course for Mr. Dutt is to vote against the Bill.

**Mr. Amar Nath Dutt :** I beg to submit, Sir, that we have been told when we wanted to extend the operation of the Act to a further term than was in the original Bill it was out of order. But, Sir, I never knew that, if we wanted to limit its operation and to limit its mischievous operation to a lesser number of years that it would also be out of order. Are we then to accept the number of years for which this Bill is to remain in force as brought forward by the Mover of the Bill and is no one entitled at least to limit its operation ? I beg to submit that this cannot be out of order. I quite appreciate the view of the Honourable the President that, if we wanted to extend the operation of the Act to a further term than was intended it would militate against certain rules and provisions, namely, taxing the people and so forth, and in that view of the case, of course, it might be said to be out of order. But I do not see, Sir, if you want to minimise the evil effects of a mischievous legislation brought about by exploiting the patriotism of a certain section of the members and brought about by mis-representation and by not placing all the facts with regard to Jamshedpur against Indian aspirations and Indian labour, I submit, Sir, I was quite justified and I think, Sir, the Honourable the President will decide in my favour that I am entitled to have the operation of the Act limited to one year.

**Mr. President :** What Mr. Dutt has said clearly shows that his amendment is out of order. He has told us that this Bill has been brought up by wicked people to exploit and so on and so on. That shows that he is wholly against the Bill and his amendment is devised to destroy the whole scheme of the Bill. Mr. Dutt must remember that it is a recognised principle that an amendment is out of order which purports to destroy the whole scheme and scope of a Bill. In such a case as I have the obvious course for the Member is to vote against the Bill.

**Pandit Shamlal Nehru :** May I move, Sir, that we adjourn till Wednesday morning ?

**Mr. President :** I think we have disposed of all the amendments to clause 2. I will now put clause 2 to the House.

**Mr. C. Duraiswami Aiyangar :** On a point of order, Sir, with reference to this clause. The other day I was told that all the amendments of which I had already given notice would come up before the Assembly without any further notice being given. I have given notice under the original Bill of an amendment that the period up to 1927 should be altered to 1939.

**Mr. President :** I can easily dispose of that by saying that it is out of order.

Clause 2. was added to the Bill.

**Mr. N. M. Joshi :** May I suggest, Sir, that the House do adjourn now ?

**Sardar V. N. Mutalik :** Sir, I wanted to put a question to the Honourable the Leader of the House, whether the Government are prepared to make the statement which they promised the other day about giving a day for the Lee Commission's Report, but I find that the Honourable the Leader of the House is not here.

**Mr. President :** The Honourable the Leader of the House is not here. Perhaps you would put the question again when he is here.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 4th June, 1924.

# LEGISLATIVE ASSEMBLY

Wednesday, 4th June, 1924.

The Assembly met in the Assembly Chamber at Eleven of the Clock, Mr. President in the Chair.

## QUESTIONS AND ANSWERS.

### TRAINING FACILITIES FOR SUPERIOR STAFF EMPLOYED BY STATE AND COMPANY-MANAGED RAILWAYS.

1197. \*Diwan Bahadur M. Ramachandra Rao : (a) Will the Government be pleased to state what facilities have been provided in this country by the State and also by the Companies Railways for the training of the superior staff employed by them shown under the heads of :

1. Agency,
2. Engineering,
3. Traffic,
4. Locomotive,
5. Carriage and Wagon,
6. Stores, and
7. Other departments,

(Annexure A of the Explanatory Memorandum of the Railway Budget for 1924-25) †

(b) Will the Government be pleased to state the number of Indian probationers, if any, now undergoing training in this country under each of the above heads ?

(c) Will the Government be pleased to state the proportion of appointments under each of the above heads recruited in India and in the United Kingdom on the State Railways and also on the Companies Railways ?

(d) Is it a fact that persons who have gained practical experience in the United Kingdom are preferred to persons who have obtained similar experience in this country and will the Government state the reasons for such preference ?

Mr. C. D. M. Hindley : I would refer the Honourable Member to the reply given in this Assembly on the 5th February 1924 to question No. 145 by Sardar V. N. Mutalik which explains the existing position. The whole of this question of training is at present receiving the attention of the Railway Board with a view to providing extra facilities for the instruction of probationers in India.

(b) Government have no precise information in regard to the number of probationers under training on the Company-worked lines. So far as the State lines are concerned there are at present 6 Indian probationers

in the Engineering Department and 10 Indian apprentices in the Local Traffic Service.

(c) Government have not the information in respect of Companies lines. I place on the table a statement showing the proportion on State Railways.

Department.	Proportion recruited in Europe.	Proportion recruited in India.
Agency .. .. .	82	18
Engineering .. .. .	61	39
Traffic .. .. .	26	74
Locomotive .. .. .	79	21
Carriage and Wagon .. .. .	75	25
Stores .. .. .	4	96
Other Departments (Signalling, Coal, Electrical, etc.) ..	47	53

(d) No, it is not a fact. For instance, of the six selected recently for appointment as apprentice Assistant Traffic Superintendents on State Railways, 3 had gained some practical experience in the United Kingdom and 3 were educated and brought up in India and will be trained here.

**Diwan Bahadur M. Ramachandra Rao :** Will the Honourable Member be pleased to call for information from Company worked lines in regard to parts (b) and (c) ?

**Mr. C. D. M. Hindley :** That is a matter which is primarily the concern of the Company administrations. I will, however, make inquiries and furnish the Honourable Member with the information.

#### REMOVAL OF THE DUTY ON SULPHUR.

1198. **\*Sir Purshotamdas Thakurdas :** With reference to the inquiry made by the Tariff Board, regarding the removal of the duty on Sulphur, will Government be pleased to state the gist of the Tariff Board's Report on same, and further put a copy of the Report in the Assembly Library ?

**The Honourable Sir Charles Innes :** The Tariff Board has recommended that the import duty on all kinds of Sulphur should be removed.

Copies of the report have been placed in the Assembly Library. Copies have also been distributed to Members.

#### DISSATISFACTION WITH THE INCOME-TAX ADMINISTRATION IN THE PUNJAB.

1199. **\*Lala Duni Chand :** (a) Are Government aware of the rapidly growing feeling of extreme dissatisfaction with the Income-tax administration in the Punjab ?

(b) Is it a fact that the aggrieved persons in Amritsar, Sialkot, Ambala Cantonment and several other places in the Punjab have made serious allegations against the Income-tax Officers and the general administration of the Income-tax Department ?



(c) Do the Government propose to appoint a Committee of really independent men to inquire into the allegations of the public against the Income-tax administration ?

**The Honourable Sir Basil Blackett :** (a), (b). The Government have recently seen in the "Tribune" a letter complaining against the administration of the income-tax in Sialkote, and also a letter replying to the attack on the Department. In the former letter certain inaccurate figures were given.

The First Member of the Central Board of Revenue recently visited Amritsar and Lahore and received representative deputations of tax payers at those places. He was unable to receive a deputation at Ambala owing to the shortness of his stay.

The deputations at Amritsar and Lahore mentioned several respects in which they considered the administration of the Act defective. Some of the defects mentioned were due to the fact that the Department was in its infancy and either have been or are being removed. In regard to other matters, the Board has issued instructions that should safeguard the interests of the tax-payer and of the Government, and these were explained to the deputations who appeared to appreciate them. At Lahore the deputation said that they could adduce proof of corruption in the Department and were invited to do so before the Commissioner of Income-tax. The deputations expressed entire confidence in the Commissioner.

The Government have no reason to believe that there is any justifiable ground for widespread dissatisfaction with the working of the Act in the Punjab. So far as the assessments may be defective, the blame lies mainly at the door of the assesses. In the towns of Sialkote, Lahore, Amritsar and Ambala, forms of return were issued in 1923-24 to 10,922 persons (including officials and others taxed on salaries) but only 6,094 or about 55 per cent. made returns, and in these four important towns including some of the principal places of business in the Punjab only 721 persons in all (excluding persons assessed on salaries) returned a taxable income. The number of assesses who produced accounts was also very small. In Lahore, for example, less than half of those who made returns did so. While such a state of affairs continues, it is idle for assesses who furnish the Department with no materials and do not discharge their statutory obligations, to blame the Department for any defects in the assessments. Glaring cases of attempted evasion have also come to light. In Sialkote some were conclusively proved from the assesses' own books. So far from the working of the Department being oppressive, great leniency has been displayed in refraining from prosecuting persons who have not fulfilled their obligations under the Act and who have been guilty of deliberate fraud. Evidence of the fact that the Department endeavours to do justice is to be found in the large number of persons previously assessed who were declared not liable in 1923-24. These amounted to nearly 900 in the four towns already mentioned.

(c) The question does not arise.

ALLEGATIONS AGAINST THE STATION MASTER OF KASUR.

1200. \***Lala Duni Chand :** (a) Are Government aware that the public of Kasur, Lahore District, have been constantly complaining against the local Station Master ?

(b) Is it also a fact that persons aggrieved by the doings of the said Station Master have been demanding full inquiry into his conduct ?

(c) Do the Government propose to institute regular inquiry into these complaints ?

(d) Is it a fact that the present Station Master of Kasur (North-Western Railway) has been officiating in the Special Class since 1919, whereas about twenty station masters, who are his seniors on the list, are still serving in C Class ?

(e) Is it also a fact that recently, as a result of retrenchment in the Railway establishment, S. Miha Singh and L. Nanak Chand, permanent Special Class Station Masters, have been reverted to C Class, while the present Station Master of Kasur, who is still officiating in the Special Class, has not been reverted ?

(f) If the reply to (d) and (e) be in the affirmative, are the Government prepared to take any action in the matter ?

**Mr. C. D. M. Hindley :** (a) No.

(b) Not so far as Government are aware.

(c) In view of the replies to (a) and (b) above, Government are not prepared to institute any inquiry in the matter.

(d) It is a fact that the Station Master has been officiating in the Special Class since 1919, but it is not a fact that there are 20 Station Masters in class "C" senior to him. There are 11.

(e) The two men mentioned who were reverted due to retrenchment were put in the Special Class years after the Station Master, Kasur, and being the last to be put in were the first to be reverted on retrenchment.

(f) It is necessary to explain that the appointments to the Special Class are made by selection and not entirely by seniority. In the circumstances, the Government are not prepared to take any action in the matter.

**Lala Duni Chand :** Will the Government be pleased to say if they have received a telegram from the people of Kasur protesting against the doings of the Station Master at Kasur and asking for his transfer ?

**Mr. C. D. M. Hindley :** I have received a telegram, but the purport of it is not that mentioned by the Honourable Member. The purport of this telegram, if I may take up the time of the House for a moment, is this. At a huge public meeting two resolutions were passed. This public meeting of the citizens, tax-payers, merchants and gentry of Kasur without any religious or communal controversy unanimously record their regret at the questions being asked and given notice of in the Legislative Assembly by Lala Dunichand regarding the Station Master, Kasur. The public of Kasur has never had any complaints against the said Station Master, and if there were any, it may be on personal grounds. That in the opinion of this meeting it is essential to resolve that since the appointment of the present Station Master, the management, cleanliness and general appearance of the station has greatly improved and his treatment of the general public is excellent.

**Lala Duni Chand :** Have the Government received a telegram from Mr. Govind Das as Chairman of a public meeting at Kasur ? The telegram that was just read out by the Honourable Member is a bogus telegram.

**Mr. C. D. M. Hindley :** I am not aware whether my office has received another telegram, which perhaps also is a bogus one.

**Lala Duni Chand :** Another supplementary question, Sir. Is it not within the knowledge of Government that for more than a year the people of Kasur have been making representations against the Station Master repeatedly to the authorities ?

**Mr. C. D. M. Hindley :** No, Sir, it is not a fact.

UNDESIRABLE SURROUNDINGS OF THE AMBALA CITY POST OFFICE.

1901. \***Lala Duni Chand :** (a) Are Government aware that the Ambala City Post Office is situated in a part of the town where prostitutes live, and is it also a fact that the Post Office building is on three sides surrounded by houses of prostitutes and a liquor shop ?

(b) If the reply to part (a) of the question be in the affirmative, do the Government propose to shift the Post Office from such undesirable and demoralizing surroundings to a better and more decent place in the town ?

**Mr. H. A. Sams :** It is understood to be the case that some of the houses in the vicinity of the Ambala City Post Office are occupied by prostitutes, and there is certainly a liquor shop, but the Post Office itself is situated in an inner courtyard surrounded by brick walls on two sides and communicating by a gateway into the street on the third. The position of the Post Office is central and convenient, and Government do not propose to move it.

ALLEGED ILL-TREATMENT OF AN INDIAN RAILWAY PASSENGER BY SOLDIERS.

1202. \***Khan Bahadur Sarfaraz Hussain Khan :** (a) Has the attention of Government been drawn to the letter published in the *Forward* of the 2nd May, 1924, page 5, under the heading "Ungallant conduct of Soldiers. Indian ill-treated. Won't allow seat in Railway compartment" ?

(b) If so, will the Government please state :

(i) Whether the statements therein made are correct ?

(ii) If correct, what steps have Government taken to redress the wrong complained of ?

**Mr. H. E. Pate :** (a) Government have seen the letter referred to.

(b) (i) and (ii). The attention of the Honourable Member is invited to the replies given on the 2nd June to previous questions on this subject. As stated therein, the matter is under investigation, and the action to be taken against the individuals concerned will depend on the result of the investigation.

ANNUAL REQUIREMENTS OF GOVERNMENT AND ANNUAL OUTPUT OF THE TATA IRON AND STEEL COMPANY OF CERTAIN CLASSES OF STEEL PRODUCTS.

1203. \***Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state—

(a) The average annual requirements of the Government of India and (b) the average annual output of the Tata Iron and Steel Company, of the following materials :

1. Steel, structural shaped, i.e., beams, angles, channels, etc.,

2. Common merchant bars, and rods, and light rails under thirty pounds,
3. Galvanised sheets,
4. Wrought iron, angles, channels,
5. Common bars ?

**The Honourable Sir Bhupendra Nath Mitra :** It would not be possible to give even an approximate figure in reply to part (a) of the Honourable Member's question without an inquiry from a very large number of purchasing departments and officers which would involve great labour. I am informed however that a very rough estimate of the requirements of the Indian Railways in 1924-25 under the first three sub-heads of the question is as follows :

Beams, Angles, etc.	..	..	11,900 tons.
Merchant Bars, etc.	..	..	14,300 tons.
Galvanised sheets	..	..	3,000 tons.

As regards part (b), the Honourable Member's attention is invited to paragraph 15 of the First Report of the Indian Tariff Board.

#### FOREIGN COMPETITION WITH THE INDIAN STEEL INDUSTRY.

1204. \***Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

- (a) Whether competition with the Indian Steel Industry comes chiefly from England and Belgium ?
- (b) The average annual products of steel imported to India from England and Belgium respectively ?

**The Honourable Sir Charles Innes :** (a) The two chief countries from which steel is imported into India are the United Kingdom and Belgium. Imports from other countries, notably Germany, France and the United States, are also considerable. The attention of the Honourable Member is invited to paragraph 34 of the First Report of the Tariff Board.

(b) The annual values of imports of goods classed under the Tariff headings "Iron or Steel" and "Steel" are, roughly, from the United Kingdom 10 crores, from Belgium somewhat over 3 crores.

#### THE PENINSULAR LOCOMOTIVE COMPANY, LIMITED.

1205. \***Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

- (a) If it is a fact that the Peninsular Locomotive Company, Limited, was incorporated in India on the 6th December 1921 ?
- (b) If it is, whether it has commenced operations ?
- (c) If it has not, what are the reasons, why it has not commenced operations ?

**The Honourable Sir Charles Innes :** (a) Yes, but it went into liquidation on the 11th December 1922 and was re-registered on the 29th January 1923.

(b) and (c). The attention of the Honourable Member is directed to page 169 of the Tariff Board's Report on Steel, which gives the information required.

**CASE OF DR. JIWAN LAL, LATE SUB-ASSISTANT SURGEON.**

1206. \*Mr. Chaman Lal : (a) Is it a fact that Dr. Jiwan Lal, Sub-Assistant Surgeon, while on military duty in Bushire, Persian Gulf, was sentenced to 5 years' imprisonment for alleged attempt to seduce His Majesty's troops ?

(b) Are the Government prepared to reconsider his case ?

(c) Is it a fact that this gentleman is being treated as an ordinary criminal in Thana Jail ?

(d) Are the Government prepared to pass orders immediately for treating Dr. Jiwan Lal as a political prisoner and not as an ordinary criminal ?

Mr. H. B. Pate : (a) *Ex-Sub-Assistant Surgeon* Jiwan Lal was sentenced to five years' rigorous imprisonment for (i) gross insubordination to his superior officer and (ii) an act prejudicial to good order and military discipline.

(b) The case has already been reconsidered on three occasions. On each occasion it was decided that the orders passed should stand, and Government are not prepared now to re-open the case.

(c) *Ex-Sub-Assistant Surgeon* Jiwan Lal was transferred from the Thana Special Prison to the Yeravda Central Prison on the 4th May 1923 and is being treated as an ordinary prisoner.

(d) Government are not prepared to issue orders of the kind suggested.

**OPIMUM POLICY OF THE GOVERNMENT OF INDIA.**

1207. \*Mr. C. Duraiswami Aiyangar : (a) Has the attention of the Government been drawn to an article in the *Hindu* dated 30th April 1924 from the pen of Mr. C. F. Andrews on opium and the League of Nations ?

(b) Is it a fact that Mr. John Campbell stated before the League of Nations at Geneva that "even the most ardent opponents of the Government of India including Mr. Gandhi have never brought any reproach against its opium policy" ?

(c) Are the Government aware that Mahatma Gandhi has condemned the opium policy of the Government in unmistakable terms ?

(d) Are the Government aware that the late Mr. Gokhale condemned in several of his Budget speeches the opium revenue policy of the Government of India ?

(e) If the answer to questions (c) and (d) be in the affirmative, are the Government prepared to call for an explanation from Mr. John Campbell as to why he made the statement referred to in (b) before the League of Nations ?

The Honourable Sir Basil Blackett : (a) The answer is in the affirmative.

(b) The Proceedings of the League of Nations do not disclose that any such statement was made by Mr. Campbell before the League.

Parts (c), (d) and (e) do not arise.

**Mr. C. Duraiswami Aiyangar :** May I know if the delegates to the League of Nations are given instructions by the Government of India as regards what they should say about the Opium policy of the Government of India ?

**The Honourable Sir Basil Blackett :** Naturally general instructions are given.

DEPARTMENTAL COMMITTEE ON THE WORKING OF THE REFORMS.

†1208. **\*Mr. A. Jinnah :** (a) Will the Government be pleased to state whether any non-official opinion or views are going to be sought by the Departmental Committee appointed by Government to inquire into the working of the reforms ?

(b) Will the Government be pleased to state the approximate date when the Committee is likely to conclude its inquiry and make its report ?

(c) Will the Government be pleased to state whether, before the report of the Committee is sent to the Secretary of State for India, any and what steps are going to be taken by Government to establish effectual or any consultation with (a) the Non-official Members of the Assembly, (b) the representatives of the people, and (c) public bodies and associations ?

PROPOSED AMENDMENT OF THE GOVERNMENT OF INDIA ACT, 1919.

1209. **\*Mr. M. A. Jinnah :** Will the Government be pleased to state :

(a) What steps and methods are going to be adopted by Government to establish effectual consultation with the non-official representative opinions in the country regarding the proposed amendment of the Constitution of the Government of India Act of 1919 as declared by the Secretary of State and the Under Secretary of State for India recently in Parliament ?

(b) If any step is going to be taken when the same will be put into operation ?

**The Honourable Sir Alexander Muddiman :** May I answer questions Nos. 1208 and 1209 together ?

I have nothing to add to the information contained in the Communiqués issued on the 16th and 23rd May, copies of which have already been placed on the table, in reply to Mr. Rangaswami Iyengar's unstarred question No. 262, dated the 27th May 1924.

**Mr. M. A. Jinnah :** May I ask if the Honourable Member will be able to inform the House as to whether the Committee which is now appointed will go to different parts of India and take evidence from representative men ?

**The Honourable Sir Alexander Muddiman :** That, I think, Sir, was not the intention. I would be prepared to receive any representation that would be made to us here and if necessary to take oral evidence from any of those who have submitted documents, if the Committee thinks fit ; it will rest with the Committee.

**Mr. A. Rangaswami Iyengar :** May I take it, Sir, that this Committee will proceed to examine witnesses up here when it is set up ?

**The Honourable Sir Alexander Muddiman :** Written representations will be received in the first place and, if, in the opinion of the Committee,

† For Answer to this question—see the Answer below Question No. 1209.

it is desirable to obtain further information than that contained in the statements, it will be done.

**Mr. Chaman Lal :** May I know, Sir, why this House was not asked to select the personnel of the Committee ?

**The Honourable Sir Alexander Muddiman :** I am unable to give the Honourable Member any information on that point.

**GUARDS AND DRIVERS ON THE NORTH-WESTERN RAILWAY.**

1210. **\*Mr. Harchandrai Vishindas :** (a) Will Government be pleased to state whether there is any fixed number of years after which a guard of A Class on the North-Western Railway is promoted to B Class and from B to C Class ?

(b) Can a driver on the same Railway who has drawn special grade pay for three years be reduced by being deprived of the special grade ?

**Mr. C. D. M. Hindley :** (a) The reply is in the negative.

(b) Yes.

**AMOUNT OF PREMIA PAID BY CERTAIN GOVERNMENT DEPARTMENTS, ETC., FOR FIRE, MARINE AND MOTOR INSURANCES.**

1211. **\*Mr. Jamnadas M. Mehta :** Will Government be pleased to state what amounts of premia for Fire, Marine and Motor Insurances separately, were paid during the official year ended 31st March 1923 by the following Departments out of the revenues of India :

- (1) Army Department,
- (2) Home Department,
- (3) Finance Department,
- (4) Commerce Department,
- (5) Industries Department,
- (6) Education, Health and Lands Department,
- (7) By the Secretary of State for India in Council,
- (8) By the High Commissioner for India,

and the amount under each head that was paid to —

- (a) Insurance Companies incorporated in India,
- (b) Insurance Companies incorporated outside India.

**The Honourable Sir Basil Blackett :** The information asked for is being collected, and will be furnished to the Honourable Member when ready.

**ALLEGED ASSAULT BY SOLDIER ON PARSİ PASSENGER AT THE KARACHI CANTONMENT RAILWAY STATION.**

1212. **\*Mr. W. M. Hussanally :** (a) Has the attention of the Government been drawn to the recent incident at the Karachi Cantonment Railway Station when a respectable Parsi passenger was assaulted by a European of the Royal Air Force ?

(b) Has any inquiry been held by the Military authorities in the matter ?

(c) If so, with what result ?

(d) Does courtesy and civility to Indians form part of military training or discipline for European soldiers ?

**Mr. H. R. Pate :** (a), (b) and (c). The attention of the Honourable Member is invited to the reply given on the 2nd June to Question No. 1159.

(d) Yes. I would invite the attention of the Honourable Member to part (ii) of the reply given on the 27th March 1922 to Question No. 308.

#### RACIAL DISTINCTIONS ON INDIAN RAILWAYS BETWEEN EUROPEAN AND INDIAN EMPLOYEES.

1213. **\*Mr. W. M. Hussanally :** (a) Is it a fact as stated by the "North-Western Railway Union Weekly" recently that racial distinctions are maintained on Indian Railways between European and Anglo-Indian employees on the one hand and Indians on the other ?

(b) If yes, what are these and why are they being maintained ?

(c) Is it a fact that such distinctions exist in salaries, uniforms and residential quarters and house allowances between officers of the same grade ?

**Mr. C. D. M. Hindley :** (a), (b) and (c). Government has not seen the article referred to. So far as salaries and allowances are concerned the Honourable Member is referred to the reply† given to Lala Girdhari Lal Agarwala in respect to a similar question on 6th September 1922.

In respect to the other matters such as uniforms, etc., arrangements are left to discretion of local authorities and such distinctions as do exist are presumably in consideration of Indian preference for their own style of dress, etc.

#### SALARIES OF EUROPEAN AND INDIAN DRIVERS ON RAILWAYS.

1214. **\*Mr. W. M. Hussanally :** (a) Is it a fact that European drivers draw a much larger salary as such than their Indian comrades of similar rank and doing the same kind of duty ?

(b) If so, why ?

(c) Is it a fact that these European drivers besides drawing larger salaries, draw double duty allowance for working their engines on Sundays, while their Indian colleagues get none either on Sunday or on their own Sabbath ?

(d) If so, why ?

**Mr. C. D. M. Hindley :** (a) and (b). So far as State Railways are concerned the statement is only partially true. On the North-Western Railway and Oudh and Rohilkhand Railway there is no distinction whatever in respect to nationality and Indians who are qualified are eligible for the highest scale of pay.

Owing to certain local conditions this is not the case on the Eastern Bengal Railway but steps are being taken to try and remove the difficulties and apply the same principle as exists on the North-Western and the Oudh and Rohilkhand Railways.

(c) and (d). European drivers draw extra pay if required to work on Sundays and Christian holidays. Muhammadan and Hindu drivers receive extra pay if called upon to work on Muhammadan and Hindu holidays, respectively.

**Pandit Shamlal Nehru :** Will the Honourable Member tell us what he means by the special local conditions on the Eastern Bengal Railway ?

† Vide, page 105 of Legislative Assembly Debates, Volume 111.



**Mr. C. D. M. Hindley :** The local conditions to which I referred, Sir, in regard to the Eastern Bengal Railway are that, running into Calcutta in close proximity with the Eastern Bengal Railway are two other Railways on which certain conditions with regard to pay and service obtain and it has been found necessary in the past on the Eastern Bengal Railway to keep in uniformity to some extent with those Railways. The matter, however, is under inquiry and I will see what can be done about it.

**CHARGE ALLOWANCES OF EUROPEAN AND ANGLO-INDIAN STATION MASTERS.**

1215. **\*Mr. W. M. Hussanally :** (a) Is it a fact that European and Anglo-Indian Station Masters get a charge allowance for holding charge of particular stations while Indian Station Masters get none ?

(b) If so, why ?

**Mr. C. D. M. Hindley :** (a) and (b). On State Railways charge allowances are sanctioned for certain stations and are allowed to any Station Masters holding charge at these stations irrespective of nationality, and Indians are actually drawing the allowance at the present time.

**HOUSE RENT ALLOWANCES OF EUROPEAN, ANGLO-INDIAN AND INDIAN RAILWAY EMPLOYEES.**

1216. **\*Mr. W. M. Hussanally :** Is it a fact that the minimum house rent a European or Anglo-Indian railway employee gets is Rs. 25 whatever his rank ; while that for an Indian is Rs. 7-8-0 under similar circumstances ? If so, why ?

**Mr. C. D. M. Hindley :** No. The general rule on State Railways is as follows :—

“ When railway quarters cannot be provided for an employé who is entitled to free quarters under the rules, it is left to the discretion of the Agent to sanction the grant of a house allowance in lieu of free quarters according to the following scales :

Employés whose pay is Rs. 60 or upwards ..	Rs. 10 per mensem.
Employés whose pay is more than Rs. 20 but less than Rs. 60.	Rs. 5 per mensem.

In special cases where the rates are considered inadequate the Agent may increase the rates up to a maximum of 50 per cent.”

The Honourable Member will see that the rule makes no distinction between European, Anglo-Indian and Indian employees.

**MOTOR CARS OF EUROPEAN RAILWAY EMPLOYEES.**

1217. **\*Mr. W. M. Hussanally :** (a) Is it a fact that some European employees whether they have local travelling at the stations to which they are posted or not, are allowed to have motor cars at railway expense ? If so, why ?

(b) Is it a fact that when these motors go out of order they are carried at railway expense to Lahore or other stations where there are railway workshops and there repaired at railway expense ?

**Mr. C. D. M. Hindley :** Railway employees are subject to the decision as regards the provision of motor cars at Government expense which was arrived at by the Government of India in 1914. This decision does not permit of cars being provided at Railway expense except in very special cases. Since the decision was arrived at in 1914, no motor cars have been provided at the expense of a Railway for the use of their employees. The reply to the first part of the Honourable Member's question is, therefore, in the negative, and the second part of his question does not arise.

EUROPEANS, ANGLO-INDIANS AND INDIANS HOLDING SUPERIOR POSTS ON RAILWAYS.

1218. \*Mr. W. M. Hussanally : (a) When was the Indian recruitment of A. T. S. first commenced on Indian Railways ?

(b) How many such Indians have been taken on by now ?

(c) How many of these Indians have risen to hold charge of Districts by now ?

(d) How many to posts superior to that of D. T. S. ?

(e) Has such recruitment of Indians been extended to other departments of the Railway Administration ?

(f) Will Government please lay on the table a statement showing Europeans, Anglo-Indians and Indians separately on Indian Railways holding superior posts ?

Mr. C. D. M. Hindley : (a) Direct recruitment on State Railways commenced in 1909 although Indians had previously been appointed as Assistant Traffic Superintendents by promotion from the subordinate ranks. As regards the Companies' Railways, Government have no precise information.

(b), (c) and (d). The information relating to State Railways will be found in the Classified List of Railway Establishment which is in the Members' Library.

(e) Yes. In this connection I would refer the Honourable Member to the reply given by me to Diwan Bahadur M. Ramachandra Rao this morning. The Engineering Department in particular has been recruited by Indians from local colleges for many years.

(f) The information was given in Annexure A to the Explanatory Memorandum on the Railway Budget for 1924-25.

Mr. W. M. Hussanally : Will the Honourable Member be pleased to give the information for the Company-managed Railways also ?

Mr. C. D. M. Hindley : Does the Honourable Member refer to the information asked for in part (a) of his question ? I can obtain that information, Sir, certainly. I will let the Honourable Member have it.

INDIANS HOLDING POSTS OF HIGHER GRADES ON THE RAILWAYS.

1219. \*Mr. W. M. Hussanally : (a) Will Government be pleased to state how many posts of higher grades in Railway service have been given to Indians as a result of the action taken by the Government on the Resolution of the Honourable Mr. V. G. Kale in the Council of State on the 22nd February 1922 ?

(b) Will Government supply the above information in a tabular form showing the designations of the posts and the amounts of salaries ?

Mr. C. D. M. Hindley : (a) 28 posts in the superior State Railway service have been filled by Indians since the Honourable Mr. Kale's Resolution was passed in the Council of State in February 1922. Particulars for Companies' lines are not available.

(b) The details asked for in respect of the appointments referred to in (a) are furnished in the statement which I lay on the table.

*Engineering Department.*

			Pay.
			Rs.
6 Assistant Executive Engineers	..	..	300—1,300
8 Assistant Engineers	..	..	250—750

	Rs.
<i>Traffic Department.</i>	
5 Assistant Traffic Superintendents .. ..	200—750
3 Apprentice Traffic Superintendents .. ..	200—750
<i>Locomotive Department.</i>	
1 Assistant Loco. Superintendent .. ..	425—1,375
1 Assistant Loco. Superintendent, temporary ..	375
<i>Stores Department.</i>	
1 Assistant Stores Officer, temporary .. ..	350
<i>Agency Department.</i>	
3 Compilation Officers for Statistics : .. ..	500—800

OVERBRIDGE AT THE CLIFTON AND THE DEVON VILLA CROSSINGS AT KARACHI.

1220. \*Mr. W. M. Hussanally : (a) When was the question of an overbridge on the Clifton Crossing and Devon Villa Crossing at Karachi first mooted ?

(b) Why have these bridges not been taken in hand up-to-date ?

(c) When do the Government expect to take these bridges in hand and when to complete them ?

(d) Are Government aware that the non-construction of these bridges is causing a good deal of detention to vehicular and pedestrian traffic at these points, and that the public and the Municipality have often made complaints in the Press regarding this matter ?

Mr. C. D. M. Hindley : (a), (b), (c) and (d). As regards an overbridge at the Clifton Crossing I would invite the attention of the Honourable Member to my reply to a similar Question No. 1171, put in this House by Mr. Harchandrai Vishindas a day or two ago. There is no proposal at present to build an overbridge at the Devon Villa Crossing.

Mr. W. M. Hussanally : This does not answer the first part of my question. When did this question come up for the first time ?

Mr. C. D. M. Hindley : I am afraid I cannot tell the Honourable Member.

Mr. W. M. Hussanally : I can tell you. Nearly a quarter of a century ago.

Mr. C. D. M. Hindley : If the Honourable Member is in possession of the information, I do not know why he asked me.

Mr. W. M. Hussanally : Because I wished to know exactly.

ERECTION OF SHEDS ON THE PLATFORMS AT KOTRI STATION.

1221. \*Mr. W. M. Hussanally : (a) Are Government aware that Kotri station is a large junction in Sind on the North-Western Railway ?

(b) Are Government aware that no shed exists at any of the platforms at this station ?

(c) Are Government aware that trains arriving at this station make a long halt at this station, and passengers frequently have to change trains ?

(d) Are Government aware that the travelling public have from time to time complained of the inconvenience ?

(e) Do Government propose to erect sheds on this station ; if so, when ?

**Mr. C. D. M. Hindley :** (a), (b) and (c). The replies are in the affirmative.

(d) The Agent, North-Western Railway, reports that a complaint has been received only recently.

(e) Since waiting rooms and a large waiting hall exist at Kotri, Government do not propose to order the erection of additional shelter on the platforms at present.

#### RUNNING OF A LATE NIGHT TRAIN FROM HYDERABAD TO KARACHI.

1222. \***Mr. W. M. Hussanally :** (a) Are Government aware that the passenger train that follows the Punjab Mail into Karachi at noon is usually about half empty ?

(b) Are Government aware that this train carries few, if any, passengers for Karachi from Hyderabad (Sind) onwards ?

(c) Are Government aware that Hyderabad people have desired that this train be ended at Hyderabad or Kotri ; and instead an evening or late night train be run from Hyderabad to Karachi which would suit equally the few unimportant stations on the way and ease the rush in the Punjab Mail as well ?

(d) Do Government propose to recommend the change above indicated to the Railway administration ?

**Mr. C. D. M. Hindley :** (a) Government understand that the train in question, No. 24 Down Passenger, is as a rule, well patronized.

(b) This train does not pass through Hyderabad station and is not therefore intended to serve the needs of the travelling public of that town.

(c) No representation to this effect has been received by the Railway Administration. The Punjab Mail train is not, as a rule, over crowded.

(d) Government understand that the change suggested would not suit the convenience of the public now using No. 24 Down Passenger and in the circumstances Government do not propose to take any action.

#### JAIL REFORM.

1223. \***Mr. Devaki Prasad Sinha :** (a) Has the attention of Government been drawn to the 3rd series of article under the heading " My jail experiences " (sub-heading " some terrible results ") written by Mr. M. K. Gandhi and published in " Young India " dated 1st of May 1924 ? Has any inquiry been made with reference to the complaints against the present administration of jails, contained in the aforesaid article ? If not, do Government propose to make any inquiry ?

(f) Are Government aware that many of the recommendations of the Jail Commission, published in 1921, have not yet been given effect to ?

(g) Do Government propose to make inquiries from the Local Governments and to ascertain how and within what period it is proposed to give full effect to all the recommendations of the Jail Commissioners ?

**The Honourable Sir Alexander Muddiman :** (a) I have seen the articles referred to but do not consider that it is necessary for the Government of India to institute any inquiry in regard to the complaints made therein.

(f) Government have at present no information as to the extent to which Local Governments have been able to give effect to the recommendations of the Jails Committee.

(g) Government do not think that any useful purpose would be served by making the proposed inquiries from Local Governments.

**Lala Duni Chand :** Do not the Government think it worth while to institute an inquiry into an allegation that has been made by a gentleman of Mahatma Gandhi's position ?

**The Honourable Sir Alexander Muddiman :** I must remind the Honourable Member that at present " Jails " is a Provincial subject and therefore this is a matter primarily for the Bombay Government.

**Dr. H. S. Gour :** Is the Honourable the Home Member aware that there has been a feeling in this House expressed in the form of a Resolution that the treatment of political prisoners must be very different to the treatment of ordinary prisoners and as such do not the Government think it necessary to institute an inquiry with a view to allay the public mind regarding the allegations made about the maltreatment of Mr. Gandhi in jail ?

**The Honourable Sir Alexander Muddiman :** I have already given an answer to that question.

**Diwan Bahadur M. Ramachandra Rao :** May I ask the Honourable Member whether he would call for information from the Local Governments as to the extent to which the recommendations of the Jails Commission have been given effect to ?

**The Honourable Sir Alexander Muddiman :** I think that will have to be done later. I am not prepared to give a promise that it will be done at once. I think it will have to be done later.

**Pandit Shamlal Nehru :** Will the Honourable the Home Member bring this to the notice of the Bombay Government ?

**The Honourable Sir Alexander Muddiman :** I will bring this question to the notice of the Bombay Government.

**Mr. C. Duraiswami Aiyangar :** Is the Honourable the Home Member aware that in the Delhi session a Resolution was passed by this Assembly that, whenever it is possible to get information from Local Governments, such information should be sent for and given to this Assembly ?

**The Honourable Sir Alexander Muddiman :** No.

**Mr. Devaki Prasad Sinha :** Have Government any information as to how far the recommendations of the Jails Commission have been given effect to by the Local Governments ?

**The Honourable Sir Alexander Muddiman :** I am not prepared to say that Government have no information. They probably have some information, but not complete information.

**Mr. Devaki Prasad Sinha :** Are Government aware that many of the Local Governments have so far effected no change in their Jails Codes even after the recommendations of the Jails Commission were forwarded to them.

**The Honourable Sir Alexander Muddiman :** No, I am not aware of that.

## DISMISSAL OF MR. SURESH RAO, A POSTAL TELEGRAPHIST.

1224. \*Mr. Devaki Prasad Sinha : (a) Is it a fact that one Mr. Subha Rao, a servant in the postal department, was dismissed after 17 years of service on *inter alia* the following charges :

- (i) Contributing to the Tilak Swaraj Fund,
- (ii) Associating with Non-co-operators,
- (iii) Subscribing to Non-co-operation papers, and
- (iv) Wearing Khaddar ?

(b) Did Mr. Subha Rao memorialise His Excellency the Viceroy and has his petition been rejected ?

(d) In how many instances have Government servants been punished for the charges enumerated in (a) above ?

The Honourable Sir Bhupendra Nath Mitra : (a) and (b). The attention of the Honourable Member is drawn to the reply given to Question No. 1138, by Mr. Gaya Prasad Singh.

(d) This is the only case that is known to have occurred in the Posts and Telegraphs Department, in which there has been a breach of the relevant provision in the Government Servants Conduct Rules. If the Honourable Member knows of any other specific cases and desires inquiry to be made in regard to them, the Government of India will be pleased to make such inquiry provided that the Government Servants were serving in a Department directly subordinate to the Government of India.

Mr. A. Rangaswami Iyengar : May I know, Sir whether there is anything specific in the Government Servants' Conduct Rules as to the extent to which public servants can contribute to funds intended for public purposes, political or non-political ?

The Honourable Sir Bhupendra Nath Mitra : A copy of the Government Servants' Conduct Rules is in the Library and I leave it to the Honourable Member to draw any conclusions he may want to draw after a perusal of those Rules.

Diwan Bahadur M. Ramachandra Rao : May I ask the Honourable Member whether there is anything in these Rules prohibiting a public servant from contributing to these funds ? The Honourable Member is aware of these Rules as much as any of us and we would like to have a plain answer for the purpose of not misleading Government servants, who may sometimes in ignorance contribute to these funds.

The Honourable Sir Bhupendra Nath Mitra : I would invite the Honourable Member's attention to Rule 22 of the Government Servants' Conduct Rules.

Mr. Devaki Prasad Sinha : Is it a fact that there is absolutely nothing in the Government Servants' Conduct Rules which precludes public servants from contributing either to the Tilak Swaraj Fund or from putting on *khaddar* ?

**The Honourable Sir Bhupendra Nath Mitra :** I would leave the Honourable Member to read the particular rule of the Government Servants' Conduct Rules which I have quoted, and to draw his own conclusions.

**Mr. A. Rangaswami Iyengar :** May I know, Sir, if it is a question of interpretation whether any particular subscription is a matter which comes within the terms "taking part or taking any interest in a political movement" ?

**The Honourable Sir Bhupendra Nath Mitra :** Government have considered all the facts of the case and with due regard to the provisions of the Government Servants' Conduct Rules have come to a certain opinion. It is open to the Honourable Member to form his own conclusions.

**Pandit Shamlal Nehru :** May I know what that opinion is, Sir ?

**The Honourable Sir Bhupendra Nath Mitra :** The opinion is that this particular public servant infringed the Government Servants' Conduct Rules and was liable to be punished under those Rules.

**Mr. M. A. Jinnah :** Do I understand that this public servant was dealt with on the particular facts of his own case ?

**The Honourable Sir Bhupendra Nath Mitra :** He was dealt with on the particular facts of his own case. The full facts were presented to the House a few days ago.

**Mr. A. Rangaswami Iyengar :** Sir, I want a specific answer to my question as to whether contribution to public funds of a political or semi-political character constitute that taking part in public affairs which would bring the public servant within the disciplinary action which has been . . . . .

**Mr. President :** Order, order. I think that question has been sufficiently answered and the Honourable Member has been referred to the copy of the Rules in the Library.

**Mr. A. Rangaswami Iyengar :** I desire to know what the Government's interpretation is.

**Mr. Chaman Lal :** May I ask the Honourable Member whether there is anything in these Rules which says that an offence is committed if a servant of the State subscribes to what are known as non-co-operation papers ?

**The Honourable Sir Bhupendra Nath Mitra :** I am afraid I did not catch the last part of the Honourable Member's question. I shall be obliged if he will repeat it.

**Mr. Chaman Lal :** I draw the Honourable Member's attention to part (iii) of the question—"Subscribing to non-co-operation papers." Is that an offence under the Rules ?

**The Honourable Sir Bhupendra Nath Mitra :** No, that does not constitute an offence under the Rules.

**Lala Duni Chand :** Does the wearing of *khaddar* amount to an infringement of any of the Rules, and if not, will the Government be pleased to issue instructions to that effect ?

**The Honourable Sir Bhupendra Nath Mitra :** The wearing of *khaddar* by itself does not constitute an offence.

**Mr. Chaman Lal :** May I ask the Honourable Member whether "association with non-co-operators" constitutes an offence ?

**The Honourable Sir Bhupendra Nath Mitra :** I have already answered the question and all I can add is that taken by itself this may not amount to an offence.

**Mr. President :** There have been sufficient supplementary questions on this.

#### COMMITTEE ON CONSTITUTIONAL REFORMS.

1225. **\*Mr. Devaki Prasad Sinha :** (a) Are Government prepared to announce the *personnel* of the official Committee on Constitutional Reforms appointed by the Government of India in pursuance of the announcement made by Sir Malcolm Hailey in this House on the 8th of February 1924 ? If not, will Government be pleased to state the reasons for not doing so ?

(b) Is it proposed to associate any non-official or some of the ex-ministers of the Provinces in this inquiry ?

(c) What are the terms of reference of this Committee and what is the procedure adopted by this Committee in the conduct of this inquiry ?

(d) By what date is the result of this inquiry expected to be published and at what stage do Government propose to invite public criticisms on the report of this Committee ?

**The Honourable Sir Alexander Muddiman :** I have nothing to add to the information contained in the Communiqués issued on the 16th and 23rd May, copies of which have already been placed on the table in reply to Mr. Rangaswami Iyengar's unstarred question No. 262, dated the 27th May 1924.

**Mr. A. Rangaswami Iyengar :** May I know, Sir, if the report of the Official Committee, which it has been said has already been got ready, will be published for the information of this House ?

**The Honourable Sir Alexander Muddiman :** A memorandum containing the results of the Official Committee will be communicated to the new Committee. Whether it will be published I cannot say at present.

**Mr. A. Rangaswami Iyengar :** Would it be placed at the disposal of Members of this Assembly ?

**The Honourable Sir Alexander Muddiman :** I will take time to consider this.

**Mr. Devaki Prasad Sinha :** Will the reports received by the Local Governments in answer to the questions sent out by this Committee be also placed before the new Committee that has been appointed ?



**The Honourable Sir Alexander Muddiman :** I did not hear the Honourable Member. Did he ask if the proposals of the Local Governments will be placed before the Committee?

**Mr. Devaki Prasad Sinha :** Will the replies received by the Local Governments in answer to the questionnaire sent by this Committee also be placed before the new Committee?

**The Honourable Sir Alexander Muddiman :** The Government of India have asked the Local Governments for certain information, which the House already knows and that information will be laid before the new Committee.

COMMITTEE APPOINTED BY THE BRITISH CABINET TO CONSIDER INDIAN AFFAIRS.

1226. **\*Mr. Devaki Prasad Sinha :** (a) Have the Government of India received details of information regarding the Committee appointed by the Cabinet to consider Indian affairs, which formed the subject matter of a question asked by Dr. H. S. Gour on the 10th of March 1924? Did Government receive any communication on this subject after the answer to the aforesaid question was given by Sir Malcolm Hailey?

(b) Who are the members of this Committee and what are the purposes and functions of this Committee?

(c) Has this Committee had any consultation or communication with any member of the Secretary of State's Council or any non-official public men, or public bodies?

(d) Are Government prepared to lay on the table all correspondence between the Government of India and the Secretary of State on this subject?

**The Honourable Sir Alexander Muddiman :** The Cabinet Committee on Indian Affairs is one of several Cabinet Committees appointed by His Majesty's Government in accordance with the recognised procedure to deal with matters of current departmental administration. Such Committees, for example, have been appointed to deal with home affairs, unemployment and housing. The composition of these Committees is confined to Members of the Cabinet with the occasional *ad hoc* inclusion of other Ministers or officials. The Membership is not disclosed unless for special reasons the Cabinet so directs. Their purposes and functions are to investigate and to keep in touch with developments of the more important sections of administrative problems and as occasion may require to report their conclusions to the Cabinet for final decision. The action taken by such Committees is for the assistance of the Cabinet alone and is not made public unless the Cabinet so directs after taking a final decision thereon.

**Mr. Devaki Prasad Sinha :** Is it the Secretary of State for India who prepares the agenda for the business to be discussed by this Committee or do the members of the Committee have a right independent of the Secretary of State to bring any subject before them for discussion? Can the Honourable the Home Member give us any information in regard to that matter?

**The Honourable Sir Alexander Muddiman :** I have given the House a very full answer in the matter, which is clearly not within my cognisance. I have no information on the matter.

## ALLEGED ASSAULT BY BRITISH SOLDIERS ON MR. R. K. SIDHVA OF KARACHI.

1227. \*Mr. C. Duraiswami Aiyangar : (a) Has the attention of the Government been drawn to an article in the 'Swarajya' dated the 2nd May 1924, under the heading "British Soldiers' Cowardism and Assault on Indian Passenger" ?

(b) Is it a fact that Mr. R. K. Sidhva, a citizen of Karachi, was assaulted by British soldiers in a railway train ?

(c) Has the attention of the Government been drawn to the report of the same incident in the "Sind Observer" and the "New Times" ?

(d) Will the Government be pleased to state if any inquiry was ever made for the purpose of finding out the offenders and punishing them ?

(e) Will the Government be pleased to state to which regiment and to which rank the said soldiers belong ?

(f) Will the Government be pleased to state what steps have been taken and orders passed to prevent such incidents recurring in future ?

Mr. H. E. Pate : (a) Government have not seen the article referred to by the Honourable Member, but they have seen letters and comments on the incident, which have appeared in other papers.

(b), (d), (e), (f). The attention of the Honourable Member is invited to the reply given this morning to the question asked by Khan Bahadur Sarfaraz Hussain Khan, No. 1202.

(c) Government have seen the reports referred to.

Mr. C. Duraiswami Aiyangar : May I know whether the Government of India is getting the "Swarajya" paper or not ?

Mr. H. E. Pate : I am not in a position to say.

Mr. C. Duraiswami Aiyangar : May I know whether after the attention of the Government had been drawn by me, the Honourable Member referred to the "Swarajya" paper or not ?

Mr. H. E. Pate : No, Sir.

## EAST AFRICA COMMISSION.

1228. \*Diwan Bahadur M. Ramachandra Rao : (a) Has the attention of the Government been drawn to the resolution moved in the House of Commons by Sir S. Henn in regard to the administration of the East African Colonies, protectorates and mandated territories and the announcement of the Colonial Secretary, regarding the appointment of a Commission to examine the question of a unity of policy in the administration and development of the territories of Kenya, Uganda, Tanganyika, Zanzibar and North Eastern Rhodesia ?

(b) Will the Government be pleased to state the present Indian population in the above territories ?

(c) Will the Government be pleased to state what steps have been taken or are proposed to be taken to secure the due representation of Indian interests on the proposed Commission ?

Mr. J. W. Bhore : (a) The answer is in the affirmative.

(b) A statement giving the information available is laid on the table.

(c) The Government of India are already in communication with the Secretary of State for India on the subject.

*Statement showing the Indian population in certain East African territories.*

Kenya .. .. .	22,822
Uganda .. .. .	3,500
Tanganyika .. .. .	9,411
Zanzibar .. .. .	12,841
Northern Rhodesia (Asiatics) .. .. .	56

**LEVY OF A POLL-TAX IN KENYA.**

1229. **\*Diwan Bahadur M. Ramachandra Rao :** Will the Government be pleased to state whether any and what steps have been taken by the Government of India to secure the cancellation of the Poll-Tax now being levied in Kenya and how many Indians have been sent to prison for failure to pay the tax ?

**Mr. J. W. Bhore :** The poll-tax, which is paid by every male adult, other than a native resident in Kenya, has been levied since the 1st of January 1913. The Government of India have taken no steps in the matter as the Ordinance under which the tax is levied makes no discrimination against Indians. They have no information as to the number of Indians sent to prison for failure to pay the tax.

**Mr. Devaki Prasad Sinha :** Have the Government of India protested against the levy of a poll-tax on Indians in Kenya ?

**Mr. J. W. Bhore :** No, Sir.

**Diwan Bahadur M. Ramachandra Rao :** Will they enter a protest, Sir ?

**Mr. J. W. Bhore :** I have already said that, as the Ordinance makes no discrimination against Indians, the Government of India do not propose to take any steps.

**COMPOSITION OF THE COMMITTEE OF INQUIRY INTO THE WORKING OF THE REFORMS.**

1230. **\*Diwan Bahadur M. Ramachandra Rao :** (a) Will the Government be pleased to state the composition of the Committee of inquiry into the working of the Reforms and its terms of reference ?

(b) Are the Government aware that considerable dissatisfaction now exists on the ground that the inquiry is not a public inquiry ?

**The Honourable Sir Alexander Muddiman :** I have again to refer the Honourable Member to the Communiqués which I previously referred to.

**Diwan Bahadur M. Ramachandra Rao :** May I ask the Honourable Member what the reply of the Government is in regard to part (b) ?

**The Honourable Sir Alexander Muddiman :** I think the Communiqué explains all about the inquiry. I do not understand what the Honourable Member means by public inquiry. Does he mean whether members of the public will be examined or whether the inquiry will be public ?

**Diwan Bahadur M. Ramachandra Rao :** I want to know whether this inquiry of the new Committee will be open to the public in the sense that they would be capable of watching the proceedings ?

**The Honourable Sir Alexander Muddiman :** That, I think, is a matter of procedure to be determined by the Chairman concerned.

**Dr. H. S. Gour :** What is the objective of this inquiry ?

**The Honourable Sir Alexander Muddiman :** That is fully explained in the Communiqué.

## EMPIRE SCHOLARSHIPS.

1231. \*Diwan Bahadur M. Ramachandra Rao : Will the Government be pleased to state whether in connection with the Fellowship of the British Empire Exhibition a series of Empire scholarships of £1,000 each are to be granted to young citizens of the Empire for prosecuting a University career or to undergo technical education and whether any and if so how many of these scholarships will be awarded to Indians ?

**The Honourable Sir Charles Innes :** The Fellowship of the British Empire Exhibition is a scheme connected with the British Empire Exhibition. Under this scheme those who subscribe two pounds two shillings become entitled to a season ticket of admission to the Exhibition or to twenty-five single tickets as well as to a certificate of membership. Ten per cent. of such subscriptions are to be utilized for the provision of scholarships. The Government have not yet received full information of the method on which such scholarships will be awarded, but they understand that if, for instance, 5,000 applications for fellowship were received from India, then India would be entitled to nominate a scholar to whom £1,000 would be granted to take a University or technical course in the United Kingdom. Copies of the papers have already been sent to the Honourable Member.

## OPINIONS OF THE HIGH COURTS ON THE REPORT OF THE INDIAN BAR COMMITTEE.

1232. \*Diwan Bahadur M. Ramachandra Rao : Has the Report of the Indian Bar Committee been referred to the High Courts of Judicature in India for an expression of their opinion ? If so, will the Government be pleased to place the opinions, if any received on the table ?

**The Honourable Sir Alexander Muddiman :** The answer to the first part of the question is in the affirmative, and when other replies are received, Government will consider them.

## JAMADARS, SUBEDARS AND SUBEDAR MAJORS IN THE FIGHTING UNITS AND ALSO IN THE INDIAN MEDICAL DEPARTMENT OF THE INDIAN ARMY.

1233. \*Mr. K. G. Lohkare : (1) Will Government be pleased to give the following information :

- (a) Ratio of Jamadars to Subedars and Subedar Majors in the fighting units and in the I. M. D. in the Indian Army ?
- (b) Average number of years of service for promotion from Jamadar to Subedar and to Subedar Major in the combatant and the I. M. D. Service ?
- (c) Percentage of King's Commission given to these Indian Officers in the two services ?
- (d) Total amount of pay drawn by a Military S. A. S. in each quinquennium during his service of 30 years—(without Selection Grades) ?
- (e) Total amount of pay drawn by a Civil S. A. S. in each of the Provinces in India in each quinquennium during 30 years' service (without Selection Grades) ?
- (f) Amount of allowance, if any, given to Military S. A. S. to cover the advantage of private practice available to the Civil S. A. S. ?

- (g) The rate of house-rent allowance in lieu of free quarters given to Military S. A. S. and Civil S. A. S. in Presidency and large District towns in India, and the consideration, if any, for difference in rent in Civil and Cantonment areas—where the Military S. A. S. has to find accommodation ?

**Mr. H. R. Pate :** (a) I will furnish the Honourable Member separately with statements showing the number of Jemadars, Subedars, etc., in the various arms of the service and in the Indian Medical Department and I trust that this information will serve his purpose.

(b) The average number of years of service required for promotion from Jemadar to Subedar and then on to Subedar Major varies in the different units of the Indian Army. There are no statistics on the point. As regards the Indian Medical Department, the average number of years of service for promotion from Jemadar to Subedar is 20 years, and from Subedar to Subedar Major, another 7 years.

(c) Honorary King's Commissions are granted to Indian officers of the Indian Army in accordance with the principles laid down in paragraph 122, Army Regulations, India, Volume II (1922 edition), a copy of which is in the Library. So far, 384 such commissions have been granted to Indian officers holding the Viceroy's Commission.

As regards the Indian Medical Department, I would invite the attention of the Honourable Member to the reply given on the 24th March last to part (e) of his starred Question No. 979.

(d) The figures are as follows :

	Rs.
During the 1st term of 5 years' service ..	4,200
During the 2nd term of 5 years' service ..	5,100
During the 3rd term of 5 years' service ..	6,600
During the 4th term of 5 years' service ..	8,100

Service rendered in the ranks of Subedar and Subedar Major has not been taken into account as promotion to these ranks is by selection.

(e) The Government of India do not possess the information.

(f) No allowance of the kind is given to Military sub-assistant surgeons. They are permitted to engage in private practice, provided such practice does not interfere with their official duties.

(g) The rates of compensation admissible in lieu of quarters to military sub-assistant surgeons is as follows :

	Per mensem.
	Rs.
Subedar Majors, Subedars, and Jemadars with over 5 years' service .. .. .	12
Jemadars, with 5 years' service and under, and warrant officers .. .. .	8

50 per cent. extra is given to a sub-assistant surgeon serving in a Presidency town.

The Government of India are not in possession of the information desired in respect of civil sub-assistant surgeons.

**Mr. K. G. Lohokare :** Will the Honourable Member call for the information asked for in (g), namely, "and the consideration, if any, for difference in rent in Civil and Cantonment areas—where the Military Sub-Assistant Surgeon has to find accommodation ?"

Mr. H. R. Pate : Yes, Sir. The information, if the Honourable Member so desires, will be called for.

**I. M. S. OFFICERS ON TEMPORARY LIST ADMITTED SINCE THE BEGINNING OF THE GREAT WAR.**

1234. \*Mr. K. G. Lohokare : Will Government be pleased to give information as per table below ?

*I. M. S. Officers on Temporary List admitted since the beginning of the Great War.*

—	Mentioned in Despatches.	Wounded, invalided and killed.	European theatre service.	Other theatre service.	Taken on permanent cadre.
Indians with Indian Degrees.					
Indians with British Degrees.					
Europeans .. ..					

Mr. H. R. Pate : The information desired by the Honourable Member, so far as it is available, is given in the statement laid on the table.

*I. M. S. Officers on Temporary List admitted since the beginning of the Great War.*

—	Mentioned in despatches.	Wounded, invalided and killed.	European theatre service.	Other theatre service.	Taken on permanent cadre.
Indians with Indian degrees.	45	23*	Information not available.	Information not available.	56
Indians with British degrees.					42†
Europeans .. ..	10	6*			11

\*Includes also officers who died.

†Six of these also hold Indian degrees.

**CONTRIBUTIONS TO INSTITUTIONS TRAINING CANDIDATES FOR THE INDIAN CIVIL AND MILITARY SERVICES.**

1235. \*Mr. K. G. Lohokare : Will Government please say :

- What are the Indian Civil and Military Services to which Indians are not admitted ?
- Which are the institutions for training candidates to these services ?
- What is the amount of contribution these training institutions received from the Indian Treasury during each of the last five years ?

**The Honourable Sir Alexander Muddiman :** (a) There are no such civil services.

In the Army in the rank of King's Commissioned Officers (to which I assume the Honourable Member's question relates) Indians are admitted only to the Cavalry and Infantry branches of the Indian Army.

(b) The only institution which trains candidates for the Army in India and does not admit Indians is the Royal Military Academy, Woolwich.

(c) It is not possible to give the figures asked for by the Honourable Member whose attention is invited to the answer given on the 11th February 1924, to Mr. Patel's Question No. 219.

**Lala Duni Chand :** How is it that in spite of the association of Indians with the British for the last 150 years, they are still unfitted to be admitted into some of the services? Is there anything radically wrong about them? If so, will the Government be able to point it out?

**The Honourable Sir Alexander Muddiman :** I am not aware that there is anything radically wrong with the Indians.

**Lala Duni Chand :** Why are they not admitted, then?

(No answer).

#### WORKING HOURS OF TRAFFIC AND TRANSPORT STAFF ON INDIAN RAILWAYS.

1236. **\*Mr. K. G. Lohokare :** Is it a fact that a large majority of traffic and transport staff on railway stations on the Indian Railways have to work for 12 hours a day on all days of a week?

**Mr. C. D. M. Hindley :** No. Except at small stations where the work is not continuous it is not the case that traffic and transport staff are required to work 12 hours a day.

**Mr. Devaki Prasad Sinha :** What are the average hours of work which a large majority of the traffic and transport staff are required to put in?

**Mr. C. D. M. Hindley :** I am not in a position to answer that question.

**Mr. Devaki Prasad Sinha :** Are those officers, who, according to the Honourable Member who has spoken on behalf of Government, are required to work for 12 hours or more, given any additional salary or extra allowance?

**Mr. C. D. M. Hindley :** The essential condition is that the work is not continuous and therefore 12 hours' duty does not constitute 12 hours' work.

**Pandit Shamlal Nehru :** Are they allowed to go home during office hours?

**Mr. C. D. M. Hindley :** I cannot say exactly what the rules are. But at most of these stations, as the Honourable Member is perfectly aware, the Station Master's house is within a few yards of the platform and there is no doubt that he does go to his house.

**Mr. Devaki Prasad Sinha :** Will the Honourable Member ascertain what are the average hours of work?

**Mr. C. D. M. Hindley :** No, Sir.

WORKING HOURS OF SUBORDINATES EMPLOYED IN RAILWAY GOODS-SHEDS.

1237. \*Mr. K. G. Lohokare : Is it a fact that in days of Traffic season, subordinates posted to railway goods-sheds have sometimes to work more than 12 hours a day ?

Mr. C. D. M. Hindley : The Honourable Member does not specify any particular railway goods shed and it is therefore impossible to give a direct reply to his question. I may however state that on State Railways the aggregate hours per week which the staff (other than those employed on working of trains) are required to work are limited by the conditions laid down in the draft Convention of the International Labour Conference.

Mr. K. G. Lohokare : I did not want to have information about any particular goods-shed. I have found out in my experience that it is the usual practice that on almost all the goods sheds of Indian Railways the staff has to work for more than 12 hours in the busy season of the traffic.

Mr. President : The Honourable Member is making a statement.

Mr. K. G. Lohokare : The Honourable Member for Government has just said I have not given him any particular goods-shed.....

Mr. President : The Honourable Member is arguing the answer.

Mr. K. G. Lohokare : I have not been arguing. I have only asked the Honourable Member whether the Government are aware.....

Mr. President : Will you put your question again ?

Mr. K. G. Lohokare : My question is that it is the practice on all stations that subordinates sometimes have to work for more than 12 hours. Are Government aware of this fact ?

Mr. President : The Honourable Member is really giving information. Will the Honourable Member put the supplementary question ?

Mr. K. G. Lohokare : Are Government aware that this is the practice at all the stations ?

Mr. C. D. M. Hindley : Are Government aware that this is the practice—what practice, Sir ?

Mr. K. G. Lohokare : That they have to work for more than 12 hours in all the goods-sheds.

Mr. C. D. M. Hindley : No, Sir.

Mr. C. Duraiswami Aiyangar : Is the Honourable Member further aware that in these goods sheds the clerks are required to work under zinc sheds in very hot weather ?

Mr. C. D. M. Hindley : The Government are quite aware of this fact.

WORKING HOURS OF THE STAFF OF THE GREAT INDIAN PENINSULA RAILWAY EMPLOYED AT WADI BUNDER.

1238. \*Mr. K. G. Lohokare : Is the attention of Government drawn to the Resolutions of the G. I. P. Staff Union, Wadi Bunder Branch, published in the "G. I. P. Union Herald" of the 16th March 1924, and have they taken notice of the number of hours the staff have to work there ?



**Mr. C. D. M. Hindley :** Government have seen the resolutions referred to. I may mention that a resolution of the International Labour Conference, as accepted by the Government of India, recommends certain specific limitations to the total hours of labour per week for certain classes of railway servants. The Government of India have forwarded that resolution to the Great Indian Peninsula Railway administration with a recommendation that it should be given effect to. The Government presume that the administration will be guided by that resolution.

**Mr. K. G. Lohokare :** Have Government the information whether or not the Railway authorities have given effect to these recommendations ?

**Mr. C. D. M. Hindley :** No, Sir. Government have no information at present.

**Mr. N. M. Joshi :** Will Government consider the advisability of asking Factory Inspectors to inspect these goods-sheds and ask them to report on the number of hours that these clerks have to work ?

**Mr. C. D. M. Hindley :** I am not sure if these goods-sheds come under the Factories Act. If they do, it is a matter for the Local Governments concerned.

**Mr. K. G. Lohokare :** Are these servants paid extra remuneration ?

**Mr. C. D. M. Hindley :** The Honourable Member has not specified what servants these are.

**Mr. K. G. Lohokare :** I mean with reference to question No. 1238.

**Mr. C. D. M. Hindley :** I do not think I can add to my answer. I have given the Honourable Member all the information I had on the subject.

**Mr. N. M. Joshi :** What steps have Government taken to find out whether the Convention regarding the hours of work has been observed on all the railway lines ?

**Mr. C. D. M. Hindley :** We have not taken any steps so far in regard to the Company lines. It is a matter within their own discretion.

**Mr. N. M. Joshi :** I want to ask Government whether the observance of the Convention is a matter of discretion with the various Railways ?

**Mr. C. D. M. Hindley :** Until legislation is passed to the contrary, I understand that it is.

**Mr. N. M. Joshi :** I am not asking from Government as to what their idea is. What I want to know is, whether the various Railways are bound to observe this Convention :

**Mr. C. D. M. Hindley :** Sir, in regard to State Railways, the Convention has to be observed. With regard to Company Railways for the present we have recommended it to them and have asked them to observe it. We cannot do more than this at the present moment.

**Mr. N. M. Joshi :** Is it not open to the Government of India to ask them not to make their employees work for more than a certain number of hours ?

**Mr. C. D. M. Hindley :** We have sent the Draft Convention to the various Company railways and have recommended them to adopt it. It comes to the same thing.

(Mr. Joshi wanted to put another question.)

**Mr. President :** We have had a sufficient number of supplementary questions on this question.

**WORKING HOURS OF CERTAIN CLASSES OF EMPLOYEES ON THE GREAT INDIAN PENINSULA RAILWAY.**

1239. \*Mr. K. G. Lohokare : Will Government be pleased to inquire the number of hours of work or duty per week the G. I. P. Railway Company takes from its following employees :

- (a) Indian Station Masters and Assistant Station Masters ;
- (b) Signallers, Relieving Clerks and Cabinmen ;
- (c) Staff at Wadi Bunder ;
- (d) Other Traffic subordinates at the Stations, belonging to the Coaching and Goods Department ?

Mr. C. D. M. Hindley : Government do not propose to call for information as it refers to matters within the Company's discretion. I would, however, refer the Honourable Member to the reply just given by me to his previous question.

**LEAVE OF LOWER SUBORDINATE STAFF IN THE TRAFFIC AND TRANSPORT DEPARTMENT OF THE GREAT INDIAN PENINSULA RAILWAY.**

1240. \*Mr. K. G. Lohokare : Will Government be pleased to inquire and state—

(a) The total number of lower subordinate staff other than menials in the Traffic and Transport Department in the G. I. P. Railway in the year 1923-24 (excluding menials) ?

(b) Total number of days of absence and leave of this staff during the above year ?

(c) Number of days of privilege, half-pay and furlough leave actually granted to the staff without production of medical certificates or on the ground of ill-health during the year ?

Mr. C. D. M. Hindley : The collection of the information asked for would entail an inordinate amount of labour and expense and the Government do not propose to ask the Agent to furnish it.

Mr. K. G. Lohokare : Is it because it will bring out matters of differential treatment ?

Mr. C. D. M. Hindley : No, Sir.

Pandit Shamlal Nehru : Then may I know what is the reason ?

Mr. C. D. M. Hindley : As I have already said, it would entail an inordinate amount of labour and expense.

**LIMITATION OF THE WORKING HOURS OF EMPLOYEES ON INDIAN RAILWAYS.**

1241. \*Mr. K. G. Lohokare : Will Government be pleased to state if they have taken notice of the number of hours per week the railway employees in India have to work for a number of years past, and if they have taken any measures to limit the number of hours which such large State-aided industrial concerns as the Indian Railways exact from their employees ?

Mr. C. D. M. Hindley : The Government of India have already given this matter their consideration in connection with the recommendations of the International Labour Conference and have issued orders to State lines limiting the working hours to 60 hours per week as laid down

in Article 10 of the draft Convention for staff other than those employed in connection with the working of trains. They have also used their influence to secure the adoption of a similar principle on Company worked lines. Workshop staff in either case come under the Factory Act and their hours of work are limited accordingly.

COMPILATION OF STATISTICS RELATING TO THE CONDITION OF LABOUR  
EMPLOYED ON INDIAN RAILWAYS.

1242. \*Mr. K. G. Lohokare : Will Government be pleased to say if they have any annual or other official statistics showing the condition of labour employed on the various Indian Railways ? If not, are Government prepared to consider the necessity of having a compilation on the subject ?

Mr. C. D. M. Hindley : It is not understood what particular features in regard to the conditions of labour on Indian Railways the Honourable Member refers to. If he will specify more particularly, Government will be prepared to consider the matter.

Mr. K. G. Lohokare : I will send the Honourable Member the list of subjects on which information is required.

RETRENCHMENTS RECOMMENDED BY MR. HESELTINE ON THE GREAT INDIAN  
PENINSULA RAILWAY.

1243. \*Mr. K. G. Lohokare : Will Government be pleased to lay on the table a copy of the retrenchments recommended by Mr. Heseltine in the working of the G. I. P. Railway Co. ?

Mr. C. D. M. Hindley : The report of the Retrenchment Officer (Mr. Heseltine) is for the information of the Great Indian Peninsula Railway Administration and is not a State document. A copy of it cannot, therefore, be laid on the table.

Mr. K. G. Lohokare : Is it not in the public interest that the Legislature should know it ?

Mr. C. D. M. Hindley : The fact remains, Sir, that the document cannot be published or laid before the House.

Mr. K. G. Lohokare : Does it not affect the public revenues ?

Mr. President : The question has already been sufficiently answered.

REPORT OF THE LEE COMMISSION.

1244. \*Mr. K. G. Lohokare : Will Government be pleased to say —

(a) When the Report of the Public Service Commission is likely to be published ?

(b) Whether it is proposed to obtain the views of the Assembly on the subject before final orders are passed ?

The Honourable Sir Alexander Muddiman : The Honourable Member is referred to the answer given to Dr. Gour's question No. 1063 and to the statement made by me on the 27th May 1924. As regards part (b) of this question, I would like to inform the House that I have received notice of a Resolution on this subject and will assign a day as soon as possible for the discussion of the Resolution. If we finish the Steel Industry Protection Bill to-day—as I hope we shall—I think it might be possible to discuss the Resolution on Saturday. It raises the

question of what procedure should be followed, and as to whether there should be a postponement of the discussion till September next.

**Dr. H. S. Gour :** In view of the fact that the Members of this House asked the Honourable Home Member early during the present session to intimate to the House whether the Government were prepared to formulate the urgent matters and allot a date for discussion, does not the Honourable Member think that the time he proposes to give for discussion of this matter is too short ?

**The Honourable Sir Alexander Muddiman :** I am not asking the House to discuss the Lee Commission's Report. The Resolution merely refers to the procedure that should be followed to put the recommendations of the Lee Commission before this House, and that further discussion should be postponed to the September session.

**Mr. V. J. Patel :** I understood that the Honourable Home Member, on behalf of Government, was going to make a statement detailing the points on which urgent action was necessary. Will the Honourable Member tell us now exactly on which points Government desire to take urgent action ?

**The Honourable Sir Alexander Muddiman :** As I have said, the Resolution merely relates to the procedure to be adopted, and it is impossible for me now to anticipate the discussion.

**Mr. V. J. Patel :** The Assembly desire to know on what points Government desire to take action, so that Members may be ready to discuss them.

**The Honourable Sir Alexander Muddiman :** The Resolution does not raise questions of what points are to be discussed. It merely asks the House to discuss the procedure to be adopted.

**Mr. M. A. Jinnah :** May I know from the Honourable Home Member whether he has, on behalf of the Government, decided, with regard to certain urgent matters they propose that the House should discuss with reference to the Lee Commission's Report, to tell the House what these urgent matters are ? If they do not want to do this, then the Resolution will become futile.

**The Honourable Sir Alexander Muddiman :** I cannot anticipate my reply to the Resolution.

**Mr. V. J. Patel :** Will the Government state what urgent matters they desire the House to discuss ?

**The Honourable Sir Alexander Muddiman :** That certainly will be the determining factor.

**Mr. V. J. Patel :** Will Government tell the House whether they desire to take immediate action on certain vital points, and, if so, what are those points, so that this House may be ready to discuss them.

**The Honourable Sir Alexander Muddiman :** The Honourable Member does not take my point. It is not a question of urgent matters, it is a question of the procedure to be adopted. I do not think that he can ask me to anticipate in this manner my reply.

**Mr. A. Rangaswami Iyengar :** Does not the Honourable the Home Member consider that notice of this Resolution which has been given merely has the effect of a blocking motion on the question of discussing urgent items, which, by reason of this Resolution, could be withheld from us ?

**The Honourable Sir Alexander Muddiman :** A Resolution may be a blocking motion.

**Mr. V. J. Patel :** Is it not a fact the Honourable the Home Member promised to make a statement in this House on the matter ?

**The Honourable Sir Alexander Muddiman :** Undoubtedly. I have in my possession information which I have not had the time to read, and, unless I do, it will be impossible for me to make any statement.

**Pandit Motilal Nehru :** In case this Resolution is not carried and the Government decide to take urgent action on some important matter, will the Honourable Home Member give us time to discuss those matters afterwards ?

**The Honourable Sir Alexander Muddiman :** Yes, if the House so desire.

**Mr. V. J. Patel :** Have the Government of India any objection to tell this House on what points they desire to take action ?

**The Honourable Sir Alexander Muddiman :** I have no serious objection to that.

**Mr. V. J. Patel :** Will they do so before the Resolution is discussed ?

**The Honourable Sir Alexander Muddiman :** I have no objection to that, but I must read the papers I have on the subject.

**Mr. M. A. Jinnah :** Has the Resolution giving notice been admitted by the President ?

**The Honourable Sir Alexander Muddiman :** I am not sure whether it has been formally admitted.

**Mr. M. A. Jinnah :** Can it be discussed in this House without being admitted by the President ?

**The Honourable Sir Alexander Muddiman :** Certainly not.

**Mr. C. S. Ranga Iyer :** Will the Honourable Home Member tell us whether the Secretary of State has been informed about this matter ?

**The Honourable Sir Alexander Muddiman :** Yes.

**Mr. President :** Perhaps Honourable Members will be in a better position to speak about this matter after they see the terms of this Resolution.

**HOLDING OF POSTAL SECURITIES AND CASH CERTIFICATES IN THE NAMES OF TWO PERSONS.**

1245. **\*Mr. K. G. Lohokare :** Will Government be pleased to say if they have considered the desirability of allowing Postal Securities and Cash Certificates to stand in the name of two persons payable to either or survivor. If not, do Government propose to consider the question ?

**Mr. H. A. Sams :** By the expression "Postal Securities" is presumably meant "Government securities purchased through the Post Office." Such securities can be issued in the names of two persons payable to either or the survivor, but in that case the securities cannot be sold through the Post Office, as Savings Bank accounts, to which sale-proceeds have to be credited, are not admissible in joint names.

Post Office Cash Certificates can also be issued in the names of two persons, payable to both or to one of them with the written consent of the other, or to the survivor or his legal representatives.

**Mr. K. G. Lohokare :** Will the Government consider the advisability of changing the Savings Banks system of accounts accordingly ?

**Mr. H. A. Sams :** I am not prepared to say whether Government will consider it.

**Sir Purshotamdas Thakurdas :** Are Government aware that such a change will make Postal Securities more attractive ?

**The Honourable Sir Basil Blackett :** No, I am not aware. It is of their essence that they are not transferable, and it is most desirable that they should not be transferable.

**Sir Purshotamdas Thakurdas :** Is it not desirable from the investor's point of view in the case of death of either party ? It is not a question of transfer by sale only.

### UNSTARRED QUESTIONS AND ANSWERS.

#### CASE OF MR. NAIDU, STATION MASTER, OUDH AND ROHILKHAND RAILWAY.

275. **Mr. M. K. Acharya :** (a) Is it a fact that complaints of a very serious nature were made against a certain officer of the O. and R. Railway employed in the dual capacity of Goods Inspector and A. T. S. ? (b) Is it a fact that a S. M. named Mr. Naidu who made these complaints to the higher authorities of the O. R. R., instead of being allowed to prove his charges before an impartial tribunal, was after a departmental inquiry dismissed from service ? (c) Why was not the S. M. given an opportunity to prove his charges in a regular court of law ? (d) Is it further a fact that before granting the hard-earned bonus of the said S. M., the Agent is trying to impose the condition that the said *ex-S. M.* should not try to reopen his case or press for further inquiry ?

**Mr. C. D. M. Hindley :** (a) Yes.

(b), (c) and (d). The Honourable Member is referred to the reply given to somewhat similar questions by Maulvi Muhammad Yakub on the 27th May 1924.

#### INDIANS HOLDING PERMANENT GAZETTED APPOINTMENTS IN CERTAIN DEPARTMENTS OF STATE AND COMPANY-MANAGED RAILWAYS.

276. **Sardar Gulab Singh :** How many Indians are holding permanent gazetted appointments in the Engineering, Loco., Stores and Traffic Departments of the State Indian Railways and the Company-worked lines ?

**Mr. C. D. M. Hindley :** The information will be found in the Railway Board's Classified List of Establishment, the latest copy of which is available in the Members' Library.

#### INDIANS HOLDING PERMANENT GAZETTED APPOINTMENTS IN THE INDIAN MILITARY WORKS DEPARTMENT.

277. **Sardar Gulab Singh :** How many Indians are holding permanent gazetted appointments in the Indian Military Works Department ?

**Mr. H. R. Pate :** I presume the Honourable Member is referring to the Military Engineer Services, and if that is so, the answer to his question is "three."

INDIANS IN THE INDIAN ARMY RESERVE OF OFFICERS.

278. **Sardar Gulab Singh** : How many Indians are there in the Indian Army Reserve of Officers ?

**Mr. H. R. Pate** : None.

PERCENTAGE OF INDIAN MEDICAL OFFICERS IN INDIAN STATION HOSPITALS.

279. **Sardar Gulab Singh** : What is the percentage of Indian Medical Officers in the Indian Station Hospitals ?

**Mr. H. R. Pate** : I regret that the meaning of the Honourable Member's question is not clear to me. If he will let me know precisely what information he requires, I will endeavour to supply it.

TRANSFER OF THE OFFICE OF THE SUPERINTENDENT, RAILWAY MAIL SERVICE, " B " DIVISION, FROM BHUSAVAL TO POONA.

280. **Mr. Jannadas M. Mehta** : (a) Will Government be pleased to state the reasons for the transfer of the office of the Superintendent, R. M. S. " B " Division from Poona to Bhusaval and from Bhusaval to Poona ?

(b) Is it a fact that the staff of the Superintendent's office had protested against the change of office to Bhusaval ?

(c) Have Government received any representation from the sorters of the B-13 section praying for change of headquarters to Bombay ?

(d) If so, will Government be pleased to say how they intend to consider the prayer ?

**Mr. H. A. Sams** : (a) For reasons of administrative convenience the Divisional charges in the Western Circle of the Railway Mail Service have been rearranged.

(b) Yes.

(c) Yes.

(d) The representations of the staff are now under consideration.

SUPERSESSION OF POSTMASTERS AND INSPECTORS IN THE PUNJAB POSTAL CIRCLE.

281. **Mr. Chaman Lal** : (a) Is it a fact that the Director General, Posts and Telegraphs, decided in the year 1916, to recruit certain number of men of good education and capacity in the Department on higher than initial pay, i.e., Rs. 70 per mensem who would not become old when they got to the top of the 150—200 grade, and that the men would be confirmed in the Rs. 70 grade on their passing an examination and that they would take their places in the circle gradation list according to the date of their entry in the Rs. 70 grade ?

(b) If the answer to the above is in the affirmative, will the Government be pleased to state if certain persons who were appointed on Rs. 70 in the Punjab Postal Circle under the provisions of the 1916 order referred to above were subsequently promoted to Rs. 175 to 225 in the year 1920 out of their turn in contravention of the conditions of the said order and placed over the heads of many senior Postmasters and Inspectors in the Punjab Circle (Postal) ?

(c) If this is a fact, do the Government propose to restore the senior Postmasters including Inspectors thus superseded by them to their proper places in the gradation list ?

**Mr. H. A. Sams :** (a) Yes.

(b) The orders of 1916 were cancelled in 1919 and in consequence no promotion granted after the latter date contravened these orders of 1916.

(c) This does not arise.

#### SUPERSESSION OF POSTMASTERS AND INSPECTORS IN THE PUNJAB POSTAL CIRCLE.

292. **Mr. Chaman Lal :** (a) Is it a fact that certain officials of the Post-Office in the Punjab Circle were promoted out of their turn to 175—225 grade in the year 1920 in consideration of Field Service and similarly another one to 175—225 and again to 250—350 grades for alleged meritorious services in India over the heads of many Postmasters and Inspectors, some of whom had to their credit Field Service both in India and abroad, also special services in India ?

(b) If so, do Government propose to take any steps in the matter ?

**Mr. H. A. Sams :** (a) Yes. Certain officials were given special departmental promotion in recognition of valuable and distinguished services rendered by them while on Field Service or in connection with the War.

(b) No.

#### SUPERSESSION OF POSTMASTERS AND INSPECTORS IN THE PUNJAB POSTAL CIRCLE.

293. **Mr. Chaman Lal :** (a) Is it a fact that two probationary Postmasters in receipt of Rs. 80 per mensem on their passing the probationary Postmaster's test were started on 150 (now 175) instead of 100 (now 145) in the year 1920 superseding many Inspectors and Postmasters in the Punjab Postal Circle ?

(b) If so, do Government propose to take any steps in the matter ?

**Mr. H. A. Sams :** (a) Yes. According to departmental rules a person taken direct as a Probationary Postmaster was eligible for appointment to the Rs. 150—200 grade (now Rs. 175—225) of Postmasters after he had completed his training and had passed the prescribed test.

(b) No.

#### SUPERSESSION IN THE OFFICE OF THE POSTMASTER GENERAL, PUNJAB.

294. **Mr. Chaman Lal :** (a) Is it a fact that a certain official of the Postmaster General's Office, Punjab Circle, was promoted to 220—320 (now 250—350) grade, with effect from 1st April 1923 out of his turn, thus superseding his two seniors ?

(b) If so, do Government propose to take any steps in the matter ?

**Mr. H. A. Sams :** (a) Yes. Promotion to the Rs. 220—320 grade (now Rs. 250—350) is made by selection and not by mere seniority. The official selected was considered fit for the particular post in the Postmaster-General's Office, Punjab, for which his seniors were considered unfit.

(b) No.



**PUNISHMENTS INFLICTED ON THE STAFF OF THE DELHI HEAD POST OFFICE FROM 1920 TO 1924.**

285. **Mr. Chaman Lal** : Will the Government be pleased to lay on the table a statement of punishments imposed on the staff in the Delhi Head Post office during the years 1920-21, 1921-22, 1922-23 and 1923-24 and be good enough to assign reasons for any abnormal rise therein ?

**Mr. H. A. Sams** : A statement showing the number of officials of the Delhi Head Office punished during the years 1920-21, 1921-22, 1922-23 and 1923-24 is laid on the table.

The increase in punishments during the year 1923-24 was due to more efficient supervision and to a determined effort to check irregularities, notably the misdelivery of articles and the irregular attendance of postmen.

*Statement showing the number of officials of the Delhi Head Office punished by fine, stoppage of increment and dismissal during the years 1920-21, 1921-22, 1922-23 and 1923-24.*

Years.			Number of officials.	Amount of fine.	Stoppage of increment.	Dismissal.
				Rs. A. P.		
1920-21	..	..	293	165 4 0	N4	3
1921-22	..	..	82	67 6 0	N4	4
1922-23	..	..	251	152 11 0	1	7
1923-24	..	..	432	341 7 0	5	7

**ADEQUATE STAFF FOR POST OFFICE AND RAILWAY MAIL SERVICE SECTIONS.**

236. **Mr. Chaman Lal** : (1) Will the Government be pleased to lay on the table a statement showing (a) the statistics of work separately for each Department of work in the Delhi G. P. O., (b) the number of clerical, Postmen and Packer staff justified separately for each branch of work in the Delhi G. P. O., (c) and the number of staff actually given in each Department, with reasons of shortness of staff if any ?

(2) Is it a fact that according to the February, 1924, enumeration 21 and 6 clerks were justified for the delivery and sorting Departments respectively of the Delhi G. P. O. but only 8 and 3 clerks were actually working in the two Departments respectively ?

(3) Do the Government propose to review the statistics of all Post Offices and R. M. S. sections with a view to ascertain that Post Office and R. M. S. sections are adequately staffed and to provide adequate staffs wherever justified ?

**Mr. H. A. Sams** : (1) and (2). The information required by the Honourable Member has been called for and will be supplied to him as soon as it is received.

(3) Government do not propose to take any special action in the matter. Any increases in staff that are found to be necessary to meet

growth in traffic are provided automatically under Departmental arrangements.

**COMPENSATORY ALLOWANCES TO POSTMEN AND POSTAL MENIALS EMPLOYED ON THE FRONTIER.**

287. Mr. Chaman Lal: (a) With reference to the reply to my starred question No. 716 (last Delhi Session), will the Government be pleased to state (1) the number of Postmen and menials employed in the Bannu, Kohat and D. I. Khan Head Post Offices and their Town Sub-Offices who are not residents of the places where employed? (2) the number of Postmen and menials employed at these stations who belong to the Punjab?

(b) Do such postmen and menials get any compensatory allowance? If not, are Government prepared to consider the question of granting them such allowance on the same conditions as govern the clerical staff of the same stations?

Mr. H. A. Sams:

	Bannu.	Kohat.	D. I. Khan.
(a) No. of postmen and menials who are not residents of the places where they are employed .. ..	4	12	8
No. of postmen and menials who belong to the Punjab .. ..	2	9	5

(b) The postmen and menials are not granted compensatory allowance. The matter will receive consideration.

**LIMITATION OF THE PERIOD OF RETENTION OF POSTAL OFFICIALS AT POST OFFICES BEYOND BANNU, KOHAT AND DERA ISMAIL KHAN.**

288. Mr. Chaman Lal: (a) Will the Government be pleased to state the period of retention of Postal officials at the Post Offices situated beyond Bannu, Kohat and D. I. Khan?

(b) Are the Government aware that postal officials are put to serious inconvenience and expense on account of their (1) long and frequent deputations to the N. W. F. Sub Post Offices, (2) separation from their family members, (3) keeping two establishments, one at the so-called "non-family stations" and the other at their homes, and that there is great uneasiness on this account amongst the Postal staff working in the Postal Derajat Division?

Mr. H. A. Sams: (a) Two years.

(b) The inconvenience is recognised by Government and is met by the grant of compensatory allowances, and by the limitation of the period for which officials are retained in the Division. Taking into account these concessions, Government are not aware of any cause for "uneasiness" on the part of the Postal Staff working in the Derajat Division.

**REVENUE AND EXPENDITURE OF EACH PROVINCE AT THE TIME OF THE INTRODUCTION OF THE NEW FINANCIAL ARRANGEMENTS, ETC.**

289. Mr. K. C. Neogy: (a) What was the revenue actually available to each Province on the 3rd of January 1921, on the basis of the Devolution Rules, and what was the sanctioned scale of expenditure in each case on that date?

(b) To what extent has each Province improved its financial position by taxation as by retrenchment between the 3rd of January 1921 and the 31st of December 1923 ?

(c) To what extent has each Province expanded its expenditure between the 3rd of January 1921, and the 31st of December 1923 ?

(d) What has been the total amount of loan raised by each Provincial Government between the 3rd of January 1921 and the 31st of December 1923, and what sinking funds have been provided in connection therewith ?

(e) What advances have been made by the Government of India to the different Provincial Governments between the 3rd of January 1921, and the 31st of December 1923 ?

The Honourable Sir Basil Blackett : (a) The following statement shows the standard figures on the basis of the Devolution Rules of the revenue and expenditure of each Province at the time of introduction of the new financial arrangements :

*In lakhs of Rupees.*

—	Madras	Bombay	Bengal	U. P.	Punjab	Burma	B. & O.	C. P.	Assam.
Revenue ..	14.98	12.10	8.55	12.30	9.74	6.24	4.31	4.36	1.81
Expenditure	14.07	11.55	8.16	11.07	9.11	7.85	4.21	4.39	1.78

(b) to (e). The new financial arrangements came into force with effect from 1st April 1921 and I would refer the Honourable Member to the Finance and Revenue Accounts for 1921-22 and 1922-23 and the Civil Estimates of Provincial Governments for 1923-24 copies of which will be found in the Library. If the Honourable Member wishes to have any information which he cannot obtain from these volumes, I shall be glad to obtain it for him if I can and if he will speak to me on the matter.

**PETITIONS RELATING TO THE INDIAN PENAL CODE (AMENDMENT) BILL.**

(AMENDMENT OF SECTION 375.)

*Announcement.*

Secretary of the Assembly : Sir, under Standing Order 78, I have to report that twenty-four petitions have been received relating to the Bill further to amend the Indian Penal Code (Amendment of section 375) which was introduced in the Legislative Assembly by Dr. H. S. Gour. These petitions were received from Bengal and Assam, and have been presented by :

- (1) Rai Bahadur Kalicharan Sen and others.
- (2) Rai Bahadur Krishna Chandra Chaudhury and others.
- (3) Surendra Mohan Bhattacharya and others.
- (4) Pandit Benode Behari Smrititirtha and others.
- (5) Baroda Kanta Chakrabarti and others.

- (6) Pratap Chandra Sen and others.
- (7) Annada Charan Tarkabagish and others.
- (8) Mohini Mohan Misra and others.
- (9) Ramdev Sarma and others.
- (10) Biseswar Narain Singh and others.
- (11) Mahendra Nath Bhattacharjee and others.
- (12) Upendra Nath Sidhantabagish and others.
- (13) Purna Chandra Banerjee and others.
- (14) Gour Chandra Rai and others.
- (15) Sashadhar Bhattacharjee and others.
- (16) Abinash Kanta Vyakarantirtha and others.
- (17) Bijay Chandra Bhattacharya and others.
- (18) Surendra Nath Bhattacharjee and others.
- (19) Ambica Charan and others.
- (20) Durga Sundar Bidyabinode and others.
- (21) Somesh Chandra Ray and others.
- (22) Devidas Sarma Majumdar and others.
- (23) Nagendrakumar Majumdar and others.
- (24) Brajendra Kishore Chowdhury and others.

### THE STEEL INDUSTRY (PROTECTION) BILL.

**Mr. President :** We shall now proceed to consideration of the further clauses of the Bill to provide for the fostering and development of the steel industry in British India.

I will now take up clause 3. The question is :

“ That clause 3 stand part of the Bill ”

The first amendment to that clause is No. 57\* by Mr. Dutt. That amendment is consequential on No. 24, which has already been disposed of, and so it falls with it. Then the next amendment, No. 38,† is by Mr. Duraiswami Aiyangar, which proposes that the bounty to be paid thereunder be at the rate of Rs. 32 per ton for the first year and that there be a successive reduction in this rate at Rs. 2 per ton for the following years until the 31st day of March 1934. That is out of order inasmuch as it seeks to augment the proposed appropriation of revenue.

**Mr. C. Duraiswami Aiyangar** (Madras ceded districts and Chittoor : Non-Muhammadan Rural) : On that point I request that I may be heard, with reference to amendment No. 38 as well as No. 68,‡ both of which will go out on this ruling from the Chair. I request I may be heard before a final ruling is given. I believe the ruling of the Chair implies that in

\* In clause 3, for the words “ Governor General in Council ”, where they occur for the first time, the words “ Tariff Board ” be substituted.

† That clause 3 be so amended as to provide that the bounty to be paid thereunder be at the rate of Rs. 32 per ton for the first year and that there be a successive reduction in this rate at Rs. 2 per ton for the following years until the 31st day of March, 1934.

‡ In paragraph 7 of the Schedule in the proposed Part VII for the varying rates of duty given in the said Part, substitute the uniform rate of 33 per cent. *ad valorem*.

this Bill no amendment can be made by this Assembly by way of enhancement of any sources of revenue or charge, but if necessary a reduction may be made. I thought the Chair was of opinion that in cases like this reduction is permissible, but enhancement is not permissible, and, if I remember aright, the Honourable the President referred to a convention as well as section 67, clause (2), of the Government of India Act. Sir, if by convention we mean the convention that is established in the Mother of Parliaments, the House of Commons, then I beg to submit that that convention, which was established in that Parliament, can in no way be applicable to this Legislature. Sir, the other day, on the 11th March 1924, when Mr. K. C. Roy put a question in this Assembly whether the convention of the House of Commons that pending Bills lapse on the dissolution of the House.....

**Mr. President :** We cannot have a debate on a point of order. The Honourable Member must only state to me his point.

**Mr. C. Duraiswami Aiyangar :** I am only stating that the Government of India Act does not render my amendments out of order.....

**Mr. President :** But you cannot have an argument on this point, citing authorities and making references. You must state your point on which you submit your amendment is in order.

**Mr. C. Duraiswami Aiyangar :** My point is that the convention of the House of Commons does not apply, and that section 67, clause 2, of the Government of India Act does not make this amendment out of order. Section 67, clause 2, of the Government of India Act, if applied to the procedure of this Assembly, may prohibit not only a reduction, but also an enhancement, not only an enhancement, but also a reduction. Section 67, clause 2, says :

“ It shall not be lawful, without the previous sanction of the Governor General, to introduce at any meeting of (either Chamber of the Indian legislature) any measure affecting—

(a) the public debt or public revenues of India or imposing any charge on the revenues of India.”

If we take the word “ *affecting* ” to mean, as it is ordinarily reckoned to mean, affecting prejudicially, then I submit it will be competent for this Legislature to increase but not to reduce it. It will only affect prejudicially if any source of revenue is reduced or sought to be reduced by this Legislature, but not if it is to be increased. And further, I wish to state that that section contemplates only the introduction of a measure, and not the subsequent stages of it when amendments are to be moved. Sir, when once a measure is introduced with the sanction of the Governor General, then the Rules and Standing Orders relating to amendments alone must be held to apply, and Standing Orders 45 to 53, which relate to amendments, do not prohibit any kind of amendment, nor do they impose any qualifications upon the amendments. Therefore I submit to the Chair that when once a measure has been duly introduced, the subsequent stages of it are regulated only by the provisions of the Act. It cannot be in the contemplation of the Government of India Act that for every such amendment moved in this Legislature the sanction of the Governor General will have to be taken, nor is there any provision made for that. Therefore, I beg to submit that, if the Government of India introduce a Bill with the due sanction of the Governor General, then we regulate the further procedure by the Rules and Standing Orders relating to amendments. If the Governor General in Council does not approve of any

[Mr. C. Duraiswami Aiyangar.]

amendment made here, the powers vested in the Governor General of vetoing this will only have to be resorted to and not that the amendments themselves should be disallowed here.

Further, I beg to submit to the Chair that a protection Bill is altogether a different kind of Bill from a Finance Bill. Although the Honourable the Home Member incidentally or unconsciously or consciously designated this Bill as a Finance Bill in the course of an answer given to-day, I would submit that it is not strictly speaking a finance Bill, but it is a protection Bill. A protection Bill is something of a penal nature. We say that no articles should be introduced into this country from outside because we want to protect our industries, and say, "If you do so, we will penalise the articles." Therefore, I consider it not as a finance Bill in substance or in the main, but as a penal Bill. If a penal Bill is moved in this Assembly to impose a fine of 30 rupees, I submit it would be competent for this Assembly to raise it to 50 rupees or to reduce it to 25 rupees.

I therefore submit that this Bill being in the nature of a penal Bill and not in the nature of a finance Bill those rules cannot apply; and if I understand anything of the procedure of the House of Commons, there also if a measure is intended for the purpose of imposing a charge or raising revenue, then it proceeds from the Crown. If the main object of the Bill is different and subsidiarily it arises that a charge has to be levied, the rules relating to the initiation of Finance Bills are not observed but it goes to the Committee stage and the Crown sanction is thereafter taken. Similarly, the Government of India Act has laid down certain rules and Standing Orders. I would only submit to the President that the Bill having been introduced amendments are in order, and if amendments are taken here and subsequently for any reason His Excellency the Governor General or his Council do not think them proper, there are powers vesting in them which they could exercise. I submit that inasmuch as the constitution of the Indian Legislature and the rules made under the Government of India Act are all *sui generis*, it is impossible to find parallels in other Parliaments or other countries. Therefore, I would earnestly request the President to regulate his procedure by the Rules and Standing Orders framed under the Government of India Act and under those Standing Orders my amendments are not out of order.

**Mr. President:** Order, order. I do not want to hear other Members. I gave an opportunity to the Member giving notice of the amendments. As I have already stated, I have no doubt the amendments proposed are out of order. You cannot have a proposal for augmentation of a tax or greater appropriation of revenue except on the recommendation of the Crown.

The next amendment is that of Mr. Amar Nath Dutt, No. 39.\* That goes with No. 30 which has already been disposed of and falls with it. Then the next one is that of Mr. Patel, No. 40, by which he proposes to add the words "subject to such conditions regarding the treatment of labour as he may from time to time by rules prescribe." I have on a previous occasion indicated that in my view that is outside the scope of the Bill; and Honourable Members will see that the Select Committee have made a certain recommendation on that point. Perhaps the Government will

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\* In clause 3, after the words "as the case may be, the Governor General in Council" the words "with the approval of the Indian Legislative Assembly" be inserted.

like to make some statement, and the House may like to know what the intentions of Government are with regard to that recommendation of the Select Committee.

**The Honourable Sir Charles Innes** (Commerce Member) : I do not think I have very much to add to what has already been stated on this point in the Select Committee's report. I wish to say that we have already in an advanced stage of consideration Bills relating to trade disputes and to trade unions legislation.

My Honourable friend Sir Bhupendra Nath Mitra will know more about it than I do ; I do not know that the Government can commit themselves to introduce this legislation by any specific date ; but we are in a position to say that these proposals are, as I have said, in an advanced stage of consideration.

**Mr. V. J. Patel** (Bombay City : Non-Muhammadan Urban) : I understand, Sir, you have not yet ruled that this amendment is out of order and therefore perhaps there is a doubt in your mind as to whether really this amendment falls outside the scope of the Bill. No Bill for the protection of industries can be said to be really a protection Bill unless it contains provisions to safeguard both capital and labour. By the provisions of this Bill you merely safeguard the interests of capital but you do not say one word for safeguarding the interests of labour. Now, my Honourable friend Sir Charles Innes on behalf of Government stated that the Government of India intended to bring in a separate Bill for dealing with the general question of trade unions and such other matters. That may or may not be so. He may or may not do so. That is a separate question altogether. Here we are dealing out bounties to certain companies. We are here providing for special protection and I seek by this amendment that those who take advantage of the provisions of this Act should be under an obligation to observe certain conditions which the Government may lay down with regard to the treatment of labour. Unless you do that I am afraid this protection Bill will be one sided.

Then, Sir, the idea of introducing provisions for safeguarding labour is not foreign to Tariff Acts in other countries. In Australia, for instance, in the Tariff Act they have specific provisions in the Act itself to safeguard the interests of labour. I will not take up the time of the Assembly by reading any long passages from this book by Mr. Gregory which deals with the different Tariff Acts in different parts of the world. But here it is stated that in Australia such a provision exists and I would submit, Sir, there is nothing in the Government of India Act or in the rules made thereunder by which you can rule this amendment out of order. It purports to give power to the Governor General in Council to make certain rules which those who seek protection must fulfil before they can claim protection.

**Mr. N. M. Joshi** (Nominated : Labour Interests) : Sir, I want to say one word on this point of order.....

**Mr. President** : I am not willing to hear Members on these points of order excepting the Member who has given notice of the particular amendment that is being dealt with.

**Mr. N. M. Joshi** : May I humbly suggest that I have been a Member of the Legislative Assembly for more than three years.

**Mr. President** : Order, order. I am perfectly aware that the Honourable Member has been a Member of the Legislative Assembly for many years ; so have other Members ; but, as I have said, I can only allow,

[Mr. President.]

Members who have given notice of amendments to speak on points of order arising with regard to them. I will hear them and nobody else. I cannot have a general discussion on points of order.

Mr. N. M. Joshi : What I have to say is this.....

Mr. President : Order, order. I have no doubt that Mr. Patel's amendment is out of order because it deals with a different and foreign subject altogether. The subject which he wants to introduce is protection of labour and this Bill is not for that purpose at all. It is for the protection of a particular industry and not for the protection of labour. The protection of labour is a wide subject by itself and must be dealt with on its own merits, on a separate occasion.

Mr. V. J. Patel : Thank you, Sir.

Mr. President : The next amendment is No. 41 of Mr. Patel which runs as follows :

" In clause 3, line 19, after the word ' shall ' insert the following :

' On being satisfied that at least two-thirds of the capital invested in the business concerned is Indian.'

*If the above is not accepted then—*

To clause 3 add the following proviso :

' Provided that nothing in this section shall apply to any company, firm or other person who starts the business of manufacturing steel after the passing of this Act except to the extent and in the manner to be determined by a Resolution of the Legislative Assembly in that behalf '."

Before I rule about this amendment I would like to hear Mr. Patel.

Mr. V. J. Patel : Sir, those of us who have not so far given our whole-hearted support to this Bill are under an apprehension that this Bill is really intended not for the purpose of encouraging Indian industry, but for the purpose of giving an opportunity to foreigners to invest their capital in the Steel industry in India. The whole object of this Bill.....

The Honourable Sir Charles Innes : May I rise to a point of order, Sir ? Is the Honourable Member making a speech or is he talking on a point of order ?

Mr. President : The Honourable Member must confine himself to the point of order.

Mr. V. J. Patel : That is what I am doing, I think.

Mr. President : The Honourable Member is not doing it.

Mr. V. J. Patel : Perhaps you were not following me.

Now, Sir, what I want to provide by this amendment is that the protection to be given by this Bill should be confined to real Indian industries and not to any industries started by foreign capitalists. It should not be extended to foreign capitalists ; that is my view. Now, when you bring in a Bill saying that it will be applicable to such and such companies or to such and such firms or to such and such persons, it is, I respectfully submit, open to any Member of this House to say " No, it shall not apply to so many persons or to so many firms or companies, but that it shall apply to certain specified companies or that it shall not apply to certain specified companies ". Therefore, you must make it clear that the protection provided in this Bill would be confined to Indian industries alone, otherwise the result will be this, that you



will have, as soon as this Bill is passed into law, a number of foreign capitalists coming into this country and starting similar concerns, with the result that the whole object with which this Bill is proposed to be passed will be frustrated. The object of this Bill is to give encouragement to Indian industries, and if you want to carry out that object, it is absolutely necessary that you must make a provision of this kind, otherwise the whole object of this Bill will be frustrated. If you want to carry out the real object of this Bill, namely, to give protection to Indian industries, then it is absolutely necessary that you must introduce this provision and I think therefore it is perfectly in order, and I submit you will not rule this out of order.

**Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions : Non-Muhammadan Rural) : Sir, I want your permission to submit, a few remarks to you for your consideration on the question which is now before the House.

**Mr. President** : I cannot allow the Honourable Member to address the Chair on this point of order. As I have said, I will hear any submission that is to be made by the Member who has given notice of the particular amendment.

**Pandit Madan Mohan Malaviya** : In that case, Sir, it will be quite impossible for Members of this House to lend their support to this Bill, (Hear, hear). If an important principle which affects the Bill is not allowed to be discussed in this House.....

**Mr. President** : That is not a point of order at all.

**Pandit Madan Mohan Malaviya** : I wish that you would hear me. I was going to submit to you not a point of order, but some observations to request you.....

**Mr. President** : If the Honourable Member is not submitting a point of order, then he is not in order in addressing this Assembly.

**Pandit Madan Mohan Malaviya** : Sir, I want your permission to place before you certain considerations why you should review your ruling on the point of order, and I submit I am entitled to request you to hear me before you shut me out in this arbitrary manner. (Hear, hear). I am very sorry to say it, Sir, but I do think that you should allow me to place a few points before you for your consideration before you shut me out. If you shut me out without giving me an opportunity to place the points I wish to place before you, then you will compel many of us to oppose the Bill.....

(*Voices from the Swarajist Benches* : " We will all oppose the Bill.")

**Mr. President** : The Honourable Member will see that if I allow any Member to speak on a point of order except the mover of the amendment, then I cannot discriminate, and I must allow other Members also to speak, and there will be a general discussion on the point of order which cannot be allowed.

**Pandit Madan Mohan Malaviya** : I again submit, Sir, that I was not going to address you on the point of order. I merely want to submit to you certain considerations requesting you to revise your ruling on this question. I do not want to speak on this motion without requesting you to reconsider your ruling. I wish to submit to you certain points by which I hope you will be induced to reconsider your ruling and allow us.....

**Mr. President :** The Honourable Member must understand that that comes to addressing me on the point of order.

**Pandit Madan Mohan Malaviya :** No, Sir, I submit not.

**Mr. President :** Then what does the Honourable Member wish me to revise ?

**Pandit Madan Mohan Malaviya :** If you will hear me, you will know it.

**Mr. M. A. Jinnah (Bombay City : Muhammadan Urban) :** I understand, Sir, Pandit Malaviya desires to request you..... (Voices : "Louder please, louder please.") I think I am representing the view of Pandit Malaviya correctly. What he desires the Chair to do is this. Ordinarily, Sir, on a point of order, you decided to hear only the mover of the amendment and nobody else. What the Honourable Pandit now desires is this, that you may relax that ruling having regard to the vital importance of this particular amendment, and that you may also allow such other people, say two, three or four, who desire to place their views before you, to speak in order to persuade you to allow this amendment to be discussed. That, I understand, is the point of view of the Honourable Member.

**Mr. President :** The Honourable Pandit did not put it quite in that way.

**Mr. M. A. Jinnah :** If that is his desire, then I do support him. I do not say that there should be a general discussion, but I do say that you should allow one or two other Members to place before you their views before you give your final ruling.

**Mr. President :** Pandit Madan Mohan Malaviya.

**Pandit Madan Mohan Malaviya :** Thank you, Sir.....

**Mr. N. M. Joshi :** May I also, Sir, rise to a point of order ?

**Mr. President :** I have not called upon the Honourable Member from Bombay ; I have called upon Pandit Malaviya to address me.

**Pandit Madan Mohan Malaviya :** Sir, you have been pleased to rule that no one except a Member who has given notice of an amendment should be heard on a point of order. I wish, Sir, to place certain considerations before you which I hope will lead you to reconsider that ruling. The position is this. This is a Bill brought in by Government on the recommendation of the Fiscal Commission supported by the Report of the Tariff Board. The Fiscal Commission reported that the Government should grant protection to certain industries, and it coupled that recommendation with a very important recommendation which you will find in paragraph 292 of the Report of the Fiscal Commission. It says :—

" We think, however, that where Government grants anything in the nature of a monopoly or concession, where public money is given to a company in the form of any kind of subsidy or bounty, or where a license is granted to act as a public utility company, it is reasonable that Government should make certain stipulations. Where the Indian Government is granting concessions or where the Indian tax-payers' money is being devoted to the stimulation of an enterprise, it is reasonable that special stress should be laid on the Indian character of the companies thus favoured. In all such cases we think it would be reasonable to insist that companies enjoying such concessions should be incorporated and registered in India with rupee capital, that there

should be a reasonable proportion of Indian Directors on the Board and reasonable facilities should be offered for the training of Indian apprentices at Government expense. We notice that this policy has been generally accepted by the Government of India. During the debate in the Legislative Assembly on the 2nd March 1922 on the Resolution moved by Sir Vithaldas Thackersey recommending that measures should be taken to provide that as large an amount as possible of the 150 crores set aside for the rehabilitation of railways during the next five years should be spent in India, Mr. Chatterjee on behalf of Government stated :

“ The settled policy of the Government of India, as I think we have mentioned more than once in this Assembly, is that no concession should be given to any firms in regard to industries in India, unless such firms have a rupee capital, unless such firms have a proportion, at any rate, of Indian directors, and unless such firms allow facilities for Indian apprentices to be trained in their works. This has been mentioned more than once, and I can only repeat this declaration.”

This was an essential part of the recommendation made by the Fiscal Commission. The Bill that has been introduced has entirely ignored this important recommendation. I want to point out that a matter like this is perfectly relevant to the discussion. I will invite your attention, Sir, to the discussion on the Overseas Trade (Credits and Insurance) Act, 1920, in the House of Commons. When the Bill which became an Act was introduced, its object was explained to be to grant credits to certain firms to enable them to re-establish trade in the continent of Europe.

On that motion, Sir John Butcher asked :

“ Do I understand that they (the credits) are only to be given to British firms, or are they to be given to foreign firms as well, or are the credits to be given to foreign Governments? Would it not be well to put into the Resolution some words to show to whom the credits are to be given?”

Sir Robert Horne replied :

“ The Bill will do that. It is perfectly clear that credits will only be granted to British firms.”

On another occasion Mr. Bridgeman said :

“ The honourable and learned Member for York asked whether this would be limited to British firms and sellers in this country. Yes, the advances will be so limited.”

On this assurance being given to the House, when the Bill was introduced there was a clause in it which definitely said :

“ Provided that no credit shall be granted by the Board under this section :

(a) to an alien, or to a firm in which the majority of the partners are aliens, or to a company where British subjects do not form a majority of the directors, or where a majority of the voting power is not in the hands of British subjects.”

This stands as the law of the English people.

Now, Sir, if a section like that could be introduced in the Overseas Trade (Credits and Insurance) Act, 1920, in the House of Commons, I submit there can be no reason why a clause like what is urged by my friend Mr. Patel and some others, including myself, should not be introduced into this Bill which grants protection to certain companies at the cost of the general tax-payer. We cannot follow a better precedent than the precedent of the House of Commons. Here they wanted financial help to be given to trade to help it to be re-established in Europe ; but they distinctly asked questions at an early stage whether the credits should be given to British firms or to alien firms, and they got the assurance that they would be given to British firms only. This assurance was incorporated in the Act and stands part of the Act now. Here the Fiscal Commission has in the most distinct terms recommended that, when Government grants protection to any company, it should

[Pandit Madan Mohan Malaviya.]

stipulate that there shall be three conditions, namely, that companies who enjoy concessions should be incorporated and registered in India with a rupee capital, that they should have a reasonable proportion of Indian Directors and that facilities should be offered for the training of Indian apprentices at Government expense. The Government Member, Mr. Chatterjee, definitely said :

“ No concession shall be given to any firms in regard to industries in India unless such firms have a rupee capital, unless such firms have a proportion, at any rate, of Indian directors, and unless such firms allow facilities for Indian apprentices to be trained in their works.”

He said this had been mentioned more than once.

Now, this vital principle, which will affect the life-blood of the people throughout the country, has been entirely omitted in framing the Bill. The Government have not been fair to the tax-payer, and I submit that, if the Bill is rushed through the Council in its present form certainly there will be many who will oppose it and the country will condemn it.

For these reasons I beg you to reconsider your ruling and to allow Members an opportunity to say all that they have to say with regard to the necessity for introducing a paragraph like the one proposed by Mr. Patel in this Bill. If you are not pleased to do that, Sir, allow me to say with all respect, and without any wish to hold out a threat, allow me to say that the passage of the Bill will be wrecked.

**Mr. N. M. Joshi :** May I rise to a point of order, Sir ? The point of order is this. You have now allowed a second speaker to state a point of order on this question. I should like to know from you whether you will allow me now to speak on the point of order regarding the labour amendment of Mr. Patel's. I think it is as important as this question.

**Mr. President :** We cannot go back to it now. That matter has been disposed of.

**Dr. H. S. Gour** (Central Provinces Hindi Divisions : Non-Muhammadan) : Sir, as a member of the Select Committee, I wish strongly to support Pandit Madan Mohan Malaviya's representation to you that the matter regarding the utilisation of Indian capital and Indian enterprise be, if possible, incorporated in this Bill. Sir, if you refer to para. 5 of the report you will find that this question was debated in the Select Committee at great length and the majority of us decided in the following terms :

“ The majority, however, of the non-official members of our Committee incline to the opinion that the possibility should be seriously considered at an early date of securing for Indian capital a substantial share in industries benefiting by State assistance.”

I therefore, Sir, submit that the Honourable Mr. Patel's amendment is not out of order in view of the discussion in the Select Committee and the expression of opinion by the Select Committee in para. 5.

**The Honourable Sir Charles Innes :** Sir, the point of order is, of course, entirely for you to decide. All I refer to is the Standing Order of this House which says that an amendment must be relevant to and within the scope of the motion to which it is proposed. Now I presume that the object underlying a rule of that kind is that a popular Assembly of this kind should not be allowed to be rushed at any time into making a pronouncement on a very important question of principle

or policy without due consideration and that it seems to me, without going into the merits of the case, is the danger which faces us to-day. (Mr. V. J. Patel : " Has not the Fiscal Committee expressed its opinion on this ? ") It was not placed before the House on this Bill. (Pandit Madan Mohan Malaviya : " Whose fault was that ? ") Now, that was the view which was taken in the Select Committee. The Select Committee definitely stated that in a Bill of this kind we should not incorporate provisions relating to the proportion of foreign capital or proportions of Indian management or anything of that kind. They suggested that that question should be taken up separately, and I will say, on behalf of the Government, that I am quite prepared to take that question up separately. And I may point out, Sir, if you will pardon me for one moment if I do diverge to the merits of this particular case, that the particular amendment proposed by Mr. Patel to clause 3 of this Bill will be of no practical effect at all. It will be merely a gesture. The Bill subsists merely for three years, and it takes five years for a man to produce steel. Therefore, even if this amendment were carried, it would make no difference at all. It would be merely a gesture. As I say, Sir, the point of order is entirely for you to decide, but I do suggest that, as I have promised to take this question up separately, it would be better if this amendment were not inserted in the Bill.

**Pandit Motilal Nehru** (Cities of the United Provinces : Non-Muhamad-an Urban) : Sir, as a member of the Select Committee I wish to make one or two observations on this point. As my Honourable friend Sir Charles Innes has pointed out, this is in effect only a gesture and that was the argument which was put by him before the Select Committee on the strength of the findings of the Tariff Board. Now, Sir, we are taking the finding of the Tariff Board because we have no materials before us to show that that finding is wrong. The British and the foreign companies who might like to introduce their capital in the steel industry are in no way bound by the finding of the Tariff Board. I do not think that the opinion of the Tariff Board that it will take five years before you can produce a pound of steel in this country is by any means final. We know at what rapid rate science is progressing. We know that there are foreign companies with enormous resources at their back. I do not think that it will be safe for this House to take the assurance of the Tariff Board that you are quite safe for the next five years because no concern coming in from a foreign country will be able to produce anything within that period and, as the life of this Bill is only three years there is nothing to fear. Vested interests will arise even if no steel is produced and we shall have to consider a number of auxiliary questions before we can at some later stage introduce legislation which my Honourable friend Mr. Patel wishes to introduce to-day. Before these complications arise it is therefore necessary for this House to safeguard the interests of the Indian industry and to keep it in the hands of Indians as far as possible. Now, Sir, we were told that this Bill is not a Bill in the interests of the Tata Company or any other Company. It is in the interests of the Indian industry, and I take it that the only reason why we are extending any protection to the Tatas is that in the near future we expect other companies will arise and begin operations so that there will be internal competition and thereby the ratepayer in the long run will be the gainer. Well, if it is not for the Tata Company, is it for any other company ? I think, Sir, if there is any place in which it ought to be made clear as to what companies this

[Pandit Motilal Nehru.]

Bill will apply it is in this provision of the Bill. There are no complications as indeed there would be, if we were to introduce labour legislation into this Bill. In the latter case there is a variety of considerations to be gone into and we would be unduly encumbering this Bill with a number of special provisions, and after doing so we may, in the end, find that we have not done justice to the cause of labour that stands upon a different footing altogether. I am quite at one with the Honourable Government Members upon that point. Not that I am not as anxious as my friend Mr. Joshi or my friend Mr. Devaki Prasad Sinha to secure the interests of labour but because I think that the method proposed by them is not suitable. In this matter, however, there is nothing but a short definition of the companies to which the Bill applies that is required. I do not think there can be any fear that by rushing this short amendment we shall be complicating things so as to make us repent hereafter. The alteration asked for involves a principle, which is not new, which has been fully considered and which has been affirmed by the Fiscal Committee, and indirectly by this House. It is a proposition which has been long before the country and I think there can be no question that a great volume of public opinion is in support of it. That being the case, I do not see how it can be said that the amendment is beyond the scope of the Bill. In fact, it limits the scope of the Bill, and anything that limits the scope of the Bill must necessarily be within its scope. I therefore submit that the amendment proposed by my friend the Honourable Mr. Patel is quite in order.

**The Honourable Sir Alexander Muddiman** (Home Member) : Might I suggest to you, Sir, that the time has come for you to give a ruling on this point ? The discussion on a point of order cannot go on beyond a certain limit and I suggest to you, Sir, that the time has come for you to give a decision on this point. I venture also to suggest for your consideration, Sir, that this is an amendment limiting the scope of the Bill and therefore in order, whatever the merits of the amendment may be.

**Mr. M. A. Jinnah** : If I may say only one word, Sir, I am inclined to support the Honourable the Home Member. I entirely support the Honourable the Home Member and I say with very great respect that, strictly speaking, amendment No. 41 would be admissible whatever may be its merits, and I think, Sir, if we get on to the merits of that amendment, probably we shall get on quicker.

**Mr. K. G. Lohokare** (Bombay Central Division : Non-Muhammadan Rural) : On a point of order, Sir,.....

**Mr. President** : I have heard sufficiently on the point of order.

**Mr. K. G. Lohokare** : I have my own amendment and I must have a hearing.

**Mr. President** : I have heard sufficiently on the point of order. In the light of the discussion that has taken place I have now come to the conclusion that, as pointed out by Pandit Motilal Nehru, this amendment really circumscribes the scope of the Bill and limits it to companies of a particular kind, and that being the case, I am now of the view that it is not out of order. Whether it is desirable to introduce this subject in the form in which the amendment stands or whether it will be effective for the purpose in view is another question, that is a question on the merits. The House will have to consider whether it

will effect the object it has in view by inserting an amendment of this character or by having separate legislation in that behalf. That is a question for the House to consider on the merits.

**Mr. Devaki Prasad Sinha** (Chota Nagpur Division : Non-Muhamadan) : On a point of order, Sir. May I also appeal to you to review your decision with regard to the previous amendment—No. 40—just as you have reviewed your decision with regard to this amendment ?

**Mr. President** : What amendment are you speaking of ?

**Mr. Devaki Prasad Sinha** : Amendment No. 40. I am only appealing to you, Sir, to review your decision with regard to this amendment also. That also limits the scope of the Bill.

**Mr. President** : I have not the slightest doubt about that amendment. I cannot allow that question to be reopened.

**Mr. N. M. Joshi** : Because you did not hear us.

**Mr. President** : I am not inclined to hear any Honourable Member on those points which have already been decided and about which I have no doubt.

**Mr. C. Duraiswami Aiyangar** : Sir, in my amendment No. 61, I have asked for the addition of a separate clause about the same subject.

**Mr. President** : We are now on Mr. Patel's amendment, No. 41, and we must deal with that first. If the Honourable Member prefers his own amendment to that of Mr. Patel, his obvious course is to vote against Mr. Patel's amendment and then this amendment can be taken up.

**Mr. V. J. Patel** : I think, Sir, my amendment is short and sweet, and it will fully meet the requirements of the case. The object with which we have been labouring for three-quarters of an hour will be fully attained if these few words are inserted in clause 3 without disturbing the other clauses of the Bill. The amendment which I have the honour to move runs as follows :

“ In clause 3, line 19, after the word ‘ shall ’ insert the following :

‘ On being satisfied that at least two-thirds of the capital invested in the business concerned is Indian ’ ”

Now, Sir, my main quarrel with the Tariff Board is that they have in investigating into this question not taken into consideration the report and recommendations of the Fiscal Commission. When we say ‘ protection of industry ’ we mean protection of Indian industry and not protection of industry in British India. If you will look at the Preamble of this Bill, you will find it stated, Sir :

“ Whereas it is expedient, in pursuance of the policy of discriminating protection of industries in British India with due regard to the well being of the community.”

Now, what we really want is the protection of Indian industry and not protection of industry in British India. This Preamble is based on the recommendations of the Tariff Board and the Tariff Board have gone wrong inasmuch as they, in making their investigations, have started on a wrong basis. If they had before them the idea, the sole idea, of giving protection to indigenous industries, Indian industries, then they would have recommended the provision which I am now asking this Assembly to accept. The fears that we have, Sir—and I

[Mr. V. J. Patel.]

do not wish to make a secret of them—are that as soon as this Bill is passed companies with huge foreign capital will be started in this country, and those fears, as I will presently show, are not without foundation. I refer this House to page 16 of the Tariff Board's Report. In the last part of the first paragraph, they say :

“ We had it in evidence from Mr. Fairhurst that the Indian Iron and Steel Company would not under present conditions consider the question of embarking on the manufacture of steel unless protection were given ”

—what follows is very important and significant, and it is this —

“ and Mr. Tarlton, giving evidence on behalf of the United Steel Corporation of Asia, stated that without protection it would be impossible to raise the capital required for a fresh enterprise. Our deliberate opinion is that, without the help of protection, the steel industry is not likely to develop at all.”

So, the Tariff Board did not consider this question from the point of view of encouragement to the Indian steel industry, but from the point of view of encouraging the steel industry in India. I do not know who this gentleman Mr. Tarlton is, but evidently he represents the same United Steel Company to be started in India as soon as this Bill is passed into law, and I understand my Honourable friend Pandit Madan Mohan Malaviya made a reference to this particular company when he was making his speech on the Bill at its first reading. So, it is quite clear, Sir, from the Report of the Tariff Board themselves that they were considering the question of giving protection to the steel industry and they had in view this United Steel Corporation of Asia, which was about to be started and whose manager or officer clearly stated before that Committee that, unless protection was accorded, the capital was not likely to be subscribed. That being so, there is not the slightest doubt in my mind, and I submit that there should not be the slightest doubt in the mind of any Member of this Assembly, that, as soon as this Bill is passed into law, foreign capital will pour in, companies will be started and they will claim protection under the provisions of this Bill. Then again, it is not that the Governor General in Council can refuse to give a bounty to any such firm, because, the Bill clearly says that the Governor General in Council shall give bounties to companies, firms or persons manufacturing steel in India. This means that the Governor General in Council, even if they were so inclined, have no option but to give bounties to these firms. It is, therefore, necessary, Sir, that proper safeguards should be provided in this Bill itself, so that the special benefit that is to be conferred on companies, firms or persons manufacturing steel should be restricted to such businesses as are carried on with Indian capital at least to the extent of two-thirds. There are friends of mine who would, as recommended by the Fiscal Commission, like that there should also be a further provision that a certain proportion of the directorate must also be Indian. I should not have the slightest objection to the insertion of such a provision, but, as I say, it would disturb the fabric of the Bill and it will be very difficult to carry out that object unless you are prepared to introduce altogether a new provision in the Bill for that purpose. But when I seek to provide that at least two-thirds of the capital should be Indian, it necessarily implies that such a company shall have a board with an Indian majority, because if two-thirds of the capital is Indian, it goes without saying that the shareholders will ordinarily appoint a majority of Indians as their



directors. But assuming for a moment that they do not (although I personally doubt it) do so, let them have a free choice. If they have confidence in non-Indian directors, by all means let them exercise their discretion. But the fact remains that once you make a provision that two-thirds of the capital should be Indian, the profits accruing out of the business will remain in India. That is the point; and the whole object of the Fiscal Commission, the whole object, I venture to submit, perhaps of the Tariff Board, and it may be perhaps of the Government of India will be carried out. It is with that object that I have ventured to move this amendment and I trust that the Honourable Members will support it.

**Mr. K. G. Lohokare :** Sir, I beg to support the amendment, at least the principle of it, moved by Mr. Patel. I had moved a similar amendment for consideration before the Select Committee and I have appended a separate minute to the Report. The main considerations that prompted me to introduce such an amendment in this Bill are as follows :

The first consideration is due to the preliminary conclusions of the Fiscal Commission Report. The Fiscal Commission Report says :

“ That the industrial development of India has not been commensurate with the size of the country, its population, and its natural resources, and that a considerable development of Indian industries ”

—mark the words “ considerable development of Indian industries ”—

“ would be very much to the advantage of the country as a whole.”

That is the first thing that we find here. Secondly, the report on the Tariff Bill, as I complained yesterday, did not take into consideration the various aspects of this question. I do not know whether the matter of the elements of capital and labour organisation were referred to them or not, but I see from the report that no reference has been made to it in the report itself. But in the Bill itself we have some words which do justify the introduction of such a clause in the Bill itself. “ Whereas it is expedient ”, in the preamble it is said, “ in pursuance of the policy of discriminating protection of industries in British India with due regard to the well-being of the community.” It is “ with due regard to the well-being of the community ” that discriminating protection is to be introduced by the Bill. The word “ discriminating ” has so many meanings here, and the meaning that has been taken by the Fiscal Commission Report is that discrimination be exercised in the selection of industries for protection. That is one discrimination. The second is in the degree of protection afforded. The degree of protection afforded is also a consideration in discrimination. What that degree should be is a matter that we have to consider. And I think we are justified, while considering the degree of protection that we have to give to the industry, in saying as to what form of protection we might give to the industries that are being developed in India.

The second thing that I want to bring to the notice of Honourable Members is that the principle of protection has always the elements of nationality in it. Protection cannot be introduced for the development of the industries of somebody else. Everywhere, in all the countries of the world, this idea of protection has been the outcome of the sense of nationality. Here I might refer to page 123 of “ The Commerce of Nations ” by G. F. Bastable :

“ It is above all essential to recognize that the key-note of their system is nationality.”

[Mr. K. G. Lokharkar.]

Then I would refer the Honourable Members to page 129 of the same book where it is stated :

“ The restrictive system, as we might expect, has a distinctive colour, according to the country in which it is expounded.”

Therefore, the system of protection that any country undertakes to have is distinctive to the country itself, and consequently if we have to adopt a policy of protection we have at the same time to consider how best we can do for our own Indian industries. The scheme of nationality, therefore, is one of the highest considerations if protection is to be given at all to any industry by bounties and by imports. Import duties mean additional cost to the consumer, bounties mean additional cost to the tax-payer. If the general tax-payer of the country and the consumers in general have to pay for the protection or the development of an industry, it is quite natural, a logical consequence, that those people who pay for it must get the advantage of the development of the industry. To me, at least, and to many of us, it seems a strange idea that the money of the poor of this country, the money of the general tax-payers of the country, should go to fill the coffers of foreign capitalists, and that the money should be sent out from India for their own benefit. I will refer here to the Report of the Fiscal Commission in which the matter has been distinctly stated. I referred to it yesterday and to-day I wish to draw the attention of the House to paragraph 292 of the Report in which the following passage occurs :

“ Where the Indian Government is granting concessions or where the Indian tax-payers' money is being devoted to the stimulation of an enterprise, it is reasonable that special stress should be laid on the Indian character of the companies thus favoured. In all such cases we think it would be reasonable to insist that companies enjoying such concessions should be incorporated and registered in India with rupee capital, that there should be a reasonable proportion of Indian directors on the board and reasonable facilities should be offered for the training of Indian apprentices at Government expense.”

This is an extract from the Indian Fiscal Commission Report itself. There are certain persons, Sir, who say that it is advantageous to have foreign capital here in order that the country may benefit by the development of industries. Their main argument is that the people who have no training in industries can get this training when foreign capital runs in. I might, first of all, take it for granted that they did not consider what an amount of liability the country is going to undergo by the foreign capital and other vested interests coming into this country. I leave other considerations aside for the time being. I take only the argument that the country will benefit by the amount of industrial development that it will receive if these foreign industries are being started here. Let me illustrate it further. The measure of advantage is to be measured according to the analysis of the advantages offered by the industry itself. Under foreign organisation how much amount of training we are to get, for instance in expert labour, is a question which affects us very much. If we cast our attention to the railways we all find that the higher posts, i.e., posts requiring expert knowledge, are not in the hands of Indians. We have been complaining every now and then that the railway administration is not conducted for the benefit of the country. The tariff rates are not generally assessed in the interests of the general tax-payer. You can see all sorts of foreign capitalists here. If you take into consideration the amount of technical

training that our people get here, you will find that all the training that they have received is as carpenters, firemen and drivers. Except for this there is no training such as for Assistant Engineers even. This is the effect of foreign capital, in spite of some State control, this is the effect of foreign organisations. I should like to ask if you are further prepared to undergo the risk of foreign capital, of foreign organisations, in the case of such a basic industry as iron and steel in India. Then we come to the question of profits. If the control of a company is in the hands of foreigners it is only natural that the interest on capital goes into the pockets of these foreigners. The money flows out of the country the moment it comes out of the pocket of consumers. We see an instance of this in the case of the foreign insurance companies in India. Foreign insurance companies do business in India at the cost of the general tax-payer, but the advantages of the entire capital lie in the hands of these foreigners to be sent away to foreign countries. I can cite many instances of such foreign capital being sent to foreign lands to benefit the pockets of foreigners. Are we then now going to start a machinery for handing over the profits of the steel industry in India so that India may be robbed of her riches in the form of this steel industry? My Honourable friend on the opposite benches on the first day pointed out that there was some danger in it and precautions were needed. We have been pressing our ideas on the opposite benches and have not received any response. No attempt is made to safeguard the interests of the public at large. If that had not been the case would we be now pressing this amendment? As Pandit Madan Mohan Malaviya has said, until there is some provision in this Bill to safeguard the interests of the public at large, we shall have to throw out the Bill if it remains in this form.

The advantage that the country would derive would simply lie in the direction of the wages that unskilled labour would get. Suppose these industries employed unskilled labour to the extent of, say, thirty or forty thousand. Let us compare the amount of import duties the country will have to pay in order to find employment for them. If you add to the amount in the way of wages that these poor people would have got for agricultural labour the amount of bounties, we will not be in a more favourable position. The profits all go out of the country, and there is no provision in the Bill against that. The organisation is to be in the hands of foreign persons, and the only advantage we derive is in the form of wages of the unskilled labourers. What percentage of the total cost of production would this be? The total cost of production of a ton of steel is, according to the Tariff Board Report, Rs. 180, out of which the overhead charges amount to Rs. 60. Two-thirds is the further cost of production, of which one-third is the pay of expert labour. The cost of production has two elements, royalty as well as transport. That means that 15 or 20 per cent. will go into the hands of the labourers. We are going to pay nothing less than 5 crores of rupees during the next three years. We have been told that there is only one company at present, the Tata Company, which will be affected by the Bill, and our imagination is being played upon by the statement that by throwing out the Bill we will be depriving one enterprise of the advantages of protection under this Bill. There are already several foreign capitalists in this industry. Some of them have been producing pig-iron, and are thinking of going in for the production of steel at the same time. Within a year or two it will be possible for them to put their steel on the market. We shall have in that case not only to pay the Tata Company during these three years, but something additional

[Mr. K. G. Lohokare.]

will have to be paid to other companies as well. I have here the names of some of the firms. The Indian Iron and Steel Works have a capital of 3 crores. The Bengal Iron and Steel Works have a capital of 4 crores. The Indian Steel Company has only been registered but is not working yet. The Eastern Iron Company has a capital of one crore but has not yet started. If the policy under discussion is to be continued not only shall we have to pay something to these companies which I have mentioned, but we shall have to pay far more than we will to Tata in the form of bounties. There is a further element. Some of these foreign firms have got concessions in the form of coalfields and ore fields at the same time. They have been mentioned in the Government of India reports and can be referred to. There is another firm at the same time of foreign capital, Vickers and Co., which has started their business here, and it is very likely they may think of taking up steel production. Their capital is in sterling. They are simply doing business here and they are on the list. I do not propose to call for the other subsidiary companies. I am afraid we shall have to pay the same money in the form of bounties to other firms as well. I inquire here, Sir, whether it is desirable in the interests of the country that we should put such a dangerous burden upon the assets of the nation, and expect to benefit by such a burden. The greatest danger India has to fear is foreign investment preventing the economic and political development of India.....

**Mr. President :** Order, order. I am afraid the Honourable Member is repeating himself several times, and is going into much larger questions about foreign capital. We are here only concerned with Mr. Patel's amendment.

**Mr. K. G. Lohokare :** The next sentence will probably clear it up.

**Mr. President :** You have given us very many sentences already. The Honourable Member can easily condense his remarks. He has said nearly all that there is to be said.

**Mr. K. G. Lohokare :** All right, Sir. I will just finish with a few additions. I therefore request that some sort of provision might be inserted in the Bill so that it may remain effective in the way that we wish. We do not wish to send away foreign capital. Some sort of caution is necessary. We do not at the same time want to scare away the foreign capitalist and a provision in the form that the Indian Fiscal Commission has suggested may very well be accepted. The other condition, that of the Directors, some proportion is to be Indian, is necessary or the whole advantage which the country will derive from the effects of protection will not be secured. If these cautions are not there, I think such a Bill is not worth while passing. If we say that in this Bill we need not consider other possible interests, they will have to be attended to by a future enactment, perhaps too late. With these words I will conclude.

**Sir P. S. Sivaswamy Aiyer (Madras : Nominated Non-Official) :** Sir, I may preface my remarks by saying that I have very great sympathy with the objects of the gentlemen who have moved this amendment. But I am afraid we have got into a regular tangle. I shall state the position shortly and point out what the difficulties are and what the proper method of attaining the object of these gentlemen is. Now, the object which all these Honourable Members have at heart is the prevention of

enterprises started and carried on entirely with foreign capital behind the protective tariff wall, or behind the system of bounties that will be created by this Bill. So far as a tariff wall is concerned, I do not see how, by means of these amendments which you are proposing to clause 3 or clause 4, you could prevent any foreign companies from getting the benefit of them. Section 2, which relates to tariffs, will apply to all imports, and any company which may be engaged in the manufacture of steel in this country, whether it is foreign or indigenous, will derive the benefit of these tariffs. We are, however, now dealing only with clause 3, and I see that there is a similar amendment, of which notice has been given, with regard to clause 4. Now, what is the amendment which we propose to clause 3? The amendment is that these words shall be inserted :

“ On being satisfied that at least two-thirds of the capital invested in the business concerned is Indian.”

In the first place I would ask you—are we all agreed or certain that the proportion of capital to be held by Indians should be two-thirds or three-fourths, or half or a quarter? If you turn to the report of the Fiscal Commission, what you find is that they went into the subject exceedingly carefully and very elaborately, they did not commit themselves to any such definite proportion as you now want the Assembly to commit itself to. What the minority of the Fiscal Commission say in their Report is that foreign companies to be started in India should be started on the basis of a rupee capital, that they should have a certain proportion of Indian Directors, and that they should undertake the obligation of training Indian apprentices. Those were all the conditions that the minority suggested. The majority considered these questions, but they thought that it was only in cases where the State offered some concession in the shape of a bounty that it might be desirable to provide some such restrictions. With regard to the case of a protective tariff, the majority did not consider it would be wise to lay down any such restrictions. I am not now expressing any opinion as to whether the view of the majority was right or the view of the minority was right. I am prepared to take it that the minority, which was composed of nearly all the Indian Members of the Fiscal Commission, were right in their view. The minority of the Commissioners, which was composed of Indian gentlemen, all recommended only these three things, a rupee capital, a certain proportion of Indian Directors, and an obligation to train Indian apprentices. I am willing to go with you further. I am willing to agree with you that we may suggest that any company that may be started should place a certain proportion of its shares on the Indian market, so that they may be available to Indians and could be taken up by them. Let me assume all that. But what is the proportion? Are we quite settled that it should be two-thirds, or three-fourths? Why should it not be 50 per cent? Is there not, on the other hand, something more like perfection in the ratio of equality? It may be 50 per cent., it may be something less or more. I do not wish to dogmatise on that point. You wish to impose the condition that at least two-thirds of the capital invested in the business concerned is Indian. Well, at what point of time? Suppose that at the date of the formation of the company two-thirds is Indian, would it be entitled to these benefits? Suppose afterwards those shares are transferred, would it be entitled under your proviso to the benefit of this clause or not? These are questions which have to be considered. There are a number of other conditions. The majority in their report referred to the possibility of circumvention by

[Sir P. S. Sivaswamy Aiyer.]

transfers and various other matters. All these things have to be carefully gone into and provided against.

These amendments and the difficulties which they create illustrate the extreme inconvenience of having to introduce amendments into a Bill which was prepared on a different assumption and a Bill the framers of which did not contemplate these particular subjects as suitable for inclusion. However, I shall not argue now that you are debarred from introducing any suitable amendments. The question which we have to put to ourselves is—is this the best way of achieving our object? The amendment does not touch even the fringe of the subject and the numerous difficulties which we have to surmount. You have to provide for a certain proportion of Directors; you have to provide for the obligation to train apprentices, and for many other things which the Commissioners recommend. You do nothing of the kind. On the other hand, the alternative amendment proposed by Mr. Patel has a greater appearance of suitability, and it is this:

“ Provided that nothing in this section shall apply to any company, firm or other person who starts the business of manufacturing steel after the passing of this Act except to the extent and in the manner to be determined by a Resolution of the Legislative Assembly in that behalf.”

in the first place, this proviso will apply.....

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Urban): On a point of order, Sr. Has that amendment been moved?

Mr. President: Order, order. Sir Sivaswamy is in order. He is developing his argument by referring to the other amendment.

Sir P. S. Sivaswamy Aiyer: It may be that it has not been moved, Sir, but I am referring to it for the purpose of putting before you clearly what would be the most suitable method of achieving your object and whether this amendment which has now been moved is the best way. Now, take the alternative proviso to clause 3. It says:

“ Nothing in this section shall apply to any company, firm or other person who starts the business of manufacturing steel after the passing of this Act except to the extent and in the manner to be determined by a Resolution of the Legislative Assembly in that behalf.”

The language of this amendment is not quite happy. You say, it shall not apply to any company, firm or person except to the extent and in the manner to be determined. That rather refers to the degree to which they shall be entitled to protection, and not to the conditions under which the business should be started. Perhaps by some amendment of these words—as, for instance, by substituting for words “ except to the extent and under conditions to be determined by a Resolution of the Legislative Assembly ”—that difficulty may be obviated. Even then are we out of the woods? I am afraid not. We say, “ Start the business of manufacturing steel.” But what is meant by starting the business of manufacturing steel? There are three or four companies which have been formed for the manufacture of iron and steel. Now, suppose a company has started the business of manufacturing one of the component elements required for steel as a preparation to the manufacture of steel. Could it be said that that company had started the business of manufacturing steel? I am not criticising the amendment in any hostile spirit; I only wish to point out the numerous difficulties

which surround this question. When we refer to a company starting the manufacture of steel, you cannot make or order from the start all the ingredients required for the manufacture of steel, nor can you start all the processes on the same day. Suppose to-day you start the manufacture of pig-iron, to-morrow something else, and the day after to-morrow you begin to manufacture steel; when do you say that the company starts the business of manufacturing steel? These are the difficulties in the interpretation of these words. But if you do want to introduce something in this Bill for the purpose of limiting the bounties to particular companies which may satisfy certain conditions, then you will have to frame some amendment on the lines I have suggested. But I confess I am not satisfied with the idea of introducing this amendment nor do I think that it will achieve your object. A far more satisfactory method to my mind would be to have the whole question considered, to get some assurance from the Government that they will take up this question at once and consider the whole question of foreign concerns, so that they may lay down the conditions under which companies will be entitled to the privileges to be conferred by a Tariff Act or a Bounty Act. Now, supposing that you have carried these amendments to clause 3 or the proposed amendment to clause 4, how are you going to prevent a foreign company from reaping the benefit of the tariff wall? You cannot. The only way in which you can do it is by imposing a restriction upon any foreign company started in India that it shall have a certain rupee capital, shall offer a certain number of shares to the public here and shall comply with certain conditions. Unless you make a condition binding upon every foreign company started in this country, you will not be able to deprive those foreign companies of the benefits of the tariff wall. You may deprive them of the benefits of the bounty by clause 3 or clause 4 or by a combined clause. I have referred to these difficulties for the purpose of showing that the most suitable way of achieving your object to my mind would be to have a comprehensive measure carefully thought out and drafted for that purpose. It seems the majority of the Select Committee were of opinion that this question should be taken up at an early date. If the Government would give us some assurance that they will take up the subject at once and bring up a Bill for consideration, I for one would be satisfied. I will merely put it to the House for its consideration whether after a consideration of all these difficulties it is satisfied that the solution just now offered to it is the most suitable solution, whether it provides for all the difficulties which may arise, whether it contains suitable guarantees against evasion, and whether it secures all the benefits which we wish to secure with regard to this measure of protection. I have indicated my views with the object of making the House see clearly where exactly it is and where exactly it is going.

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

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The Assembly re-assembled after Lunch at Forty Minutes Past Two of the Clock, Mr. President in the Chair.

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Mr. C. Duraiswami Aiyangar : The object of my having brought to the notice of the Chair amendment No. 61, which I have put in embodying

[Mr. C. Duraiswami Aiyangar.]

the same principle as that which has been moved by Mr. Patel, is to point out that I have put it in a form which may perhaps be better acceptable according to the view which the Chair has taken, that is, by providing it as a separate clause. The amendment which I move and of which I have given notice runs to this effect :

" Any bounty that is payable under this Act shall be allowed only to those concerns, the proprietors and directors of which are Indians to the extent of at least three-fourths of their number and the chief controlling and managing authority of which is entirely Indian."

In proposing this amendment, I base it upon one of the highest authorities on economic questions—on the tariff question in India—I mean, I took it from Professor K. T. Shah's Draft Protection Bill which he has appended to his " Indian Trade, Tariffs and Transport." There he has framed an exhaustive tariff provision in which under article 14 he states :

" The subsidies, or bounties, aforesaid, or any other species of direct financial aid from the public exchequer, to any privately owned industry, shall be allowed only to those concerns, the proprietors and directors of which are Indians to the extent of at least three-fourths of their number, and the chief controlling and managing authority of which is entirely Indian."

Sir, by referring to the great authority of Professor Shah I believe I am to a certain extent answering the somewhat, nay wholesale destructive criticism which Sir Sivaswamy Aiyer has offered to this amendment. Sir, it seemed to me that Sir Sivaswamy Aiyer was arguing more on destructive lines than on any constructive line. He has not given notice of any amendment by which this provision can be made good and made faultless in the manner in which he has criticised the amendment which has been brought by Mr. Patel. He has only tackled us with questions as to whether we are agreed that it is to be two-thirds, or half, or three-fourths, and also whether it is to be rupee capital, or any other manner in which the qualifications of the firm to be protected by the bounty should be regulated. Sir, I can very well understand differences of opinion as to whether it is to be two-thirds capital or three-fourths capital or fifty per cent. capital that is to be prescribed in an amendment like this, but I cannot certainly understand why a provision like this should be embodied in a separate Bill and not in this Bill which has been put forward purely for the protection of industries. If this provision or a provision to a like effect is not to take its place in a Bill which is intended solely for the protection of industries, I fail to understand how many kinds of Legislature can go on multiplying Statutes for the sake of a single protection scheme. In making a protection scheme for the industries in India it must always be remembered that every provision that pertains to it must be embodied in one Bill and not in separate Bills and separate enactments. So far as the principle that is involved in the amendment moved by Mr. Patel and also the one of which I have given notice is concerned there can be absolutely no question. It is not based on any hostility or any want of love or any hatred of Europeans or European capitalists even, but it is based on the pure principle of Swadeshi. Sir, India has suffered, has suffered a great deal, for the last one hundred and fifty years by her manufactures having been killed by the protectionist policy adopted by the United Kingdom which to-day is a staunch supporter of free trade. On one occasion Lord Curzon himself had to resent an attack from the Secretary of State by saying



that he is not going to "heed to the mutterings of the priests at the shrine of free trade." Sir, if this provision is not made in this Bill, there is absolutely no guarantee that the purpose for which this Bill has been welcomed by the non-official Members of this Legislature, and I may even add, by the Indian Members of the Legislature, be the official or non-official—that purpose will be attained if we are not going to protect Indian industries properly, decently and thoroughly. Sir, if we are going to spend the Indian tax-payer's money for the sake of the development of Indian industries, it must be with a view to the Indian industries being developed in such a manner that the capital is here, that the training is here and all the advantages of development of industries are all centred in this country and not exported. It is upon that identical principle that we want Indianisation of the services. It is upon that principle that we want to support scholarships for training Indians. Supposing, Sir, that the Government of India sanctions certain scholarships for the training of Indians, would it be meet to say that a foreigner should be given that scholarship for being trained in Japan or America and that he should come and stay here for a few years and then go away with all the benefits of the training he has received, with all the benefits of education that he has received, not to enure for the benefit of India but for the benefit of some other country? The point of view of Indianisation of the services has never been based on any hostility to the foreigner but on the principle that the man who has been trained in the services at the cost of India is kept here as an asset for this country. On the identical principle, I say that if Indian industries ought to be developed, Indian capital has to be increased and if Indians are to be trained in the manufacture of finished articles, all the advantages of money that has been spent from the public exchequer must go only for the benefit of India and not of any other country. It is upon that identical principle that other countries have also been giving bounties and subsidies to their local manufacturers. If we do not adopt the same principle which other countries have adopted, but adopt a different one in this country based not on the principle of Indian interests but of Imperial interests, if we are going to make India a servient tenement for the beneficial enjoyment of the dominant tenement, then, Sir, we may as well reject the Bill rather than give any support to it. If this Bill is intended for the sake of one industry or if only one industry is concerned, I can very well understand any limitation to the scope of a Bill like this. If what is being said all over this place be true, if it be an open secret that this Bill is intended solely for the benefit of the Tata Company, then the Government might as well have brought a special Bill for the Tata Company only instead of pretending that it is a general law for the development of the industries of this country. Individual Bills are not uncommon. There has been a Devasthanam Schools Act passed by the Madras Legislative Council intended for the support of one institution only. If such a Bill has been brought forward there would not have been so much contention or so much opposition. We might have regulated, we might have limited and prescribed the extent to which the benefit must go but, inasmuch as the Bill professes to be for the general development of the Indian industries, we must take this earliest opportunity of making it so general and so fruitful and so complete that it may enure for the benefit of all our industries. With reference to the opinion expressed by the majority report of the Fiscal Commission dealing with the importation of foreign capital, Professor Shah has dealt

[Mr. C. Duraiswami Aiyangar.]

with it at complete length and in one portion of it by way of summarising his views he says :

“ The root evil of the investment of the foreign capital in India is, thus, the disproportionate influence it accords to the foreign capitalist in the direction and management of the enterprise. To this may also be added the more obvious evil of the drain caused by such investment which economically speaking becomes the most objectionable when it carries away from the country not only its legitimate interest but also the surplus profits of the industry. And there are no corresponding advantages to set off against these manifest, palpable evils.”

Sir, we have got the authority of Professor Shah on this important question and therefore it is but proper that we should not shirk on this occasion by any kind of camouflage, by any kind of promise or any kind of inducement, an opportunity of making proper amendments. This is a short living Bill of three years, and if another Bill is to be introduced, by the time that Bill becomes an Act, the protection afforded by this Bill would be gone. What is the good of saying that this Bill must be preceded by that Bill and that Bill must be preceded by this. We shall only be arguing in a vicious circle and there will be absolutely no benefit to any other industry except perhaps to Tata's and even in their case there seems to be considerable doubt. It has been said frequently after I came to this place that there is a sword of Damocles hanging over the head of this Assembly and that no amendment, whether important, or innocuous or verbal, will be accepted by Government. The convention about this fiscal autonomy or so called autonomy is stated to exist only if the Government approves of our actions and that, if it is incorporated without the grace of the Government Bench, there is absolutely no chance of our having this Bill recognised by the Secretary of State. I do not think that at least the present Secretary of State, who is himself a Labour Member, will be so ungenerous and merciless as to say that, if the Legislative Assembly wants an important principle to be introduced, he will see that this Bill is not recognised. I do not for one moment believe that the Secretary of State will bestow that kind of attention which will not recognise our interests. Therefore, I have great pleasure in supporting Mr. Patel's amendment and, if that amendment is carried, I shall be prepared to withdraw my amendment which says that three-fourths of the capital should be Indian.

**Mr. R. D. Bell** (Bombay : Nominated Official) : I respect the sentiment which underlies this amendment but I rather think that a number of Members who are supporting it have not really thought out its logical conclusions. It seems to me that they are engaged in the process of cutting off their noses to spite their faces. If the amendment is carried, the effect of the Bill will apparently be so altered as to require its complete recasting. There are some elementary principles of political economy and, if I refer to them very briefly, I apologise to the House for doing so. It seems to me that one of them has been lost sight of. It is a platitude of political economy that the establishment and development of industries depend on three factors, natural resources, labour and capital. We know perfectly well that if the Tata Iron and Steel Company did not have all the natural resources available, they would have been unable to start the company, or if they had to import their labour from Australia or British Guiana, they would not have been able to begin operations, but it is not always readily recognised that the development

of industry in any country is just as much restricted by its capital resources as it is restricted by its natural and labour resources. It must be perfectly clear to the House that unless the Tata Iron and Steel Company had been able to raise capital at all, they would not have been able to establish operations, but when that principle is more widely applied it does not always receive recognition. Nor is it only that the requisite amount of capital must be available for the establishment and development of industries ; it requires confidence to extract that capital for industrial use. It seems to me singular that the party which supports this amendment very strongly is the one which also insists most strongly that India is an exceedingly poor country. I am quite willing to admit that it is a poor country. It is a poor country relatively to America or Britain or France, and I admit that its capital resources are limited. But what capital resources are going to be available if the average income of the country is, as Mr. Chaman Lal says, one anna per head per day ? Capital, as the Honourable the Finance Member told us the other day, is simply accumulated savings. Well then, where is the capital coming from out of an income of one anna per day for a large steel and iron industry in this country ? I do not press that point too far because I think the estimate of Mr. Chaman Lal of the country's poverty is exaggerated, but, assuming that capital is available in this country, or will be available for the establishment of further steel concerns, where is the confidence which is going to make it available for actual use ? If you will turn to Mr. Chaman Lal's minute of dissent, you will see that he says that even the Tata Iron and Steel Company shows a debenture list of nearly  $4\frac{1}{2}$  crores mostly in the hands of foreign bond holders. I have no inside information but I am fairly certain that, if the Tata Iron and Steel Company could have raised the amount of these debentures in this country they would have done so but they had to go abroad simply because the people of this country had no confidence in them at the time they wanted money for their concern.

Now, Sir, that relates to the Tata Iron and Steel Company. When are we going to have the confidence which will produce the capital for further steel and iron companies ? It is true that this Bill may alter the Indian attitude towards these enterprises, but one must estimate the position by practical results. I personally do not take a great interest in the share market, but I have observed that at least one of the Tata Iron and Steel Company's shares, since the publication of the Tariff Board's Report and the introduction of this Bill, has declined very materially, and the confidence of the people of this country in the steel and iron industry may be gauged by the fact that this particular share will yield a return of 18 per cent. if the Tata Iron and Steel Company is able to pay a dividend on its ordinary and deferred shares 10 years hence ; and before the end of that period arrives the holders of the particular share which I have mentioned will have already received back twice their capital investment, and then they will proceed to draw a return of 18 per cent. Now, is there any likelihood in these circumstances of a purely or nearly purely Indian concern being able to raise the necessary capital in the near future for the extension of the steel industry in this country ? As I say, I have no objection myself to the use of foreign capital and I should be glad at the present moment to see, say, American capital employed in my native country to relieve the unemployment there with which British capitalists are apparently unable to cope. But I respect the sentiment underlying the

[Mr. R. D. Bell.]

amendment ; only I would point out that, if it is accepted, we get to the position which was advocated by Mr. Willson on the first day's debate. The Bill would be so restricted in its effect, as I hope I have shown, that it would practically apply only to the Tata Iron and Steel Company and to no other concern so far as we can foresee at the present time ; and in these circumstances the whole position is altered. The question of the advantage of bounties as against tariff duties is re-opened ; and, in short, if the amendment is accepted, the scope of the Bill is so altered that I think the question of recasting it must necessarily arise. At the present moment I think the situation is something like this : British capital at all events would not be tempted to such an enterprise in India unless Indian capital shared the risks. The Members who have supported this amendment speak of the profits ; they have made no reference to the risks. And I am not so sure but what at the present time also Indian capitalists, if they were thinking of such a venture, would be very glad of the confidence which would be inspired in the Indian public by an admixture of British capital. Sir Sivaswamy Aiyer dealt with some practical difficulties of the amendment and I should like to point out that as it is worded it leaves scope for ample evasion. Nothing has been said as to the manner in which debentures, preference shares, ordinary shares and deferred shares are to be treated in working out the proportion between Indian and foreign capital. If you leave foreign capitalists to take up only the mortgages there will be an outcry, when the concern fails, that the Indian has had to bear the brunt. On the other hand, if the Indian is left with the mortgages there will be an outcry, if the enterprise is successful, that the foreign capitalist has gone off with the loot. You will have the difficulty of maintaining two share lists, possibly two price lists. Also there is no definition of Indian capital. Does Indian capital mean capital held by statutory natives of India, or what does it mean ? Finally, let us consider the position of a purely Indian concern such as the Tata Iron and Steel Company, virtually was when it began its operations. What has been its experience ? They wanted to raise more money ; they were not able to raise it in this country. If in the case of a new company the experience of the Tata Iron and Steel Company is repeated, like that company the new company may have to go to foreign capitalists for  $4\frac{1}{2}$  crores debentures. What happens if these  $4\frac{1}{2}$  crores debentures exceeds the prescribed share of foreign capital ? Therefore, Sir, on the ground that the amendment introduces a principle which, if accepted, will destroy the whole structure of the Bill, and secondly, on the ground that the practical difficulties in working the amendment are insuperable, I beg to oppose it.

**Mr. M. K. Acharya** (South Arcot *cum* Chingelput : Non-Muhamadan Rural) : Sir, I desire to point out that the Honourable Member who spoke last, who hails from Bombay, began by telling us that he was going to refer to certain principles of economics. From principles he came down to platitudes, which eventually turned out to be, I find, mere fallacies. Anyway I believe it is unnecessary just at this moment to go into all those complicated economic principles as to whether capital or labour or natural resources—as to which of these is the most important factor in an industry. I suppose we all recognise that we want all three of them. The whole question really is how to co-ordinate and harmonise the interrelation of these three factors or other factors required for the successful carrying on of an industry. Now the main question seems

to me to be how we are to minimise the evils that may accrue to us by the abuse of capital, especially when the capitalist happens to be a foreigner, in exploiting the resources of the country, both the natural and the labour resources: that is the great trouble in India. I suppose for the past 150 years, if not more, that one factor has been in excessive operation, that is to say, foreign capital has been unduly exploiting the natural and labour resources of this country. And now that Government have been pleased for the first time in the history of British rule in India to lay down that national Indian industries deserve to be fostered and developed and deserve to be encouraged, the question before us is this: should it not be made quite clear that that fostering and development ought to be of the genuine, species, ought to be applied to genuine Indian industries and not to such industries as may come nominally under the label of being in British India, and in this way claim to be considered as Indian industries? That is really our apprehension, that firms and works may be set up by foreign capitalists and managed by foreign Directors, with, of course, I dare say, a large proportion of Indian labour. Importing labour into India is out of the question; I do not expect it will pay the foreign capitalist or the foreign Directorate. It cannot pay them to bring labour from outside India, and therefore they want to exploit Indian labour and Indian natural resources. The whole question is this: whether for the first time when we have recognised the principle of affording protection, we should not stimulate and promote purely Indian industry; when for the first time we have taken upon ourselves in pursuance of that policy to tell the tax payer that from his taxes a certain portion will be given to the fostering of any particular industry, whether it is not competent for us also to say at the same time that that industry will be Indian first, Indian second and Indian last. The Honourable gentleman who spoke last asked what is going to be understood by Indian capital, what is going to be understood by Indian management and what is going to be understood by Indian labour? That is a question, I believe, that can be answered by anybody with a little common sense. It is very easy to understand what is Indian capital; it is easy to understand what is meant by Indian management, that is to say where the bulk of the higher officials will be Indian. Hard and fast rules are not required to explain this. Therefore, when we are going to take the money out of the Indian tax-payer and pay bounties—I believe we are now concerned particularly with clauses 3 and 4 which deal with bounties,—when out of the general taxes of the country we are asked to pay bounties for the protection, I suppose, of fish-plates and rails, these are the two things that are referred to in clauses 3 and 4—or for that matter for any other article whatsoever, we contend that it is perfectly sound, it is perfectly legitimate—I will go further and say that not only is it legitimate and sound, but it is absolutely necessary that we should say that the interests that would be protected should be mainly Indian. There seems to be no moral, there is no legal reason whatsoever why the poor Indian tax-payer should be mulcted of a portion of his money in order to benefit any industry the profits of which will in the long run go out of the country. In the latter case some small portion of it like the wages of labourers, a few annas every day that they get, some small portion of the profits will remain in India. We have a brilliant example of that in the Railway Companies of India. The labourers in the Railway Companies are Indian, but everything else is non-Indian. Therefore, I submit that the whole question is whether, in agreeing to grant bounties out of the tax-payer's money, we ought not to stipulate that the bounties will be granted only to such and

[Mr. M. K. Acharya.]

such companies, namely, to companies which will be Indian in the general sense of the term, with Indian capital, Indian management, and, of course, Indian labour. That is the whole position. I do not see why we should complicate this question by trying to raise a series of other questions. My friend Sir Sivaswamy Aiyer pointed out, and my friend Mr. Bell took advantage of it, and said that there were many difficulties in the details regarding this question. What serious question is there on earth, what serious question is there under the heavens which is not mixed up with a lot of difficulties? Here we are verily to find a way out of those difficulties, for in the world there is nothing clean cut; in every undertaking there will be difficulties; but if we are to make any progress at all, we must be able to solve them. Therefore, we should be able to get out of those difficulties with the aid of the united talents opposite. We all know there are difficulties, but they are not insurmountable. We want only Indian industry to be protected, and we are prepared, only on that condition, to lend our support to this Bill. If genuine Indian industry will be protected, we shall agree to the Indian tax-payer's money being doled out. If genuine Indian industry is not going to be protected, we cannot be a party to any Bill that may be brought in by anybody, with all the prestige of Government even it may be, we cannot be a party to a Bill which asks us to dole out the Indian tax-payer's money to any concern which is not going to be first, last, foremost, entirely Indian. That is the position, Sir, and on that principle, Sir, we are prepared to lend our support to the Bill. Personally, I do not say that Mr. Patel's amendment is the very best that could be drawn up. Perhaps, my esteemed colleague the Honourable Mr. Jinnah may give us a better one, or if I appeal to the opposite benches, my Honourable friend Sir Charles Innes might give us an amendment which accepts the principle and avoids the difficulties and saves us out of the whole situation. Therefore, the principle we want to be recognised is that in giving bounties, in doling out the poor tax-payer's money, genuine Indian industry ought to be protected, and anything that is not genuine Indian industry ought to be excluded as far as human endeavour can do so. Difficulties will no doubt be accruing, we cannot help them; but we will bestow the maximum benefit we can on Indian industry. That is all that we are required to do. Therefore, Sir, I appeal to the House that the principle underlying this amendment ought to be supported in such a manner as to work the least possible harm to any one and to give the maximum benefit to Indian Industry.

**Mr. Devaki Prasad Sinha :** Sir, those of us who have accepted the principle of free trade for the time being, are placed in a very difficult predicament on account of this amendment. I am not so optimistic, Sir, as the Honourable Member who has preceded me, and if I may say so, I generally agree with the conclusions at which Mr. Bell has arrived. I realise, Sir, that on account of the shyness of Indian capital if we impose upon this industry an ordinance like this, it will mean virtually putting the heads of all the consumers of iron and steel in this country in a noose and handing the rope-end into the hands of Tatas. I admit, Sir, that we are practically legislating for the benefit of a monopoly. I also agree with Sir Sivaswamy Aiyer when he pointed out to us the grave difficulties in the way of carrying out these principles. It is possible, Sir, that shares which may be purchased in the first instance by Indians, may in the long run be transferred to foreigners. It is also

quite clear, Sir, that the rupee capital is not necessarily Indian capital, for, after all, I do not see much difference in a ten rupee note handed over to the Tatas by Mr. Willson or by Mr. Patel. Well, Sir, I realise all these difficulties, and I feel that a proposal like this is very difficult to carry out in practice. But realising all these difficulties, I have stood to-day to give support to the amendment of my friend Mr. Patel. My reason is very simple. I support this amendment because, Sir, it is a standing challenge to the principle which has been advertised so widely in the course of the last few days, and which has been voiced very strongly by many Members in the cause of nationalism. I support this amendment, because I believe that, if we are going to have a mischievous measure, let us minimise as much as possible the mischief that this measure is going to do. I support this amendment, Sir, because I have a faint hope in my mind that by accepting this amendment the country might be saved from the evils of a Bill which we, who represent the consumers, dread so much. Well, Sir, I support this amendment also because the facts and figures as disclosed by the framers of the Report of the Tariff Board point only to one conclusion and that conclusion is that at the present time, considering the present state of the country, if we grant protection to the iron and steel industry, it can mean nothing else but protection granted to foreign companies. Sir, I suppose all Honourable Members have read carefully the Report of the Tariff Board. I hope that their attention has been drawn to page 162 of that Report. They would not have failed to notice that of the total amount of iron and steel consumed in the country, the bulk of it,—much more than 60 per cent., comes from foreign countries. And again, if they turn to page 15 of the Report of the Tariff Board, they must also see that, if Tata's in the near future, in the course of three years, apply all their talents, all their industry, all their powers of organisation, and all their capital, to turning out articles of iron and steel, they can at best supply the country to the extent of only one-third of the total demand. The only possible conclusion is that, in order to supplement the supply of the Tatas, we shall have to fall back either upon high prices paid for imported stuff or upon articles manufactured by those companies that would be established in India with foreign capital. Sir, when the Honourable Pandit Madan Mohan Malaviya was speaking on the first day, he said that there are one or two companies actually thinking of starting industries for manufacturing iron and steel in this country. The Honourable Sir Basil Blackett, for whom I have always very great respect and whose facts and figures I always accept without much argument, said that those two companies existed only in the imagination of the Honourable Pandit. I was very sorry, Sir, that Sir Basil Blackett forgot for the time being—I shall only say, forgot—the evidence given by Mr. Fairhurst of the Indian Iron and Steel Company and by Mr. Tarlton before the Tariff Board. The evidence of these two gentlemen is also referred to in the Report of the Tariff Board on page 16 and on page 32. The Tariff Board have discussed the possibility of these two companies starting work in India in the near future but, Sir, more important than the conclusions to which the Tariff Board have arrived are the statements made by these two gentlemen themselves. I shall, Sir, with your permission, place before the Assembly a short passage from the evidence of the Indian Iron and Steel Company. The passage is this :

“ We ourselves think that if a protective duty of 33½ per cent. was arranged, it would act as a strong inducement to the development of steel making plant in

[Mr. Devaki Prasad Sinha.]

India. We and others who at present could not consider any such proposition would undoubtedly be favourably influenced by the prospect of the help so afforded, the more so if government would call for all their requirements by tenders in India and give preference to the users of Indian steel."

I now turn, Sir, to the evidence given by Mr. Tarlton. In reply to a question asked by the President, Tariff Board, Mr. Tarlton said :

" Our technical advisers have visited the country and satisfied themselves on this point. These men are of high standing in the steel trade, and have returned to England satisfied with the raw materials ; they are convinced there is room for the works that we are proposing, and further that there is a market for the materials we should produce.

*President.*—It comes to this. The Corporation, as you have already said in the written statement, are satisfied that, under the conditions that exist in India, it is perfectly possible for a prosperous steel manufacturing industry to grow up, subject to this that it will be necessary for Government to give some encouragement at the start.

*Mr. Tarlton.*—Yes, at the start."

Sir, I ask the Assembly seriously to consider whether or not these conditions are going to be satisfied by enacting the measure which is before us to-day and I believe, Sir, that the Assembly will easily realise that, as soon as we accept the principles of the Bill, the only result—and the result from which we cannot escape—would be that these two companies, which have already developed their plants for the manufacture of steel and iron in this country, would start work and the bulk of the protection, that we to-day in the name of nationalism are going to give to Tata's, will be received by these two European companies. I do not see any escape from this conclusion. I admit, Sir, that this amendment is absurd. I admit, Sir, that it is difficult to carry it out in practice. But in consequence of the rise in prices that the poor consumers in India would have to face, without deriving any consolation that much of the articles that they would purchase would be those produced in their own country, a great strain would be put on the large community of consumers in this country, and I feel that I should associate myself with every measure which is going to block the passage of this Bill, however absurd it may be. I therefore wholeheartedly support the amendment of Mr. Patel.

**The Honourable Sir Bhupendra Nath Mitra** (Industries Member) : Sir, I am extremely grateful to the previous speaker, my Honourable friend Mr. Sinha, for having pointed out that it would be most inappropriate to incorporate in the Bill the amendment which Mr. Patel has proposed. In fact, in view of the various conflicting opinions which have been expressed in the House on the merits of the Bill and of this particular amendment, I am inclined to think that the Indian Tariff Board were perfectly wise in advocating the course of action which they suggested and which has been incorporated by Government in the Bill before the House.

I may remind the House that that Board included, besides an eminent member of the Indian Civil Service, two prominent Indians, one of whom at least has the reputation of being an economist. The objects which the Indian Tariff Board had in view were two-fold. The immediate object of the scheme of protection is the preservation of the industry as it exists at present. I think it has been admitted by all parties in this House that that object is a most essential object. If we do not secure that object, what will happen to Jamshedpur and the



50,000 labourers whom we have got collected there ? The Board continue in their Report :

“ The remoter but equally important object of the scheme is to attract capital to the industry and promote the development of India's natural resources.”

They say nothing there that this capital is to be foreign capital or Indian capital, and I believe they had good reasons for their conclusion. If we turn to the Indian Fiscal Commission's Report and turn to the Minority Report which was signed by all the Indian Members, we come across this passage :

“ We will, therefore, state at once that we would raise no objection to foreign capital in India obtaining the benefit of the protective policy provided suitable conditions are laid down to safeguard the essential interests of India.”

Mr. Patel's amendment has for its basic object the ruling out of foreign capital. (*Mr. V. J. Patel* : “ No, 25 or 33 per cent. can be foreign.”) True, but the conditions which Mr. Patel wants to impose may be difficult to realise. In fact, if we turn now to paragraph 292 of the Majority Report, we find this passage, the correctness of which it will be difficult to dispute :

“ The restrictions proposed amount to an interference with private rights which we think it desirable to avoid and even if this consideration were ignored we do not believe that it would be possible to frame any legislation on these lines which could not easily be evaded by a foreigner acting through the intermediary of an Indian nominee.”

That is the main practical difficulty attending Mr. Patel's amendment. At the same time Mr. Patel is fully aware, and in fact the position has been affirmed by the Honourable Sir Charles Innes already, that it is the declared policy of Government that certain conditions will be imposed as soon as practicable on the employment of foreign capital on the development of industries in India. These conditions are as a matter of fact repeated in paragraph 51 of the Minority Report of the Indian Fiscal Commission.....

**Mr. V. J. Patel** : Have they been accepted by Government ?

**The Honourable Sir Bhupendra Nath Mitra** : Government have in this House definitely affirmed that it is their principle to act in accordance with the.....

**Mr. V. J. Patel** : The Minority Report ?

**The Honourable Sir Bhupendra Nath Mitra** : Not the Minority Report, but with the three conditions mentioned in paragraph 51 thereof (*A Voice* : “ Why not embody it in the Bill ?”) The Honourable Sir Charles Innes has already said that the matter will receive full consideration from Government. I think that is all that it is practicable to do. If we try to introduce into the Bill various restrictions about the employment of foreign capital, we shall simply defeat the object with which this Bill has been introduced in this House.

**Mr. N. M. Joshi** : Sir, from the labour point of view I wish to say a very few words on this amendment. Sir, whether the capital is European or American or Indian, labour has very little to distinguish. They get from the capital, whether Indian or foreign, work and for that work they get wages. The European capitalist does not give less wages and the Indian capitalist does not give more wages to Indian labour. Therefore, from that point of view, labour has nothing to choose between an Indian capitalist and a European capitalist. Sir, I am not a free

[Mr. N. M. Joshi.]

trader like my friend Mr. Devaki Prasad Sinha. I am therefore anxious that industries should be developed in India. If the industries can be developed with Indian capital, Sir, having some nationalist feeling in me I should prefer Indian capitalists.

**Mr. Devaki Prasad Sinha :** I have also nationalist feelings.

**Mr. N. M. Joshi :** But, Sir, if I am given a choice between having no industry and having industry with European capital, I shall without hesitation prefer to have some industry even with European capital. Therefore, Sir, I am not in favour of this amendment. Moreover, why should labour show great preference to Indian capital although, as I said, having some nationalist feeling in me, I may be anxious to do so? Do the Indian capitalists deserve special treatment at the hands of the Indian labourer? If the Indian capitalists want Indian labour to join in their fight against foreign capitalists, they must treat Indian labour better than the foreign capitalists do. But as far as the capitalists are concerned—and among them I may even include semi-capitalists and the friends of the capitalists—Indians do not show any more favour to Indian labour than the Europeans may show. Only a few hours back we found in this House that an amendment for labour was ruled out of order without a protest from those people who protested, and protested with success, in this House on behalf of another amendment for the protection of Indian capital. Sir, remembering this I do not know why Indian labour should show special favour to Indian capital. (A Voice : "Why are you vindictive?") I am not vindictive. Not only that. I have not even forgotten the fact that there are some Members here who will treat Indian labour and Indian capital with the same favour. Let me quote my friend Mr. Patel. He had an amendment in favour of Indian labour and he had an amendment in favour of Indian capital. But, Sir, unfortunately for me and unfortunately for Indian labour, there are very few people in this House like Mr. Patel.

**Mr. V. J. Patel :** You had 11 in the Select Committee.

**Mr. N. M. Joshi :** We had 11 in the Select Committee. I am very glad of that. But labour did not get the same support in this Assembly.

**Seth Govind Das (Central Provinces : Landholders) :** Don't you think that labour also should have some nationalist feeling?

**Mr. N. M. Joshi :** They have got them in their hearts. But you must enable them to express those feelings by treating them as equal partners in industry and not as wage slaves. Sir, from the consumer's point of view if protective duties are an evil, perhaps a necessary evil, and if they impose a sacrifice on the Indian people, let that period of sacrifice be as short as possible, and if that period is to be as short as possible, it is not right that we should prevent capital coming into India and establishing industries here. It is quite clear that, if you do not allow foreign capital to come into this country, that period of sacrifice will be prolonged. Therefore we should not do anything by our vote here to-day to prolong that period of sacrifice on the part of the consumer. With these remarks, Sir, I oppose the amendment put forward by Mr. Patel.

**Diwan Bahadur M. Ramachandra Rao (Godavari cum Kistna : Non-Muhammadan Rural) :** Sir, I submit that this question of protection against

foreign capital is one of the most important points in regard to this Bill and there is absolutely no doubt that it is owing to its importance that so many Honourable gentlemen have already addressed the House. Sir, the question has been considered in the Select Committee and I believe Honourable Members have noticed the exact terms of the recommendations made by that Committee. They say :

“ The majority, however, of the non-official members of our Committee incline to the opinion that the possibility should be seriously considered at an early date of securing for Indian capital a substantial share in industries benefitting by State assistance.”

So that, the majority of the Select Committee have already expressed their opinion that serious attempts should be made to consider this question at an early date. Sir, the whole question of protection against the inflow of foreign capital has been fully examined in the Fiscal Commission's Report to which my Honourable friend Sir Bhupendra Nath Mitra has already adverted. There were two fundamental views, one of the majority and the other of the minority who said that if protection is to be given, it should be conditioned simultaneously with steps against the inflow of capital from other countries. That is the essential difference between the view taken by the majority and the view taken by the minority. Perhaps I might invite the attention of Honourable Members to paragraph 53. They say :

“ There is one aspect of the question to which attention must be drawn. If our colleague's recommendation is accepted, it will be open to every foreigner to establish manufacturing industries in India by means of companies incorporated in their own countries and in their own currency. This danger did not exist under a policy of free trade, but it is bound to materialise when the benefit of protective duties becomes available. We may have under such circumstances companies incorporated elsewhere, say in America in dollars, in France in francs, in Italy in liras, in Germany in marks, in Japan in yens, and in China in dollars, etc. It will be also possible for these companies to obtain their whole capital in their own countries and thus carry away the entire profit of manufacturing industries established behind the tariff wall. The consumer will have paid a higher price, due to protective duties, and the entire manufacturing profit will have gone out of the country. We cannot obviously understand how under such conditions ‘ the main and ultimate end, viz., the enrichment of the country, will be attained ’. We would venture to assert that India cannot possibly be expected to adopt a policy which is likely to lead to such a result.”

Sir, in this paragraph the case for some steps in the direction suggested has been put so ably that it does not require any further comment. The sole question that we have to consider now is whether anything could be done in connection with this Bill. If the Honourable Sir Charles Innes had simultaneously examined this question when the proposals of the Tariff Board were put into this Bill and had incorporated in this Bill provisions which would have given effect to the views of the minority, we should not have been faced with the difficulty in which we now find ourselves. Sir, that is the position that we are now in. At the same time, Sir, I feel considerable hesitation in accepting my friend Mr. Patel's amendment. It is quite clear that, if that amendment is accepted, and if we here and now without any further examination commit ourselves to the principle that no company, unless it had two-thirds Indian capital, should receive bounties, there would be considerable difficulty in the working of this Bill. I do not know whether my Honourable friends realise that if no companies are formed after this Bill comes into force, Tata's would really be establishing a monopoly for themselves. That is a position that we have to consider and therefore I take it, Sir, that the scheme of the Tariff Board's Report is that there should be internal competition in the country and that prices

[Diwan Bahadur M. Ramachandra Rao.]

should be so adjusted by that competition. If the object of my Honourable friends is to produce that competition, certainly I should have lent my support to that amendment. On the other hand, my friend wants to put into this Bill a clause which would disable companies coming into existence to avail themselves of the benefit of this Bill. That, Sir, is the most serious objection that I see to this amendment. Therefore, I venture to think that the Honourable Sir Charles Innes should seriously consider the question as to how far he would go to meet the sentiments which have been expressed by this House to-day, with which I am in entire sympathy and entire agreement. There is absolutely no doubt whatever that immediately and as early as possible after this Bill becomes law, this question of protection against foreign capital should be taken up. But if my friend wishes to put this into this Bill immediately, I apprehend, Sir, that it would really be playing into the hands of Tata's by giving them a monopoly in regard to steel. That is the position that I want to draw your attention to with reference to this matter and I would ask Sir Charles Innes to inform us what the intentions of the Government are. The question was raised in the Select Committee by myself and various other Honourable Members and his answer was, it is open to any Honourable Member to bring forward a Bill to amend the Indian Companies Act. That is one suggestion that he has made. The second suggestion that he made was that we might discuss the whole of this question in a Resolution framed by any Honourable Member or even by the Government, whichever is suitable. These were the two suggestions that he has made. But I see several Honourable Members are not satisfied with that solution of the question, and I trust that if my Honourable friend Sir Charles Innes makes up his mind and gives an assurance which will be satisfactory to my Honourable friends, so far as I am concerned, I might be willing to leave the question where it is. (*An Honourable Member* : "Otherwise?") Otherwise, Sir, the question has to be considered by the whole House and my Honourable friend knows very well that I am in sympathy with him, though I am not in sympathy with his amendment. Sir, we have also to remember that this is a legislative enactment that we are now considering. It is not a Resolution. Our language must be precise and we have to consider the bearing of an amendment such as this and its general effect on the purpose and objects of this Bill. I seriously apprehend, Sir, considerable trouble if this amendment is pushed for acceptance. There are other amendments to which I might advert and if it comes to a question of choice, I shall indicate my choice at the proper time. For the present, Sir, I feel unable to support my Honourable friend.

**Mr. Jannadas M. Mehta** (Bombay Northern Division : Non-Muhammadan Rural) : Sir, I find that these Honourable Members of the House who were for the Bill, the whole Bill and nothing but the Bill, are in a mood of considerable perturbation. They find that after all the House has come to grips with the main question, namely, the real scope of this Bill. Whether the Bill was intended to protect genuine Swadeshi industries or whether it was to let in a flood of foreign capital was the most anxious concern of several of us and we gave expression to it during the debate on the motion for its circulation moved by my friend Dr. Dutt. We found ourselves in a minority. However, I am glad to note, Sir, that in view of the ruling you have given it will be possible through this amendment to find out what the object of the Government exactly is. If

they accept this amendment it is clear that they want to protect the steel industry of this country. That would be a phenomenon on which I will congratulate them from the bottom of my heart. If they do not accept it, then it is also clear that the protection was not intended primarily or mainly for the steel industry of this country, but for the "steel frame" fraternity in another form. Sir, the change which the Select Committee has made in the Preamble, namely, that protection should not be merely discriminating but should be given with due regard to the well being of the community, is a proper alteration which will let in amendments of this kind and also amendments of the kind tabled by my friend Mr. Joshi. The amendment of my Honourable friend Mr. Patel is a sort of barbed wire entanglement against the inroads of foreign capital in this country. Therefore, I most heartily welcome and support it. I will only notice, Sir, some of the objections which my friends Diwan Bahadur Ramachandra Rao and Sir Sivaswamy Aiyer and other friends have expressed. They say "Do not hurry. You might not be precise." "This is not the place to make this amendment." These other difficulties, imaginary and real, are conjured up, in order to defeat this amendment. Really speaking there is no difficulty. Sir Sivaswamy Aiyer particularly cannot be unaware that in the Insurance Companies Act there are several provisions which if Sir Sivaswamy's view were to prevail, ought to have been made in the Indian Companies Act itself, and yet, they are not in the Indian Companies Act, but in the Indian Insurance Companies Act; section 34, for instance, which prescribes special penalties for directors and others who do not file their accounts within six months after a certain date. The objection which is being taken to Mr. Patel's amendment might have been taken when the Indian Insurance Companies Act was passed, namely, "This is not the place, the amendment ought to be made in the Indian Companies Act." And yet the Legislature has in section 34 of the Indian Insurance Companies Act put in a proviso which strictly speaking ought to be in the Indian Companies Act. Why? Because it was specially intended for the Insurance companies. Similarly, this provision is intended to restrict not all foreign capital but only to protect the steel industry, which is a basic and vital industry and therefore it is very properly and very rightly in this place. Besides, the dangers of thus allowing foreign capital to flood us should not escape the attention of the Honourable Member. There are tea planting industries. There are the planters of Assam. There are the mining industries. There are the coal and the jute industries; a majority of all these are in the hands of the foreigners. The domination of the foreign capitalists in these provinces is not unknown to this House. It will be within the memory of several Honourable Members that in 1902 in attempting to protect the rights of Indian labour in Assam the late Sir Henry Cotton had to resign his office because the planter and the foreign capitalist were too powerful and because the Government of the day was under their thumb. That history is likely to be repeated unless this amendment is incorporated in the Bill. It may be that there is some vagueness about this amendment. For instance, Sir Sivaswamy Aiyer asked "What is the stage at which you can say that the starting of the business has begun?" I beg most respectfully to point out to him that there is a Registrar of Joint Stock Companies who issues a certificate permitting the commencement of a business. There is the statutory provision that when certain conditions are satisfied, the Registrar of Joint Stock Companies gives a certificate to the effect that such and such a

[Mr. Jamnadas M. Mehta.]

company is authorised to start its business. From that day you can take it that the business has started. (*A Voice* : "What about subsequent transfers ?") I will come to that also. Of course there is some vagueness in its wording in spite of the absolute necessity of this amendment. But we can correct this as time goes on. To-day this amendment is in the nature of a warning to the intended hawk who are hovering over the horizon waiting for an opportunity to descend on the prey. It will be a warning to them. They will know that there is this entanglement in its wording in spite of the absolute necessity of this amendment. But let it be there to-day. And when the time comes, perhaps in September, we ourselves will find the difficulties which are in the way of carrying out to the full our intent and purpose. At that time we will gratefully and readily accept such changes as are suggested by Sir Sivaswamy Aiyer. But to-day it is absolutely necessary that India should feel assured that in the name of protection her resources are not being mortgaged for ever at the altar of foreign capital. That is the justification for this amendment being passed here and now. I will make one more observation. I would warn my Honourable friend, Mr. Devaki Prasad Sinha, if I may, of the dangers of blowing hot and cold. He cannot support the amendment and condemn the underlying idea. Similarly, I find my Honourable friend Diwan Bahadur Ramachandra Rao in the same position. He likes the idea and yet he condemns the amendment. My friend Mr. Ramachandra Rao is one of those who say that they must have the whole Bill and nothing else. (*Diwan Bahadur M. Ramachandra Rao* : "I never said that I should have nothing but the Bill.") That is my view of your attitude. I am glad if I am wrong. The Honourable Member has given me every impression to hold that view and even now that impression has not been at all removed. Therefore, Sir, in view of the fact that the acceptance of this amendment is to us the only indication that the Government are genuinely anxious for the protection of the indigenous steel industry, we are keen expressing it. I have great pleasure in supporting the amendment.

**Mr. M. A. Jinnah** : I am not one of those who is carried away by this one idea that I must have the whole Bill and nothing less and nothing more. But I want my Honourable friend to understand the position a little more carefully. If it were left to me to legislate, if I were in power to bring in a Bill here and carry it through this House, I might do lots of things which might please my Honourable friend behind and many other Members here. But, Sir, I want this House carefully to grasp the issue that we have got before us and not to be led away by extraneous considerations which are likely to defeat the very object that we have at heart. Now let us consider the question in a very simple way. What is the object of this House ? First of all, is this industry going to be protected or not ? (*Mr. V. J. Patel* : "If it is Indian.") The Honourable Mr. Patel says "If it is Indian." At present the main portion of this industry is Indian. (*Mr. V. J. Patel* : "Restricted.") The Honourable Member says "restricted." If it were in the hands of Mr. Patel he might turn this country into Utopia. But we must recognise—and I am no friend of Government, I am not pleading for Government at all—but we must recognise that there is a force against us there on the Treasury Bench. And, in order to get at something else, outside the immediate object of the Bill which is certainly desirable, let us not defeat what is within our reach. It is necessary

to regulate the flow of foreign capital. Are you going to-day to risk this Bill being wrecked in your attempt to secure that? (*Mr. Devaki Prasad Sinha* : "Yes.") I was coming to the Honourable Mr. Sinha. He is out-and-out a wrecker. (Laughter.) (*A Voice* : "There are so many of us.") So far as he is concerned he honestly and frankly stated in this House that he wants to destroy this Bill. He said, "If I cannot destroy it I want to lessen the mischief and if I can wreck this Bill I should be glad." I dismiss him entirely from my consideration and I will no more appeal to him during the progress of this Bill. I appeal to the House and Mr. Sinha is entirely outside the scope of my appeal because he has confessed openly that he is a wrecker and I will not appeal to him throughout the various stages of this Bill. (*Mr. Devaki Prasad Sinha* : "I am not ashamed of it.") I did not say that you need be ashamed. Now let us get back to the subject under consideration. The only justification for our giving protection to this industry is the preservation of this industry, a reasonable promise of its development and lastly—and this is the most important factor—the encouragement of internal competition. Now, Sir, are we going to give a monopoly to Tata's? If so, our last principle which I just stated namely, encouragement of internal competition, is gone. (*Mr. Jamnadas M. Mehta* : "Is there no capital in India?") If you have got capital in India, if the capital in India is going to compete, if the capital is so strong, then you have no fear. Is this House to-day going to make up its mind that foreign capital is to be excluded from this country? (*Mr. Jamnadas M. Mehta* : "Not excluded but restricted.") There I entirely agree. I agree absolutely, wholeheartedly, and fully that foreign capital should not have the full flow so as to take away the entire fruit of the labour, skill and the industry of this country. I entirely support that view. Now, Sir, let us look at this amendment. What I feel is the question as to how to regulate the foreign capital primarily in the interests of India. If we need it, we must allow the flow, and we must regulate the flow according to our best interests, not because it is foreign capital but because it is in the best interests of India. That question, I venture to submit to the House, is a very big one. It is a scheme that requires careful consideration. I have to the best of my ability followed the observations of the Fiscal Commission and the various other observations which are made. But, Sir, I am not prepared at this short notice to commit myself to any proposal, much less to the terms of this amendment brought forward by Mr. Patel. Now let us examine this amendment carefully. You want it embodied in the Statute. I may remind the Honourable Member from the Bombay Presidency that the cannot do it so lightly. It is not a Resolution; it is an amendment you are moving, which, if passed, will become the law of the land. However I appeal to and press the Government, and the Honourable Member on the Treasury Bench : "Please do not delay this matter of dealing with the question of foreign capital any longer. Remember, you have initiated this policy of protection after a great deal of delay; remember you are not free from suspicion, and that is a legitimate charge; and if you want to clear yourself of a very reasonable ground for suspecting your attitude, come out frankly and tell this House that you mean really, earnestly and seriously, to take up this question." I say, Sir, a section in the House feels that the Government have got some ulterior motive or object in coming out with this measure at this moment. I am not going to associate myself with that charge; but I say that there

[Mr. M. A. Jinnah.]

is a reasonable ground for this apprehension, as Government have delayed this matter for a considerable time, and I therefore ask the Government now, and here to make the position quite clear that there is no foundation for that suspicion and that this measure is intended really and truly for the benefit of the Indian industrialist and not with a view to spur foreign capital behind the tariff wall to take away the fruits of labour of the people of India. (A Voice : " See page 16 of the Tariff Board's Report.") I have read it. Therefore, really the position is this. Look at this amendment now and read it carefully. The amendment says that, " On being satisfied that at least two-thirds of the capital invested in the business concerned is Indian." On the one hand the Honourable Members suspect the Government, and challenge the *bona fides* of the Government ; on the other hand, what is sought to be done by this amendment ? Who is to do this ? Who is to be satisfied ? The Governor General in Council. It shows an extraordinary mentality, if I may say so. (A Voice : " It is inevitable.") Why is it inevitable ? Personally, Sir, if I had the choice of these two amendments, I would certainly prefer the latter. If you say that the Government have got that motive, that they have not come forward for the purpose of protecting industry but to give an impetus to the flow of foreign capital, and yet that they are to be satisfied, and you are giving all power to them, I cannot understand this mentality. Therefore, Sir, I strongly object on that ground alone. I will deal with the second amendment when it is moved. I do not say that I am in favour of it, but I strongly object to this amendment.

Then there is one more thing I want to say. Mr. Devaki Prasad Sinha actually went to the length of saying that you have got two European companies mentioned by the Tariff Board and they have started and are well on their way to get steel from below the earth, and are you going to allow them to exist ? Sir, I do most earnestly and seriously appeal to this House. Are you going to exclude those companies which have already come into existence ? (Voices : " No.") Is that the feeling and opinion of this House ? Is that the way you are going to treat a foreigner who has established himself in this country ?.....

**Mr. Devaki Prasad Sinha :** I did not say that they should be excluded. I said that protection given to the steel industry should not be protection given to a steel industry the majority of the shareholders of which were Europeans.

**Mr. M. A. Jinnah :** I am very glad really that I misunderstood my Honourable friend and withdraw at once every word I said as criticism. I therefore understand that the only object of those who are now pressing for this principle to be embodied in this Bill is really to regulate the future flow of foreign capital in this country. That being so, I entirely agree with my friend, Sir Sivaswamy Aiyer. As he said, this is not a suitable place, nor can you deal with this matter by a small amendment of this character. I am in full agreement that the House should carefully consider the matter and that there must be a proper well-considered legislative measure, and if the Government do not bring it—although they say they are anxious to consider the matter—if they do not, I will ask my Honourable friend Mr. Patel to bring in a Bill, and I feel confident that any Bill which is intended for the welfare and benefit of India will have the full support of this House, and we shall carry it in spite of the Government, and let them then exercise any power they like.



**The Honourable Sir Basil Blackett (Finance Member) :** Sir, while I do not for a moment doubt that your ruling on the subject of this amendment was correct, namely, that it was in order, I would observe that it has some disadvantages. We have had three second reading debates on the subject of this Bill and we are finding some difficulty in making progress with the consideration of the clauses in spite of the fact that in addition to three such second reading debates it has been fully considered by a Select Committee working under pressure for two days. To-day we have raised by this amendment a major subject, a very big and important subject, which is accidental to the Bill, but not a necessary part of any Bill of this sort. Owing to your ruling, we are apparently to be saved from another second reading debate on another accidental subject, namely, the effect of protection on labour legislation. When an important departure is taken, such as the Government and the House are taking now in the introduction of the Bill in accordance with the principle already accepted of protection for Indian industries, it is quite clear that other big subjects are very distinctly affected. The introduction of a Bill to protect the steel industry as it is part of a general policy of the introduction of protection for such Indian industries as can eventually establish themselves on their own foundations, brings up at once before those who are considering the subject, the question of labour legislation, factory legislation, and in this case Companies Act legislation in regard to the importation of foreign capital. The fact that you have decided on this policy undoubtedly makes it important that certain subjects which arise with the industrialization of a country should be considered. One of those subjects is labour legislation. Another of those subjects is the conditions under which foreign capital should be permitted to enter. But if we are to conduct our debates in orderly fashion and pass our legislation in orderly fashion, we must make some attempt to deal with each subject on its merits, one subject at a time. Legislation regarding the conditions on which trades unions are to be recognised is not legislation that you can usefully or fruitfully carry by tacking on to a Bill for the protection of steel clauses in regard to labour legislation. Similarly, the subject of the introduction of foreign capital into India is not a subject, I submit, which you can usefully or fruitfully tackle in an amendment to a particular clause of this particular Bill. It is a subject you must deal with by itself, and it is a very difficult subject. There is some obscurity, some confusion of thought, I think, as to which particular amendment we are discussing. I imagine that I should be out of order, however, if I discussed any particular amendment other than the one of Mr. Patel :

“ On being satisfied that at least two-thirds of the capital invested in the business concerned is Indian.”

But I hope the House will allow me, if I may, first of all to deal a little broadly with this whole problem of the importation of foreign capital into India. I think it was in my Budget speech a year ago that I expressed the view that there were practically no limits to the amount of capital that could be usefully expended in India on development. I have not observed, since I came out, any very free flow of foreign capital into India. It has been, I am afraid, the other way, and though I hope there will be no difficulties about placing a 20 crore loan this year in accordance with the Budget programme in this country, I have seen suggestions, from Swadeshi sources as far as I could make out, that I should go to

[Sir Basil Blackett.]

England for the money in order not to drain the Bombay market. I have no desire to go to England for the money, and I trust that the Indian capitalist will show by his readiness to subscribe to that 20 crore loan that there is no reason for my doing so. But undoubtedly one of the difficulties of continuing even the Government's programme of capital development in India is the limitation of the capital available in this country. I was very glad this year when we were able to avoid a sterling loan. It is much too soon to say what will happen next year, but I am sure the House will agree that our policy should be not to borrow in sterling unless we have to, to borrow in India for our capital expenditure when we can. I have every sympathy, like all the other speakers, for, if I may use the word without offence, the sentiment that underlies this amendment. That sentiment is based on various reasons of public expediency, of political motive. But it is a sentiment which, I submit, may land India in real difficulties if it is given way to too much. The subject of the importation of foreign capital is one which has always cropped up when protection is adopted in any country. I have here a quotation from perhaps one of the greatest men who ever founded a new country, Alexander Hamilton :

"It is not impossible," (he writes in regard to the admission of foreign capital), "that there may be persons disposed to look with a jealous eye on the introduction of foreign capital as if it were an instrument to deprive our own citizens of the profits of our own industry. But perhaps there never could be a more unreasonable jealousy. Instead of being viewed as a rival, it ought to be considered as a most valuable auxiliary, conducing to put in motion a greater quantity of productive labour and a greater portion of useful enterprise than could exist without it. It is at least evident that in a country situated like the United States, with an infinite fund of resources yet to be unfolded, every farthing of foreign capital which is laid out in internal ameliorations and in industrial establishments of a permanent nature is a precious acquisition."

That is not to say that there is no objection to the introduction of foreign capital, but foreign capital is a danger only in certain circumstances. It is a danger if it can come in in such circumstances that it exploits the resources and the labour of the country into which it comes and at the same time is strong enough to kill internal competition. It is when it comes in with a view to killing internal competition and destroying, if they exist, pre-existing industries or preventing the establishment of rival indigenous industries, that it becomes a danger. Otherwise I maintain that it is almost an unmixed good. People talk about the drain that foreign capital causes. Well, the first drain is the drain of the foreign capital into India. Until you drain the foreign capital here, you cannot even begin the drain the other way. If, without that drain of foreign capital from abroad, the industry of India is not developed, there are no profits to drain away. India has, after all, even in the worst of circumstances, got labour employed and the actual presence here of a large amount of capital assets created by the importation of foreign capital,—all that before there can be any drain abroad. But I go further than that, in the case that we are discussing now. One of the very definite objects of this Bill, as stated by the Tariff Board themselves, is not merely to maintain the existence of the Jamshedpur steel industry, but to encourage internal competition with that industry. That industry will, I submit, not be encouraged unless you leave a considerable freedom to foreign capital to come in and help to establish competitive industries. The only justification for a Bill to protect the steel industry must, I

submit, be that in the long run it will increase the national dividend of India. Now will you increase the national dividend of India if you couple with your Bill for protection, conditions preventing such foreign capital as is dribbling in here now from going on dribbling in here? You will thereby not increase the pace at which India is being developed. You will meanwhile hand the country over, as has been pointed out, to the mercies of one iron and steel company, which, however entirely Indian it may be, has not and cannot have as its first interest, the reduction of the price of steel to the consumer of steel in India. Mr. Patel is not altogether illogical because I think his view is that this Bill is a bad Bill and that we ought to have introduced a Bill to buy up the Tata Iron and Steel Company.

**Mr. V. J. Patel :** Or share the profits.

**The Honourable Sir Basil Blackett :** Or to share the profits. But if this is not a Bill simply for the Tata Iron and Steel Company its justification must be that it creates conditions which will lead to the establishment of competitive iron and steel industries in this country and that in the long run India will supply herself with a far larger proportion of her steel than she does at present at, on the whole, a price not very much higher, if at all, than the price she would have had to pay for imported steel. An amendment of this sort will, I submit, go quite contrary to the whole purpose of the Bill, namely, to establish the industrial strength of India in the matter of steel on firm foundations. The Government have been asked what then they are going to do about it? Mr. Jinnah has even ventured to suggest that there may be suspicion of the Government in this matter. Mr. Jamnadas Mehta did not hesitate—at any rate the day before yesterday—to mention his suspicions. In fact he said that he felt it necessary to get down on all fours and look on all sides of this Bill to see just what the damage was that the Government were trying to do to India by this Bill. I would suggest to Mr. Mehta that he should adopt the more human position of standing upright and take hold of this Bill in both hands while he can. But these unworthy suspicions do not take us any further. (*Mr. Jamnadas M. Mehta :* “They are historical.”)

I have expressed at short notice a few of the views that can be held in regard to foreign capital. It is a question which undoubtedly requires very careful examination. I am not sure, speaking for myself, that I should be willing to subscribe to either the minority or the majority report of the Fiscal Commission, and I know that a good many people hold different views on the subject. I have here a book by a man who I think was a member of that Commission—Professor Coyajee—which contains some very valuable thinking on this subject. The Government undoubtedly will have to introduce in due course legislation to deal with this subject, but I am inclined to agree with Professor Coyajee's conclusion. I will, if I may, read it to you because I think it sums up the subject very well :

“Our conclusion is that there are strong reasons for pausing before adopting any course which restricts the free flow of foreign capital into India. We have to consider the fact that conditions essential to exploitation by foreign capital are a matter of the past so far as India is concerned; that a vast amount of foreign capital is essential for anything like an adequate industrial development of the country; that under present circumstances of the world's capital resources, nothing like this adequate supply of foreign capital is likely to be attracted to the country; that artificial remedies for the nationalisation of foreign capital have not proved successful in any country; finally, that the competition of foreign capital would lighten the

[Sir Basil Blackett.]

burden of protection on the Indian consumer, would shorten the period of infancy of our industries and would give us the much needed experience, organisation and industrial environment. Nothing is to be lost by delaying the formulation of a policy of restrictive character until we can read the signs of the times."

I have no definite proposal to make. I cannot on behalf of Government promise that legislation of a particular character will be brought in at a particular date ; but the Government would be very ready, I am sure, to consider—possibly in consultation with a committee of this House if the House desire it so, or in such form as might appeal to the House in general—the whole of this very difficult question with a view to legislation, if necessary, to amend the Companies Act. I would submit to this House that after the long discussion we have had to-day, and in view of the reasons for hastening the consideration of the Bill, that the House should be content with that assurance on behalf of the Government and should not press for the inclusion in this particular Bill of any particular amendment. I would point out that neither, as far as I can see, anybody in this House nor the Government have any suitable amendment even adumbrated.

**Mr. W. S. J. Willson** (Associated Chambers of Commerce : Nominated Non-Official) : Sir, the amendment before the House and the discussion thereon have brought out that there is a great deal of confusion of thought in this matter. Many Members seem to think that when you use the word "Protection" you mean protecting everybody and everything all the way as you go along. We should realise I think that the word "Protection" really means the opposite of Free Trade and we should not, when we bring in a Bill for the purpose of affording protection to the steel trade, try to protect a great many other things in the one Bill. For my part I am a great deal more in sympathy with the clauses which it was sought to introduce in regard to labour, than I am with the clauses which it is sought to introduce in restriction of "foreign" capital. The former, the protection of labour, seems to me to be in no way contrary to the spirit of the Bill. The protection of Indian capital and investors seems to me, however, to be decidedly contrary to the heading of the Bill which is :

" A Bill to provide for the fostering and developing of the steel industry in India."

To attempt to tack on to that Bill any clause circumscribing your capital is not to "foster and develop" the industry of India but to undevelop it and to hamper it. With the aspiration—or, as the Honourable Sir Basil Blackett says, the sentiment—underlying this amendment I have a certain amount of sympathy ; but I have a great deal more sympathy with the sentiment underlying a protection of labour which does not aim at the root of the Bill.

I oppose this amendment on the two grounds of principle and practice. I say that the principle is bad and I say that the practice is next to impossible. Think for one moment how you would carry it out. It is proposed that the capital should be proved—proved, mind you—to be two-thirds Indian and one-third anything else. Now, Sir, before the Government could pay out the bounties which by this Bill we seek to grant to the steel industry, the Government would have to be satisfied that the company contained either two-thirds—or any other figure you like to mention—of "Indian" capital. How could they possibly do

it ? If they study the list of shareholders, they may see on it a gentleman by the name of "Cooper." How are they going to know if he is a Bombay Parsi or a European ? Similarly, they may come across a Jewish name : is it a Baghdadi Jew, an Indian Jew, or a foreigner ? Then there is the question of "Benami." I will not say anything of "Benami" : you all know all about it and you know perfectly well that if any foreigner—a German or an American—asked an Indian bank to hold his shares in their name they would do it. If they asked a solicitor to hold shares on their behalf, he would do it. It would even be possible for them to float a company and hold the shares. It would be possible also to have trustees who can hold shares for them in any company they like. You cannot get at the root of the evil and the only time you really find it out, is when there is a war when it is a serious and a military offence to be holding a stock for a German. So much for practice. That much for the practical part of it. Or again you could have a company. The company might have a very small capital of ordinary shares. The Indian capital might be a very large proportion in preference shares, but with no vote. Therefore, that company, with two-thirds or more of the capital being Indian which would have no say in the matter, would have no practical control, would yet either come within the terms of the decision which Government have to take, or Government would take—they might take—one or two years to make up their minds ! I feel confident that no Government Member would undertake to carry this out,—but the only person who would ever undertake to carry it out would be a lawyer, and his decision would be liable to appeal, and it would be decided five years hence in the House of Lords.

I would like to refer to some remarks which fell from my Honourable friend Pandit Madan Mohan Malaviya this morning in which, if I may say so, I think he sought to draw before the House a very unfair conclusion, a conclusion which might mislead a great many of the Members. He attempted to show that British legislation, especially the Trade Facilities Act, excluded foreigners. He quoted this section—I am not sure if he quoted the whole of it,—but he said that the Trades Act provided that :

" Provided no credit shall be granted by the Board under this section to an alien or a firm in which the majority of the parties are aliens or to a company whose British subjects do not form a majority of the Directors where a majority of the voting power is not in the hands of British subjects."

Now, was it fair to trail that before this House and represent to the House that Great Britain's legislation attempted to confine itself to Englishmen ? It does nothing of the kind. There is nothing to stop Indians in quantities from going to England and starting Indian companies there to their heart's content, and any of you who have been to England recently know that the place is really flooded with Indians.

Then Mr. Patel and Mr. Mehta both had the idea that "Protection" meant the protection of Swadeshi enterprise. Now that is an entirely separate thing altogether and it must be separately dealt with. To attempt to do it in this Bill is to attempt the impossible, as I have just pointed out ; and secondly, allow me to put before you the case from the industrialists' point of view. As an industrialist all my life, I may tell you that you cannot develop the steel or any other industry if you are going to put power into the hands of Government and enable them to control, cramp and limit it. You must allow your management to have

[Mr. W. S. J. Willson.]

an absolutely free hand to conduct the business in their own way. You should neither approach the Government for any help nor give the Government any right to interfere in your process. If you insert this clause in the Bill, you will be first of all casting upon Government a responsibility, which, in my opinion, they could not undertake, and in the second place, if they did undertake it, it would be extremely undesirable and it would affect the industry very adversely. On the principle whether it is desirable even to exclude foreign capital, there again I am under no misapprehension whatever myself. You have the Tata Company, which is admittedly an Indian Company, conceived and started by Indian brains, and floated with Indian money in the first instance. But if you are going to lay down the principle that all your protected industries should be the same, then you are going to get into the same difficulties as the Tata Company have got into. No matter what concern you are floating, you cannot guarantee its success. You have to take a trade risk in all your commercial ventures. If you take a trade risk in something and lose your money, as Tata's did, and if you become sufficiently hard pressed for money, it is useless to be told to go to Indians for the money, which you cannot get; you would, if you were sufficiently pressed, borrow from the devil. Therefore, Sir, what is the use of putting into the Bill any such restrictive clauses which will defeat your object when you really want money? You have now the very fine Tata Company. You have two other companies, one called the Indian Iron and Steel Company and the bulk of its capital is subscribed, I am told, by Indians. They can raise no more capital; that company cannot start work at all. Now is it better that you should have the Indian Steel and Iron Company with a certain amount of its capital paid up remaining stagnant, because it cannot do anything, it cannot develop the industries of the country, or would it be better that it should be allowed to go to the open market for money? In short, let us assume for the moment that the Tata Company was not an Indian company. Is it better that you should have all the iron ore lying useless under the ground or is it better that you should have 90,000 people living on it, of whom say 89,500 are Indians? Which is better? Do you want to develop the country or not? There is also another company which has been mentioned in the Tariff Board Report, the Associated Steel Company of Asia. I believe again—certainly I am told—that the bulk of their capital is Indian. They have not started work. I do not expect they will be able to start work, as far as I can make out for want of capital. So I say on principle this is an essentially bad idea.

Apart from that, speaking for the interests which I naturally represent, I feel strongly that if it is sought to tack on to this Bill any clause which to my mind has nothing to do with the Bill, then I say quite frankly, that if that clause is passed in this House, it is aimed at capitalists such as us and, if you aim at throwing such as us out, of the scope of the Bill, then I do not know how the Government are going to proceed with the Bill, or whether they will withdraw it but if this clause is passed this afternoon, then I shall cast my vote on the side of those who would throw the Bill out.

There is just one point more, Sir. Now let us assume that you are all Indian shareholders in an Indian restricted Company and nothing else.

The day will come when you will all die, a very cheerful prospect always open to every one of us. When you die, how is your money to be realised? Even if you do not die, you may want to sell your shares; you may always want to sell your shares. But if you have any such restrictions in your articles of association, you are cramping your own market and you cannot sell your own shares. To those of you who do not know it, I will give a concrete instance. I have shares in a Company which has restrictions on transfer. My honest belief is that those shares are worth Rs. 200 each as against their original value of Rs. 100, but I cannot get more than Rs. 125 for no other earthly reason than that the market is cramped. You must as investors have an open market for your shares.

These are the few remarks that I wish to make, and I think the House will do very well to bear them in mind from the practical point of view. As an investor, do nothing to cramp your own activities, always be free to realise your property whenever you wish to do so, and above all, do not tack on to what appears to me a straightforward Bill, a clause which will alienate such sympathies as my own.

**Mr. President :** Mr. Dumasia.

**Mr. Bipin Chandra Pal** (Calcutta : Non-Muhammadan Urban) : Sir, I want to ask you only one question, with your permission. Am I visible or invisible ?

**Mr. President :** I have called upon Mr. Dumasia to speak.

**Mr. Bipin Chandra Pal :** Thank you, Sir.

**Mr. N. M. Dumasia** (Bombay City : Non-Muhammadan Urban) : Sir, this amendment is not only impracticable but, considering the conditions through which the country is passing, it is positively injurious to the best interests of the country. We have heard about sentiment being against foreign capital. I can say, Sir, that that was not so during the post-war boom. The price of the shares of the Tata Iron and Steel Company were raised in the share markets by the reports that foreign capital was to be brought to this country in connection with this enterprise. So, Sir, the sentiment against foreign capital is not so very strong as it is made out to be. If it were not for foreign capital, India would have remained in an undeveloped condition. (*An Honourable Member* : "No.") Sir, that is a matter on which there can be a difference of opinion. Foreign capital, in spite of the drain, which nobody denies, has done a lot of good to this country. We do not need to go far to prove this. If it were not for foreign capital, if it were not for foreigners taking debentures of this very Tata Iron and Steel Company, the Company would have gone into liquidation, as is stated in the Report of the Tariff Board, in 1922. This is the hard fact, which you cannot deny, and, Sir, as I said, this amendment is impracticable because, how can you decide as to whether Indian capital is one-third or two-thirds? Sir, those people who oppose this Bill do so on the ground that it imposes a burden upon the tax-payer and the consumer. Are you going to perpetuate that burden upon the tax-payers and consumers? Sir, if you eliminate foreign competition, if you eliminate internal competition, then, as night follows day, you are going to perpetuate this burden upon poor consumers. So, Sir, those who are against imposing this burden must oppose this amendment. Monopolist interests are more injurious than protection. And, as my Honourable friend opposite said : "Are we going to put this noose round the neck of consumers and give the rope into the

[Mr. N. M. Dumasia.]

hands of the Tata Iron and Steel Company ?" Well, it will be an evil day for India when foreign capital ceases to flow into this country.

Sir, why is this company suffering ? It is on account of the want of capital. You could not get capital in India at 10 per cent. or 12 per cent. and that is the very reason why this company is throttled. In European countries you can get capital at 3 per cent. and 4 per cent. Why should India not take advantage of that cheap capital and develop her resources ? This is the one industry which will enrich the nation. This is the one industry which will change the industrial face not only of India but of Asia. If this industry is to thrive, then we must admit internal competition. We must welcome foreign capital,—if it is cheap capital and if our other interests do not suffer by the admission of this capital into India. Sir, everybody is agreed to give protection to the struggling industry, which I say has been kept alive by the tremendous sacrifices which the agent of this company has made. There have been mistakes in the past. There have been sins of omission and commission, but that is no reason why we should now handicap or kill an industry upon which the future of this country depends. But, if it is to be fully developed, then, Sir, we must welcome foreign capital. In India capital is not only shy, but at present there is no capital. That capital has been taken away from India by the currency legislation—I mean the muddle of the Reverse Council Bills. India has suffered much. But, Sir, India will be the greatest sufferer if it is deprived of the benefits of foreign capital. With these remarks I oppose the amendment.

**Mr. Bipin Chandra Pal :** Sir, it is a great relief to me personally to be assured that I have not already been transported to the realm of the unknown and the unseen. Now, Sir, coming to this amendment, it seems to me that, though some of us, if not most, fully agree with the spirit of it, the wording is difficult, if not impossible, to fully accept. We agree that Indian capital should be encouraged but we also know that, unless we encourage foreign capital to come to this country under such conditions as foreign capital is invited and tempted to go to other countries that are subject to a national government, it will be impossible for us to foster our industries. My friend Mr. Joshi has said that there is no distinction between foreign and indigenous capital. All capital, Sir, is one and all capitalists also are one, whether they are brown or white. They have their special interests and it would be prejudicial to the general interests of the country if we were to bind ourselves hand and foot and place ourselves at the mercy of indigenous capital. But what I want, at the same time, is this, that whatever capital receives protection from the State ought to be controlled in the interests of the general public by the State itself. With regard to this particular matter, it seems to me that we need not accept the wording of Mr. Patel's amendment, which will place serious difficulties in the way first of practical administration, for we should have to start inquisitorial examinations into the share list of every company that is started in India for the promotion of steel manufacture, and even then it will be difficult for us to calculate exactly whether two-thirds of the capital is Indian or not. The first difficulty will be the definition of the word "Indian". Will Sir Basil Blackett be an Indian according to the terms of this clause if he were to lay out all his savings, taken from our pocket, for the development of the steel industry ? I think I should welcome him and all the Government Members who put by and lay out all



their savings in India instead of taking them home and laying them out in England. (Mr. V. J. Patel : " And not send profits home.") That will be one difficulty. Will he be an Indian according to the terms of this amendment or not? Besides this, if Britishers send their money to this country, why should we reject them? If Americans send their money here, why should we reject them? All that we want is not the exclusion from India either of foreign money or even of foreign brains, but what I want is indigenous national control of whatever money comes from outside to India and whatever brains also are imported for our benefit and for their profit. That is what I want and in view of this it seems to me—I do not know, Sir, if you will rule me out of order, I dare not move an amendment unless you give me permission—but I would alter the wording of this amendment in this way. Pandit Madan Mohan Malaviya has pointed out what was known to most, if not all of you, the settled policy of the Government as recorded in the Minority Report of the Fiscal Commission. The settled policy of the Government is that no concession should be given to any firms in regard to industries in India unless such firms have a rupee capital. You might include this condition here " on being satisfied that whatever firms or companies or persons are engaged in the manufacture of steel have a rupee capital." That is the first condition. The second condition is that they have an Indian directorate, that is, that they have a certain percentage, a certain proportion, of Indian directors. And the third, which is the most important of all, is that they allow facilities for Indian apprentices to be trained in their works. I would therefore suggest, Sir, that in place of Mr. Patel's wording, we should have the following :

" On being satisfied that these firms, companies, businesses or persons satisfy these conditions, namely, that they have a rupee capital, that they have Indian directors and that they allow facilities for Indian apprentices to be trained in their works."

**Mr. K. G. Lohokare :** It is there.

**Mr. Bipin Chandra Pal :** Not in Mr. Patel's amendment.

**Mr. K. G. Lohokare :** It is there in my amendment. Exactly the same words occur there.

**Mr. Bipin Chandra Pal :** If it be there, then I support your amendment. I do not know if it has been ruled out of order or not.

**Mr. K. G. Lohokare :** It has not been ruled out of order.

**Mr. Bipin Chandra Pal :** If that is so, Sir, I appeal to the House to accept Mr. Lohokare's amendment to this extent only and no further, that is, incorporate the settled policy of the Government in this clause, namely, that the Governor General in Council shall be satisfied that any company or firms or persons engaged in steel and iron manufacture and receiving bounties from the State fulfil these conditions. This is all I wanted to say and I thank you, Sir, again for having given me this opportunity of hearing my own voice in this Chamber.

**Pandit Madan Mohan Malaviya :** Sir, the discussion has been very comprehensive and it is necessary that we should bring the attention of the House to the points that really arise in this debate. We have heard a great deal about the advantages of not restricting the flow of foreign capital into this country. We have also heard a great deal about the advantages which will result to this country if we invite foreigners to come

[Pandit Madan Mohan Malaviya.]

and oblige us by starting factories and helping the rapid industrialisation of this country. But, Sir, that is not the point before the House on the amendment. The very limited question that arises in this case is whether taxes raised from the people in the shape of higher import duties on steel should be used in giving bounties to Indian companies or even to foreign companies that might be started to manufacture steel here. We are not shutting out foreign capital by the amendment which is now before the House. The amendment allows that 25 per cent. of the capital may be non-Indian. And beyond that, it limits its operation to the future. It does not prevent other companies coming and being established in this country. They are free to do so until we pass legislation to prevent it. But at present the amendment does not suggest that we should prevent the coming in of foreign capital into this country. All that it seeks to do is to ensure that taxes raised from the people shall not be spent in giving bounties to and either, directly or indirectly, encouraging foreign companies to establish themselves in this country. In that view, all the discourse that has been given to the House by Sir Basil Blackett becomes irrelevant. But, as he has been pleased to give it to us, and as Mr. Willson followed on the same lines, it is necessary to point out some truths, which though they may not be familiar to Sir Basil Blackett, are yet familiar to many an under-graduate of Indian universities who failed to obtain a degree. I think, Sir, the knowledge of such under-graduates is more real and their aspiration for the welfare of their country deeper than Sir Basil Blackett will claim is his for Indians. Now, Sir, there is a very important point that is overlooked when we talk of foreign capital. Foreign capital has already been invested in too large a measure in India. Is there any Member of this House who is unaware, is Sir Basil Blackett unaware, that foreign capital is invested in a large measure in India? Is not India paying enormously in the shape of interest on the foreign capital that is invested in this country? And is not England the richer for receiving all the interest which it has received during the last 75 or 100 years on such capital?

**The Honourable Sir Basil Blackett :** Is not India the richer also ?

**Pandit Madan Mohan Malaviya :** India is richer not in the sense in which we Indians understand it, but in the sense in which Sir Basil Blackett or an Englishman understands it. India is not richer for the interest which it has to pay to foreign companies and foreign subscribers. There is a great distinction, Sir, between utilising foreign capital and handing over the management of one's country's enterprises to foreigners. The Japanese have seen it. They are willing to obtain as much foreign capital as they can on loan. We, Indians, are also willing to obtain foreign capital on loan when we need it and have the power to do so. But we refuse to be misled by the talk of the disadvantages which will result to this country from shutting out unrestricted foreign capital. If the Government becomes national, as I do hope it will become before long, we shall show to our English fellow-subjects that we too have a little sense and a little understanding of these questions. If India could borrow 500 crores for starting so many lines of railways, if India can borrow so much in order to help railways to be extended and improved in this country, why cannot a national Indian Government borrow to promote large industries, to supply cash and credit to them in order that they might flourish

and grow? If India had the power to keep all the cash balances which are at present held in England and to help merchants and traders in this country with a part of that cash, India would be richer than it is to-day. Sir Basil Blackett has asked if India is not richer for the investment of foreign capital in this country. I wish it were so, but he knows it is not and every schoolboy here knows it is not. I do not say every schoolboy in the world knows it, but every Indian schoolboy knows that it is not. Indians see a very realistic picture before themselves. Indians see that from the time when their British fellow-subjects took the responsibility of administering the affairs of this country, they have used their power to discourage Indian industries and not to encourage them. Indians know that in the meantime England has grown rich on the policy of protection which she pursued in her earlier years and on the policy of free trade which she pursued during later years. Indians also know that during this very period, every other great modern country has grown rich by pursuing a policy of protection which it has not been in the power of Indians to pursue. There is a passage in the Report of the Indian Fiscal Commission to which I invite attention and in which the matter is explained very fully. In paragraph 58 of their Report the Fiscal Commission say :

“ The protectionist feeling in India to which we have referred is strengthened by a consideration of the tariff systems prevailing generally throughout the world and the relatively backward condition of Indian industries under a policy of free trade. With the exception of the United Kingdom all the great industrial nations of the world shelter their industries behind a protective wall, and claim to owe their prosperity to the tariff protection which they enjoy. The general movement in Europe towards free trade, which appeared to be setting in with the conclusion of the famous commercial treaty between England and France in 1860, lasted only for a few years, and was followed by a strong reaction, never perhaps stronger than in recent years, towards protection. In 1879, Germany definitely adopted a policy of protection, from which she has never departed, and under which she had made up to the outbreak of the war astonishing industrial progress. In 1881, France turned her back on the free trade tendencies which had never really met with popular approval. In 1899, Japan, freed from the trammels of the treaty restrictions, utilised her autonomy to establish a protective tariff, which was considerably intensified in 1911. The United States, industrially one of the foremost countries in the world, has had ever since the time of the Civil War a very high protective tariff, and at the present moment appears to contemplate raising it still higher. The British Dominions too have without exception utilised the right of framing their tariff policies in their own interests to protect their industries by high duties.”

Now, Sir, if Indian were free to develop its industries by means of high protective duties, India would not be the poor country which it is to-day. I submit therefore that no one should be led away by the idea that we desire to shut out foreign capital altogether. But in the first instance we want to tap our own resources. If the Indian people can give 20 crores or 30 crores or 50 crores that is needed by the Government almost every year, is there any justification for any Government Member saying that capital will not be available in India for developing the few large industries with which we are at present concerned? I feel, Sir, that if India has found all this money, if India found a hundred millions to be given to the British Government during the time of the war, if India has found all the money that has been needed during the recent years by Government loans, we can very well expect that with a definite national policy of protection Indians will yet be able to give a sum which will not be inconsiderable for the development of their industries. Therefore, there are two points which should be borne in mind. The object is not to shut out all foreign capital. We have already said that we wish our English fellow-subjects to work together with us. If

[Pandit Madan Mohan Malaviya.]

they will do so, they will find that we are absolutely fair to them. Even if they do not show any inclination at present to be fair to us, we desire, in the fond hope that they will yet become so in the future, that they should come and establish themselves in this country as partners with their Indian fellow-subjects in the firms which may be established in India. But, unfortunately, they want that they should have the whole show to themselves. That is where the trouble comes in. We refuse, as Members representing the people, to consent to a policy by which we shall invite foreigners to establish themselves and their industries in this country in which Indians will not have a share. The Fiscal Commission, therefore, holding the views to which I have made a reference, unanimously recommended three points. They fought shy of certain difficulties which have been mentioned in the debate. They were agreed that three things should be guaranteed, namely :

“ That in all such cases where the Indian Government is granting concessions or where the Indian tax-payers' money is being devoted to the stimulation of an enterprise, it is reasonable that special stress should be laid on the Indian character of the companies thus favoured. In all such cases we think it would be reasonable to insist that companies enjoying such concessions should be incorporated and registered in India with rupee capital.”

Not one word has been said either by Sir Basil Blackett or by any other Member who has spoken here, against the inclusion of this provision in this Bill. So this requires no further examination.

Secondly, they say :

“ That there should be a reasonable proportion of Indian directors on the Board.”

When there are three Indian Members, Sir, on the Executive Council of the Government of India, it is certainly time that Members on the Government Benches should drop the idea of urging that there would be any difficulty in accepting a proposition like this, particularly in view of the fact that one of their Colleagues, Mr. A. C. Chatterjee, has already said more than once :

“ That no concession should be given to any firms in regard to industries in India, unless such firms have a rupee capital, unless such firms have a proportion, at any rate, of Indian directors, and unless such firms allow facilities for Indian apprentices to be trained in their works. This has been mentioned more than once, and I can only repeat this declaration.”

We are disappointed that the Government have neither included any provision of this character in the Bill, nor have the Members of Government up to this time given any indication in the debate that they are prepared to include those provisions at least which were accepted on behalf of Government on earlier occasions. It is in this position that we have to discuss this question. Now, it has been said that it is not to help Tata's alone that the Bill is being passed. The Honourable Sir Basil Blackett spoke the truth, so far as the object of the Bill is concerned, when he said—I am not imputing any unworthy motives to Government—I take the words of Sir Basil Blackett and the Preamble as it stands before the House. The Preamble says, as Mr. Willson has drawn attention, that the object is to foster and develop the steel industry in this country, whoever may be the manufacturer. That is not the concern of this Bill. Sir Basil Blackett went further and said that the justification for the Bill was not that it would help Tata's, but that it would encourage and foster a policy of the development of the steel industry in India. It is exactly to this aspect of

the Bill that we raise an objection. Mr. Willson asked whether it would have been better that all our resources should have remained in the bowels of mother earth than that foreign capitalists came here and established themselves and gave employment to a large number of the population. I say definitely, Sir, that that is not a fair question to put. The fair question to put is, whether a fair and honest attempt has been made by the Government of the country to encourage the people to invest their money in the industries which are necessary in order that the resources of India may be worked out and Indians may find employment and earn profits. That is the point. Mr. Willson also complained that I have been unfair in making a reference to the provision in the Overseas Trade Act in which it was said that no bounties should be given to an alien or to a firm of aliens. He forgot that I read exactly as much of it as he has read. Now, Sir, the matter is very simple. Facilities were to be given to certain firms in England and Mr. Willson forgot what I had quoted from the debates in the House of Commons on the question. On the earliest occasion that the Overseas Trade Facilities Bill was introduced there, Sir John Butcher asked :

“ Do I understand that they (credits) are only to be given to British firms, or are they to be given to foreign firms as well, or are the credits to be given to foreign Governments ? ”

Sir Robert Horne replied :

“ It is perfectly clear that credits will only be granted to British firms.”

It was not said that credits would be granted to “ British subjects.”

The matter was made clearer by Mr. Bridgeman who spoke later in the same debate. He said :

“ The honourable and learned member for York asked whether this would be limited to British firms and sellers in this country. Yes, the advances will be so limited.”

A third member yet asked :

“ Whether credit would be given to British firms even if they do not trade in the indigenous produce.”

Not content with this, the questioner further asked :

“ I should like to know, also, whether advances are to be made to British purchasers as well as to British sellers. If the British purchaser desires to get goods from a foreign country, can he have money advanced to him to enable him to purchase the goods ? ”

And the reply was that it could not be done.

Sir John Butcher said :

“ I am glad to learn that the credits are not to be given to British firms who want to purchase goods in foreign countries.”

**Mr. Willson :** Not “ Indian ”.

**Pandit Madan Mohan Malaviya :** Mr. Willson laid stress on the words “ British subjects ” and he said Indians were free to go and establish themselves in London to establish companies and trade. It is a fine proposal that Mr. Willson has put forward. Why is he not content to trade in his own country ? Let him go back to England. He is familiar with the country and will enjoy its bracing cold. Why should we leave our own sunny country and take up the burden of developing the resources of England ? Mr. Willson knows that we cannot go, and that if we did begin to go in large numbers, our fate will not be different from what it is in other parts of the British Empire. I therefore ask my English fellow-subjects to deal fairly with us. We have no ill-will towards British firms established in this country. We want all those European

[Pandit Madan Mohan Malaviya.]

firms which are already established in India to continue to do their work on their present bases, but we desire that in future development, if any, of these firms which are manufacturing steel desire to manufacture steel on a larger scale and desire to raise larger capital they should as good fellow-subjects invite us to share with them the responsibilities and advantages of such expansion. In this view I should like, Sir, with your permission, to move as an amendment the following proposition. I beg to propose that the following be substituted for the amendment which is before the House, namely :

“ That no bounty shall be granted under the Act to an alien (I have taken the word from the Overseas Trade Act) or to a firm in which the majority of the partners are aliens or to a company where Indians do not form a majority of the directors or where a majority of the voting power is not in the hands of Indians, except in the case of companies or firms already engaged in the manufacture of steel in India to the extent of their present subscribed capital.”

The exception covers all British firms existing in India. I am not concerned with other firms, because I do not make any secret that, while willing to make some sacrifices for British firms, we are not under the same obligation nor in a mood to make sacrifices for other foreign firms. We are prepared that European firms which exist to-day in this country and which are manufacturing steel should not come within the exception of the earlier part of my amendment. The advantages of this amendment are that no bounty shall be given to any new firm which will be established to manufacture steel, unless it is a company where the conditions mentioned are fulfilled, that is, unless it is a company in which Indians form a majority of the directors, or where a majority of the voting power is in the hands of Indians. With this exception made in favour of English companies, I venture to think—I wish I could say with confidence—that my English fellow-subjects, who have established their business in this country, will regard this as a reasonable assurance that we do not mean to injure their business in this country, but that we do mean to protect ourselves from invasion by other capitalists. I hope this amendment gives at any rate a reasonable basis upon which to consider what should be the final shape in which this Bill should be passed.

I want to address a few remarks on the statement that the proposed amendment is not germane to the Bill. Sir Basil Blackett spoke with the high authority of a Finance Member and said that the question of foreign capital was accidental to this Bill and not a necessary part of it. Now, Sir, I was surprised to hear this. But I should not say surprised, because Sir Basil Blackett's ideas of political economy are those which I cannot understand. They are beyond my conception. I have said that we have the precedent of the English Act passed by the House of Commons. In that Act where certain facilities were to be granted in the way of bounties similar to those we are now considering to certain firms, it was clearly laid down that no such bounties shall be granted to a foreign firm or to companies in which the majority of the shareholders were not British. If for the word “ British ” we substituted the word “ Indian ” it becomes anathema. Is that political science, is that common sense ? The proposal is absolutely essential. What is the alternative thrown out ? It is always a matter of regret to me when I differ from my Honourable friend Sir Sivaswamy Aiyer. And in this matter I have the misfortune of differing from my friends Mr. Jinnah and Mr. Ramachandra Rao also. The Honourable Sir Charles Innes suggested that Government were willing

to consider what legislation we should undertake in order to consider how the wishes of a large number of Members of this House could be given effect to. It was said that the Companies Act might be amended. I fear my friends have not gone sufficiently deep into this question, and I fear they are labouring under a misapprehension. This is the Bill which says that import duties shall be raised from the people and that those duties shall be spent in a particular way. What the amendment asks is that we should say that in addition to the particular conditions under which the money should be spent there should be a third condition also attached. This Bill is the measure in which such a condition should be introduced, but we are told that this is not the place for it. No reasonable argument has been advanced to support that view. So far as the amendment is concerned I have said already that the language of the amendment will not matter. If we agree to the principle, then certainly there are Members on the Government Benches with long experience and a great deal of ability in dealing with questions relating to Indian and English fellow-subjects, who can arrive at a form which will be acceptable both to Government and to the House. Is it beyond their power? Is it beyond their ability to do so? I cannot accept that. The matter is a very simple one. This is a very important Bill and we are told that we should be content to let this Bill pass and take the earliest opportunity in September to discuss it; that the Finance Committee should be instructed to go into this question. But there are limitations under which we work under the Government of India Act. It is provided there that the Indian Legislature has not, unless expressly so authorised by Act of Parliament, power to make any law repealing or affecting any Act of Parliament passed after the year 1860. So that it has no power to repeal any provision of the English Companies Act of 1908. The Indian Companies Act, 1913, lays down that no company, association or partnership which has been formed here shall be recognised unless it is registered as a company under that Act or in pursuance of an Act of Parliament. If, therefore, a company is formed in England in pursuance of an Act of Parliament, we cannot pass any legislation by which that company would be affected, unless we get the consent of Parliament. Now, under the English Companies Act of 1908 an English Company can register itself in England, keep its registered office there and carry on business in India. There are many such companies carrying on business in India which have registered offices in London. Under section 34 of that Act:

“ A company having a share capital, whose objects comprise the transaction of business in a colony, may, if so authorised by its articles, cause to be kept in any colony in which it transacts business, a branch register of members resident in that colony.”

And clause (3) of the same section says that:

“ For the purpose of the provisions of this Act relating to colonial registers the term “ colony ” includes British India and the Commonwealth of Australia.”

So that an English Company may be registered in London; it may have its registered office in any part of the United Kingdom or Great Britain, and it can carry on business here. I hope this will make it clear to the Assembly that the idea that we can, by passing a law, prevent the establishment in this country of any company which does not answer the description which we wish to lay down with a view to promote the welfare of the Indian people, is not well based. If that is the position, Sir, that we cannot, by amending the Indian Companies Act, prevent the establishment of companies in this country if they have been registered under the

[Pandit Madan Mohan Malaviya.]

English Companies Act, what is the other suggestion that has been held out in order that we might fortify ourselves against the disadvantages accruing from the present measure in its broad unlimited form? I am not aware of any. I shall be very glad to know if there is any definite proposal which can be put forward and which we can adopt in order to meet the evil which faces us. If there is no such proposal, then I ask my friends both on the Government Benches and on the other side most seriously to consider the situation in which we are placed. This is the first time that legislation for protecting an Indian industry is being considered by this representative Assembly. We are here representing the people. We are asked to support indirect taxation to the extent of a crore and a half every year, in order that we should save an industry which is valuable to us all, and which we wish to live and grow. We are all willing generally, the bulk of us are willing, to lend our full support to that industry. We are willing that we should be responsible with the Government for placing these burdens upon the people at large throughout the country in the hope that the large gain which will result to the country in future will compensate the people for the loss which they will at present bear. But we want a very simple, a very definite, safeguard and limitation for which we find a precedent in English legislation, for which we find the support of the Fiscal Commission, which was appointed by the Government of India themselves, and neither from the Government Benches nor from any other supporter of the Bill have I heard anything yet as to why the Government in framing the Bill, ignored the unanimous recommendation of the Fiscal Commission. It may be said there was a majority report and a minority report. The majority and the minority were agreed, Sir, on this point. I have quoted the portion where the majority made their recommendation, and the minority agreed to that recommendation, for they said on page 203:

"We will at once proceed to state the conditions which we think should be laid down in regard to foreign enterprise with reference to manufacturing industries in India:

- (1) Such companies should be incorporated and registered in India in rupee capital.
- (2) There should be a reasonable proportion of Indian directors on the board.
- (3) Reasonable facilities should be offered for the training of Indian apprentices."

They go on to say :

"As a matter of fact, there is no difference of opinion as regards the conditions mentioned. The Government of India have themselves laid down these conditions under a free trade policy in regard to all companies which get concessions. Our colleagues have also made recommendations on the same lines, if any concessions such as bounties and subsidies are granted."

Up to that extent they were unanimous. But (the minority) went beyond it, and this sentence is pregnant with wisdom which I commend to Sir Basil Blackett and to those supporting the Bill. They say :

"There is in our opinion no distinction between direct concessions and the right to establish industries, within the tariff wall. In the one case the Government tax the people while in the other Government permit the consumers to be exploited by means of higher prices due to protective duties."

That is the reason why the minority wanted to broaden the recommendation. Government have not merely not accepted the larger recommendation of the minority, but they have ignored, without assigning any reason for it,



the unanimous recommendation of the Commission. I submit, Sir, this is not fair to the people. The people are at present in a very unfortunate position. The Tata iron and steel industry is a national industry. We want that it should live, but we are put in this position, and my friends, some of them who have spoken, have spoken under a sense of the fear that if we press our amendment upon the Government, the Government might refuse to accept it and thereby the passing of the Bill will be imperilled. I hope, Sir, that this fear is misplaced; I hope that every Member of the Government, English as well as Indian, will stand by the people of India and honestly do their duty by the people in putting in all the safeguards that are needed in this Bill. I have nothing more to add on that question than that I expect every Member of the Government to put himself in the position of the Indian consumer and see what he ought to do. I would ask my English friends to put themselves in the position in which they would be in the House of Commons if a measure like this were before that House. I would ask them to say how they would view it in that situation. Would they agree to be willing parties to support a measure which does not safeguard the interests of the general consumer?

There is another aspect which has been pressed upon the House. The Honourable the Finance Member dwelt on it, and several other Members have dwelt upon it, namely, that you must promote internal competition. If you do not let foreign capital come in, you will give a monopoly to the Tatas. Now, Sir, if my friends would take a little more trouble and seek the light which English enactments on the subject give, they would find that they can introduce a provision in this very Bill to guard against the monopolist Tatas racking the country by the raising of prices. In the Overseas Trade Act, which I have referred to, there is a provision that no steps should be taken to lend any support to an industry unless it was proved to the satisfaction of a Committee that it was carried on with reasonable efficiency and economy. You need not be left to the mercy, as Sir Basil Blackett said, of the Tatas, the country need not be left to the mercy of the Tata Company. He misled the House when he said it. If you leave the country to the mercy of the Tatas, the Government and this Assembly will be responsible for it. The English Act provides that, where the Government helps any Company, it shall see that the companies work with reasonable efficiency and economy, and all questions relating to labour, the treatment of labour and of profits, can very properly be dealt with by the Government when the Government are taxing the people in order to bolster up the Tatas. The Government are entitled to put in a clause in this very Bill that, in addition to the other conditions laid down, the Government are to be satisfied further that the Company is being worked with reasonable economy and efficiency; that would give the protection which is needed. Without taking charge of the works, the Government can put in a clause by which they can assure themselves that the country is not being overcharged by Tatas.....

**Mr. President :** The Honourable Member is travelling far beyond the subject before us.

**Pandit Madan Mohan Malaviya :** If that is your view, I must bow to it. I thought the previous speakers dealt with all these subjects, but I will bow to your ruling. Therefore, I say it is possible to guard against the danger of want of internal competition which some of my friends have dwelt upon, and that it is possible to do it by putting in a

[Pandit Madan Mohan Malaviya.]

clause such as they have in the English Acts. That does away with the apprehensions of the evils of the want of internal competition. There is nothing else that I can think of that stands in the way of the Government accepting the amendment which has been proposed, or the amendment which I have proposed, or agreeing to a further modification of that amendment which would be acceptable both to the Government and the public. I submit, Sir, that many Members cannot make up their minds to vote for the Bill as it stands, and if the Bill is defeated, I say it with very great regret, the blame of it will not lie upon those Members who cannot support it in its present form, but upon the Government.

**Lala Duni Chand** (Ambala Division : Non-Muhammadan) : May I say one thing ? For more than five hours I have been trying my best to catch your eye, but I have not succeeded so far.

**Maulvi Muhammad Yakub** (Rohilkund and Kumaon Divisions : Muhammadan Rural) : I beg to propose that the House do now adjourn till to-morrow.

**Mr. President** : Order, order, the adjournment of the House is in the hands of the Chair.

**The Honourable Sir Charles Innes** : I must confess, Sir, that my heart sank when I saw the Honourable Pandit Madan Mohan Malaviya rise. When we are discussing a Resolution we have some safeguard in the Chair, but when we are discussing a Bill we are entirely at the mercy of the Honourable Pandit Madan Mohan Malaviya. But, Sir, I must be careful against falling into the same trap as my Honourable friend. I propose at this stage of the evening, when we are all tired, to be as brief as possible in my remarks.

The main charge, as I understand it, that I have to meet is this. It has been pointed out that in paragraph 292 of the Fiscal Commission's Report the Fiscal Commission made certain recommendations in respect of bounties. They said that, when bounties or other concessions were given, it would be reasonable to make certain stipulations regarding capital, that the companies enjoying concessions should be incorporated and registered in India with rupee capital, that there should be a reasonable proportion of Indian directors on the board, and that reasonable facilities should be offered for the training of Indian apprentices. And it has been quite correctly pointed out that Government on one occasion did say that that was their policy in granting concessions to firms. I have been asked quite definitely why, when that is our policy, when we have said so, in so many words, when a recommendation of that sort has been made to us by the Fiscal Commission, we have not embodied it in this Bill. The answer, Sir, to that is quite simple. The first point is that there is a very great difference between a policy which the Government frame for their own guidance and a policy which you propose to incorporate in the law of the land. The policy you frame for your guidance can be adjusted to the particular circumstances of the case. When you incorporate that policy in the law of the land you have to define with great precision and indeed you have to stereotype all the incidents of that policy. If, for instance, you are prepared in any way to limit the amount of foreign capital, you have got to decide what proportion of foreign capital you are going to allow. If you are going in any way to interfere with the composition of the board of directors and to limit the proportion of foreigners

on that board, you have got to define that proportion. Now, Sir, obviously before you can take action of that kind, it needs the most careful preparation and the most careful thinking out; and indeed I feel that in the whole of our debate to-day we have been on delicate and very dangerous ground. I claim that the course of the debate is entirely in favour of what I have just said, namely, that before you can incorporate a policy of this kind in a Statute, you must have the most careful preliminary study and investigation, for there has been no unanimity among Members of the Assembly as to what the exact incidents of that policy ought to be. Mr. Lohokare suggests that half the capital should be held by natives of India, and half the directors should be natives of India. He has an alternative suggestion that the company should be a rupee company. Mr. Patel has a suggestion that two-thirds of the capital should be Indian. He has also got an alternative suggestion. Mr. Pal has made another suggestion. Mr. Duraiswami Aiyangar has made another suggestion, and the Honourable Pandit has made yet another suggestion. It is perfectly clear that nobody in this House has got any clear ideas as to what the incidents of this policy, if it is adopted, should be; and that, I claim, is the main justification for the position that I am about to take up. I have already assured Honourable Members that, acting on the recommendation of the Select Committee, we are prepared to take up this question; we are prepared to investigate it at once; and, as the House knows, there is attached to my Department an Advisory Committee of the Indian Legislature. I am quite prepared to go into the question at once with that Advisory Committee; but at the present stage I must make it perfectly clear that I am not prepared to go further. We are not prepared, as at present advised, to agree to the introduction of clauses limiting foreign capital and prescribing a proportion of Indians on the boards of directors into this Bill—in the first place, for the reasons I have already given, and in the second place, because I think that these clauses would be futile and illogical. It would be futile for the reasons that I pointed out this morning to insert these provisions in regard to the clauses about bounties on rails, and I repeat again with absolute confidence it is impossible that any firm other than the Tata Iron and Steel Company could make rails during the lifetime of this Bill. That being so, I see no necessity to insert these provisions into that clause. In the second place, I say it is illogical. These bounties are after all merely a form of protection. If you are going in for a policy of the kind which has been impressed upon us by Mr. Patel, by Mr. Duraiswami Aiyangar, by the Honourable Pandit Malaviya and by others, that policy should apply throughout, and should apply to duties as well as to bounties. It would be impossible for us to work into this Bill, in so far as duties are concerned, the policy adumbrated by those Honourable Members. You could confine it only to the bounties.

And now, Sir, before I sit down I should just like to make an appeal to the House. The Honourable Pandit has said that we are coming to a serious situation. If that is so, I ask the House to be guided in this matter not by the Honourable Pandit Madan Mohan Malaviya but by practical businessmen like Mr. Willson and by economists of European reputation like my Honourable Colleague on the right. I ask the House to remember this. We have come before them with a fair offer and an offer which many people have acknowledged to be far in advance of anything done in India in this line before. I ask the House to remember that in a matter of this kind there must be some give and take, and I do

[Sir Charles Innes.]

ask the House not, by insisting on amendments of this kind, to put the Government of India into a very serious difficulty, and not to imperil not only a great industry existing in India but also the future of the steel industry of India. I appeal to every moderate minded man in this House to be satisfied with the assurance I have given that I am prepared to take up at once the examination of this question, and to support the Government in rejecting Mr. Patel's amendment.

**Pandit Motilal Nehru :** Sir, I have no intention at this late hour to inflict a speech on this House. I have been watching this debate with the keenest interest and I can assure the House that all the time there has been a struggle going on in my mind between two principles— the principle that indigenous industry should be protected against foreign invasion, and the principle that foreign capital is as much necessary for the development of the country as Indian capital. During the continuance of that conflict, I have tried to solve my difficulties by the help of the speeches that have been made. That is the reason why I am the last person to stand before this House in this debate. My difficulty is that, while there is a genuine desire, and a very natural desire, on the part of this House to protect Indian industries from foreign invasion, there is the alternative that, if they insist upon it, the effect will be that the Government will not accept the amendment and the Bill will practically be thrown out. I have been considering all this time as to what my plain duty is under the circumstances. It is true that we are entirely in the hands of the Government so far as this Bill is concerned, if we do not want to throw it out. Mr. Dumasia indulged in an appropriate figure of speech when he said that the noose was round the necks of the consumers and the string in the hands of the Tatas.

**Mr. N. M. Dumasia :** I only borrowed the metaphor used by my friend Mr. Devaki Prasad Sinha.

**Pandit Motilal Nehru :** I think at the present moment that metaphor applies more to this House and the Government than to the Tatas and the consumers. The noose is round the neck of the House and the end of the string is in the hands of my friend the Honourable Sir Charles Innes. Now, it is said that it will be difficult to include in this Bill the complex provisions that would be necessary to attain the desired result, and indeed we are ourselves not quite clear as to what it is that should be included in the Bill. I admit that there is great force in this contention. But there is nothing, in my humble judgment, to prevent this House from committing itself to the principle without going into any details whatever. Assurances have been given from Government Benches that a new Committee or the old Advisory Committee or the Finance Committee will at once be called upon to consider this matter and then the Government will see what steps to take. That, I submit, is not a committal to any policy whatever. The very least that I expect the Government to do is to commit themselves to the principle underlying all these amendments without committing themselves to any particular amendment or the details of it. Now when I am asking that, I am not asking anything new, because we have it in the Fiscal Commission's Report at page 161 where a Member of this Government, the Honourable Mr. Chatterjee, on behalf of Government stated :

“ The settled policy of the Government of India, as I think we have mentioned more than once in this Assembly, is that no concession should be given to any firms in regard to industries in India, unless such firms have a rupee capital, unless such firms have a proportion, at any rate, of Indian directors, and unless such firms allow facilities for Indian apprentices to be trained in their works. This has been mentioned more than once, and I can only repeat this declaration.”

That being the settled policy of the Government of India, if nothing has happened to induce the Government to change that policy, where is the difficulty and where is the harm in putting in a very innocent provision in this Bill declaring that that is the policy ? Now as to how that may be done, we might consider the alternative proposal of my friend Mr. Patel—I know it is not before the House—but I am just referring to it as my own suggestion. I put it in my own way, and I would beg the attention of my Honourable friends opposite to the alternative amendment that I propose. It would run something like this :

“ Provided that nothing in sections 3 and 4 shall apply to any company, firm or other person who starts the business of manufacturing steel rails, fish-plates or iron or steel wagons after the passing of this Act except under such conditions as to the proportion of Indian capital and the Indian element in the management as may be determined by the Governor General in Council in concurrence with the Indian Legislative Assembly.”

You have here the recognition of the principle leaving everything else in the hands of the Governor General in Council to be given effect to by rules to be made by him with the concurrence of the Assembly. It is a suggestion which I make with the concurrence of my Honourable friend Mr. Patel who will be willing to adopt it as his own amendment. And when I put it forward as an amendment, I do not ask the Government to go in the least out of their way, but to concede a principle to which, in my humble judgement, they have been committed all these years. While the control of this House is preserved, the amendment is flexible enough to give the Government their proper share in the determination and selection of the companies which will be entitled to the benefit of these provisions, and what is more important it recognises the principle on which the House insists. Beyond that, it does not go. If necessary, I will move this as a formal amendment, but I hope that my Honourable friends opposite will see their way to accept it.

Now, there is one thing which I wish very clearly to bring to the notice of my Honourable friends opposite. The one predominant note of the whole debate has been suspicion, suspicion, suspicion ; distrust, distrust, distrust. On the one side, there is the suspicion of the Tatas, on the other side, there is the distrust of the Government. Now I cannot say that such suspicion and distrust is wholly unjustifiable. On the contrary, there is good ground for it, as has been pointed out by speaker after speaker, in the past history of this country. So far as Tatas are concerned, that suspicion ranges round the question of labour, its treatment and management. But, that is not the point now before the House. As regards the Government I do not at all mean to convey that I agree with those Members who suspect that the real object of this Bill is to introduce foreign companies into this country. That is an extravagant assumption to make and I cannot be any party to it. But that the Bill leaves a very wide door open for such companies to come in, there is not the slightest doubt. Not that I will not welcome them when they come, if they will let us also have a finger in the pie, but not otherwise. All I ask the House to do is to acknowledge this principle for the present and leave the rest to the rules to be made by the Governor General in Council in concurrence with this House. That

[Pandit Motilal Nehru.]

is my suggestion, Sir, and I hope and trust that it will be adopted by my friends. I am willing to make any verbal alterations in my draft to suit them ; but if they do not see their way to accept it, then I really will be placed in a very difficult position because I cannot honestly ask the House to forego this principle altogether and rest content with the promise that the matter will be considered in a particular committee. I could accept even that if it involved a recognition of the principle—I do not mean that I do not take that assurance such as it is—but what does it come to ? It simply comes to this that you say to us : “ You people have taken so much time over this question : all right we will discuss it with you on some future occasion.” A non-committal sort of thing. I want this House, including the Government Members, to recognise and declare a principle only and leave the rest of the matter to be settled in the best way in which it can be done. That is my suggestion, Sir, and I formally move this amendment :

“ That at the end of clause 3, the following proviso be added, namely :

‘ Provided that nothing in this section and section 4 shall apply to any company, firm or other person who starts the business of manufacturing steel rails, fish-plates or wagons after the passing of this Act except under such conditions as to the proportion of Indian capital and Indian element in the management as may be determined by the Governor General in Council in concurrence with the Indian Legislative Assembly ’.”

**The Honourable Sir Charles Innes** : Sir, may I just say a few words in regard to the amendment of which the Honourable Pandit Motilal Nehru has just given notice. I understand that this is an amendment not to the actual amendment which we are now discussing, that is, Mr. Patel’s amendment, but to the alternative amendment which, I understand, we are not discussing at all at the present moment.

**Mr. President** : Pandit Motilal Nehru’s amendment will take the place of all amendments on this subject. That is the suggestion. If it is accepted, all the other amendments will go out.

**The Honourable Sir Charles Innes** : It is rather difficult for me, Sir, to agree to amendments being moved on the floor of the House on a very controversial and difficult matter of this kind. The Honourable Pandit has asked the Government to commit themselves to a principle and policy. It has already been stated publicly in the Fiscal Commission’s Report that Mr. Chatterjee, on behalf of Government, made this statement :

“ That no concession should be given to any firms in regard to industries in India unless such firms have a rupee capital, unless such firms have a proportion of Indian directors, and unless such firms allow facilities for Indian apprentices to be trained in their works.”

**Pandit Motilal Nehru** : We want nothing more.

**The Honourable Sir Charles Innes** : But why should Pandit Motilal Nehru not be content with a declaration which is already stated ?

**Pandit Motilal Nehru** : The statement is not connected with the steel industry and does not appear in the Bill.

**The Honourable Sir Charles Innes** : The amendment of which he has given notice goes beyond that ; it goes beyond anything that Government have ever committed themselves to.

**Mr. President** : I understand the Pandit is willing to adjust the wording of the amendment to suit the views of Government.

**The Honourable Sir Charles Innes :**

“ Except under such conditions as may be determined by the Governor General in Council in concurrence with the Indian Legislative Assembly.”

I could not possibly agree straight off to an amendment of that kind. moreover, all we have ever agreed to is that such concessions should be given to firms with a rupee capital, that is to say, the Indian investor is given an opportunity of investing. We have never attempted to prescribe a certain proportion of Indian capital and that introduces a new principle as far as we are concerned which we must examine. We could not possibly agree to that. I think the best plan would be, Sir, since I cannot possibly agree to this amendment as it stands, that, if the House agrees, we should adjourn till to-morrow.

**Dr. H. S. Gour :** Sir, may I make a suggestion ? I am just making a suggestion which I am sure my friend Pandit Motilal Nehru will accept. Instead of tacking this clause on to the provisions of clauses 3 and 4, which are transitory, I would suggest the addition of an independent clause at the end of the Bill to the effect that nothing herein contained shall apply to bounties except to cases covered by the Fiscal Commission's Report, section 292. In other words I want a separate declaration.

**Mr. President :** It can only apply to bounties and nothing else.

**Mr. Chaman Lal :** May I suggest, Sir, that the House might now adjourn ?

**The Honourable Sir Alexander Muddiman :** Sir, before the House adjourns, may I suggest that this subject has been thoroughly discussed to-day and there should be no further discussion of it to-morrow morning ?

**Mr. President :** We had a full discussion of this subject and we adjourn now in order to enable the Government to consider how far they are prepared to meet Pandit Motilal Nehru's suggestion, whether in its present form or in some other modified form that may be agreed to. Otherwise we will proceed to the voting on this amendment.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 5th June, 1924.

## LEGISLATIVE ASSEMBLY.

Thursday, 5th June, 1924.

The Assembly met in the Assembly Chamber at Eleven of the Clock, Mr. President in the Chair.

### QUESTIONS AND ANSWERS.

#### CALCULATION OF THE PERIOD OF RE-EMPLOYMENT IN THE MILITARY ACCOUNTS DEPARTMENT DURING THE WAR AS SERVICE TOWARDS GRATUITY OR PENSION.

1246. \*Mr. K. G. Lohokare : (a) Will Government be pleased to state :

- (1) Whether persons with short service who had retired before were re-employed in the Military Accounts Department during the period of the Great War ?
- (2) Whether any of such pensioners were allowed to count towards pension or gratuity, their re-employed service ?
- (3) Whether on re-employment any persons who had retired or were discharged before were reinstated in their former appointments ?
- (b) Whether Mr. S. R. Muley, a former clerk in the Office of the Controller of Military Accounts, late 6th (Poona) Division, Poona invalided after seven years' service, had put in a representation requesting that his subsequent re-employment service of six years in the Office of the Field Controller of Military Accounts which was supported by a physical fitness certificate, be taken into consideration for a claim to proportionate pension ?
- (c) Do Government deal with such cases under Article 361 (a) C. S. R. ?

The Honourable Sir Basil Blackett : The Honourable Member is referred to the replies given to similar questions by Mr. N. C. Kelkar.

#### TREATMENT OF MEMORIALISTS AND PETITIONERS BY THE FINANCE DEPARTMENT.

1247. \*Mr. K. G. Lohokare : Are Government aware of the fact that the memorialists and petitioners, etc., who approach the Finance Department of the Government of India are not even furnished with bare acknowledgments of their applications ?

The Honourable Sir Basil Blackett : Communications of this kind received from non-officials are always acknowledged. As regards officials the channel of communication for memorials and petitions has been prescribed by rules and is, or should be, known to all Government servants. Memorials and petitions sent direct to the Finance Department in defiance



of the orders regarding the channel of submission are not infrequently ignored, though practice in this respect is not invariable. If the circumstances of the case appear to warrant it, the memorial or petition may be sent for disposal to the Head of the applicants' Department or returned to the applicant himself for submission through the proper channel.

INDIA'S REPRESENTATIVE AT THE ADVISORY COMMISSION OF THE LEAGUE OF NATIONS DEALING WITH THE OPIUM TRAFFIC.

1248. \*Dr. S. K. Datta : (a) Will Government state whether India will be represented at the next meeting of the Advisory Commission of the League of Nations to deal with the opium traffic ?

(b) If so has the Indian representative been selected ? If the selection has been made will Government inform the Legislative Assembly as to the name and qualifications of the Indian representative ?

(c) In the event of a representative being sent, will Government inform the Legislative Assembly as to his instructions regarding (1) the internal control of the sale of opium (2) the export of Indian opium (3) the restrictions on the cultivation of opium so as to limit production for medical and scientific purposes alone ?

(d) Are Government prepared to give the Legislative Assembly an opportunity to discuss the instructions given to the Indian representative in the event of one being appointed ?

**The Honourable Sir Basil Blackett :** (a) and (b). It is not clear to which body the Honourable Member refers as the 'Advisory Commission.' If he means the Advisory Committee, Mr. Campbell who has been representing India on that body will continue to do so. If, on the other hand, he means the forthcoming International Conferences about opium and other drugs convened by the League of Nations, Mr. Campbell will represent India at these conferences also.

Mr. Campbell was a member of the United Provinces cadre of the Indian Civil Service and has been latterly employed in the India Office. He is well acquainted with the opium question and the policy both of the Government of India and of the League of Nations.

(c) There are no special standing instructions for Mr. Campbell, who takes the orders of the Government of India on each point as it arises. The general policy of the Government of India in regard to opium is well known to this House, and this Government has always been ready, even at the sacrifice of substantial revenue, to conform as far as possible to the wishes of the League of Nations. It should be pointed out, however, that the control of internal consumption of opium in India is a Provincial Transferred subject.

(d) The Government would have no objection to such discussion if a suitable opportunity arises, but it could hardly take place before the September session.

**Mr. Devaki Prasad Sinha :** Is it not a fact that while the League of Nations sanctions the use of opium for strictly medicinal purposes, the Government of India sanction the use of opium for medicinal and all legitimate purposes also ?

**The Honourable Sir Basil Blackett :** It is a question of the definition of what "medicinal purposes" is.

PROPOSED EXTENSION OF THE DIAMOND HARBOUR BRANCH OF THE EASTERN BENGAL RAILWAY.

1249. \*Mr. Bipin Chandra Pal : With reference to the question by Sir Surendra Nath Banerjea in the Imperial Legislative Council in 1920 regarding the proposed extension of the Diamond Harbour Branch of the Eastern Bengal Railway to Kagdwip *via* Jaynagar, Bistupur and Kulpi and the reply of Government that the Agent had been directed to investigate its traffic possibilities, will the Government be pleased to state the result of such investigation ?

Mr. C. D. M. Hindley : The traffic investigation has had to be postponed. It is however hoped to carry out the investigation this cold weather and the Agent, Eastern Bengal Railway, has the matter in hand.

THE POSTAL INSURANCE FUND.

1250. \*Maulvi Muhammad Yakub : Will the Government please state :

- (a) In what year the Postal Insurance Fund was instituted ?
- (b) In what years since its institution were its assets and liabilities actuarially valued ?
- (c) What bonus was declared at each such valuation ?
- (d) In what year such valuation was made for the last time, and
- (e) When do the Government next propose to actuarially value the assets and liabilities of the Fund ?

Mr. H. A. Sams : (a) 1884.

(b) Actuarial valuation of the assets and liabilities of the Fund was made annually from 1886-87 to 1912 and quinquennially since then.

(c) No bonus was granted before 1907. In 1907 the value of the Life Insurance policies then existing was raised by 10 per cent. and premium rates were correspondingly reduced for Life Insurance policies issued since then. A bonus of 2 per cent. on Life Insurance policies and 1 per cent. on Endowment Assurance policies was granted as the result of valuation in 1911-12. And a similar bonus of 1½ per cent. on Life Insurance policies and 1 per cent. on Endowment Assurance policies was granted as the result of valuation for the quinquennium 1912-1917.

(d) In 1919 for the quinquennium 1912-17.

(e) The question of valuation of the Fund for 1917-22 is under consideration.

EUROPEAN OFFICERS IN THE SURVEY OF INDIA.

1251. \*Maulvi Muhammad Yakub : (a) Will the Government be pleased to state :

- (i) What is the present strength of imported officers in the Survey of India ?
- (ii) What steps are being taken, and to what extent it is proposed to give effect to the recommendations of the Incheape Committee that the number should be progressively reduced ?

(b) What was the *proportion* in 1914, and what is the present *proportion*, of executive and administrative appointments held by imported

officers to the strength of their cadre in the Department of the Survey of India ?

(c) (i) What was the average increase of salary given to officers of Class II and officers promoted to Class I of the Survey of India as a result of the recommendations of the Public Services Commission of 1912-13 ?

(ii) What was the average increase given to analogous services for the same reasons ?

(iii) What percentage of increase was given to the Madras Survey Department ?

(iv) If (i) is less than (ii) and (iii) will Government state the reasons for the differential treatment ?

(d) (i) What is the number of Class II officers of the Survey of India who were reduced from 1st to 2nd class by the introduction of the new T. A. Rules ?

(ii) What other analogous services were originally affected in the same way and which of them have now had their previous classification restored ?

(iii) Will Government give reasons for the differential treatment ?

Mr. J. W. Bhore : (a) (i). Fifty-two.

(a) (ii). The matter is under consideration but no final decision is likely to be reached until the report of the Royal Commission on the superior services in India has been considered.

(b) A statement giving the information required is laid on the table.

(c). (i), (ii), (iii) and (iv), (d) (i), (ii) and (iii). The Government of India regret they cannot give the information required as the labour involved in its collection will not be commensurate with the results.

*Statement showing the proportion of executive and administrative appointments held by imported officers of the Survey of India Department to the strength of their cadre in 1914 and 1924.*

Year.	Number of imported officers.	Number of executive charges appertaining to them.	Number of administrative posts held by them.
1914 .. ..	56	22	5 48.21
1924 .. ..	52	22	6 53.84

Maulvi Muhammad Yakub : Will the Government be pleased to collect the information by taking more time if they cannot do it now ?

Mr. J. W. Bhore : It is not so much a question of the time, Sir, but I suggest to the Honourable Member that if he will kindly let me have later a revised request for information, I may be able to meet him.

Maulvi Muhammad Yakub : Very well, Sir ; I will do so.

FEES OF MR. ROSS ALSTON, BARRISTER, FOR THE PROSECUTION IN THE  
CAWNPORE CONSPIRACY CASE.

1252. \*Maulvi Muhammad Yakub : Will the Government be pleased to state :

- (a) Was Mr. Alston, Bar-at-law of the Allahabad Bar, engaged by the Government of India to prosecute the Cawnpore conspiracy case ?
- (b) How much money was paid to him as his fee and what was his daily fee in the case ?
- (c) Did the Government try to engage any local or outside Indian lawyer to prosecute the case, if not, why not ?

The Honourable Sir Alexander Muddiman : (a) Yes.

(b) Rs. 1,000 for preliminary consultation (one day) at Delhi.

Rs. 2,000 for preliminary work in the case.

Rs. 1,000 *per diem* for consultation with Advocate General of Bengal at Calcutta.

Rs. 500 *per diem* for consultation at Allahabad.

Rs. 1,000 *per diem* when appearing in the case at Cawnpore.

(c) and (d). No. Government employed the Counsel who in their opinion was best fitted to prosecute the case.

DISMISSAL OF MR. S. V. NAIDU, LATE STATION MASTER OF BARABANKI.

1253. \*Maulvi Muhammad Yakub : Will the Government be pleased to state :

(a) Under what circumstances and on account of what charges was Mr. S. V. Naidu, late Station Master of Barabanki, dismissed from the railway after putting in a service of 23 years ?

(b) Is it a fact that Mr. Naidu brought serious charges of corruption against certain railway officers which resulted in his removal from service ?

(c) Was Mr. Naidu given an opportunity of proving the allegations made by him before he was dismissed from service ?

(d) Is it a fact that Mr. Naidu's gratuity was also withheld and he was informed by the Agent of the Oudh and Rohilkhand Railway that he should give an assurance in writing to the effect that in the event of gratuity being granted the same will not be used to re-open his case ?

Mr. C. D. M. Hindley : (a) and (b). Mr. Naidu's services were terminated with a month's pay in lieu of notice in accordance with the terms of his employment, because he had brought grave charges against a responsible officer of the Railway which after investigation were found to be false.

(c) No, as this was not considered necessary. The charges made by him were proved by documentary evidence to be false. He was accordingly, as already stated, discharged with a month's pay in lieu of notice and not dismissed.

(d) In view of the circumstances of his discharge, he was not judged by the Agent to be eligible according to the rules for a gratuity. No such condition as that referred to was proposed by the Agent.

## UNPROTECTED PASSENGER SHED AT THE MORADABAD RAILWAY STATION.

1254. \*Maulvi Muhammad Yakub : (a) Are the Government aware that the newly built passenger shed at the railway station, Moradabad, has got no walls to protect the passengers from the sun, rain and wind and its level is lower than the level of the road so that the water from the road will flow into the shed ?

(b) If so, do the Government propose to order that the shed be protected by walls and proper arrangements be made for its drainage ?

Mr. C. D. M. Hindley : (a) Yes.

(b) The shed is incomplete and it is proposed to provide protection at the sides for half its length. The necessity for providing proper drainage has not been overlooked.

## INDIAN LADIES' WAITING ROOM AT MORADABAD RAILWAY STATION.

1255. \*Maulvi Muhammad Yakub : (a) Is it proposed to remove the Indian ladies' waiting room from the main building of the Moradabad railway station to the newly built passengers' shed and is the shed at some distance and isolated from the main building ?

(b) If so, do the Government propose to stop this proposal being given effect to ?

Mr. C. D. M. Hindley : (a) Government understand that there is no proposal at present to close the Indian ladies' waiting room which forms a part of the main station building. There is a proposal, however, to provide another waiting room for third class *purdah* ladies near the third class waiting hall, which is being re-sited.

(b) Does not arise.

Maulvi Muhammad Yakub : Is it not a fact that it is the third class *purdah* ladies' waiting room which is in the main block of the station building and the proposal is to remove it ? My submission is that it will be very inconvenient if this third class ladies' waiting room is removed from the main block of the station building. It is the third class ladies' waiting room which is in the main block of the station building.

Mr. C. D. M. Hindley : I do not think, Sir, the Honourable Member listened to my answer very carefully. Perhaps I may read it again.

(The Honourable Member then read the answer again.)

## CONSTRUCTION OF A PLATFORM AT KATHGHAR RAILWAY STATION.

1256. \*Maulvi Muhammad Yakub : Are the Government aware that the railway station, Kathghar, and the Ramganga Bridge at Moradabad which is a station both for the O. R. R. and the R. K. R. has got no platform, much to the inconvenience of the passengers, especially the women and the children ? Do the Government propose to order that a platform be constructed at this station at an early date ?

Mr. C. D. M. Hindley : The question of providing a raised passenger platform at Kathghar is under consideration by the Oudh and Rohilkhand Railway Administration.

## PAY AND ALLOWANCES OF THE TWO ARCHITECTS OF THE CENTRAL BUILDINGS, NEW DELHI.

1257. \*Mr. T. C. Goswami : (i) What are the names of the two "architects of Central Buildings" of New Delhi, mentioned in the Budget

as "Specialist Officers" ? What are their qualifications ? Is one an assistant of the other ; or do they hold charge of independent branches of work ?

(ii) What is the salary of each of the two above-mentioned officers ? Did they actually draw any allowances in addition to salary ; and, if so, the amounts so drawn under various headings (travelling, etc.), since the dates of their appointment ? Are they entitled to any 'commissions' as well ?

(iii) Is it a fact that these officers are not required, by the terms of their service, to stay in Delhi for the greater part of the year, and is it a fact that one, or both, of them actually stays out of India the whole of the hot weather ? Are passages to and from England paid by India ? How long did each of the two officers stay in Delhi during the year 1923-24 ?

**The Honourable Sir Bhupendra Nath Mitra :** (i) The names of the architects are :

Sir E. L. Lutyens, and Mr. H. Baker,

So far as their contract work in New Delhi is concerned, they are partners.

For information as regards their qualifications, I suggest that the Honourable Member should refer to "Who is Who" and other biographical records.

(ii) Copies of the agreements have been placed in the Library. The payments made to date are as follows :

(i) Commission .. .. .	£ 145,500
(ii) Travelling Allowances .. .. .	Rs. 56,247
(iii) Fees .. .. .	" 3,39,980

(iii) The answer to all these questions is in the affirmative.

Sir E. L. Lutyens stayed from 3rd January 1924 to 29th February 1924.

Mr. H. Baker stayed from 10th January 1924 to 29th February 1924.

**Mr. A. Rangaswami Iyengar :** Is it the Government's opinion that all the qualifications contained in "Who is Who" referred to justify the drawing of these commissions ?

**The Honourable Sir Bhupendra Nath Mitra :** The answer is in the affirmative.

#### EXPENDITURE ON THE FOREST RESEARCH INSTITUTE, DEHRA DUN.

1258. **Mr. T. C. Goswami :** (i) What is the present number of officers in the Imperial Forest Service recruited in Europe ? What is the present number of Indians in the Imperial Forest Service ?

(ii) Is it a fact that Local Governments have complained that the present system of training in Europe does not attract a sufficient number of Indian candidates of the proper educational qualifications and social status ?

(iii) In what respects is the Research Institute at Dehra Dun unable to provide the training obtained by the probationers in Europe ?

(iv) What is the total amount already spent up to date on the new Forest Research Institute at Dehra Dun ?

(v) What salaries are paid to the European "Experts" in the Research Institute and to their Indian Assistants ? What are their qualifications ?

**Mr. J. W. Bhore :** (i) There are 303 officers of the Indian Forest Service who have been trained in Europe and appointed by the Secretary of State. Of these 33 are Indians.

(ii) The reply is in the negative.

(iii) It is only in respect of certain aspects of "practical silviculture" that the Forest Research Institute and College, Dehra Dun, is not still able to give efficient training, but this deficiency is decreasing steadily as time goes on. The attention of the Honourable Member is also invited to the replies given to Mr. Patel's question asked in the Legislative Assembly on the 11th February, 1924, and to the Honourable Mr. P. C. Sethna's question in the Council of State on the 20th February, 1924, regarding the training of Indian Forest Service probationers at Dehra Dun.

(iv) The Honourable Member is referred to the answer given by the Honourable Sir Narasimha Sarma to the Honourable Mr. P. C. Sethna's question in the Council of State on the 7th March, 1924.

(v) A statement giving the information asked for is laid on the table.

*Statement showing the pay and qualifications of the European Experts and their Assistants employed at the Forest Research Institute, Dehra Dun.*

Name.	Section.	Pay.	Qualifications.
1. Mr. W. Raitt, Officer-in-charge.	Paper Pulp ..	Rs. 1,750 ..	Is a paper and pulp maker by profession. F.C.S.
2. Mr. M. P. Bhargava, Imperial Assistant.	Do. ..	Rs. 375 in the I. F. S. scale and duty allowance of Rs. 150.	Has undergone training in the United Kingdom in pulp making on State Scholarship from the United Provinces.
3. S. Fitzgerald, Officer-in-charge.	Seasoning ..	Rs. 1,750 ..	Is a seasoning expert by profession.
4. L. N. Seaman, Officer-in-charge.	Timber Testing	Rs. 1,750 ..	M.A., B.Sc., A.M.E.I.C.
5. C. R. Ranganathan, Imperial Assistant.	Do. ..	Rs. 375 in I. F. S. scale plus duty allowance of Rs. 150.	B.Sc. (Honours), I. F. S. Officer.
6. Syed Mohammad Hasnain, upper grade assistant.	Do. ..	Rs. 250 plus duty allowance of Rs. 75.	B. & E.E. (Roorkee) with 2 years' practical training in N. W. R., Lahore.
7. Captain J. H. Warr, Officer-in-charge.	Wood Preservation.	Rs. 1,700 ..	Is a wood preservation expert by profession.
8. S. Kamesam ..	Do. ..	Rs. 475 in the I. F. S. scale plus duty allowance of Rs. 150.	B.E. (Mech.), M.E. (Honours).
9. W. Nagle .. ..	Wood Workshop	Rs. 750 in 750—50—850 scale.	Is an expert wood worker by profession.

**Pandit Shamlal Nehru :** The Honourable Member says that the number of Indians is 33 out of 303. May I know what was the number before the Indianisation began ?

**Mr. J. W. Bhore :** I must have notice of that question.

**Mr. Devaki Prasad Sinha :** To what cause do the Government of India ascribe the low percentage of Indians in this Service ?

**Mr. J. W. Bhore :** I am not prepared to assign any reason.

STATEMENT *re* THE TWO JUDGES WHO EXAMINED THE CASE OF INTERNEES IN BENGAL.

1259. **\*Mr. T. C. Goswami :** (i) Has the attention of Government been drawn to a newspaper statement that of the two officers, described by the Governor General in his inaugural Address to the Assembly on the 31st January 1924 as "two High Court Judges", and, later, corrected by the Home Member as "two Sessions Judges", who are stated to have examined the cases of the Bengal internees, one is not even a Sessions Judge but a District Magistrate ?

(ii) If the above statement is true, will the Honourable Home Member be pleased to make a final, definite and correct statement on the subject ?

(iii) Have Government considered the advisability of disclosing the names of the "Judges" ?

**The Honourable Sir Alexander Muddiman :** I invite the Honourable Member's attention to the replies given to questions on the subject asked by Messrs. Syamacharan and Amar Nath Dutt on the 10th March, 1924, and by Mr. Gaya Prasad Singh on the 13th March, 1924.

NOMINATED OFFICIAL MEMBERS OF THE CENTRAL LEGISLATURE.

1260. **\*Mr. T. C. Goswami :** (i) Is it not a fact that among the nominated official Members of the Assembly and the Council of State, other than Honourable Members and Secretaries in charge of Departments of the Government of India, there are some highly-paid officers who have no substantive post other than membership of the Assembly or the Council of State ?

(ii) How many of these officials, referred to above (that is, other than Members of the Executive Council and Secretaries) fill no other posts during the time that the Legislature is not sitting ? How many, if any, of them revert to other duties as soon as a session of the Legislature is over ?

(iii) What were their numbers during the last session of the Legislature in each of the two Houses ? What is the salary drawn by each of them ? Do they receive, in addition to their grade pay, any other allowances, e.g., travelling and halting allowances as M. L. A.'s ?

**Sir Henry Moncrieff Smith :** (i) and (ii). It is presumed that the Honourable Member is referring to officials serving under Provincial Governments who are nominated to represent their Provinces in the Legislative Assembly or Council of State. All such officials hold other appointments when the Chamber of which they are Members is not sitting, and on the termination of a session revert to those appointments unless they proceed on leave.



(iii) During the Delhi sittings of the current session there were 6 provincial officials in the Council of State and 12 in the Legislative Assembly. The Government of India have no information as to their salaries which depend on the nature of their appointments in their Provinces. Officials, whose headquarters are not at the place of meeting, are entitled to the same travelling and halting allowances as non-official Members.

**Mr. T. C. Goswami :** Is it a fact that *all* these officials have substantive posts to which they revert on the termination of the session? All of them?

**Sir Henry Moncrieff Smith :** They all have substantive posts.

**Mr. Devaki Prasad Sinha :** Is it not a fact that one Mr. Forrest was representing the Government of Bihar and Orissa in the Council of State for about a year and at that time he held no substantive post under the Government of Bihar and Orissa?

**Sir Henry Moncrieff Smith :** I think it is extremely improbable.

DISMISSAL OF MR. N. SUBBA RAO, TELEGRAPHIST, BEZWADA.

1261. \* **Mr. T. C. Goswami :** (i) Is it a fact that an order was passed by the Postmaster-General, Madras Circle, in dismissing Mr. N. Subba Rao, Telegraphist, Bezwada, in 1922 after a service of seventeen years, on charges furnished by an anonymous letter and a C. I. D. Inspector's report and that the order sets out the different heads or counts under which he is charged with being either a non-co-operator or one who actively sympathises with the movement?

(ii) If so, will Government be pleased to say :

- (a) Whether there is or has been any rule or order forbidding Government servants to wear Khaddar or declaring the wearing of Khaddar by a Government servant an offence punishable with dismissal?
- (b) Whether contribution by a near relation, *e.g.*, daughter, of a Government Servant to the Tilak Swaraj Fund is forbidden?
- (c) Whether reading of the "Bombay Chronicle" the "Hindu," etc., by a Government servant is forbidden?

**The Honourable Sir Bhupendra Nath Mitra :** (i) The attention of the Honourable Member is drawn to the reply given to question No. 1138 by Mr. Gaya Prasad Singh.

(ii) (a). No.

(b) This will depend on the circumstances of each individual case.

(c) No.

**Mr. T. C. Goswami :** Will the Honourable Member kindly answer my specific question (ii) (b), namely, whether contribution by a near relation, *e.g.*, daughter, of a Government servant to the Tilak Swaraj Fund is forbidden and constitutes an offence for the father?

**The Honourable Sir Bhupendra Nath Mitra :** I have already given reply to that question. It will depend on the circumstances of each individual case, and the opinion of Government will be based on the interpretation of the Government Servants' Conduct Rules.

**Mr. T. C. Goswami :** But this is a specific case.

**Mr. A. Rangaswami Iyengar :** May I know whether a contribution by itself will constitute an offence ?

**The Honourable Sir Bhupendra Nath Mitra :** I will refer the Honourable Member to rule 22 of the Government Servants' Conduct Rules.

**Mr. A. Rangaswami Iyengar :** I want to know the opinion of the Government of India upon that matter.

**Mr. President :** You cannot ask for opinion.

**Pandit Shamlal Nehru :** May I know what action was taken against the wives and daughters of members of the Indian Civil Service who had subscribed to the Dyer Fund ?

**Mr. T. C. Goswami :** That is a humanitarian fund !

**The Honourable Sir Bhupendra Nath Mitra :** I shall require notice of that question.

**Pandit Shamlal Nehru :** I will send notice later on.

**Mr. V. J. Patel :** What is the interpretation of the Government in regard to the rules in the case of a Government servant contributing to the Tilak Swaraj Fund ?

**The Honourable Sir Bhupendra Nath Mitra :** I do not quite catch the Honourable Member.

**Mr. V. J. Patel :** What is the interpretation of the Government of India of the rules guiding Government servants on the question of the contribution by a Government servant to the Tilak Swaraj Fund ?

**The Honourable Sir Bhupendra Nath Mitra :** The Government of India have to form their opinion in each case with reference to the Government Servants' Conduct Rules.

**Mr. V. J. Patel :** But what is the interpretation of the rules so far as this particular question is concerned ? What is the interpretation of the Government of India on this question ?

**The Honourable Sir Bhupendra Nath Mitra :** I have nothing to add to the various replies that I have already given to this House.

**Mr. V. J. Patel :** I appeal to the Chair. I want the interpretation of the Government of India on the rules.

**Mr. President :** It is quite a legitimate answer to give that " I have nothing to add to what I have already said." You cannot compel any Member to give an answer when he says " I cannot add to what I have already said."

**Mr. V. J. Patel :** Does that mean that the Government of India have no opinion ?

**Mr. President :** Order, order.

**Pandit Shamlal Nehru :** May I ask whether the Honourable Member finds it inconvenient to add to the answers he has already given ?

**Mr. V. J. Patel :** May I ask a supplementary question ?

**Mr. President :** If it is a new one.

**Mr. V. J. Patel :** Does this mean that the Government of India have no opinion whatever ?

**Mr. President :** You cannot have a question on a matter of opinion.

**Mr. Devaki Prasad Sinha :** Is there any rule according to which contribution to any fund by a daughter constitutes an offence against the father ?

**The Honourable Sir Bhupendra Nath Mitra :** I have already replied to that question, namely, that each case has to be judged by Government with reference to the circumstances thereof. I have nothing to add to what I have already stated.

**Mr. Devaki Prasad Sinha :** Can Government conceive of any circumstances in which contribution by a daughter involves an offence for the father ?

**Mr. President :** That has already been answered.

**Mr. A. Rangaswami Iyengar :** May I know how the Government expect their subordinates to be guided with regard to the interpretation of this rule if in each case the circumstances have to be judged separately by the Government of India and the Government servants do not know exactly the import of the rule ?

**The Honourable Sir Bhupendra Nath Mitra :** The Government Servants' Conduct Rules are very explicit on the subject.

**Mr. Amar Nath Dutt :** May I know what is rule 22 ?

**Mr. President :** Order, order. The Honourable Member may look at rule 22 instead of putting that question.

**Lala Hans Raj :** May I know if that girl is married or unmarried ?

**The Honourable Sir Bhupendra Nath Mitra :** Our information is that she is unmarried.

**Mr. Amar Nath Dutt :** Has she no property of her own ?

**Mr. President :** Order, order. There have been a sufficient number of supplementary questions. Mr. Goswami. Question No. 1262.

**Mr. Amar Nath Dutt :** I only ask, has she no property of her own ?

**Mr. President :** Order, order.

#### TENDERS FOR LOCOMOTIVES.

1262. **\*Mr. T. C. Goswami :** Will Government be pleased to state :

- (1) The number and type of locomotives for which tenders have been called by the Railway Board at the beginning of this year ;
- (2) The total numbers of tenders which were received ;
- (3) The lowest prices received from tenders from
  - (a) the United Kingdom,
  - (b) India,
  - (c) the Continent (especially, Germany),
- (4) Whether it is true that orders have been placed in the United Kingdom ;
- (5) If the reply to (4) is in the affirmative, what were the reasons which induced the Government to pass over the lower Continental tenders ;

- (6) If there was any departure from the lowest price tender for the same specification, why the benefit of that departure was not given to the Indian locomotive manufacturers instead of being given to the United Kingdom ?

**Mr. C. D. M. Hindley :** As my reply to this question is rather a lengthy one, I will, with your permission, lay it on the table.

**Mr. T. C. Goswami :** Will the Honourable Member kindly read the answer, because the House would like to hear his answer if it is not too long ?

**Mr. C. D. M. Hindley :** The answer is rather long, but if you wish me to do so, I will read it.

**Mr. T. C. Goswami :** The question is a short one, and I request the Honourable Member in charge to answer the question orally to the House.

**Mr. President :** What was the answer given ?

**Mr. C. D. M. Hindley :** My answer was that " the answer is a long one and if you will permit me I will lay it on the table."

**Mr. Gaya Prasad Singh :** Then how can we ask supplementary questions ?

**Mr. T. C. Goswami :** I submit that the questions are very short ones—questions of figures only, and I think the House would appreciate the Honourable Member's reading out his answer.

**Mr. C. D. M. Hindley :** I am perfectly willing to do so, but I was only wishing to avoid wasting, or rather taking up the time of the House.

(1) The Railway Board called for tenders for 60 broad gauge locomotives as follows :

40 of the 4-6-0 type and 5 each of the following types 2-8-0 and 0-6-0 goods and 2-6-4 and 2-8-2 tank.

(2) 21.

(3) The lowest prices tendered for each of the types were :

	4-6-0	2-8-0	0-6-0	2-6-4	2-8-2
(a) from the United Kingdom	£5,950	£6,448/16	£5,135/10	£5,467/15	£5,080
(b) from India .. .. .	Rs. 1,25,538	..	No tenders received	..	..
(c) from the Continent ..	£5,478/13	£5,540/13	£4,542	£4,700/9	£4,464

(4) Orders were placed in the United Kingdom for the 4-6-0, 0-6-0, 2-6-4 and 2-8-2 types. No orders were placed for the 2-8-0 type.

(5) & (6) The forty 4-6-0 type locomotives are urgently needed to cope with traffic on the East Indian Railway. The approximate rupee price of the four lowest tenders was :

Rs. 98,000 for a French tender.

Rs. 1,03,000	} for British tenders.
Rs. 1,06,000	
Rs. 1,10,000	

The British tender at approximately Rs. 1,10,000 per locomotive was selected as the most advantageous of these four because all the locomotives from this firm would be available for use on the line about three months before those offered by the other British firms, and still longer before those offered by the French firm, an order with whom would not be completed for over a year and a half. It was clear that more would be lost by the delay in delivery than the sum of Rs. 12,000 per locomotive by which the accepted British tender exceeded the lowest French tender, or the sum of Rs. 7,000 by which the accepted tender exceeded the lowest British tender.

The Indian firm tendered at approximately Rs. 1,25,500, or about Rs. 15,500 more than the accepted British tender. In addition they could only offer delivery more than three months later. Their tender had consequently to be rejected.

For the 0-6-0 type the three lowest tenders were from a French, an Italian and a British firm. The Italian firm offered delivery after 63 weeks, a period which rendered their tender impossible to accept. The contract was offered to the French firm but was declined by them, and the order was consequently placed with the British firm.

The 2-6-4 locomotives are urgently required for suburban service on the Eastern Bengal Railway, and traffic is being lost by their absence. The two lowest tenders were from a French and a British firm. The British firm offered delivery approximately five months earlier, and their tender was consequently accepted.

The three lowest tenders for the 2-8-2 type were from two French and one British firm. Orders were passed that the contract was to be offered first to the lowest French tenderer and secondly to the next lowest French tenderer, and only if both failed to satisfy the requirements of the High Commissioner for India, to the British firm. One of the French firms failed to satisfy the High Commissioner's requirements and the other declined the contract. The order was consequently placed with the British firm.

**Dr. H. S. Gour :** In view of the statement of the Honourable Mr. Hindley, will he please explain to the House how he can reconcile his statement with the statement published in the newspapers which I will read to him :

“ The Vulcan Foundry, Limited, of Newton-le-Willows, were notified in mail week that their tender for the supply of 40 locomotives for the East Indian Railway Company had been accepted. The engines are of a very heavy type for use on a 5 ft. 6 in. gauge railway. The tenders were put up to open competition which was very keen and the Vulcan Company made a big cut in price in order to keep the work in England. The engines have to be delivered within the next five or six months and their manufacture will provide for a large number of men.”

Another telegram dated the 24th April says :

“ Orders have been placed with Messrs. Hawthorn Leslie and Company, of Beburn-on-Tyne, and Messrs. Kerr Stuart and Company of London for four and six tank engines, respectively, for the Indian State railways in addition to the 40 passenger engines recently ordered from the Vulcan Foundry of Newton-le-Willows for the East Indian Railway Company. The contracts were secured in the face of keen continental competition, the deciding factors being the high class character of the work and speed in delivery.”

**Mr. C. D. M. Hindley :** The Honourable Member asks me to reconcile my statement with the newspaper report. I am not responsible for the newspaper report, Sir.

**Pandit Madan Mohan Malaviya :** May I ask the Honourable Member if it is a fact that on the announcement made by the Government in 1921 that locomotives will be purchased in India the Peninsular Locomotive Company was formed and that on the formation of that company English manufacturers reduced the price of a certain type of locomotives from £13,500 to £5,000 apiece.

**Mr. C. D. M. Hindley :** I think the Honourable Member is asking me to state whether it is a fact that certain statements made by the Tariff Board are correct. (*A Voice :* " Will you please address the House ? ") I am addressing the Chair, not the House.

**Pandit Madan Mohan Malaviya :** Will you speak louder ?

**Mr. C. D. M. Hindley :** I am not going to speak any louder because I can be heard quite clearly all over the House. The Honourable Member Sir, has asked me to state whether certain remarks made by the Tariff Board in their report are correct.

**Pandit Madan Mohan Malaviya :** I did not say that.

**Mr. C. D. M. Hindley :** The Honourable Member's statement appeared to be taken substantially from the Tariff Board's Report and if he was quoting from it, I have no doubt the facts are correct.

**Pandit Madan Mohan Malaviya :** My question was whether it is a fact that on the announcement made by the Government of India in 1921 the Peninsular Locomotive Company was formed, that the company offered to supply locomotives of a certain type which the English manufacturers had offered for £13,500 and that on that company being formed the English companies reduced their price for the same type of locomotives from £13,500 to £5,000 apiece.

**Mr. C. D. M. Hindley :** That is a complete misrepresentation of the facts. The true facts will be found in the Tariff Board's Report.

**Dr. H. S. Gour :** Is the Honourable Member aware of the fact that the Tariff Board Report recommended that, in view of certain facts which they stated, the Peninsular Locomotive Company's claims should receive the special consideration of the Government of India ? Has the special consideration recommended been given to the company or is it to be given ?

**Mr. C. D. M. Hindley :** I am quite aware that the Tariff Board recommended that special consideration should be given to the Peninsular Locomotive Company. We are still waiting for some suggestion from that company for the kind of special consideration which they would like to have.

**Mr. Devaki Prasad Sinha :** Is it a fact that for three years preceding the present year the demand for locomotives in the State-managed railways and Company-managed railways was more than 300 per year.

**Mr. C. D. M. Hindley :** I cannot remember the exact figures, but the number was probably somewhere in the neighbourhood of that.

**Mr. Devaki Prasad Sinha :** Can the Government of India give any reason for this sudden decline in demand from 300 to 60 ?

**Mr. C. D. M. Hindley :** I can give a large number of reasons. I do not know whether I am expected to make a speech on the subject.

If the Honourable Member will give me notice of that question, I will answer it fully. I have a very full and complete explanation for the drop in the demand for locomotives.

**Dr. H. S. Gour :** Is the Honourable Member aware that English railway companies have placed their orders for the supply of locomotives in Germany and that the matter was the subject of debate in the House of Commons?

**Mr. C. D. M. Hindley :** Government are not aware of that fact, Sir.

**Mr. Chaman Lal :** Will the Honourable Member read page 170 of the Tariff Board's Report, which substantiates the statement made by the Honourable Pandit ?

**Mr. C. D. M. Hindley :** I am sorry I have not got the Report with me.

**Dr. H. S. Gour :** We can give a copy with the portions duly marked for the benefit of the Honourable Member.

**Mr. T. C. Goswami :** Is it a fact that the Bombay, Baroda and Central India Railway are making locomotives which are both sound and economical ?

**Mr. C. D. M. Hindley :** The Bombay, Baroda and Central India Railway have manufactured a certain number of locomotives at the Ajmer workshops which I believe are giving good service.

**Mr. Chaman Lal :** May I remind the Honourable Member to read the footnote at page 170 of the Tariff Board's Report.....

**Mr. President :** That is not a question.

**Mr. Chaman Lal :** I am putting the question to him whether it is not correct that the price paid in 1920 for a Locomotive was £13,633 and in 1922 it was £5,120 ?

**Mr. C. D. M. Hindley :** Yes, Sir, I believe that statement is perfectly correct.

**Mr. Devaki Prasad Sinha :** Is it a fact that the price quoted for locomotives in England is much less than the price of the same kind of locomotives in India ?

**Mr. C. D. M. Hindley :** No, Sir, I think I am right in saying that that is not the case.

#### ENCOURAGEMENT OF THE MANUFACTURE OF WAGONS AND LOCOMOTIVES IN INDIA.

1263. \***Mr. T. C. Goswami :** Will Government be pleased to state :

- (1) Whether the Railway Industries Committee recommended that even at a sacrifice industries for the manufacture of wagons and locomotives were to be brought into existence in this country ;
- (2) Whether Sir Charles Innes was Chairman of that Committee and Mr. Hindley a member of it ;
- (3) Whether the recommendations of that Committee were accepted by the Government ;
- (4) Whether they suggested that the amount of subsidy, bounty or other assistance to be given to Indian manufacturers

of wagons and locomotives should be determined by the Tariff Board ;

- (5) Whether the Tariff Board considered this question ;
- (6) Why the Government have allowed decisions to be reached on requirements for the current year before their proposals in the light of the Report of the Tariff Board could be considered by the Assembly ;
- (7) Whether Government propose to institute an inquiry into the conditions of these industries and into the causes why they are unable to compete and what is to happen to them if the Government pursue their policy of not buying in the cheapest market but in the United Kingdom during the remaining two years of the Railway programme of five years sanctioned by the Assembly ?

**Mr. C. D. M. Hindley :** (1) No. The recommendation made by the Railway Industries Committee is to be found in the concluding portion of paragraph 9 of their Report, and is to the effect that the Tariff Board should investigate and make recommendations regarding the locomotive, wagon and similar industries, when considering the question whether protection should be afforded to the steel industry.

- (2) Yes.
- (3) Yes.
- (4) Yes.
- (5) Yes.

(6) The proposals of the Tariff Board were in the hands of Government before a decision was reached on this year's tenders for locomotives ; and a number of wagons has still to be purchased this year, sufficient to enable effect to be given to the recommendations of the Tariff Board as embodied in the Bill to be placed before the Assembly this Session.

(7) The policy of Government is not as stated by the Honourable Member, and they do not propose to institute the inquiry suggested by him.

INQUIRY INTO THE WORKING OF THE GOVERNMENT OF INDIA ACT, 1919.

1264. **\*Mr. T. C. Goswami :** (a) Will Government be pleased to lay on the table a copy of the circular letters issued from the Home Department of the Government of India to the Provincial Governments, early in April 1924, in connection with the inquiry into the working of the Government of India Act of 1919 ?

(b) What steps, other than this circular, have been taken in this matter so far ? and if so with what results ?

**The Honourable Sir Alexander Muddiman :** (a) and (b). Government are not prepared at present to lay on the table a copy of the circular letter referred to. The letter is summarised in the communiqué issued on the 16th instant, a copy of which has already been placed on the table and which also refers to the other steps which have been taken.

**Mr. Devaki Prasad Sinha :** Why are not the Government prepared to lay a copy on the table ?

**The Honourable Sir Alexander Muddiman :** Because the import of the letter has already been communicated to the House.



LIST OF DIRECTORS AND SHAREHOLDERS OF THE TATA IRON AND STEEL COMPANY, ETC.

1265. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to lay on the table :

- (a) a statement showing the list of the Directors and shareholders;
- (b) a copy of the last audit report showing the assets and liabilities, of the Tata Iron and Steel Company ?

The Honourable Sir Charles Innes : (a) and (b). A copy of the last balance sheet of the Tata Iron and Steel Company has been placed in the Library. This also shews the names of the Directors.

The shareholders number several thousands and the Government have not copies of these registers. They can be inspected on payment at the office of the Registrar of Joint Stock Companies, Bombay.

PUBLICATION OF THE LEE COMMISSION REPORT.

1266. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state by what time the Public Services Commission (Lee Commission) report is expected to be published ?

The Honourable Sir Alexander Muddiman : The Honourable Member is referred to the answer given to Dr. H. S. Gour's Question No. 1063, on the 27h May, 1924.

RECOMMENDATIONS OF THE INDIAN BAR COMMITTEE.

1267. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state—when and what action they propose to take on the recommendations of the Indian Bar Committee Report ?

The Honourable Sir Alexander Muddiman : The Local Governments have been asked to furnish the Government of India with their views as well as the views of the High Courts, Judicial Commissioners' Courts, and of legal associations on the recommendations of the Indian Bar Committee. The Government of India propose to await their replies before taking any further action in the matter.

GRIEVANCES OF FARIDPUR RAILWAY PASSENGERS.

1268. \*Khan Bahadur Sarfaraz Hussain Khan : (a) Has the attention of Government been drawn to the letter published in the issue of the *Forward* of the 9th May, 1924, page 8, under the heading "Grievances of Faridpur Passengers" ?

(b) If so, are the statements made in the letter, correct ?

(c) If correct, do Government propose to issue necessary instructions to the railway authorities to remove the grievances complained of ?

Mr. C. D. M. Hindley : (a) Yes.

(b) and (c). Government understand that the suggestions made in the letter are not practicable. Moreover the average daily number of passengers from Calcutta to Faridpur by No. 25 Up, who might otherwise travel by the Chittagong Mail, is small. In the circumstances Government do not propose to take any action.

SHIFTING OF THE SITE OF THE RAILWAY STATION AT FARIDPUR.

1269. \*Mr. Kumar Sankar Ray : Are the Government aware of any controversy going on between two parties at Faridpur (Bengal) regarding

the shifting of the site of the railway station there ? If so, which site do the Government contemplate adopting ?

**Mr. C. D. M. Hindley :** Government are not aware of any controversy going on regarding the shifting of the site of the railway station at Faridpur, but inquiry will be made into the matter.

PROVISION OF LATRINES IN QUARTERS FOR THE MENIAL STAFF OF THE EASTERN BENGAL RAILWAY.

1270. **\*Mr. Kumar Sankar Ray :** Is it a fact that the Eastern Bengal Railway authorities build quarters without latrines attached for the menial staff ? If so, will the Government be pleased to state whether they contemplate directing the provision of latrines in such quarters ?

**Mr. C. D. M. Hindley :** Usually the quarters for the menial staff on the Eastern Bengal Railway are in blocks which have no latrines attached to them but are served by communal latrines situated close by. At small wayside stations, however, where there are few menials they are allowed to use the station platform latrines. Government consider these arrangements sufficient.

**Mr. N. M. Joshi :** May I ask, Sir, whom the Honourable Member calls menials ?

**Mr. C. D. M. Hindley :** I am sorry, Sir, to have had to use the word but it is a common word in use in the railway service, and applies to the lower paid unskilled staff. I quite appreciate the Honourable Member's intention in asking this question, and I have for some time been trying to take steps to remove the designation. I hope we shall be successful in finding a substitute.

**Mr. N. M. Joshi :** The expression was not in question.

**Mr. C. D. M. Hindley :** May I say, Sir, that the expression was used in the question.

EMPLOYMENT OF LADY DOCTORS OR MIDWIVES IN STATE RAILWAY HOSPITALS.

1271. **\*Mr. Kumar Sankar Ray :** Is it a fact that there is no lady doctor or midwife attached to any State Railway hospital ? If so, does the Government contemplate making such provision ?

**Mr. C. D. M. Hindley :** The reply is in the negative. The facilities of local Civil hospitals to which the Railways contribute are open to Railway employés.

MEDICAL ATTENDANCE FOR THE STAFF OF STATE RAILWAYS.

1272. **\*Mr. Kumar Sankar Ray :** Is it a fact that the present system of rendering medical aid to staff of the State Railways is neither sufficient nor adequate to the needs of the staff and in consequence most of the employees have to seek medical aid at their own cost from other practitioners ?

**Mr. C. D. M. Hindley :** There is, so far as Government are aware, no ground whatever for the statement made.

INTRODUCTION OF A TIME SCALE OF PAY FOR THE SUBORDINATE ESTABLISHMENTS OF STATE RAILWAYS.

123. 7 **\*Mr. Kumar Sankar Ray :** (a) Is it a fact that a time scale of pay has been introduced in the Postal, Railway Mail Service and Telegraph Departments in India ?

(b) If so, will the Government be pleased to state if they contemplate introducing such scale in the State Railways subordinate establishment as well ?

(c) If not, why not ?

**Mr. C. D. M. Hindley :** (a) The reply is in the affirmative.

(b) and (c). Railway subordinates ordinarily serve on suitable incremental rates of pay and it is not considered desirable or necessary to make any changes.

#### DIFFERENCE IN RATES OF STARTING PAY OF THE MENIAL STAFF OF THE E. B. AND N. W. RAILWAYS.

1274. **\*Mr. Kumar Sankar Ray :** Is it a fact that the menial staff of the Traffic Department of the Eastern Bengal Railway start on Rs. 11 whereas the menial staff of the Traffic Department of the North-Western Railway begin with Rs. 15 ? If so, will the Government be pleased to state the reason for such difference ?

**Mr. C. D. M. Hindley :** The rates of pay of menial establishments are fixed by local authorities on each Railway and naturally differ according to local conditions affecting the cost of living and consequent standard of wages necessary to secure the staff.

#### QUARTERS OF THE STATION STAFF ON THE E. B. RAILWAY.

1275. **\*Mr. Kumar Sankar Ray :** (a) Is it a fact that most of the thatched quarters for the station staff in the Eastern Bengal Railway are in a bad condition through want of repairs and leak heavily during the wet season and that repeated representations to the local authorities for the purpose have brought no relief ?

(b) If so, do the Government contemplate to remove the cause for further complaint at an early date ?

**Mr. C. D. M. Hindley :** The reply to the first part of the question is in the negative and the point raised in the second part does not, therefore, arise.

#### IMPROVED TYPE OF QUARTERS FOR THE INDIAN STAFF OF STATE RAILWAYS.

1276. **Mr. Kumar Sankar Ray :** (a) Is it a fact that repeated representations have been made to the effect that the type of quarters built for the Indian staff of the State Railways are most unsuitable in point of accommodation, health, etc., and asking for an improved type of quarters ?

(b) Has any action been taken in the matter ?

**Mr. C. D. M. Hindley :** (a) and (b). All types of staff quarters on State Railways are approved by Government and they are not aware that complaints have been made of the unsuitability of types adopted for the Indian staff.

#### GRANT OF MEDICAL LEAVE TO THE STAFF OF THE EASTERN BENGAL RAILWAY.

1277. **\*Mr. Kumar Sankar Ray :** Is it a fact that in many instances District Officers of the Eastern Bengal Railway do not grant immediate leave to the staff on medical grounds for a month or even shorter period when such leave is recommended by the Railway Medical Officers, without referring their cases to the Chief Medical Officers which necessarily entails a good deal of delay and inconvenience to the applicants ?

**Mr. C. D. M. Hindley :** Government have no information on the subject which is moreover a detail of internal administration which must be left to the Agent of the Railway to settle.

**ARRANGEMENTS FOR CREMATION AT LALMONIRHAT ON THE EASTERN BENGAL RAILWAY.**

1278. **\*Mr. Kumar Sankar Ray :** Is it a fact that the Eastern Bengal Railway authorities have discontinued the privilege hitherto enjoyed by the Hindu employees of Lalmonirhat to carry the dead bodies of employees or their relations to Mogalhat in a brake van worked by a shunting engine or by a convenient train for cremation as there is no burning ghat at Lalmonirhat ? If so, do the Government contemplate making some arrangements for cremation at Lalmonirhat ? If not, do the Government propose to direct the Railway administration to make such provision for the Hindu employees as has been made in the case of others ?

**Mr. C. D. M. Hindley :** Yes. The privilege was however authorised under some misunderstanding and was withdrawn after 3 months. So far as Government are aware, no such concession is in existence elsewhere and it is not proposed that any action should be taken in the matter. Local arrangements for the disposal of the bodies of deceased Hindu employees should be made as in other places.

**QUARTERS FOR INDIAN ASSISTANT STATION MASTERS IN THE KATIHAR DISTRICT.**

1279. **\*Mr. Kumar Sankar Ray :** Will the Government be pleased to state how many Indian Assistant Station Masters are there in the Katihar District and how many of them are provided with family quarters and how many with single room quarters ?

**Mr. C. D. M. Hindley :** There are eighty Indian Assistant Station Masters including relieving hands in the Katihar District, forty-six of whom are provided with family quarters and sixteen with single quarters ; the remaining eighteen who are not provided with quarters draw house allowance in lieu.

**PRODUCTION OF MEDICAL CERTIFICATES BY THE ESTABLISHMENT OF THE OFFICE OF THE CONTROLLER OF MILITARY ACCOUNTS, SOUTHERN COMMAND AND POONA DISTRICT, ETC.**

1280. **\*Mr. N. C. Kelkar :** 1. (a) Is it a fact that in almost all cases of leave on medical grounds applied for by the establishment of the Office of the Controller of Military Accounts, Southern Command and Poona District, a production of a certificate from the Staff Surgeon, Poona, is insisted upon ?

(b) Will the Government please state why the certificates granted by medical attendants possessing a degree or diploma registerable in the United Kingdom or a degree or a license in medicine of the University of Bombay, Calcutta, Madras or Lahore, or registered under the Bombay Medical Act VI of 1912 are not accepted ?

2. Is it a fact that promotions to the selection grade (90—5—170) to the extent of 30 per cent. of clerks in the Military Accounts Department have not been notified since April 1922, by the Military Accountant General ? If so (a) will Government state the cause of delay also (b) when are these promotions likely to be notified ?

3. Is it a fact that the Government of India have withdrawn the grant of conveyance allowance sanctioned to clerks serving with regimental units and other Military formations, who reside over 3 miles from the place of duty on the ground that the clerks have gained advantages in the matter of their pay? Are the Government prepared to reconsider their decision?

4. Is it a fact that the Military Accountant General has refused to publish a periodical list of clerks who have passed the Subordinate Accounts Service Examination and are awaiting promotion to that grade, to enable the individuals concerned to ascertain their respective seniority? If so, are Government prepared to ask the Military Accountant General to reconsider his decision?

**The Honourable Sir Basil Blackett:** The answer is a long one and I propose to lay it on the table.

1. (a) and (b). The Government of India have no information on the subject. Under Article 833, Civil Service Regulations, the ordinary rule is for such medical certificate to be countersigned by the officer in chief medical charge of the District in which the clerk resides. The Head of an office can, however, exercise his discretion in accepting or rejecting a certificate furnished by a clerk of his office from his medical attendant without such countersignature.

2. Certain promotions have been made and notified but not to the extent of 30 per cent. Promotions to this extent are not obligatory but depend on the discretion of the Military Accountant General and the existence of suitable candidates.

3. The reply to the first portion of the question is in the affirmative. Reports received showed that the privilege which was not intended to be a source of profit was being abused. Sanction has, however, since been accorded to the grant to permanent accountants and clerks serving with units and formations, of a bicycle advance of Rs. 150 each, recoverable in instalments. The Government are not prepared to reconsider the decision already arrived at by them in the matter.

4. As the promotion of clerks to the Subordinate Account Service is made by selection, the publication of a seniority list of passed candidates serves no useful purpose, more especially as the order would change after each examination. The Government do not consider it necessary to make any change.

#### INQUIRY INTO THE WORKING OF THE REFORMS.

1281. **Mr. Gaya Prasad Singh:** (a) Will the Government be pleased to state if any Committee has been appointed in India to examine the question of constitutional Reforms? If so, what are the terms of reference, and who are the members?

(b) If any such Committee has been appointed, will it tour over the country, and examine official and non-official witnesses? Has any expenditure been sanctioned for the Committee; and if so, how much?

(c) Will the proceedings of the Committee be open to the public, or conducted in camera? Will the Government be pleased to publish all

papers in connection with the appointment of the Committee, and its plan of procedure ?

**The Honourable Sir Alexander Muddiman :** I have nothing to add to the information contained in the communiqués issued on the 16th and 23rd May, copies of which have already been placed on the table.

**ALLEGED ASSAULT BY SOLDIERS ON MR. R. K. SIDHVA AT KARACHI CANTONMENT STATION.**

1282. **\*Mr. Gaya Prasad Singh :** (a) Is it a fact that a Parsee gentleman, named Mr. R. K. Sidhva, who wanted to travel in a railway compartment in which there were a few European soldiers at Karachi Cantonment Station, was abused and brutally assaulted by the latter ; and that they also defied the station authorities and the Military Police ?

(b) What was the seating capacity of the compartment, and how many soldiers were in it ? Was the carriage reserved for Europeans ; and will the Government be pleased to make a full statement of the occurrence ; and also indicate what punishment, if any, has been meted out to the soldiers for their conduct ?

(c) Will the Government be pleased to lay on the table copies of instructions issued by the Military authorities on the behaviour of soldiers on Railways, and otherwise in their dealings with the Indians ?

**Mr. H. B. Pate :** (a) and (b). The attention of the Honourable Member is invited to the replies given to previous questions on this subject asked on the 2nd June, Nos. 1159 and 1165.

(c) Government are not prepared to lay on the table the papers in question.

**Mr. Gaya Prasad Singh :** Why are the Government not prepared to lay it on the table ?

**Mr. H. B. Pate :** The instructions referred to were of a confidential nature and are not entirely suitable for publication.

**COMPENSATION CLAIMS PAID BY VARIOUS RAILWAYS FOR GOODS STOLEN, LOST OR DAMAGED.**

1283. **\*Mr. W. M. Hussanally :** (a) Will Government be pleased to lay on the table a statement showing the amounts disbursed by the various Railways in India during the past 5 years as claims for goods stolen, lost or in any way injured while in transit ?

(b) What steps are being taken by the various Railways to reduce the amount of these claims ?

(c) What has been the cost of the establishment employed to investigate and award such claims on the Railways concerned in each year during the same period ?

(d) What has been the cost of the Railway Police on such Railways during the same period both detective and preventive ?

(e) Is it a fact that a large part of thefts on the Railways are committed by the railway employes ?

**Mr. C. D. M. Hindley :** (a) and (d). Statements giving the information asked for in regard to the principal Railways are laid on the table.

(b) The Honourable Member is referred to the reply given in this Assembly on the 3rd July, 1923, to Question No. 86 put by Mr. B. Venkataraju. I might add that though final figures of compensation claims paid during 1923-24 are not yet available, the estimates show a very considerable reduction on the figures for the previous year.

(c) The information is not available.

(e) Government are not aware that this is so.

(a)—Statement showing the amount of compensation paid by the principal Railways for goods lost or damaged during the last five years.

Railways.	1918-19.	1919-20.	1920-21.	1921-22.	1922-23.
	Rs.	Rs.	Rs.	Rs.	Rs.
Assam-Bengal .. .. .	10,531	19,481	12,535	15,418	23,085
Bengal and North Western ..	67,360	1,09,455	83,972	87,810	1,70,516
Bengal-Nagpur .. .. .	1,13,463	1,75,237	2,00,833	2,64,261	1,98,972
B. B. and C. I. .. .. .	6,39,510	24,98,762	34,64,830	22,68,575	15,67,600
Burma .. .. .	19,859	38,499	42,636	51,209	45,183
Eastern Bengal .. .. .	1,36,172	1,78,478	1,79,243	1,88,539	1,98,554
East Indian .. .. .	8,02,935	12,57,351	21,29,942	27,18,031	53,02,013
G. I. P. .. .. .	6,27,244	12,42,304	25,42,259	28,10,872	19,68,436
Jodhpur-Bikaner .. .. .	43,193	62,371	29,112	41,047	97,428
M. and S. M. .. .. .	2,11,238	2,49,502	2,58,902	2,89,182	2,21,125
Nizam's .. .. .	13,887	17,579	39,970	40,713	38,222
North Western .. .. .	16,63,590	10,73,653	17,82,802	23,40,533	16,81,559
Oudh and Rohilkhand .. ..	1,69,438	1,60,595	3,62,260	4,60,437	4,97,212
Rohilkund and Kumaon .. ..	9,931	20,881	24,147	40,532	45,105
South Indian .. .. .	1,12,044	87,715	95,927	78,830	63,951
<b>Total .. .. .</b>	<b>43,40,395</b>	<b>71,91,863</b>	<b>112,49,370</b>	<b>116,95,989</b>	<b>121,18,961</b>

Statement showing the cost of Police Force borne by the principal Railway Administrations during the last five years.

Railway Administrations.	1918-19.	1919-20.	1920-21.	1921-22.	1922-23
	Ra.	Ra.	Ra.	Ra.	Ra.
Assam-Bengal .. .. .	88,111	92,859	1,06,215	1,21,573	79,041
B. and N. Western .. .. .	75,226	81,547	-12,595*	94,376	93,225
Bengal-Nagpur .. .. .	1,97,665	1,91,397	1,95,011	2,14,275	2,26,512
B. B. and C. L. .. .. .	4,52,731	4,87,090	5,42,877	6,32,391	7,37,773
Burma .. .. .	1,86,373	1,82,857	1,85,147	1,90,953	2,24,391
Eastern Bengal .. .. .	1,07,855	1,33,381	1,42,121	1,48,492	1,50,060
East Indian .. .. .	4,90,990	5,46,106	6,15,387	6,36,236	6,75,208
G. I. P. .. .. .	3,64,223	4,10,963	4,45,667	4,62,630	5,17,438
Jodhpur-Bikaner .. .. .	26,440	39,828	39,988	54,651	52,258
M. and S. M. .. .. .	3,06,407	3,69,015	4,05,621	4,13,263	4,13,746
Nizam's .. .. .	1,49,272	1,55,932	2,09,972	1,74,741	1,78,497
North Western .. .. .	3,91,612	4,22,308	6,91,501	8,27,731	6,38,545
Oudh and Rohilkhand .. .. .	63,254	90,221	1,00,500	1,24,595	1,33,686
Rohilkund and Kumaon .. .. .	22,872	32,469	38,225	29,804	31,634
South Indian .. .. .	2,32,973	2,48,089	2,56,502	2,56,184	2,61,841
	31,56,004	34,83,862	39,62,139	43,81,895	44,13,855

\*The minus figure is due to adjustment.

PRESENT PRICE OF PETROL IN INDIA AND ITS PRICE DURING THE PAST FIVE YEARS.

1284. \*Mr. W. M. Hussanally : (a) What has been the price of petrol in India during the past five years ?

(b) Is it a fact that at present the price is in the neighbourhood of Rs. 2 per gallon ?

(c) Is it a fact that in England it is about Rs. 1-4 per gallon ?

(d) Is it a fact that while in India and Burma there exist large oil fields from which petrol for local consumption is manufactured, England receives its supplies from Persia ?

(e) If so, what are the causes of the differences in price in India and England ?



**The Honourable Sir Charles Innes :** (a) Prices of petrol in Calcutta have been in—

	Rs. A. P.	Rs. A. P.
1919-20 .. ..	1-12-6	
1920-21 .. ..	1-8-6	
1921-22 .. ..	1-14-0	
1922-23 .. ..	1-14-0	
1923-24 .. ..	1-14-0 to 1-11-0.	

(b) It is now Rs. 1-11-0.

(c) The price in the United Kingdom is believed to be 1s. 11d.

(d) The latest statistical return shows that in 1922 the United Kingdom only obtained one-fifth of her supplies from Persia.

(e) The price of petrol in England and India is almost the same, if the excise duty in India be left out of consideration.

**Mr. Chaman Lal :** May I ask the Honourable Member whether he is quoting the retail price or the wholesale price ?

**The Honourable Sir Charles Innes :** The retail price, I think.

**Dr. H. S. Gour :** May I ask the Honourable Member whether he has ascertained since I asked a question a year and a half ago, that Indian Companies were profiteering and that the cost price of petrol was 1 a. 6 p. as stated by the Indian Motor Car Association, and that they were selling petrol by forming a combine at the rate the Honourable Member has quoted ?

**The Honourable Sir Charles Innes :** I do not accept the cost of production quoted by the Honourable Member, nor his statement about combines.

**Mr. Chaman Lal :** May I ask the Honourable Member for the address of the shop where he can get petrol at 1 a. 6 p. ?

#### PREVENTION OF PROFITEERING IN PETROL.

[1285. \***Mr. W. M. Hussanally :** (a) What is the cost of manufacture of petrol in India and Burma ?

(b) What is the average cost of transport ?

(c) What is the average profit the Petroleum Companies make per gallon ?

(d) Is it a fact that all Petroleum Companies in India and Burma have combined and have come to an undertaking with the American Trusts for the sale of Petroleum in India at a fixed price ?

(e) Is it a fact that consumers have from time to time protested against profiteering in the different trades ?

(f) If the Government have no information on the subject will they make inquiries and place the result before the House ?

(g) Who are the shareholders and managers of these Petroleum Companies—Indian or Continental ?

(h) Do Government propose to take steps to prevent this profiteering and high price of petrol ?

**The Honourable Sir Charles Innes :** (a), (b) and (c). The Government have no information.

(d) The Government are aware of no such arrangement with the American Trusts.

(e) The Government are aware that there has been agitation against the price of petrol.

(f) The Government do not propose to institute any such inquiry.

(g) The Government have no information. Lists of the shareholders of companies registered in India can be inspected on payment of fees at the local office of the Registrar of Joint Stock Companies. Names of directors of most of the oil companies in the world are given in the Oil and Petroleum Manual.

(h) The first part of the question contains an assumption which the Government are not prepared to admit. With regard to the second part, I would refer the Honourable Member to my answer to a similar question by Mr. Harchandrai Vishindas.

#### EFFECT OF THE ENHANCED DUTY ON MOTOR CARS.

1286. \***Mr. W. M. Hussanally :** (a) Is it a fact that the enhanced duty on motor cars imposed for the last two years has affected the trade very considerably ?

(b) Is it a fact that in consequence of this high duty American cheap and flimsy cars have stolen a march over the more expensive but substantial English cars ?

(c) If so, do Government propose to take such steps as would benefit the English manufacturer over foreign ?

**The Honourable Sir Charles Innes :** (a) If we go by the number of motor cars imported into India, the trade was very depressed in 1921-22, in which year only, 2,895 cars were imported. These low imports were mainly due to very heavy imports in 1919-20 and 1920-21. A further contributing factor was the extremely high price of motor cars. For instance, in 1921-22, the recorded value of the English motor cars, according to the Seaborne Trade Returns, amounted to no less than Rs. 10,600 per car. In comparison with these two factors the Government of India think that the effect of the 20 per cent. duty upon the trade was small. These views are confirmed by the fact that in the last two financial years, in spite of the increase of the duty in March 1922 to 30 per cent., the import trade in motor cars has improved. The imports in 1922-23 amounted to 4,323 cars and in 1923-24 to 7,984 cars. This increase in imports is no doubt due mainly to the clearance of stocks and to the drop in the price of cars. In 1923-24 for instance, the recorded value of English cars had fallen to Rs. 4,511 per car. Again, the recorded value of American cars in that year was Rs. 2,420 per car against Rs. 4,680 per car in 1921-22.

(b) There is no doubt that the cheaper American car is more freely used in India than the high-priced English car. In 1923-24, out of a total of 7,984 motor cars imported, 3,290 came from Canada and 2,865 from the United States. But owing to the fall in price to which I have just referred there has been an increase in the import of English cars. 1,005 English cars were imported in 1923-24 against 449 in 1922-23.

(c) Government are not clear what course the Honourable Member recommends that they should follow. If he considers that a lower duty

should be placed on English cars than on foreign cars, it is always open to him to move a Resolution to that effect.

**Mr. W. S. J. Willson :** Notwithstanding the increase of the import of cars, do Government not think that the present tax upon the same is still in the nature of a luxury tax and ought to be reduced ?

**The Honourable Sir Charles Innes :** That, Sir, is a question which has to be decided in the light of many other considerations, which considerations, I am afraid, I cannot go into at present.

#### GRANT OF THE FRANCHISE IN CANTONMENTS.

1287. \***Mr. W. M. Hussanally :** (a) Which Cantonments have been given the franchise under the Cantonment Act, 1924, and which not ?

(b) What are the reasons why the latter class has been excluded ?

(c) Have Government received any application from the latter class asking for the extension of the privilege to them ?

(d) If so, do Government intend to reconsider their decision in regard to them ?

**Mr. H. R. Pate :** (a) A statement is laid on the table.

(b) The chief reasons were the smallness of the civil population and the limited financial resources of the Cantonments.

(c) One such application has been received.

(d) As at present advised, Government have no intention of reconsidering their decision.

#### *Statement showing the constitution of Cantonment Authorities under the Cantonments Act, 1924.*

##### (1) Cantonments having elected Boards—

Rawalpindi.	Dum Dum.
Sialkot.	Dinapore.
Ambala.	Allahabad.
Ferozepore.	Cawnpore.
Jullundur.	Mandalay.
Lahore.	Rangoon.
Multan.	Jhansi.
Hyderabad (Sind).	Jubbulpore.
Karachi.	Kamptee.
Deesa.	Mhow.
Nasirabad.	Saugor.
Agra.	Ahmednagar.
Bareilly.	Belgaum.
Dehra Dun.	Kirkee.
Meerut.	Poona.
Ranikhet.	Secunderabad.
Lucknow.	Wellington.
Barrackpore.	Deolali.

##### (2) Cantonments having nominated Boards—

Nowshera.	Quetta.
Peshawar.	Roorkee.
Abbotabad.	Fyzabad.
Jhelum.	Fatigarh.
Kasauli.	Shillong.
Amritsar.	Benares.
Kohat.	Bellary.
Dera Ihsail Khan.	

(3) Cantonments in which the Cantonment authority is a Corporation Sole—

Rasulpur.	Lansdowne.
Cnerat.	Naini Tal.
Mardan.	Muttra.
Campbellpore.	Shahjahanpur.
Murree Galle.	Sitapur.
Murree Hills.	Jalapahar.
Bakloh.	Lebong.
Dalhousie.	Takdah.
Dagshai.	Maymyo.
Dharamsala.	Shwebo.
Jutogh.	Bhamo.
Subathu.	Thayetmyo.
Solon.	Meiktila.
Bannu.	Neemuch.
Loralai.	Nowgong.
Manora.	Pachmarhi.
Ahmedabad.	Aurangabad.
Baroda.	St. Thomas Mount and Pallaveram.
Chakrata.	Poonamallee.
New Delhi.	Santa Cruz.
Landour.	Aden.
Almora.	

**Haji Wajihuddin :** May I know by what time it is proposed to have the Act in force ?

**Mr. H. B. Pate :** It is hoped that the Act will be fully in force by August, but it is impossible to make any definite statement on the subject.

NOTICE OF LOSS OR DESTRUCTION OF MAILS.

1288. **\*Mr. W. S. J. Willson :** What measures are adopted by the Government for the widest possible publication of notice to the public when mails are lost or destroyed *en route* to destination, in order that the legal owners of cheques, drafts, circular notes, letters of credit and other important negotiable instruments or commercial documents may protect themselves against loss ?

**The Honourable Sir Bhupendra Nath Mitra :** At present, as far as possible, the Post Office informs each individual member of the public affected.

Government have decided that in future notice of loss or destruction of mails *en route* to destination shall be given to the public by a Press Communiqué.

ALLEGED CANVASSING OF MEMBERS OF PARLIAMENT BY THE HONOURABLE SIR MALCOLM HAILEY.

1289. **\*Mr. Devaki Prasad Sinha :** (a) Has the attention of Government been drawn to the reports appearing in several Indian newspapers that when the debate on the state of affairs in India took place in the House of Commons on a motion brought by Viscount Curzon, Sir Malcolm Hailey who was present as a visitor took part in canvassing members ?

(b) Are Government in a position to state how far this statement is correct ?

(c) Are members of the Indian Civil Service permitted under the rules of the service to take active part in canvassing members of the House of Commons on any question relating to India ?

**The Honourable Sir Alexander Muddiman :** The Honourable Member is referred to my reply to Mr. Gaya Prasad Singh's Question No. 1113, on the 30th May, 1924.

**Mr. Devaki Prasad Sinha** . That does not answer part (c).

**The Honourable Sir Alexander Muddiman** : Part (c) does not arise.

**NATURALISATION OF INDIANS IN THE UNITED STATES OF AMERICA.**

1290. \***Mr. Devaki Prasad Sinha** : (a) What steps have the Government of India taken to alleviate the hardships resulting from a ruling of the Supreme Court of the United States of America rendering Indians ineligible for naturalisation in the United States ?

(b) How many instances have come to the notice of the Government of India in which Indians have been refused permission to naturalise in the United States ?

(c) What is the date of the ruling referred to in (a) above, and on what date was the first instance of an Indian having been refused permission to naturalise in the United States brought to the notice of the Government ?

(d) When did the Government of India address their first letter on this subject to the Secretary of State for India or to His Majesty's Government in England ?

(e) Will the Government be pleased to state the names of the countries and colonies in which Indians are not allowed to be naturalised ?

**Mr. Denys Bray** : (a) The Government of India have moved His Majesty's Government to take all diplomatic action possible towards the alleviation of the resultant hardships.

(b) Only one case of refusal of an actual application for naturalisation ; the number of past naturalisation affected by the ruling is of course large.

(c) and (d). The Supreme Court of the United States of America delivered its ruling on the 19th February, 1923. The Government of India first heard of an Indian being refused naturalisation on the 21st February, 1923. They addressed their first letter to His Majesty's Government on the subject on the 12th March, 1923—exactly three weeks after the delivery of the judgment at Washington.

(e) The information is not available. Nor could complete information be procured without a direct inquiry being addressed to various foreign Governments. The Government do not propose to institute inquiries, as the adoption of such a course does not appear calculated to conduce either to the dignity or the interests of India.

**Mr. Devaki Prasad Sinha** : Have Government sent a reminder to their agents in the United States asking them to reply to their letter, which was sent about a year back ?

**Mr. Denys Bray** : What agents to reply and to whose letter ?

**Mr. Devaki Prasad Sinha** : To reply to the letter, dated 12th March, 1923.

**Mr. Denys Bray** : We addressed our letter of 12th March, 1923, to His Majesty's Government.

**Mr. Devaki Prasad Sinha** : Have Government received no reply to that letter from His Majesty's Government ?

**Mr. Denys Bray** : The matter is still under active correspondence.

**Mr. Devaki Prasad Sinha :** At what stage does the matter stand ?

**Mr. Denys Bray :** The matter is still the subject of representation to the Government of the United States of America.

**Mr. Devaki Prasad Sinha :** Have the Government received any reply that the Government of the United States are not prepared to consider the question ?

**Mr. Denys Bray :** I submit this question is trespassing dangerously on rule 8 of the Legislative Rules. It must be impinging very nearly on the relations of His Majesty's Government with a foreign power.

**Mr. Devaki Prasad Sinha :** With reference to part (e), do Government consider that the question of the inability of Indians to be naturalised in different colonies is not of sufficient importance to demand an inquiry into this question ?

**Mr. Denys Bray :** I have never said so. I have said that to answer this question would necessitate specific inquiries being addressed to specific foreign Governments, and I have suggested—indeed I hold it very strongly—that to institute such inquiries wholesale round the world would conduce neither to the dignity nor to the interests of this country.

**Sir Parshotamdas Thakurdas :** Will Government be pleased to state the names of countries where Indians are prevented from being naturalised ?

**Mr. Denys Bray :** I certainly require notice of that question.

I am prepared to address inquiries regarding any specific country if Government are satisfied, on examining the question, that to do so would not injure or impair the dignity or the interests of India and Indians.

#### CHANGES IN STATUTORY RULES RELATING TO THE CENTRAL LEGISLATURE.

1291. **\* Mr. Devaki Prasad Sinha :** (a) Has the attention of Government been drawn to the reply given by the Under-Secretary of State for India in the House of Commons in answer to a question asked by Mr. W. J. Baker, M.P. (contained in Reuter's Message, dated 5th May 1924), admitting "the desirability of consulting the Indian Legislature before changes are made in Statutory rules" ?

(b) Are Government prepared to give an undertaking that henceforward no change in the Statutory rules relating to the Central Legislature will be made, without consulting the Indian Legislature and giving it an opportunity for expressing opinion on the proposed change ?

**Sir Henry Moncrieff Smith :** (a) The Under Secretary of State's pronouncement was not in the sense suggested by the Honourable Member who has apparently been misled by an inaccurate press report. The following is the actual text of the relevant part of the Under Secretary of State's reply which has been communicated officially to the Government of India :

"The desirability of consulting the Indian Legislature before changes are made in these and other statutory rules is always considered when the proposed change could suitably be made the subject of such consultation.

This statement of fact is true.

(b) The Government of India are not prepared to give any such undertaking.

ASSAULTS ON INDIAN RAILWAY PASSENGERS BY EUROPEANS.

1292. \*Mr. Devaki Prasad Sinha : (a) Will the Government be pleased to state the total number of cases that have been reported to the Railway authorities, in which Indians have been subjected to insult, assault or outrage by their European fellow passengers ? Will Government be pleased to say if in each such instance inquiries were made by the Railway authorities ?

Mr. C. D. M. Hindley : The Honourable Member has specified no period in his question, but since 1st January, 1921, three cases have been reported to the Railway Board and in each case full inquiries were made.

Mr. Devaki Prasad Sinha : In how many cases were the culprits punished ?

Mr. C. D. M. Hindley : I have not got the particulars with me.

COST OF FREE SUPPLY OF BLUE BOOKS AND ADMINISTRATION REPORTS RELATING TO CENTRAL SUBJECTS TO MEMBERS OF THE INDIAN LEGISLATURE.

1293. \*Mr. Devaki Prasad Sinha : (a) Will Government be pleased to state what would be the approximate cost of supplying free of cost all blue books and the administration reports of all central subjects to Members of the Indian Legislature ?

(b) Are Government aware that members of the Legislative Assembly particularly those who are not well-to-do, are hampered considerably in their work by reason of the failure on the part of Government to supply them with blue books and administration reports ?

(c) Do Government propose to consider this question ?

The Honourable Sir Bhupendra Nath Mitra : (a) The Government of India do not propose to compile the information desired by the Honourable Member as the compilation will involve considerable expenditure of time and labour and no useful purpose will be served thereby.

(b) No.

(c) No. The Honourable Member is referred to the reply given by Sir Malcolm Hailey to Question No. 135 on the 4th February, 1924.

Mr. N. M. Joshi : Are the Government aware that a lot of these blue books are sold by Government as waste paper simply because it is found they are not wanted after some time ?

The Honourable Sir Bhupendra Nath Mitra : Yes, the Government of India are aware of that fact.

Mr. N. M. Joshi : Is it not better that these reports should be given free to the Members of the Legislature ?

The Honourable Sir Bhupendra Nath Mitra : They are not the same reports.

SALE OF GOVERNMENT OF INDIA BLUE BOOKS AT THE HEADQUARTERS OF ALL PROVINCIAL GOVERNMENTS.

1294. \*Mr. Devaki Prasad Sinha : Are Government prepared to arrange for the sale of the blue books issued by the Government of India, at the headquarters of all the provincial Governments ? If not, why not ?

**The Honourable Sir Bhpendra Nath Mitra :** The existing arrangements provide and always have provided for the sale through Local Governments' book depôts of publications of the Government of India.

**APPOINTMENT OF AN INDIAN CHRISTIAN TO THE COMMITTEE ON THE EXPANSION OF THE INDIAN TERRITORIAL FORCE.**

1295. **\*Dr. S. K. Datta :** Will Government state the reasons, if any, why no representative of the Indian Christian community was appointed to the Committee recently formed to report on the expansion of the Indian Territorial Force ?

**Mr. H. R. Pate :** The Committee which Government have appointed adequately represents, in their opinion, the interests of all classes who are concerned in the welfare of the Indian Territorial Force, and Government have no reason to believe that any special interests which the Indian Christian community may possess will not be fully safeguarded. It was clearly not practicable to form the Committee on the basis of communal representation.

**Dr. S. K. Datta :** A supplementary question. May I ask, Sir, what communities were actually represented ?

**Mr. H. R. Pate :** I should require notice of that question, as I should have to examine the list of members of the Committee. On the other hand, I may state that the Committee was not formed on the basis of the representation of specific communities, as I have already stated in my answer to the question.

**Dr. S. K. Datta :** May I ask whether the representative of the Anglo-Indian community in this House is a member of the Committee ?

**Mr. H. R. Pate :** Yes, Sir, he is.

**Dr. S. K. Datta :** Is he concerned with the Territorial Force or the Auxiliary Force ?

**Mr. H. R. Pate :** It is presumed that Colonel Gidney is interested in the welfare of the Territorial Force.

**Dr. S. K. Datta :** I thought in this House he made recommendations in regard to the Auxiliary Force.

**Mr. H. R. Pate :** He is also interested in the Auxiliary Force.

**Sir Purshotamdas Thakurdas :** Was it not regarding the Auxiliary Force that he threatened the Government of India in connection with the sentence of flogging for some Anglo-Indians ?

**Mr. H. R. Pate :** It appears to me that the question does not arise, Sir.

**Sir Purshotamdas Thakurdas :** His threat to His Excellency the Viceroy was in connection with the Auxiliary Force—was it not ?

**Mr. H. R. Pate :** I am not aware of the facts.

**Dr. S. K. Datta :** May I ask whether the Honourable Member is aware of the number of Indian Christians in this country ?

**Mr. H. R. Pate :** No, Sir.

**Dr. S. K. Datta :** And the number of Sikhs, for example ? That surely the Secretary of the Army Department ought to be aware of.

**Mr. H. R. Pate :** No, Sir.



## PAYMENT OF DEBT DUE TO JAGAT SETH TO HIS DESCENDANTS.

1296. \*Mr. Amar Nath Dutt : Are the Government aware of the details of payment of a debt of Rs. 10,38,624-4-0 due to Jagat Seth of Murshidabad the details of which can be found in an extract of the Fort William General consultations, dated 29th January 1772 ? If not, are the Government prepared to inquire into the details ?

(b) Was it a fact that in April of 1766 at Murshidabad Lord Clive in consultation with General Carnac and Mr. Sykes admitted the claim of 21 lakhs lent by Jagat Seth for the support of Mir Jafar's army and the English army which was arranged to be paid half by the Company and half by the Nawab within the space of ten years ?

(c) Was it also not a fact that on May 16th, 1768, the Court of Directors in sending their approval of this arrangement added "family, who have suffered so much in our cause, are peculiarly entitled to our protection" ?

(d) Was this debt ever fully paid to Jagat Seth or any of his descendants ? If so, when ? If not, do the Government propose to pay up the debt even now to his family ?

N.B.—(The reference is to an extract from "Bengal Past and Present"—Vol. XXII, Serial Nos. 43-44 Jan.—June 1921, p. 100 and an appendix).

The Honourable Sir Basil Blackett : The answer to the first part of the question is in the negative.

The Government of India do not know the answers to the remaining parts, but they have no reason to suppose that any such debt, if owed, was not repaid.

Mr. Amar Nath Dutt : Are the Government aware that the debt has not been paid up yet ?

The Honourable Sir Basil Blackett : I am afraid the Honourable Member is deaf. I have just said the Government of India "have no reason to suppose that any such debt, if owed, was not repaid." I am entirely unaware of any facts to the contrary.

Mr. Amar Nath Dutt : Well, I have information here ; look into it and you will see that there is still about Rs. 10,38,000 due to the Seth family.

The Honourable Sir Basil Blackett : I had every reason to suppose that the Honourable Member had the information in his hand ; I have not.

Mr. Bipin Chandra Pal : Is the Honourable Member the legal adviser of the Seths ?

Mr. Amar Nath Dutt : No, I am not. I practise in a different district.

## SOURCES OF SUPPLY OF BEEF FOR THE ARMY IN INDIA.

1297. \*Mr. Amar Nath Dutt : With reference to my Question No. 692 (d) requesting to be supplied with information regarding the quantity of beef received from sources other than the military butcheries to feed the Army in India and the Government reply thereto that to collect that information would be impossible, will the Secretary to the Army Department be pleased to indicate the sources other than the military butcheries that also provide beef for the army in India ?

**Mr. H. R. Pate :** I would invite the attention of the Honourable Member to part (b) of the reply given on the 10th March last to his Question No. 692.

**TOTAL NUMBER OF BOVINE CATTLE SLAUGHTERED IN MILITARY SLAUGHTER HOUSES.**

1298. \***Mr. Amar Nath Dutt :** With reference to the reply to my Question No. 692 (c) that no record is maintained in the military slaughter houses of the classes of animals slaughtered, will the Government be pleased to furnish the total only of the bovine cattle that are slaughtered in such slaughter houses per year without any classification of their kind ?

**Mr. H. R. Pate :** The compilation of the information desired by the Honourable Member would entail an immense amount of labour which, in the opinion of the Government of India, would not be justifiable.

**BEEF FOR THE ARMY IN INDIA SUPPLIED BY CONTRACTORS IN 1923-24.**

1299. \***Mr. Amar Nath Dutt :** (a) Will the Secretary to the Army Department be pleased to state whether contractors supply beef in military areas for feeding the army which supplements the beef obtained for the same purpose from the military slaughter houses ?

(b) If the answer is in the affirmative, where do these contractors slaughter the cattle from which beef is supplied in military areas ?

(c) Is it a fact that in the year 1922-23, 20,714,846 lbs. of beef were received in all military areas in India from contractors ? Was this quantity in addition to what was received that year from the military slaughter houses ?

(d) Will Government be pleased to state the quantity of beef received similarly in 1923-24 in all military areas in India from contractors ?

**Mr. H. R. Pate :** (a) The beef supplied to the Army is obtained from animals supplied by contractors, the animals being slaughtered in military butcheries.

(b) As already stated, the cattle are slaughtered in military slaughter houses and, in a few cases, in Municipal butcheries which are utilised on behalf of the military.

(c) The answer to the first part of the question is in the affirmative. With regard to the second part, in addition to this quantity, beef was also provided by cattle issued from Government cattle depôts for slaughter on field service.

(d) Precise information is not available but, perhaps, the Honourable Member's purpose will be served if he is informed that provision was made in the Army Estimates of 1923-24 for the issue of 20,837,000 lbs. of beef to the Army.

**REPORT OF THE ROYAL COMMISSION ON THE SUPERIOR SERVICES IN INDIA.**

**The Honourable Sir Alexander Muddiman (Home Member) :** Sir, in  
 12 NOON. my statement of the 27th May, I drew the attention of the House to the Report of the Royal Commission on the superior Civil Services. I emphasised the urgency, the unanimity and the interdependence of the recommendations of that body.

[Sir Alexander Muddiman.]

I should like again to emphasise that the Government of India are most anxious that these recommendations should be disposed of with the least avoidable delay. I repeated the assurance previously given that the House shall have an opportunity of discussing the recommendations of the Report but I explained it might be necessary for the Secretary of State to take decisions on matters of urgency.

I pointed out, as had been pointed out by my predecessor on several occasions and as I was bound to do, that nothing which the Government of India or this House could do would bind the Secretary of State in the exercise of his statutory powers. The House is anxious to be informed of the nature of the urgent matters on which it may be necessary or might be necessary for the Secretary of State to take decisions and I promised to lay before the House such information upon the point as I was able to obtain.

I now proceed to give the House that information. I will take the summary of recommendations in the Report we find at page 62. The first recommendation to which I would draw attention is recommendation No. 2 which deals with recruitment in the transferred field, and also recommendation No. 4 which deals with the method of appointment of the central services.

I may explain on that point that it may be necessary to pass immediate orders dealing with recruitment at any rate in individual cases falling under these heads. I understand that certain officers must be recruited.

The next point to which I should like to invite attention is to a very important portion of the Report—probably the House will be greatly interested in it,—certainly the Services at any rate will be more interested in it,—paragraphs 18 to 24.....

**Pandit Shamlal Nehru (Meerut Division: Non-Muhammadan Rural):** May I request the Honourable Member to speak a little louder?

**The Honourable Sir Alexander Muddiman:** I am very sorry, I am speaking as loud as I can.

..... Paragraphs 18 and 24 which deal with pay and paragraphs 34 to 48 which deal with pensions. In connection with that, I had been asked a question with regard to an answer given in the House of Commons, but at that time I had not seen the actual wording of the answer. In the reply in the House of Commons on the 20th May it was made clear that the Secretary of State intended to comply with the wish expressed by the Assembly that no orders should be passed on these points without the Report being discussed by the Indian Legislature.

Of the remaining recommendations which call for urgent orders, the Secretary of State is of opinion that recommendation 28 is one of that nature. It deals with the case of military officers serving in the Political Department.

With reference to recommendations 30 to 33 which deal with the question of passages, the matter is under the consideration of the Secretary of State, and he must retain liberty of action in the matter.

Recommendations 48 to 50 are under examination by the Secretary of State. Those recommendations relate to family pension funds and independent actuarial investigation of the position of the Indian Civil Service Family Pension Fund and the closing of the existing Pension Fund. Those are the matters on which I have received information, and I place all the information in my possession at the disposal of the House.

**Diwan Bahadur M. Ramachandra Rao** (Godavari *cum* Kistna : Non-Muhammadan Rural) : May I suggest to the Honourable the Home Member that he might be good enough to have the statement he just made printed ?

**The Honourable Sir Alexander Muddiman** : Certainly.

**Mr. Chaman Lal** (West Punjab : Non-Muhammadan) : Do I understand the Honourable the Home Member to say that no action on the Report will be taken until this House has discussed the Report ?

**The Honourable Sir Alexander Muddiman** : I have made a very definite statement to the contrary.

**Mr. Chaman Lal** : What I would like to know is this : beyond the urgent matters mentioned by the Honourable the Home Member, will no action be taken on any other part of the Report ?

**The Honourable Sir Alexander Muddiman** : I have instanced the urgent matters on which action has to be taken. The natural presumption is that on other matters no such action is needed.

**Mr. M. K. Acharya** (South Arcot *cum* Chingleput : Non-Muhammadan Rural) : May I know, Sir, if it was not the intention of the Honourable the Home Member to allot a day to the discussion of urgent matters during the session ? It was on that understanding that I did not press my motion for adjournment ?

**The Honourable Sir Alexander Muddiman** : I have not received any application from any Member for that purpose, but there is a motion by Sir Sivaswamy Aiyer which is put down for Saturday.

**Mr. M. K. Acharya** : We were told the other day that what were considered specific urgent matters would be laid before the House and a day found for their discussion ?

**The Honourable Sir Alexander Muddiman** : I have communicated the urgent matters to the House, and it is open to any Member of the House to take such action as the rules would allow in regard to this matter. I have explained in my previous statement that if any Member of this House wishes to raise the question, I should be glad to consider it.

**Mr. A. Rangaswami Iyengar** (Tanjore *cum* Trichinopoly : Non-Muhammadan Rural) : Am I to take it that at present Government do not propose themselves to come up before the House and take its opinion ?

**The Honourable Sir Alexander Muddiman** : You may take it that way.

**Mr. Devaki Prasad Sinha** (Chota Nagpur Division : Non-Muhammadan) : Are we to understand that the recommendations regarding the passage mentioned in paragraphs 30 and 33 will be given effect to immediately ?

**The Honourable Sir Alexander Muddiman** : I will read again what I said on that question. Recommendations 30 to 33 which are the recommendations in question are under the consideration of the Secretary of State, and he must retain liberty of action in the matter.

**Dr. H. S. Gour** (Central Provinces Hindi Divisions : Non-Muhammadan) : May I inquire, Sir, what would be the financial liability if urgent action is taken upon these matters ?

**The Honourable Sir Alexander Muddiman :** I cannot answer that offhand.

**Diwan Bahadur M. Ramachandra Rao :** I wish to make myself quite clear on one point. I want to know whether in regard to pay and allowances, the only question which is considered necessary is the pay of the military officers serving in the Political Department ?

**The Honourable Sir Alexander Muddiman :** That is so. It does not fall within the general recommendations.

**Mr. Devaki Prasad Sinha :** Do the Government of India agree with His Majesty's Government regarding the special urgency about the recommendation in respect of passages and family pension fund ?

**The Honourable Sir Alexander Muddiman :** I am not prepared to make any statement on that.

**Diwan Bahadur M. Ramachandra Rao :** I want to be clear on one more point, Sir. Assuming that some of us, in view of the statement made by the Honourable the Leader of the House, wish to table Resolutions, may I know whether those Resolutions will be considered by you and admitted and placed on the agenda on Saturday along with my friend's Resolution ? It appears that there is no other non-official day allotted in this session. I would therefore suggest for your consideration that you may fix 2 p. m. tomorrow as the time within which Resolutions may be received by you in connection with the matters referred to by the Honourable the Leader of the House ?

**Mr. K. G. Lohokare (Bombay Central Division : Non-Muhammadan Rural) :** I also wish to make the same request, Sir.

**The Honourable Sir Alexander Muddiman :** I have no objection.

**Dr. H. S. Gour :** May I know, Sir, if the Honourable the Home Member has received any reply from the Secretary of State to the communication he sent to him expressing the desire on the part of this House that no action should be taken by him on the recommendations of this Report without consulting this House ?

**The Honourable Sir Alexander Muddiman :** I cannot say that I have received any specific reply, but the Secretary of State has pointed out that he is committed to certain things which I have already read to the House.

**Mr. M. A. Jinnah (Bombay City : Muhammadan Urban) :** It seems to me, Sir, a great deal of confusion has arisen in this matter, and I want definitely to know the position of Government in the matter. As I understand the Honourable the Home Member, he says that he has given us the information that there are certain urgent matters on which the Government of India and the Secretary of State for India are going to take action.....

**The Honourable Sir Alexander Muddiman :** May take action.

**Mr. M. A. Jinnah :** I take it, Sir, that it only means they will take action. If the Government of India say that there is no likelihood of any action being taken until we have discussed the Report, then I can understand it ; but I do say most respectfully the word "may" does not in any way alter the situation. As I understand it, the Government of India take up this position, that the Secretary of State will take action on matters which are urgent matters, and further, the Government of India are not prepared either to allot a particular day or to give us sufficient

time for the purpose of discussing even those urgent matters, leave alone the whole of the Report. That, Sir, I think, is not a right position to take up.

**Mr. President :** The Honourable the Leader of the House says that he will receive Resolutions on these subjects.

**Mr. M. A. Jinnah :** But when ?

**Mr. President :** Resolutions will be received by 2 p. m. to-morrow.

**Mr. M. A. Jinnah :** Then, Sir, when will a day be allotted ?

**The Honourable Sir Alexander Muddiman :** Saturday.

**Mr. Jamnadas M. Mehta (Bombay Northern Division : Non-Muham-  
madan) :** Why not make it Monday ?

**The Honourable Sir Alexander Muddiman :** It depends on the pro-  
gress of the Tariff Bill. I have no objection to Monday.

**Voices :** " Saturday, Saturday. "

**Mr. M. A. Jinnah :** I want to make one more point clear. It is for you, Sir ; I know that you will have to dispense with the Standing Orders. A Resolution cannot be moved in this House.

**The Honourable Sir Alexander Muddiman :** I understood the Honourable the President said he was willing to take it in this House.

**Pandit Shamlal Nehru :** May I ask, Sir, if the Honourable Member will have any objection to read the Secretary of State's reply to this House ? Sir Malcolm Hailey would have done it.

**The Honourable Sir Alexander Muddiman :** I do not propose to do so.

**Mr. Devaki Prasad Sinha :** Have the Government of India considered the financial value of these two proposals ? How much cost it will entail on the public revenues of India ?

**Mr. President :** Dr. Gour has already asked that question and it was answered.

#### THE STEEL INDUSTRY (PROTECTION) BILL.

**Mr. President :** We will now proceed with the consideration of the Bill to provide for the fostering and development of the steel industry in British India. Yesterday we had a debate on Mr. Patel's amendment, No. 41, to which Pandit Motilal Nehru moved a further amendment.

**Pandit Motilal Nehru (Cities of the United Provinces : Non-Muham-  
madan Urban) :** Sir, you were pleased to give the House time to consider the question of the amendment proposed by my friend, the Honourable Mr. Patel, and the amendment to that amendment which I suggested yesterday. Now, after careful consideration, Sir, I would beg your permission to alter the amendment to Mr. Patel's amendment, which I had the honour to propose yesterday. I now beg your leave to move the following to take the place of Mr. Patel's amendment. It runs as follows :

" That clause 5 be re-numbered as clause 6 and, after clause 4, the following clause be inserted :

" 5. Notwithstanding anything contained in section 3 or section 4, no bounty Conditions qualifying for in respect of steel rails, fish-plates or wagons shall bounties. be payable to or on behalf of any company, firm or other person not already engaged at the commencement of this Act in the

## [Pandit Motilal Nehru.]

business of manufacturing any one or other of such articles, unless such company, firm or person provides facilities to the satisfaction of the Governor General in Council for the technical training of Indians in the manufacturing processes involved in the business and, in the case of a company, unless—

- (a) it has been formed and registered under the Indian Companies Act, 1913 ; and
- (b) it has a share capital the amount of which is expressed in the memorandum of association in rupees ; and
- (c) such proportion of the directors as the Governor General in Council has by general or special order prescribed in this behalf consists of Indians '."

Now, Sir, I presume the amendment which I have now the honour to lay before this House covers the whole ground of the debate of yesterday.

**Mr. V. J. Patel (Bombay City : Non-Muhammadan Urban) :** May I just rise to a point of order ? The question is whether this is an amendment to my amendment. This is really an addition of a new clause after clause 4, and my amendment relates to clause 3 for the insertion of certain words. I therefore submit, Sir, that it can be dealt with separately after my amendment has been disposed of. This could not possibly be an amendment to my amendment. This is one point of order.

The second point of order I submit for your ruling is whether Pandit Motilal Nehru can at this stage substitute an amendment for another amendment which was duly moved by him in this House. Is this an amendment to an amendment of an amendment ? I do not know what it really is but there it is. He had moved one amendment ; it was the property of the House. Whether Pandit Motilal Nehru can now, with your permission or without your permission but without the permission of this House, withdraw his own amendment and put in another amendment in its place is open to question.

**Mr. President :** I expect of all Honourable Members composing this House that they keep to certain understandings arrived at. Honourable Members will remember that, after the debate which took place yesterday on Mr. Patel's amendment, a common understanding was arrived at that the Government and non-official Members would explore the possibility of drafting a clause which would cover Mr. Patel's amendment and other amendments of the same character and would present a satisfactory solution of the point of view that various Members were anxious to support. That having been done, Honourable Members are expected to keep to that understanding, and if Pandit Motilal Nehru and those who think with him about this matter are satisfied with the new draft amendment then we expect that Mr. Patel's amendment on this subject, as well as the amendments of other people on the same subject, will not be pressed.

**Mr. V. J. Patel :** That is on the assumption that there has been an understanding.

**Mr. President :** If Mr. Patel is not prepared to accept what Pandit Motilal Nehru is prepared to accept, then the course is very simple. We will now have a complete statement from Pandit Motilal Nehru and the Government as to what they are agreed upon. Then the amendment so agreed to will be moved at the proper time and the new clause will be duly inserted. In the meantime Mr. Patel's amendment can be formally moved and voted upon. Members will know, in view of what

is going to be done, whether they should or should not vote for Mr. Patel's amendment.

**Mr. V. J. Patel :** May I just clear a point, Sir ? It seems that you will allow Pandit Motilal Nehru and also the Government to place their views on the whole question. The result of that will be that it will indirectly affect the result of my amendment prejudicially. If the Pandit's amendment is to be the last thing, then it should be taken up last. Why should it now come in our way ?

**Mr. President :** We are merely resuming the debate where it was left yesterday, and it is necessary for the House to know the result of the negotiations between the Government benches and Pandit Motilal. Surely, I expect that the Honourable Members desire that the House should arrive at a proper decision on this matter with full knowledge of what has happened. It is necessary, therefore, that the House should know what understanding, if any, has been arrived at between Government and those who advocated a particular view yesterday and, after knowing that the House may vote on Mr. Patel's amendment in any manner they like.

**Mr. V. J. Patel :** That means, Sir, that he has not formally moved his amendment.

**Mr. President :** Order, order, Pandit Motilal Nehru is now in possession of the House.

**Mr. V. J. Patel :** I rise to a point of order, Sir. I want to know whether this amendment is moved at present, in view of the fact that I do not agree with it.

**Mr. President :** There is no point of order. Pandit Motilal Nehru is making a statement regarding what has happened since yesterday.

**Pandit Motilal Nehru :** I only rise to finish the statement which I began when I was interrupted by my Honourable friend, Mr. Patel. I have read out to the House what I propose. If it is not permissible at the present stage, I shall propose it when the proper time for it comes, as an amendment which would cover the ground of the debate of yesterday. But there is something which I have got to add to my statement, and it is this. I will remind my friend, the Commerce Member, and the other Government Members, that my amendment is conditional upon their giving an assurance to this House that there will be an *ad hoc* committee elected by this House to go into the question of Indian proportion in the capital and other questions connected therewith. That completes my statement with regard to the proposition that I propose to lay before the House.

Now, Sir, I beg your permission to say one word about the objection which has been taken by Mr. Patel. I submit that there is absolutely nothing in that objection. Here is Mr. Patel's proposition laid before the House which concerns certain matters. I rise to propose an amendment to that proposition relating to those very matters. It is wholly immaterial whether I call it clause 4 or clause 5 or (b) or (c) or X, Y or Z. The point is, what is the actual proposition before the House and whether the amendment I am placing before the House arises out of that proposition ? That is the point, Sir, on which I would ask your ruling. I submit that I am strictly within my rights in proposing the amendment whether it is an amendment to the original Bill



[Pandit Motilal Nehru.]

or it is an amendment to the amendment of Mr. Patel or it is an amendment to the amendment which I proposed yesterday to the amendment of Mr. Patel. Whatever it may be, it is a proposition which, with your permission, Sir, I wish to lay before the House as an amendment to the proposition which Mr. Patel has moved. Now, Sir, the question is whether I am entitled to move it or not. If it is only with your permission that I can move it, then I ask that permission. If it is with the permission of the House that I can move it, I ask the House to give me that permission. But I submit that, having regard to the nature of the amendment, I require no such permission because it comes directly within the four corners of the proposition which was advanced by Mr. Patel. It is absolutely immaterial what I call it, whether I call it a new clause or make it part of the old clause. Therefore, I submit, Sir, that I am perfectly within my rights and I now ask your permission to move the amendment.

**The Honourable Sir Charles Innes** (Commerce Member) : Sir, I should like just to supplement what Pandit Motilal Nehru has said. The House will remember that yesterday, in the course of the debate, Government were pressed to incorporate in the Bill provisions on the lines of paragraph 292 of the Fiscal Commission's Report and on the lines of the statement of policy made by the Honourable Mr. Chatterjee in this House on the 2nd of March, 1922. I have explained yesterday our reasons why we were reluctant to import matter of this kind into the Bill. But we have considered the matter again. We recognise that this is a matter on which the House feels strongly, and we have decided to do our best to meet the wishes of the House. In order to meet the House half-way I am prepared to agree to the amendment of which the Honourable Pandit Motilal Nehru has given notice, and I hope the House will observe that this amendment honours strictly the obligation laid upon Government by the statement of Mr. Chatterjee. I am aware that there are sections in the House which would like to go further and which would like to incorporate in the Bill specific provisions regarding the proportion of Indian capital or specific restrictions upon the proportion of foreign capital. I am prepared to take up separately the examination of questions of that kind and in that examination I am prepared to associate with the Government a Committee of the Legislature appointed *ad hoc* for the purpose. But that is as far as I can go in regard to that matter, and I hope that the House will recognise that the Government, in agreeing to accept Pandit Motilal Nehru's amendment, have tried to meet them half-way in a very difficult matter. I hope also that the House will accept that amendment as a final solution for the purposes of this Bill of all the questions which were covered by our discussions yesterday. I am anxious to bring those discussions to a close, and I think that since the Government have agreed to accept this amendment, it ought to be on the understanding that all other amendments on the subject of foreign capital are withdrawn. I hope, Sir, that you will be able to accept Pandit Motilal Nehru's amendment as embodying an understanding arrived at between a considerable section of the House and the Government and that you will be able to put that amendment to the vote as soon as possible.

**Mr. President** : The position now before the House is this, that in regard to the matter that was debated yesterday on Mr. Patel's amendment Government are willing to accept the proposal of Pandit

Motilal Nehru that an additional clause should be put in after clause 4 which will meet the requirements of the case and the House may take it that it is agreed on both sides—between Pandit Motilal Nehru and those who support him and the Government—that when this clause is moved they will support it. The House can therefore proceed on that understanding that this clause will be accepted by both sides who arrived at that understanding. The amendment as drafted proposes to add a new clause 5 after clause 4. It will therefore perhaps be more regular to move this after we have finished clause 4. We will therefore proceed to clauses 3 and 4 and dispose of Mr. Patel's amendment and other amendments, the House full well knowing the understanding arrived at that at the proper time this additional clause will be inserted in the Bill.

**Mr. Jamnadas M. Mehta** (Bombay Northern Division : Non-Muhamadan Rural) : Is the Committee mentioned to be elected by this House or nominated by Government ? That is not clear.

**The Honourable Sir Charles Innes** : I have not really considered the point. What I said was that I was prepared to associate with Government a Committee of the Indian Legislature appointed *ad hoc* for the purpose. I still keep my mind open whether we should select members from different parties, or whether we should allow the House to elect a proportion of the members of the Committee.

**Mr. Jamnadas M. Mehta** : Much will depend upon this point and it should be made clear.

**Pandit Motilal Nehru** : I understood that the Committee was to be elected by the House and I insist that it should be so elected.

**The Honourable Sir Charles Innes** : I have no objection to that portion of the Committee which will be filled from the Indian Legislative Assembly being elected by the House.

**Mr. President** : I will now put Mr. Patel's amendment.

**Mr. V. J. Patel** : Mr. President.....

**Mr. President** : We had a full debate yesterday on this amendment. We cannot debate it further.

**Mr. V. J. Patel** : Will you allow me to explain to this House that there has been some understanding arrived at between Pandit Motilal Nehru and those who think with him on the one hand and the Government on the other, and you have asked the House in voting on my motion to keep that understanding in view. That being so, it is absolutely necessary, before we proceed to vote, for the Members of this House to understand what is the scope and purpose of the proposed amendment of the Pandit and how it is that I and those who think with me do not accept it. It is absolutely necessary for the House to know the other side before they proceed to vote on my amendment. Otherwise, they are likely to be misled. If you will allow me I will explain very briefly what I want to say.

**Mr. M. A. Jinnah** (Bombay City : Muhammadan Urban) : May I point out that it is entirely within your powers under the Standing Orders. Ordinarily no doubt an amendment relating to a particular clause is taken in its proper order but it is entirely within your powers, if it be objected that two clear days' notice is not given, to suspend the rule on that point, and it is entirely within your powers to take up this

[Mr. M. A. Jinnah.]

amendment at any time you like and deal with it and ask the House to decide upon it. Ordinarily the procedure is that each amendment must be taken up which relates to that particular clause. This amendment of Mr. Nehru relates to clauses 3 and 4 and you cannot separate these two clauses, and therefore it is open to you to rule that you will take it up now.

**Pandit Motilal Nehru :** May I be allowed to explain in one word the reason why I have made it a separate clause. It will be seen that it is really an amendment, as Mr. Jinnah has put it, both to clauses 3 and 4. It is merely as a question of drafting the amendment so as to cover both these clauses. It is for this purpose that a separate clause has been proposed. It is really an amendment to the proposition before the House as put by Mr. Patel, but inasmuch as the same proposition will be before the House in connection with clause 4 and in order to avoid repetition, as a mere matter of drafting I have put it as a separate clause, the subject-matter being the same.

**Dr. H. S. Gour** (Central Provinces Hindi Divisions : Non-Muhamadan) : I wish to point out.....

**Mr. President :** Order, order.

**Dr. H. S. Gour :** Will you kindly allow me.....

**Mr. President :** Order, order.

(At this stage Mr. V. J. Patel rose.)

**Mr. President :** Order, order. I had indicated that I would follow a particular procedure, but it is perfectly open to me to alter the procedure. It is perfectly open to the Chair to so regulate the proceedings as to facilitate a proper decision by the House. I therefore decide that I will take this new amendment first and for the present keep back Mr. Patel's amendment. It is perfectly open to the Chair to take the clauses in such order as it thinks will facilitate a proper decision of the matter by the House. I therefore will allow Pandit Motilal Nehru formally to move this amendment.

**Pandit Motilal Nehru :** I formally move the amendment which has already been read out to the House.

**Mr. President :** Amendment moved :

“ That clause 5 be re-numbered as clause 6 and, after clause 4, the following clause be inserted :

‘ 5. Notwithstanding anything contained in section 3 or section 4, no bounty in respect of steel rails, fish-plates or wagons shall be payable to or on behalf of any company, firm or other person not already engaged at the commencement of this Act in the business of manufacturing any one or other of such articles, unless such company, firm or person provides facilities to the satisfaction of the Governor General in Council for the technical training of Indians in the manufacturing processes involved in the business and, in the case of a company, unless—

(a) it has been formed and registered under the Indian Companies Act, 1913 ; and

(b) it has a share capital the amount of which is expressed in the memorandum of association in rupees ; and

(c) such proportion of the directors as the Governor General in Council has by general or special order prescribed in this behalf consists of Indians ’.”

**Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions : Non-Muhammadan Rural) : I wish to speak on this amendment and to make a proposal to add a proviso to it which I hope will make it acceptable to all sections of the House.

**Mr. President :** We had a full day's debate on the subject-matter of these amendments and I am not going to allow any repetition of that debate. If the Honourable Member has any suggestion to make with regard to this amendment I will hear him.

(At this stage Pandit Madan Mohan Malaviya rose.)

**Mr. V. J. Patel :** When a new matter is introduced into this House  
.....

**Mr. President :** Order, order. Pandit Madan Mohan Malaviya is in possession of the House.

(At this stage Dr. H. S. Gour rose.)

**Mr. President :** Order, order.

**Pandit Madan Mohan Malaviya :** I am glad that the Government have come down to the extent which is indicated by the proposal now before the House. I congratulate them on it. I shall congratulate them further if they will see their way to adopt another suggestion which I am going to place before the House. This amendment says :

“ Notwithstanding anything contained in section 3 or section 4, no bounty in respect of steel rails, fish-plates or wagons shall be payable to or on behalf of any company, firm or other person not already engaged at the commencement of this Act in the business of manufacturing any one or other of such articles.”

unless certain conditions are fulfilled. Now, the granting of a bounty to any firm which is not in existence to-day is a matter primarily and essentially in the power of this Assembly, for it means an application of taxes raised from the people. This was distinctly recognised in a similar legislation which was resorted to in England, and there they made a distinct provision that though the Board of Trade acting on the advice of the Committee which was appointed under the Safeguarding of Industries Act, 1921, should have the power to propose such an order, the order must be laid before the House of Commons under certain conditions for their approval. I therefore suggest that we should add a similar clause here to the clause which has now been proposed. The clause would run like this—I am borrowing the language of the Safeguarding of Industries Act, 1921, section 3, with the necessary modifications :

“ (b) If at the time when it is proposed to make any such order as is referred to in the earlier part of this section, (namely, an order for the payment of a bounty to a firm or company which was not in existence on the day this Act was passed), the Indian Legislative Assembly is sitting, or is separated by such an adjournment or prorogation as will expire within one month, the draft of the proposed order shall be laid before the Assembly and the order shall not be made unless and until a Resolution is passed by the Assembly approving of the draft either without modification or subject to such modifications as may be specified in the Resolution, and, upon such approval being given, the order may be made in the form in which the draft has been approved.

(c) In any other case (that is to say, if the Assembly is not sitting), an order may be made forthwith, but all orders so made shall be laid before the Assembly as soon as may be after its next meeting, and shall not continue in force for more than one month after such meeting unless a Resolution is passed by the Assembly declaring that the order shall continue in force, either without modification or subject to such modifications as may be specified in the Resolution ; and, if any modifications are so made as respects any order, the order shall thenceforth have effect subject to such modification, but without prejudice to the validity of anything previously done thereunder.

Any order approved or continued under this sub-section shall have effect as if enacted in this Act.”

[Pandit Madan Mohan Malaviya.]

I request the Honourable Member in charge of the Bill to be good enough to consider this provision which is merely an extension of the principle upon which this Bill is based, which is that the payment of a bounty has to be sanctioned by this Assembly. You cannot sanction the payment of a bounty to a firm or company which has not come into existence. The English Act recognised this principle even in the case of companies which were in existence when the Act was passed, but here I wish it to be recognised in the case of companies which have not come into existence. The Act should not empower the Government to make payments of bounties to companies which may come into existence in the future ; all that should be allowed, is that the Government should have power to propose such an extension, and that, as is only natural and reasonable, the matter should come before the Assembly for final decision if the Assembly is sitting or is likely to sit within a month. If the Assembly is not likely to sit within a month, then the proviso which I have suggested will authorise the Executive Government to make an order, but that order the Executive Government should be bound to lay before the Assembly at its next meeting, and the continuance of that order or its suspension or modification should be entirely a matter in the discretion of the Assembly. I submit, Sir, that this proposal will merely uphold the principle upon which the payment of the bounties is sanctioned, and I therefore commend it to the Members of Government. I hope they will accept it and if they will accept it, I hope my friend Mr. Patel will see the desirability of not pressing his amendment.

**The Honourable Sir Basil Blackett** (Finance Member) : I desire to say at once on behalf of Government that it is entirely impossible for us to accept any such amendment. Every Indian schoolboy knows, in spite of the bad education which we were told yesterday that he gets (*A Voice* : "Imparted by the Government"), that the Honourable Pandit can make a long speech at short notice on any subject. The matter which he is now seeking to introduce is entirely new. It is an amendment of which we should have to insist on proper statutory notice, an amendment which we could not accept as an amendment to the clause which we have offered as a final solution of the difficult matter that we discussed yesterday. It is not a final solution. I will give the House one reason why it would be quite impossible on merits to accept any such amendment. The object of this Bill, as we stated yesterday, and as was stated many times, is among other things to encourage internal competition with the existing iron and steel companies in India. If any new company which may hereafter be formed in India is not assured, subject to certain conditions, of receiving the bounty which is offered by the Bill but will have to wait until the question whether or not that particular company is to receive the bounty has been discussed in the Legislative Assembly, then the offer of a bounty entirely fails of that object. I should add that we are of course at this time talking in rather a hypothetical region because this Bill as it stands lasts only for three years and the probability of a new company being founded and producing these articles within the period in question is a remote one. None the less the principle which is proposed is entirely unacceptable, and I am afraid that I must say at once that we cannot agree to extend beyond what we have here drafted our proposals in regard to meeting the desire of this House on the matter of importation of capital from abroad. After all the Honourable Pandit Madan Mohan Malaviya's proposal really raises an entirely new subject. It does not even concern

the subject of the importation of foreign capital. It is the subject of the extent to which in certain circumstances the Executive should be subject to detailed restraint by the Legislature, a very big subject but not I think one which we can usefully discuss at the present moment. In view of the long discussions we had yesterday and of the fact that a considerable body of opinion on both sides of the House is prepared to accept this amendment and that the whole subject was discussed up and down yesterday, I would appeal to the House to bring this discussion to an end and to vote here and now on the clause that we have before us.

**Mr. V. J. Patel:** I will not take more than two minutes. I desire to explain why I cannot see eye to eye with my friend Pandit Motilal on this amendment.

**Mr. President:** I must first dispose of Pandit Malaviya's suggestion. The addition that he proposes to make is an amendment which introduces a new subject altogether and I cannot allow that. What we are discussing is Pandit Motilal's amendment. What does the Honourable Member for Bombay want to address the House on?

**Mr. V. J. Patel:** On Pandit Motilal's amendment.

**Mr. President:** We have had a full debate on this subject and I cannot allow further discussion.

**Mr. V. J. Patel:** I just want to say why I cannot see eye to eye with this amendment of Pandit Motilal. I will not take more than two minutes if you will allow me.

**Mr. President:** Please be short.

**Mr. V. J. Patel:** When I saw this amendment at 10-30 this morning, I was considering whether under this amendment of Pandit Motilal Nehru it will be permissible for Government to give a bounty to the United Steel Corporation of Asia, and reading it clause by clause I came to the conclusion that it was not only absolutely open to the Government but that they would be bound to give bounties to that company. Clause 3 of the Bill requiring Government to give bounties to companies with foreign capital remains unaffected by this amendment and my original objection against the inroad of foreign capital as a result of the passing of this Bill stands good. The next thing I want to say is with regard to the proportion of directors. I said that the clause regarding directors in the amendment should stand as follows "such proportion of the directors not less than half as the Governor General in Council has by general or special order prescribed in this behalf consists of Indians". That suggestion was also not acceptable to Panditji and the Government. The whole thing is thus left in the hands of the Government. They will fix the proportion of directors. So any foreign company will get bounty and the whole objection on which my amendment was founded remains as it is.

**Mr. President:** I will now put Pandit Motilal Nehru's amendment to the House. I have already read it. Those who are in favour of the amendment will say "Aye" (*Cries of "Aye"*). Those who are against the amendment will say "No". (There were a few cries of "No"). I think the "Ayes" have it. (*Cries of "No"*.) The volume of sound for "Ayes" is so preponderating that I do not think a division is necessary.

**Pandit Shamlal Nehru** (Meerut Division: Non-Muhammadan Rural): On a point of order. I do not want a division, but I think, according to the rules, even if one single Member wants a division, he is bound to get it. I think the rule is 53 (3).

**Mr. President :** It is perfectly open to the President, if he is satisfied on the shout that there is a clear preponderance of opinion on one side and that the division is asked for frivolously and merely for purposes of delay, to refuse the demand for Division.

**Mr. M. A. Jinnah :** The Standing Order says this :

“ Votes may be taken by voices or division, and shall be taken by division if any member so desires. The President shall determine the method of taking votes by division.”

If any member requires a division, the Standing Order says it shall be given.

**Sir Henry Moncrieff Smith** (Secretary, Legislative Department) : The practice in regard to divisions is well known to Members of this House. Our President for the first three years in a case of the kind which has now arisen used to ask those Members of the House who desired a division to stand in their places. If only one Member or two Members stood, the President used to rule that a division was claimed frivolously and for purposes of obstruction and he did not allow it.

**Mr. President :** Those who are against this amendment will stand up in their places. (Some Members stood up.) There are seven in all.

**Mr. N. M. Joshi** (Nominated : Labour Interests) : There are others who do not want to vote.

**Mr. President :** Those who are against the amendment are only seven in number.

**Mr. N. M. Joshi :** I am not in favour of the amendment and I do not want to vote.

**Mr. President :** Those who are in favour of the amendment will stand up. (A large majority of Members stood up.)

The motion was adopted.

That disposes of No. 41.\* It also disposes of Mr. Lohokare's amendment No. 21,† and also No. 61,‡ Mr. Duraiswami Aiyangar's amend-

\* In clause 3, line 19, after the word “ shall ” insert the following :

“ On being satisfied that at least two-thirds of the capital invested in the business concerned is Indian.”

If the above is not accepted then—

To clause 3, add the following proviso :

“ Provided that nothing in this section shall apply to any company, firm or other person who starts the business of manufacturing steel after the passing of this Act except to the extent and in the manner to be determined by a Resolution of the Legislative Assembly in that behalf.”

† After clause 4, the following new clause be added to the Bill :

“ 5. Bounties mentioned in sections 3 and 4 shall not be paid to any company, firm or other person engaged in the business of manufacturing steel in India, that does not satisfy the following conditions—

- (a) That the manufacturers, if a company or a firm are registered and incorporated in India and hold a rupee capital.
- (b) That at least half of the managers, directors or organisers of the industry are natives of India.”

‡ After clause 4, the following new clause be added to the Bill :

“ 5. (1) Any bounty that is payable under this Act shall be allowed only to those concerns the proprietors and directors of which are Indians to the extent of at least  $\frac{1}{4}$ ths of their numbers and the chief controlling and managing authority of which is entirely Indian.

(2) If any firm or individual proprietor who has received a bounty under this Act should transfer the concern to an extent exceeding one-fourth thereof to a non-Indian individual or firm within three years from the date of the last receipt of bounty the entire bounty received by the said individual or firm under this Act shall be repaid to the Government with interest at 6 per cent. per annum from the several dates of receipt of bounty, and the said bounty shall be a first charge on the assets of the concern till the expiry of the aforesaid period of three years from the date of the last receipt of bounty.”

ment. Amendment No. 42\* proposes an appropriation of revenue which cannot be moved without the consent of Government. No. 43,† Mr. Dutt's amendment, is consequential on No. 22 which has already been disposed of and this therefore falls with it. Mr. Acharya's amendment No. 44‡ also proposes an appropriation and is out of order on that account. The same applies to No. 45§ and to 46.¶ No. 47,|| Mr. Dutt's amendment, is entirely outside the scope of the Bill.

**Mr. Chaman Lal** (West Punjab : Non-Muhammadan) : May I be allowed to point out as regards No. 47 that it says that bounties are not to be paid to any firm which the Tariff Board considers does not treat its labourers satisfactorily. I consider, Sir, since you have accepted the principle of not paying bounties to any firm that does not comply with certain conditions laid down, it cannot possibly be outside the scope of the Bill to recommend the restriction of the payment of bounties.

**Mr. President** : I cannot allow you to speak on the merits. You can only speak on the point of order and on that point I want to hear only the mover of the amendment.

**Mr. Chaman Lal** : I am not speaking on the merits but on a point of order.

**Mr. President** : Mr. Dutt alone can speak on that.

**Mr. Amar Nath Dutt** (Burdwan Division : Non-Muhammadan Rural) : In respect of 47, Sir, I submit that as you have accepted the principle that bounties should be given under certain circumstances to any firm containing a certain number of Indian shareholders and so forth, I submit that this amendment also will restrict the giving of bounties and in this way is in order and I may be allowed to move this amendment.

**The Honourable Sir Charles Innes** : Sir, 47 is consequential on No. 24 which you have already ruled out of order. It refers to the Tariff Board which Mr. Dutt proposes in No. 24.

**Mr. President** : The amendment is out of order.

**Mr. N. M. Joshi** (Nominated : Labour Interests) : Sir, I do not want to speak on the merits but I want to point out to you.....

**Mr. President** : I have already ruled that the amendment is out of order. It is finished.

No. 48\*\* again is out of order.

\* In clause 3—in sub-clause (a) for the word and figures " Rs. 32 " the word and figures " Rs. 40 " be substituted.

† Sub-clauses (b) and (c) of clause 3, be deleted.

‡ " In clause 3—in sub-clause (b), for the word and figures " Rs. 26 " the word and figures " Rs. 35 " be substituted.

§ In sub-clause (c), for the word and figures " Rs. 20 " the word and figures " Rs. 30 " be substituted.

¶ In clause 3 (c), for the figures " 1927 " the figures " 1929 " be substituted.

|| In clause 3 (c), for the figures " 1927 " substitute the figures " 1929 ".

\* To clause 3, the following proviso be added :

" Provided that the Tariff Board shall not recommend any such bounty, when it is of opinion that the treatment of labourers under the firm, company or person is unsatisfactory."

\*\* To clause 3, add the following proviso at the end :

" Provided that nothing in this section shall apply to any company, firm or other person who starts the business of manufacturing steel after the passing of the Act except to the extent and in the manner to be determined by a Resolution of the Legislative Assembly in that behalf. Provided further that out of the amount of the bounties that may be earned by the Tata Iron and Steel Manufacturing Company, Ltd., under this section a sum not exceeding rupees eleven lakhs and fifty thousand shall be paid by Government of India to the Bombay Municipal Corporation preferably three equal annual instalments."



**Mr. Jamnadas M. Mehta :** First of all, Sir, this is numbered wrongly. It ought to be numbered 48 and 49, because there are two provisos each distinct from the other, and I would request you to rule separately on each. So far as the first is concerned it is covered by Pandit Motilal Nehru's amendment and I do not want to press it. As regards the second, will you allow me to move it, or is that out of order too.

**Mr. President :** That is clearly within the ruling I have already given about the sharing of profits.

**Mr. Jamnadas M. Mehta :** No, Sir, this has nothing to do with profits

**Mr. President :** It is an appropriation of revenue without a recommendation of Government, and I have already ruled on that.

That disposes of clause 3.

Clause 3 was added to the Bill.

**Mr. President :** Then we come to clause 4. The first amendment No. 49\* is Mr. Dutt's. That falls because 24 is already gone. No. 50† comes within the ruling I have given. No. 51‡ proposes to extend the period of the Act and is therefore out of order. No. 52,§ Mr. Acharya's is out of order as increasing the charge on the revenues. No. 53|| hangs on No. 26 already disposed of. Then No. 54,¶ Mr. Dutt's, proposes an appropriation of revenue with the approval of the Legislative Assembly and you cannot appropriate in that way. Then No. 55\*\* brings in the labour question. As I have already ruled on a similar amendment, this is outside the scope of the Bill.

**Mr. N. M. Joshi :** On this point we are anxious to know how, when you are protecting Indian directors of companies, the proposal to protect the Indian labour engaged in the industry could be out of order.

**Mr. President :** The Honourable Member will remember that I cannot go on continuously arguing this question. I have already definitely ruled about it on half a dozen previous occasions. I cannot allow any further discussion. (Mr. Chaman Lal rose at this point and spoke for some time with Cries of "Order, order" from all parts of the House.) The Honourable Member must resume his seat.

\* In sub-clause (1) of clause 4 :

(a) after the words "Governor General in Council" the words "on the recommendation of the Tariff Board" be inserted,

(b) for the word "may" the word "shall" be substituted.

† In sub-clause (1) of clause 4 :

(a) delete the words "each of" in line 2,

(b) delete the words and figures "1925 and 1926",

(c) delete the words "in any one financial year".

‡ In clause 4 :

omit the word "and" between the figures "1925" and "1926"; and

after the figures "1926" insert the word and figures "1927, 1928 and 1929".

§ In sub-clause (1) of clause 4, for the words "seven lakhs" the words "ten lakhs" be substituted.

|| In sub-clause (2) of clause 4, before the word "prescribe" the words "and in consultation with the Standing Tariff Board mentioned in sub-section (1) of section 2" be inserted.

¶ In sub-clause (2) of clause 4, after the words "Governor General in Council" the words "with the approval of the Indian Legislative Assembly" be inserted.

\*\* To sub-clause (2) of clause 4, the following proviso be added :

"Provided that the Tariff Board shall not recommend any such bounty, when it is of opinion that the treatment of labourers under the firm, company or person is unsatisfactory."

Then we come to Mr. Mehta's amendment No. 56.\* That has already been covered by Mr. Motilal Nehru's amendment. Then No. 57,† Mr. Patel's which is already covered by previous rulings.

Mr. V. J. Patel : Even the revision of clause 5.

Mr. President : Yes.

Mr. V. J. Patel : I have changed it, Sir.

Mr. President : In whatever form you put it the substance is the same.

Mr. V. J. Patel : May I know the reasons for the ruling.

Mr. President : I have already given them before.

The Honourable Sir Charles Innes : May I point out, Sir, that you have not put clause 4.

Clause 4 was added to the Bill.

Mr. President : As the House has already resolved, clause 5 has been inserted. It was moved by Pandit Motilal Nehru.

Then comes Mr. Patel's amendment No. 57. I have already said that it is out of order.

Then comes Mr. Piyare Lal's amendment No. 58‡. That also is out of order. But I am prepared to hear Mr. Piyare Lal on that point.

Lala Piyare Lal (Delhi : General) : I submit, Sir, that my amendment is in order inasmuch as it is not opposed to the object of the Bill. My amendment, Sir, is in the interests of the large body of wholesale dealers. As we are finding out a remedy and are applying it for the benefit and protection of this industry, it is our duty to see that our gift reaches the party for whom it is really meant.

Mr. President : The Honourable Member is now arguing the merits of his amendment. I wanted him to confine his remarks to the question as to whether his amendment is in order.

\* At the end of clause 4, add the following proviso :

“ Provided that the benefit of this section shall not accrue to the manufacturers of iron and steel wagons who commence their business after the passing of this Act except to the extent and in the manner to be determined by a Resolution of the Legislative Assembly in that behalf.”

† “ 5. All departments of the Government of India, all State-owned railways and all Local Administrations in charge of the Government of India shall not buy any of the steel items specified in Part VII of the Indian Tariff Act provided herein unless they are manufactured in India except where the same is not available in the market.

6. If the Governor General in Council is satisfied, after such inquiry as he thinks necessary to make that the Indian manufacturer of steel is unable to sell his output in certain important Indian markets like Bombay, Madras, Karachi and Rangoon, at market prices, he may direct that a freight subsidy not exceeding in any particular year a sum of rupees six lakhs be granted to such manufacturer.”

‡ After clause 4, the following new clause be added to the Bill, namely :

“ 5. (1) As long as this Act remains in force no company, firm or person engaged in the manufacture of steel or iron shall create any monopoly among buyers or grant special concessions to any buyers of their product and shall be bound to prescribe equal rates, terms and conditions for all buyers of a quantity to be fixed by the Governor General in Council and to be published in the Gazette of India.

(2) Any breach of this rule shall be punishable by a penalty equal to the amount of concession granted by the company, firm or person to be imposed by the Governor General in Council.

(3) The Governor General in Council shall frame rules for the conduct of inquiry to be held for the purposes of sub-clause (2).”

**Lala Piyare Lal :** What I submit, Sir, is that any monopoly that may be created either now or in the future should be prohibited. The monopoly will be for the benefit of the companies themselves.

**Mr. President :** You are again arguing the merits of your amendment.

**Lala Piyare Lal :** No, Sir. The object of my amendment is.....

**Mr. President :** It is no use the Honourable Member saying " No, Sir " every time I point out to him that he is discussing the merits of his amendment. I want him to convince me how it is in order.

**Lala Piyare Lal :** My object is.....

**Mr. President :** I am not concerned with the object of the Honourable Member's amendment. I am only concerned to find out how his amendment is in order.

**Lala Piyare Lal :** My point is that any monopoly or concession should be declared void and not binding upon the company, so that it shall be relieved from any such contract and will get the full benefit of the protection that we are aiming at.

**Mr. President :** I have no doubt in my mind that the clause proposed to be added is out of order.

The next amendment stands in the name of Mr. Bipin Chandra Pal, No. 59\*. I think it is very clearly out of order ; but I am prepared to hear Mr. Pal.

**Mr. Bipin Chandra Pal (Calcutta : Non-Muhammadan Urban) :** It is very difficult to argue a negative proposition. What is in order and what is not in order is the law made by the President of this House and I do not think I should waste the time of this House by arguing a point upon which the President has already made his decision.

**Mr. President :** Then amendment No. 59 is out of order.

The next amendment stands in the name of Diwan Bahadur Ramachandra Rao, No. 60.† I think this amendment is met by the additional clause that has been inserted in the Select Committee.

**Diwan Bahadur M. Ramachandra Rao (Godavari *cum* Kistna : Non-Muhammadan Rural) :** Yes, Sir.

**Mr. President :** Amendment No. 61‡ has been disposed of already.

\* After clause 4, the following new clause be added to the Bill :

" 5. After the passing of this Act the Governor General in Council shall appoint a Committee one-third of which shall be elected by the elected members of the Legislative Assembly, one-third to be nominated by the companies, firms or persons engaged in the business of manufacturing steel in India according to rules framed by the Governor General in Council, and one-third to consist of experts selected by the Governor General in Council. The Committee shall exercise general supervision over the companies, firms or persons engaged in the business of manufacturing steel in India in the interest of the general tax-payer in accordance with regulations to be framed under this Act by the Governor General in Council.

The excess of net profits over and above 10 per cent. earned by such companies, firms or persons shall be divided into three parts, one part to be distributed among the shareholders of the companies, firms and persons engaged in the business of manufacturing steel in India, one-third to be devoted to the promotion of the welfare of the labourers employed by such companies, firms or persons, and one-third to be paid to the public revenues."

† After clause 4, the following new clause be added to the Bill :

" 5. The Governor General in Council shall before the 31st day of March, 1927, cause an inquiry to be made in regard to the steel industry and the effect of the payment of bounties provided for in this Act."

‡ See foot-note on page 2670.

**Mr. C. Duraiswami Aiyangar** (Madras ceded districts and Chittoor : Non-Muhammadan Rural) : I desire to say, Sir, that it has not been disposed of wholly. It is only the first part that has been disposed of. The second clause has not been covered by any ruling from the Chair. The second clause says :

“ If any firm or individual proprietor who has received a bounty under this Act should transfer the concern to an extent exceeding one-fourth thereof to a non-Indian individual or firm.....”

**Mr. President** : Order, order. This clause raises the same principle which has already been disposed of by the additional clause that has been inserted in the Bill.

**Mr. C. Duraiswami Aiyangar** : Will you please hear me on this point?

**Mr. President** : I do not think I have any doubt in the matter.

Then we come to amendment No. 62\* standing in the name of Mr. Rama Aiyangar. That, again, is clearly outside the scope of the Bill.

(Mr. K. Rama Aiyangar made some remarks which were quite inaudible.)

**Mr. President** : You are again repeating the same old argument that you advanced yesterday. No. 62 also goes out.

Then we come to No. 63† standing against the name of Mr. Devaki Prasad Sinha. It is not an amendment, but a pure negative.

**Mr. Devaki Prasad Sinha** (Chota Nagpur Division : Non-Muhammadan) : I submit, Sir, that before you put that clause to the vote, or allow it to be discussed, or whether you allow my proposition to stand.....

**Mr. President** : Order, order. We will deal with it when the proper stage arrives. Mr. Jamnadas Mehta.

**Mr. Jamnadas M. Mehta** : Sir, I move :

“ In clause 5, after the words ‘ may appoint in this behalf ’ insert the words ‘ out of a panel of elected members of the Assembly to be specially recommended by that body ’.”

The object of this amendment is that this inquiry which is proposed that the Governor General in Council shall make ought to be so conducted....

\* The following new clauses be added to the Bill at the end :

“ 5. (a) It shall be lawful for the Governor General in Council and the Legislative Assembly if satisfied after inquiry, that any individual, firm or company, established before or after the passing of this Act, which enjoys the benefit of the protective tariff duty specially levied or bounty given under this Act begins to make a net profit of 12 per cent. of its capital, to levy a special duty on the individual, firm or company at a rate that will cover in the course of such period as the Governor General in Council might decide upon, the amount that has been ultimately borne by the taxpayer and the consumer by the protection afforded by this Act together with a reasonable rate of interest on such amount.

(b) For this purpose the Governor General in Council might call for such information and accounts from the individual, firm or company at such periods as might be decided upon by him. The duty levied in pursuance of this Act shall be independent of any taxes leviable under the Income-tax Act.

6. It shall be lawful for the Governor General in Council, if satisfied after inquiry that any individual, firm or company, combined and put up prices on any article manufactured by the individual, firm or company protected by the tariff duty levied for bounty given under this Act to the detriment of the consumer, to regulate the selling prices thereof by issuing orders to the individual, firm or company concerned, and the individual, firm or company shall on receipt of such orders be bound to carry them out.”

† That clause 5 be omitted altogether.

**Pandit Shambhu Dayal Misra** (Central Provinces Hindi Divisions : Non-Muhammadan) : On a point of order, Sir. May I know what is the proposition before the House.

**Mr. President** : The proposition before the House is that clause 5 of the Bill as sent up by the Select Committee stand part of the Bill.

**Mr. Jamnadas M. Mehta** : The amendment which I am moving is that :

“ In clause 5, after the words ‘ may appoint in this behalf ’ insert the words ‘ out of a panel of elected members of the Assembly to be specially recommended by that body ’.”

Sir, this statutory inquiry is intended for the purpose as stated hereunder, namely :

“ The Governor General in Council shall, before the 31st day of March, 1927, cause to be made by such persons as he may appoint in this behalf an inquiry as to the extent, if any, to which it is necessary to continue the protection of the steel industry and as to the duties and bounties which are necessary for the purpose of conferring such protection.”

My object, Sir, is that this inquiry should be conducted in a manner which will ensure public confidence and this can only be done if it is done by a Committee which is elected by this House. This House ought to nominate a number of gentlemen from whom the Governor General in Council may nominate as many as he likes and these people should be called upon to conduct the inquiry contemplated in clause 5. The reason is this. Granting that protection is to be given.....

**Mr. M. S. Aney** (Berar Representative) : May I ask, Sir, if clause 5 has not already been disposed of. It is clause 6 that is now under discussion.

**Mr. President** : You are right. Clause 5 is the new clause and the old clause 5 has now been re-numbered as clause 6.

**Mr. Devaki Prasad Sinha** : Are you moving an amendment to clause 5 or to clause 6 ?

**Mr. Jamnadas M. Mehta** : I am moving an amendment to clause 5 of the Bill and to clause 6 of Pandit Motilal Nehru's amendment.

And in order, Sir, that we might feel sure that the protection which the steel industry might require three years hence shall be given, we ought to have a committee composed of elected Members of this Assembly. As I have pointed out in my Minute of Dissent, I do not think protection has been given for a sufficiently large number of years. One object in giving protection, is that internal competition might follow in its wake so that prices shall go down in course of time. That can only be done if the future of other companies, which start after this legislation is enacted, is assured, and that cannot be assured unless the period of protection is prolonged after three years, and what the proviso will do is that if the Committee after inquiry recommends that the period should be extended, the Governor General in Council will consider such recommendation. In order that this Committee may make proper inquiry, it must consist of members of this House, and I hope that the modest amendment I make will be accepted by the Government.

**Mr. H. G. Cocke** (Bombay : European) : Sir, I oppose the amendment very strongly. This is obviously the work for an expert committee, such as we have had to draft the report on which this Bill is based. You cannot expect to get in this House a proper committee to go into such a very technical matter of this sort. It is necessary to have experts to consider the figures presented in connection with the import

prices of steel, and also in connection with the costs of the Tata Company, and if the Tariff Board is still in existence, that is obviously the body to conduct this inquiry. If the Tariff Board is not in existence, it will be necessary for a suitable committee of experts to be appointed, and it will not be possible for this House to provide a suitable committee.

**The Honourable Sir Charles Innes :** Sir, Mr. Cocks has already anticipated all the objections I was going to take to Mr. Jamnadas Mehta's proposal. I entirely agree with what Mr. Cocks has said ; I entirely agree that, if this inquiry is to be a proper inquiry, an inquiry which will command the confidence of the country, it must be an inquiry by people really qualified to investigate the matter. I hope that the Tariff Board will be in existence then, and, if the Tariff Board is in existence, it is perfectly obvious that that Tariff Board is the proper Board to conduct an inquiry of this kind. I do not agree with Mr. Jamnadas Mehta that a committee composed of elected Members of this Assembly will inspire that confidence amongst the mercantile community in this country which the Tariff Board now does. There are other obvious objections to Mr. Jamnadas Mehta's proposal. I notice that the committee is to be composed of elected Members of the Assembly. Why should the Council of State be cut out ? Again, the inquiry will be a long and detailed inquiry, and very probably the members will have to be paid, and if they are paid, obviously they will cease to be Members of the Assembly. I suggest to Mr. Jamnadas Mehta that he should withdraw this amendment and leave the Government of 1926-27 free to make the inquiry in such a manner as may seem most suitable then.

The amendment was, by leave of the Assembly, withdrawn.

**Mr. President :** We will now proceed with renumbered clause 6.

**Mr. Amar Nath Dutt :** You have not dealt with my amendment No. 65\*, Sir.

**Mr. President :** That amendment has already been dealt with in Mr. Devaki Prasad Sinha's amendment No. 63, to omit original clause 5 altogether.

**Mr. Amar Nath Dutt :** I beg to submit, Sir, that there is a good deal of difference between deleting and omitting. Omitting is a physical as well as a mental act, while deleting is only a physical act.

**Mr. Devaki Prasad Sinha :** Sir, during the whole of this discussion this morning and yesterday we were confronted with the authority of the Report of the Tariff Board. I should like to ask the Government where in the Report submitted by the Tariff Board do they find any authority for a clause like clause 6. Honourable Members of this House will remember that when this Bill was originally introduced, this clause did not find a place in it. At that time Members were given to understand that the operations of this Bill would continue only for three years ; that whatever sacrifice such a policy was going to impose upon the country, it would last for only three years. Now this additional clause that has been introduced by the Select Committee mortgages the country to the Tata Company for many more years than three. I would draw the attention of this House to paragraph 101, page 57, of the Tariff Board's Report. I will not read it.

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\* Delete clause 6.

**Mr. President :** The Honourable Member is now giving reasons which he has already given for voting against the whole Bill altogether. He must give special reasons why clause 6 should be omitted.

**Mr. Devaki Prasad Sinha :** I am giving reasons only for this clause being deleted from the Bill. My reasons are that the Tariff Board specifically in their recommendations said that these measures must in their nature be temporary, and since this new clause introduces a provision regarding the holding of an inquiry at the end of three years—which the Tariff Board never suggested—I think that this is a further incumbrance on the country which this House would do well to disregard. At the beginning of the Report of the Tariff Board, pages 12 and 13, they discussed the special facilities which this country afforded in the manufacture of iron and steel. Sir, the Tariff Board themselves in their report have stated that they consider that the facilities in the way of natural resources provided in this country are very great and they attribute the cause of the failure of Indian industries to compete in the world market to temporary causes. These causes they said may be removed when world conditions are more stable and the general level of prices has settled down. I do not, therefore, see what justification there is for giving still further concessions to the Tata Company, that even if at the end of three years they have not made their mark and have not improved their organisation and improved the quality of their steel, we shall still be lenient to them. Where, Sir, I ask Government, is there any provision in the Report submitted by the Tariff Board for an inquiry like this? I submit, Sir, by accepting a proposal like this, we shall only be giving a premium to inefficiency and bad organisation. We shall only be giving encouragement to all those firms in India that may exist at the present time or may start their work hereafter, encouragement in the way of carrying on their business in the most lethargic way. What, Sir, would be the effect on any company in India established by its own strength to compete in the world market, if it is always comforted with the thought that, when there are bad times, a maternal Government will come down and help them at the cost of the poor taxpayer? I ask, Sir, what justification is there for risking all the prosperity of the country in order to save one industry? Save it, if you desire to save it, for the time being, but why give it a permanent guarantee that, whatever you may do, whatever may be your sins and whatever may be your faults, our charity will always be at your disposal? I submit there is absolutely no moral justification for it. Whatever economic reasons could be found for enacting the Bill for three years, I submit there is no reason why we should consent to an inquiry being held after three years, when no case has been made out for such an inquiry. If there is any case made out after lapse of three years, we may consider whether an inquiry is necessary or not. Why should we give a guarantee at the present time that, if you do not mend your ways, after three years we shall make an inquiry and again extend a helping hand to you. This is nothing but laying a premium on inefficiency and bad management. It will defeat the very purpose of the Bill. It would defeat the very idea the Tariff Board had in their minds, namely, that they would give a temporary protection to Tatas, so that in the end they may stand on their own legs. For these reasons I strongly oppose the addition of this clause, and I think the House will realise the great danger this clause introduces.

**Mr. C. Duraiswami Aiyangar :** May I correct the Honourable Member ? On page 38 of their Report the Tariff Board have recommended a fresh inquiry in 1926-27.

**The Honourable Sir Charles Innes :** I do not think I need take Mr. Sinha very seriously on this matter. Mr. Sinha has made it quite clear that he is entirely opposed to the principle of this Bill. That is a position I can understand, but I cannot understand a position where an Honourable Member definitely does his best to wreck and render useless a Bill. As Mr. Duraiswami Aiyangar has pointed out, Mr. Sinha has not even taken the trouble to read the Tariff Board's Report. He said this amendment is opposed to the whole principle and scope of the Bill. That statement is entirely and absolutely incorrect. The Tariff Board definitely recommended that we should make it perfectly clear in the Preamble to the Bill that there was a continuity of the policy of protection. They also made it perfectly clear that for special reasons the actual rates and bounties which they proposed should be guaranteed for only a period of three years, and they definitely stated in the summary of their recommendations that they considered that in 1926-27 a further inquiry would probably be necessary. That is all that this clause purports to provide for. It purports to provide for that special inquiry. It is in no way inconsistent with the scope or the purpose of the Bill. On the contrary, the Select Committee deliberately inserted it in order that the scope and purpose of the Bill might be brought out more clearly.

**Mr. President :** The question is :

“ That clause 6 now do stand part of the Bill ”

The motion was adopted.

**Mr. President :** Then we come to the Schedule. The question is :

“ That the Schedule do stand part of the Bill. ”

The first amendment is from Babu Rang Lal Jajodia, that “ paragraph 1 of the Schedule be deleted.” That falls because the Honourable Member is not here to move it. The next amendment is that of Sir Sivaswamy Aiyer to paragraph 3 (c) of the Schedule.

**Sir P. S. Sivaswamy Aiyer (Madras : Nominated Non-Official)**  
My amendment is :

“ In paragraph 3 (c) of the Schedule for the word and figures ‘ and 154 ’ substitute the word and figures ‘ 154 and 155 ’. ”

This amendment is coupled with another amendment which appears lower down the list against my name.

**Mr. President :** What number is that ?

**Sir P. S. Sivaswamy Aiyer :** No. 79.

**Mr. President :** This is purely consequential ; I think it had better follow 79. Mr. Duraiswami Aiyangar's amendment, which comes next, is that :

“ In paragraph 7 of the Schedule in the proposed Part VII for the varying rates of duty given in the said Part, substitute the uniform rate of 33½ per cent. *ad valorem*. ”

I am not sure whether the effect of that is to increase the taxation, in which case it will be out of order.



**Sir P. S. Sivaswamy Aiyer :** The Honourable Sir Basil Blackett may be able to say whether it has that effect.

**The Honourable Sir Charles Innes :** I think I can answer that question. If the specific duties proposed by the Tariff Board are converted to *ad valorem* duties on the basis of the present tariff valuations, they may range from 12 to 28 per cent. *ad valorem*. The amendment would have the effect of raising every duty recommended by the Tariff Board.

**Mr. President :** Then it will be out of order. Then comes Mr. Belvi's amendment which proposes to substitute *ad valorem* for ton and cwt. (*Several Honourable Members :* "He is not here.") Then that falls, and we come to Captain Hira Singh's amendment to paragraph 7 of the Schedule, Part VII, item 143.

**Sardar Bahadur Captain Hira Singh (Punjab : Nominated Non-Official) :** Sir, I beg to move the following amendment :

"In paragraph 7 of the Schedule in the proposed Part VII, item No. 143, be deleted. Also that the following additional articles be excluded from the operation of the Act, namely, *karahis, taslas, dols, khurpis, hausias*, plough blades, axes, and *gandasas*."

**Mr. President :** Your amendment is only this :

"That in paragraph 7 of the Schedule in the proposed Part VII, item No. 143, be deleted."

That is the only amendment before the House.

**Sardar Bahadur Captain Hira Singh :** Very good, Sir. In moving this amendment, Sir, I have in mind that a large mass of the inhabitants in this country, and more particularly those in the Province from which I come, to whom the simple implements and utensils which I have mentioned in my amendment are as necessary for the simple purposes of their daily lives—perhaps even more so—than that simple article of diet, namely salt, about which all my friends in this House have been so insistent and eloquent on political platforms all over the country and in this House. Those people, Sir, of whom I am one, have not the ability to follow principles of high finance. They cannot visualize the far-reaching consequences of policies, however virtuous and national those may be, which strive to enforce the abstractions of economic genius. But, Sir, they *do* understand the common facts of life. They *can* visualize in their daily struggle for existence the effects, if not the causes, which surround them.

And the effects which they will visualize are these :

- (1) The prices of simple agricultural and domestic implements will go up 50 or 60 per cent.
- (2) Municipalities and District Boards will require more money to meet the increased cost of their necessary works and operations, and will enhance their local rates.
- (3) The annual maintenance and renewal charges of factories already established, and the higher cost of establishing new factories, will cause an increase, will cause a proportionate increase, in woollen, cotton and leather goods.
- (4) The natural consequence of all this will be a general rise in the cost of living. Wages of agricultural and all other labour will be increased.

And at the end of it all, Sir, what is going to happen ?

So far as the agriculturist is concerned, this is what will happen. He will have to pay more—

- (1) on all domestic utensils made of iron and steel ;
- (2) on all house-building materials made of iron and steel ;
- (3) to Municipalities and District Boards for their taxes ;
- (4) in all agricultural implements ;
- (5) on wearing apparel.

May I ask, Sir, what ultimate benefit will the people whom I represent reap out of all this ? Nothing that I can see save the dismal satisfaction of knowing that some wealthy compatriots of his have succeeded in assuring their position in the dim financial world.

I am speaking, Sir, more particularly on behalf of the millions of Punjabi agriculturists who are not industrious nor labourers and have no concern whatever with the distant factory at Jamshedpur which has succeeded, mainly by bad management we are told in getting its affairs involved in some sort of financial tangle.

But however that may be, Sir, I appeal to this House, if it really considers that it is for the good of the country that this Bill should be passed,—I appeal to my Swarajist friends, I appeal to the Government Benches, to consider the unfortunate plight of the millions of agriculturists, on whose behalf it has before now been contended that even an increase in the cost of living of 3 annas per head per annum is a hardship. And if my amendment is not accepted to-day, the hardship which they will suffer out of this Bill will be fifty times greater than that.

Sir, finally, we have heard a great deal in this House about the exploitation by foreign capitalists of Indian labour and Indian natural resources. But I am not aware, Sir, that any single Member in this House has mentioned in this debate the exploitation of the petty farmer, the zemindar, the agriculturist of India by the local Bunias and money-lenders of the villages of India. Sir, it is not necessary to prove the truth of the saying common among us that the agriculturist is born in debt—he lives in debt and he dies in debt ; his patrimony is shared by a dozen different middlemen. Yet, Sir, it is these stalwart yeomen who are the bulwark of India from whom millions of gallant Indian soldiers are drawn ; and I think, Sir, that even above the importance of establishing or bolstering up the steel and iron industry, it is necessary to support and preserve from any further exploitation the agriculturist of India.

I, therefore, submit my amendment to the consideration of the House.

**The Honourable Sir Charles Innes :** Sir, Captain Hira Singh proposes that item 43 should be omitted from the Schedule. Item 43 proposes that the duty on five kinds of agricultural implements should be raised from 15 to 25 per cent. Now the explanation of this proposal made by the Tariff Board is given in Chapter 6 of the Tariff Board's Report. The House has got to remember that if we are going to have a proper steel industry at all in India, that steel industry will lead to the growth of a whole family of subsidiary industries round it. It is a basic industry and these subsidiary industries grow up round it. That is exactly what is happening at Jamshedpur now. One of these subsidiary industries is a company called the Agricultural Implements

[Sir Charles Innes.]

Company. The Tariff Board say that with a small measure of temporary protection we shall assist this agricultural implements industry to make good, and that is the reason why they have proposed this enhancement of duty on these very few classes of agricultural implements. My Honourable friend Captain Hira Singh suggests that if we agree to this enhancement we shall be imposing a very heavy burden upon the cultivator and the agriculturist ; but, Sir, I am afraid that I must challenge that statement. These machines are machine-made implements and they are used more by the railways, irrigation works, local bodies, mines and large plantations than by the ordinary cultivator or agriculturist. The Tariff Board definitely examined that point, and if Captain Hira Singh will read the report, he will find that they do not consider that these enhancements will have much effect upon the agriculturist. On the contrary, their definite conclusion is that the direct effect upon the agriculturist of all their proposals is likely to be almost negligible. In these circumstances I am afraid that the Government must oppose Captain Hira Singh's amendment.

Mr. M. K. Acharya (South Arcot *cum* Chingleput : Non-Muhamadan Rural) : Sir, I strongly support the amendment that has been moved by my gallant Colleague opposite there. I do believe, Sir, that these implements are used very commonly by people who earn only a few annas a day. *Mamooties* and *kodalies* are implements which help them to make a living, and it will be very hard indeed to pass a measure which will put obstacles and trouble, in any degree whatsoever, in the way of the poorest of the poor workers of this land. They are not even agricultural farmers ; they form a class even below the class of small landholders ; and they use these implements for such work as cutting down wood, digging mud and other kinds of labour in the fields. These people form the vast bulk of the population of this country, and it is very undesirable that they should have any burden imposed upon them, however slight it may be. Statistics are always very, very elusive. If you take the Government valuation of these instruments, it may come to a very small figure from our standard ; but the class of people who use these instruments for making their living have very small incomes and we should see that they do not suffer. In regard to larger instruments which are used in factories and on railways, there is no harm in imposing a tariff on them ; but where the poorest of the poor are concerned, those who make their day's living with the help of these instruments—for God's sake do not interfere with them, but let them alone. That is the consideration which induces me to give my hearty support to this amendment ; and I implore every Member of this House who comes from a rural constituency to remember what sort of plaintive question will be put to him when he goes back there. His constituents will say "*Kodalies* cost us 4 annas before, they now cost us 6 annas" ! But it is not simply with a view to answering them that I for one support this amendment. I repeat that any very complicated statistics will be of no avail here. This item is not going to bring in a great deal of revenue even on the calculations of the gentlemen opposite. Therefore, I think it will be charitable on their part and just on ours if we exempt these instruments, which are used by the ordinary workmen for their daily livelihood. I therefore strongly implore every Member of the House to support this amendment.

**Dr. H. S. Gour :** There seems to me to be some misapprehension on the part of the Honourable Mover of this amendment because, if his amendment is carried, it will not only do away with the proposed enhancement of 10 per cent. duty upon imports but with the existing tariff of 15 per cent. leviable upon this item of household implements. The Tariff Board in chapter VI of their Report deal with this question, and they point out that the necessity of enhanced import duty arises from the fact that a flourishing industry entirely owned and managed by Indians has arisen in Jamshedpur, and owing to the lower prices of foreign goods, it is not able to make headway, and consequently, some temporary support is required in the shape of enhanced import duties. The company concerned wanted 20 per cent. enhancement, but the Tariff Board said that they could not recommend more than 10 per cent., making 25 per cent. altogether. I discerned, Sir, a little discrepancy between the Honourable Mr. Acharya's support and Captain Hira Singh's proposal. The Honourable Mr. Acharya is in favour of the import duty, but he wants that *bona fide* agriculturists who use such agricultural implements should be exempted from such duty. Now I ask you to formulate a concrete proposal. How is a *kudali* to be marked if it is to be used by a *bona fide* agricultural labourer and how is a *powrah* to be marked if it is to be used by the Indian Railways? Moreover the small addition in the import duty will assist the village *lohar* who caters for the needs of the agriculturists. Let those who plead for agriculture also remember him. I therefore submit that this very small duty of 10 per cent. recommended by the Tariff Board and recommended also by the Select Committee should be accepted by this House.

**Mr. Devaki Prasad Sinha :** Sir, am I entitled to move my amendment as an amendment to this amendment?

"That in paragraph 7 of the Schedule in the proposed Part VII in column 4 of item No. 143, for the figures '25' the figures '15' be substituted."

**Mr. President :** We must first get rid of Captain Hira Singh's amendment, because he wants to delete the whole item.

**Mr. Devaki Prasad Sinha :** In that case, if you put the original motion as you did in the case of.....

**The Honourable Sir Basil Blackett :** I may perhaps point out to the Committee, in order to remove a misapprehension that may have been created by Dr. Gour's statement, that the amendment which is now proposed and the amendment which we are now discussing have exactly the same effect. They simply restore the existing duty of 15 per cent.

**Lala Duni Chand (Ambala Division : Non-Muhammadan) :** Sir, I also strongly support the amendment moved by my Honourable and gallant friend Captain Hira Singh. My reason is perfectly simple, and it is this. Government have always claimed the sole monopoly of protecting the interests of millions of agriculturists, and that right has always been denied to people like ourselves who really are the best friends of the agriculturists. It is a splendid opportunity for the Government to give proof of their practical sympathy with the millions of agriculturists. There is no doubt that, if Captain Hira Singh's amendment is accepted, you will be doing a considerable amount of good to millions of agriculturists. It may be true that this clause applies to agriculturists and non-agriculturists alike, but if this amendment is accepted, there is not the least doubt that millions of agriculturists will be immensely benefited. Therefore, I want to put the Government on their trial so that they may

[Lala Duni Chand.]

give real and practical proof of their sympathy. I shall be very happy if the Government can see their way to accept this amendment which has been moved by a very faithful servant of Government, who is also a very loyal supporter of Government.

**Mr. Devaki Prasad Sinha :** Sir, my Honourable friend Dr. Gour from Nagpur has said that if we accept Captain Hira Singh's amendment, the result would be that even the present duty leviable on these articles would go.

**Mr. President :** The Honourable Sir Basil Blackett has already pointed out that this is an entire misapprehension.

**Dr. H. S. Gour :** Sir, I just want to point out that I was quoting from page 133 of the Tariff Board's Report. The misapprehension, if any, is contained in the Tariff Board's Report.

**Mr. President :** It is not any the less a misapprehension because somebody else shares it with the Honourable Member.

**Mr. Devaki Prasad Sinha :** Sir, the effect of Captain Hira Singh's amendment and the effect of the amendment of which I have given notice is practically the same. Now, Sir, objection has been taken to this amendment on the ground that the articles affected by this enhanced duty are used mainly by Railways and other factories. (*A Voice :* "Not mainly.") I realise, Sir, that the Tariff Board also at page 131 of their Report say that these articles are not used by agriculturists. Well, Sir, if they have accepted the opinion of the Director of Industries, Bihar and Orissa on this question, in the first place I would dispute the very proposition that these articles imported from abroad are not used by agriculturists. But granting, Sir, that they are not used by agriculturists and that they are used only by Railways and other factories, what is the position? Let us analyse it. Some of the articles manufactured here and those imported into this country from abroad are used partly by Railways and other concerns and partly by agriculturists. Now, Sir, in the Report which the Tariff Board have submitted they have imposed duty on wrought iron and on certain other articles chiefly on the ground that they can be used as substitutes for fabricated steel. I ask this House, Sir, to apply the same argument in this case also. What will happen is this. If the price of *Kodalis*, etc., used by Railways is raised, then I submit that under the operation of the ordinary laws of economics, the price of these articles that are used by agriculturists would also be raised, otherwise if they can be had at an appreciably cheaper price they will be substituted for the imported articles. The result would be this, that the effect of this enhanced duty would be spread over all articles consumed either by Railways or by agriculturists. I am quite surprised that the Tariff Board, consisting as it did of such great economists, have accepted a proposition which is fallacious at the core. If the price of imported *Kodalis* is increased, they cannot prevent the ordinary laws of economics from operating, and the price of those articles manufactured in this country is sure to go up. Well, Sir, there is another argument which the Honourable Sir Charles Innes has used against this amendment. He said that it is necessary in the interests of Tata's, who produce raw material,

to maintain the subsidiary industries, so that the articles manufactured by Tata's may find a market. Well, Sir, the argument comes to this, that, in order to save Tata's, you should not hesitate even to enhance the duty that would affect directly the agricultural population in this country.

I am reminded, Sir, of a story which we all, I believe, read in our boyhood. There was a saint who was so much moved by the sight of a poor man walking bare-footed on a hill that he made a resolution within himself that somehow or other he would provide that poor man with a pair of shoes. When he could not find a pair of shoes anywhere else he stole a pair of shoes belonging to a poor man and gave that pair to that man who had inspired him with sympathy. This is, Sir, the position of the Government. In order to maintain the existence of the Tata's, they do not hesitate even to snatch away the small moiety which is all that is given to the poor agricultural population of this country. I submit, Sir, that this House should consider this question very carefully. Even if this amendment is carried, it does not materially affect the position of Tatas, because, according to the Report of the Tariff Board (I refer to page 130) the total consumption of these articles is 1,000 tons and the price calculated by the Tariff Board is about Rs. 700 per ton. So the total value of these imported articles would be Rs. 700,000. Now, Sir, an enhancement of duty at the rate of 10 per cent. *ad valorem* on these Rs. 700,000 would bring Rs. 70,000 only. Therefore, Sir, the only effect which this amendment would produce would be to reduce the amount that would go to the Tatas by Rs. 70,000. It is a very small amount and would not affect the position of Tata's. At page 45 of the Report, we find that Rs. 27,71,000 are going to be paid as interest to the ordinary shareholders at 10 per cent. Now, Sir, if this reduction is made in the duties in order to save the poor agricultural population of the country, it would affect only Rs. 70,000 out of Rs. 27,71,000 which is going to be paid to them out of the revenue derived from the poor. Therefore, I hope the House will seriously consider the position, and accept the amendment moved by Captain Hira Singh.

Mr. Bhubanananda Das (Orissa Division : Non-Muhammadan) : Sir, I rise to oppose the amendment moved by my gallant friend and so ably supported by my friend Mr. Devaki Prasad Sinha. If we accept this we kill the trade of Indian village blacksmiths and those few firms that are now manufacturing *kodalis*, picks and other agricultural implements in India. You have put a tax on iron and steel by this Bill. You have to put a corresponding tax on the imported agricultural implements. Else the trade of the village black-smiths will suffer and they will not be able to stand the competition from imported agricultural implements. Surely you do not wish to kill this indigenous cottage industry and thereby kill the profession of village blacksmiths. I come from a rural constituency and in my side only Indian-made agricultural implements are used. I ask you not to kill this trade. With these remarks, I support the original proposition in the Bill that an *ad valorem* duty of 25 per cent. be levied on all imported agricultural implements as mentioned in the Schedule to this Bill.

Mr. President : The question is :

“ That items No. 143 do stand part of the Schedule.”

The Assembly divided :

AYES—37.

Aiyer, Sir P. S. Sivaswamy.	Muddiman, The Honourable Sir Alexander.
Bell, Mr. R. D.	Muhammad Ismail, Khan Bahadur Saiyid.
Bhore, Mr. J. W.	Nag, Mr. G. C.
Blackett, The Honourable Sir Basil.	Neogy, Mr. K. C.
Bray, Mr. Denys.	Pate, Mr. H. R.
Coeke, Mr. H. G.	Ramachandra Rao, Diwan Bahadur M.
Das, Mr. Bhubanananda.	Raj Narain, Rai Bahadur.
Davies, Mr. G. H. W.	Rushbrook-Williams, Prof. L. F.
Faridoonji, Mr. R.	Sams, Mr. H. A.
Gour, Dr. H. S.	Sarda, Rai Sahib M. Harbilas.
Hezlett, Mr. J.	Sastri, Rao Bahadur C. V. Visvanathu.
Hindley, Mr. C. D. M.	Singh, Rai Bahadur S. N.
Holme, Mr. H. E.	Tonkinson, Mr. H.
Hudson, Mr. W. F.	Tottenham, Mr. A. R. L.
Hussanally, Mr. W. M.	Townsend, Mr. C. A. H.
Innes, The Honourable Sir Charles.	Venkatapatiraju, Mr. B.
Littlehales, Mr. R.	Willson, Mr. W. S. J.
Mitra, The Honourable Sir Bhupendra Nath.	Wright, Mr. W. T. M.
Moncrieff Smith, Sir Henry.	

NOES—48.

Abdul Karim, Khwaja.	Kartar Singh, Sardar.
Abul Kasem, Maulvi.	Kazim Ali, Shaikh-e-Chatgam Maulvi Muhammad.
Acharya, Mr. M. K.	Kelkar, Mr. N. C.
Ahmad Ali Khan, Mr.	Lohokare, Mr. K. G.
Ahmed, Mr. K.	Makan, Mr. M. E.
Aiyangar, Mr. C. Duraiswami.	Malaviya, Pandit Krishna Kant.
Aiyangar, Mr. K. Rama.	Misra, Pandit Shambhu Dnyal.
Alimuzzaman Chowdhry, Mr.	Misra, Pandit Harkaran Nath.
Chaman Lal, Mr.	Murtuza Sahib Bahadur, Maulvi Sayad.
Dalal, Sardar B. A.	Mutalik, Sardar V. N.
Das, Mr. Nilakantha.	Nehru, Pandit Shamlal.
Datta, Dr. S. K.	Patel, Mr. V. J.
Duni Chand, Lala.	Rajan Bakhsh Shah, Mukhdum Syed.
Dutt, Mr. Amar Nath.	Ranga Iyer, Mr. C. S.
Fleming, Mr. E. G.	Ray, Mr. Kumar Sankar.
Ghulam Bari, Khan Sahib.	Roy, Mr. Bhabendra Chandra.
Goswami, Mr. T. C.	Samiullah Khan, Mr. M.
Govind Das, Seth.	Sarfaraz Hussain Khan, Khan Bahadur.
Hans Raj, Lala.	Shams-us-Zoha, Khan Bahadur M.
Hari Prasad Lal, Rai.	Sinha, Mr. Ambika Prasad.
Hira Singh, Sardar Bahadur Captain.	Sinha, Mr. Devaki Prasad.
Ismail Khan, Mr.	Sinha, Kumar Ganganand.
Jeelani, Haji S. A. K.	Yakub, Maulvi Muhammad.
Joshi, Mr. N. M.	Yusuf Imam, Mr. M.

The motion was negatived.

The Assembly then adjourned for Lunch till Three of the Clock.

The Assembly re-assembled after Lunch at Three of the Clock, Mr. President in the Chair.

Mr. President : No. 71\* on the list no longer arises. No. 72.

Mr. Devaki Prasad Sinha : Sir, my amendments are what I may describe as the poor man's amendments. In this case it is proposed to

\* That in paragraph 7 of the Schedule in the proposed Part VII in column 4 (rate of duty) of item No. 143, for the figures "25" the figures "15" be substituted.

raise the duty on wire nails by about cent per cent. The Tariff Board have presented us with very meagre facts about wire nails. The discussion on this subject is contained at page 131 of the Report and there is only one very short paragraph (paragraph 45) devoted to a consideration of this subject. I confess, Sir, that on the facts as placed before us it is very difficult to form a judgment whether or not, admitting the principle of protection, it is necessary to enhance the duty on the import of wire nails. Sir, the Tariff Board have not got even accurate information about the cost of production of this article. They say :

“ We have not examined separately the cost of production of wire nails and indeed no data for such an examination are available. These nails are manufactured from wire by means of simple automatic machines..... ” ;

and then they proceed to say :

“ The price of imported wire nails is about the same as that of wire and is sometimes actually lower. The present duty is 10 per cent. on a tariff valuation of Rs. 230 a ton. We propose that the specific duty of Rs. 60 a ton should also be imposed on wire nails.”

They proposed to raise it to Rs. 60 a ton which is slightly more than 100 per cent. My amendment, if it is read with article 146 of the Schedule, proposes to reduce the duty from Rs. 3 to Rs. 1-8-0. Even then the duty would be slightly higher than what is actually paid on wire nails now. I submit that these articles are of every day use for all classes of consumers, poor and rich alike, they all use this article, and it is an article of necessity. In imposing an extra duty on these articles one more factor has to be taken into consideration, and that is that the actual consumer has really to pay much more than the duty which is imposed by the State. We know that in the case of the enhanced duty on matches the price of matches at retail shops went up much more than the proportionate increase in the duty on matches. Therefore, I submit that it would be hard on the poor men who have to use wire nails not as an article of luxury but as an article of necessity. I realise, Sir, that in discussing this subject we are labouring under some difficulty as all the facts are not presented in the Report. I shall be very glad if any Honourable Member who has made a study of this subject is able to enlighten the House as to the probable consequences of an enhancement of this duty to the nation. I should then be quite prepared to revise my own opinion, but as I see now, the facts as they are presented in the Report do not warrant an enhancement of the duty on wire nails and I feel that we are unnecessarily imposing an additional burden upon the poor man if we consent to doubling the duty on wire nails and French nails. For these reasons I move my amendment\*.

**The Honourable Sir Charles Innes :** When my Honourable friend, Mr. Devaki Prasad Sinha talks about the poor man, methinks he does protest too much. Mr. Sinha has already ruled himself out as a serious critic of this Bill because he has admitted that he objects to the whole Bill, and because all the amendments that he has put forward are professedly put forward merely as wrecking amendments. Let me examine this story about the poor man. The proposal is to increase the duty on wire nails from Rs. 1-8-0 a cwt. to Rs. 3 a cwt. Mr. Sinha says that that is going to be a burden on the poor man. Now, Sir, I have made some inquiries as to who is the main customer of these wire nails and I find that the main customer for wire nails in India is the tea industry. I find also that on an average a pound of wire nails costs two

\* “ That in paragraph 7 of the Schedule in the proposed Part VII in column 4 of item No. 146, for the figure ‘ 3 ’ the figures ‘ 1-8 ’ be substituted.”



[Sir Charles Innes.]

annas and that the increase of duty which is now proposed may add at the most a pie or possibly two pies to that two annas. Now, how often does a poor man use a pound of wire nails and for how long does that pound last him? I think I have said enough to show that Mr. Sinha in talking about the poor man is really talking what is not true and what he knows nothing at all about. The other side of the question is that you have started here a company at Jamshedpur. You have a purely Indian company which has started upon a very important branch of manufacture. Sir Thomas Holland, whom everybody will admit to have been probably one of the greatest experts in industrial policy we have ever had in India, once wrote a memorandum upon the development of Indian industries. I remember that memorandum very well and I remember one striking phrase in it. He said "Would people believe that you cannot even get a wire nail made in India". Now, Sir, here is a company which is starting to remedy one of the greatest defects in our industrial armour and our industrial equipment. The Tariff Board, which has examined the case of this industry, says that with a little protection you will enable that industry to make good. I think I have shown quite clearly that the amount of protection which it proposes is not going to do any harm to the poor man or to anyone else, and I hope that the House will reject this amendment.

**Mr. K. Venkataramana Reddi** (Guntur *cum* Nellore : Non-Muhamadan Rural) : Sir, I warn the House against destroying any more of our indigenous industries. The House has given a death-blow to one of our industries by accepting Captain Hira Singh's amendment. There are, I understand, three firms in India manufacturing agricultural implements. The result of Captain Hira Singh's amendment is that not only the above companies will have to go into liquidation but also the village blacksmith would be thrown out of employment. He will now have to buy iron and steel for making agricultural implements at a higher price than before and inclusive of his remuneration the articles will cost very much more. But the agriculturists can get the foreign article for less price than the blacksmith can supply. The result is that the blacksmith is thrown out of employment. Our industry is killed. We must recognise that one of the fundamental elements of taxation is that the distribution of taxation must be equal. That is, the poor man has to contribute his own mite as well as the rich man. When we accept the principle of protection it must be protection all round. You must not give any exemption and, if we do, that will be killing the principle itself. Mr. Sinha has said that the actual consumer has to bear the burden, but has he forgotten the ultimate result? The foreign companies by a combine can sell articles cheap, the result of which is our industry will be killed and eventually they will raise prices even 50 per cent. higher than before and he has to bear the burden for all time. I oppose this amendment on these grounds.

**Sir Purshotamdas Thakurdas** (Indian Merchants' Chamber : Indian Commerce) : Sir, I do not think it is necessary to say anything further but my excuse in rising is to supplement what the Honourable the Commerce Member said by pointing out to the House that the scheme of protection for the steel industry is not a scheme for protection of only what the Tata Iron and Steel Co., or any other steel company turn out,

It goes further and covers the various subsidiary industries which follow steel industry in any country. The question, before the House covers such an industry and, as Sir Charles Innes has pointed out, if the Assembly thinks that the country would be satisfied, in spite of having steel at its very door and having protection for steel, with not protecting say the wire nail industry, then only can it be justified in passing this amendment. The idea of the acceptance of protection for steel means a little burden on everything made out of steel, and the burden must fall on the consumer. I do not think that it is relevant on every occasion to bring up the question of the burden on the consumer, because that is the thing that the Assembly had to make up its mind about definitely when it proceeded with the discussion of the details of this Bill. I feel, Sir, that that same argument has been rather overdone, and if we are now going to trot it out over and over again over every item in the Schedule before us, I am afraid that there will be nothing more than repetition. I feel very strongly that nails are the first thing we ought to have manufactured in this country if we decide upon protection, and whatever has fallen from Mr. Sinha on this point should hardly find favour in this House.

**Mr. President :** The question is :

"That in item No. 146 of the Schedule the figures '1-8' be substituted for the figure '3'."

The motion was negatived.

**Mr. K. C. Neogy (Dacca Division : Non-Muhammadan Rural) :** Sir, I do not propose to move this amendment\* but I feel that an explanation is due from me to this House, particularly in view of my note of dissent ..... (Cries of "No, no".) Then, Sir, I will not say anything more, and I do not move the amendment.

**Mr. President :** The next amendment is Dr. Gour's to insert an item 154 after item 153 :

"Locomotives and parts thereof, *ad valorem*.....30 per cent."

That means augmentation of taxation and is out of order. The alternative† to that also falls.

\* In paragraph 7 of the Schedule in the proposed Part VII for item No. 149, the following be substituted :

"149. Iron or Steel Sheets under  $\frac{1}{2}$  inch thick—

	Rs.
✓ (a) not fabricated, black, ton .. .. .	30
(b) fabricated, all qualities, <i>ad valorem</i> .. .. .	15 per cent.
(c) cuttings, black, <i>ad valorem</i> .. .. .	15 "
149A. Iron or Steel Sheets under $\frac{1}{2}$ inch, but not under $\frac{1}{4}$ inch, thick—	
(a) not fabricated, galvanised, ton .. .. .	45 per cent.
(b) cuttings, galvanised, <i>ad valorem</i> .. .. .	15 " "

† After clause 4 of the Bill the following new clause be added, namely :

"5. (1) The Governor General in Council may, in each of the financial years commencing on the 1st of April, 1924, 1925 and 1926, pay such sum, not exceeding 18 lakhs of rupees in any one financial year, as he thinks fit, by way of bounties upon locomotives in respect of each of which he is satisfied :

- (a) that it is suitable for the public haulage of men, animals or goods on a railway in India ; and
- (b) that a substantial portion of the component parts thereof has been manufactured in British India.

(2) The Governor General in Council may, by notification in the Gazette of India, prescribe the conditions subject to which and the manner in which such bounties may be paid."

[Mr. President.]

The next amendment is Mr. Sinha's, to substitute the figures "20" for the figures "25" in item 154.

The amendment was not moved.

**Mr. President :** The next is Dr. Gour's amendment, No. 76, to restore item 155 which was omitted by the Select Committee.

**Mr. V. J. Patel :** May I rise to a point of order. Any proposal which affects the revenue must emanate from the Crown. This is a non-official proposal which is now being put.

**Mr. President :** The proposal originally emanated from the Crown and the Select Committee took it out. The recommendation of the Crown still subsists.

**Dr. H. S. Gour :** Sir, I beg to move :

"That the clause which was originally a part of the Bill as referred to the Select Committee and which the Select Committee have decided by a majority of votes to omit be restored."

The reasons which induced the Honourable Members of the Select Committee to vote for the omission are briefly these. The protagonist before the Select Committee was my friend sitting on the right and I have no doubt.....

**Mr. W. S. J. Willson** (Associated Chambers of Commerce: Nominated Non-Official) : On a point of order, Sir. Has it not been ruled in this House, Sir, on a motion of Dr. Gour himself, that the proceedings in the Select Committee should not be discussed here ?

**Dr. H. S. Gour :** My Honourable friend is perfectly right and I am not discussing the proceedings in the Select Committee. (*Voices :* "You are".) I apologize to my friend Mr. Willson. The reasons which have induced the protagonist of the motion for deleting this clause appear to me to be as follows.

It is suggested, Sir, in the Report of the Select Committee, to which I draw the attention of the Honourable Members of this House, that the reason given for deleting this clause is stated in paragraph 11 in the following terms :

"We have carefully considered the chapter of the Tariff Board Report which relates to the protection of the manufacture of tin-plates, and the majority of us think that the difficulties experienced by the only company which it was proposed to protect are due to excessive capital expenditure and are not such as to warrant assistance from the general tax-payer."

That, I submit, is an inaccurate statement if we refer to the Volume of Evidence in which we have the opinion of the Government Metallurgical Inspector who, at page 53 of Volume II of the Evidence of the Steel Industry report, speaks on this very question in the following terms. He says :

"One of the drawbacks which you say the Company suffer from by operating their plant in Indian climate is that it is not possible to keep the plant in operation during the whole of the year but they have been able to operate the hot mills during the whole of this year very successfully by constructing water-cooled floors, loftier buildings, more spacing between the mills and so on. These are the methods employed by the Company for overcoming the climatic disadvantage. On these they have spent a considerable additional sum of money. When I was in England a few months ago I found that the tendency in sheet mills was to do exactly the same thing and I saw one galvanised sheet mill in which the building was roughly speaking as high and the spacing about as generous as here. I saw that air draughts for cooling the men were also supplied. It looks to me as though the line the Company have taken is the line of general development in sheet mills and tin mills throughout the world. In America the tendency is in the same direction."

Then, Sir, at page 54 we have the statement by the same expert in the following terms. Replying to Mr. Leyshon, Mr. Mather said :

“ Therefore your extra expenditure on cooling apparatus and so on is a minor matter of business efficiency.”

And he goes on to say :

“ It would not necessarily raise your total cost. There may have to be more in the capital account. But since you will be able to get your plant working the whole year it will reduce your working cost by a corresponding amount.”

Later on on the same page we find the following statement :

“ It is therefore fairly obvious that the Tin-plate Company if they have the capital resources available could undertake to produce the whole of the present demand of India. But you said that if the Company were likely to get an unreasonably higher price for tin-plates competition would start up.”

Now, Sir, the charge against the Tinplate Company is briefly this. This company was started with the initial capital of 75 lakhs of rupees and in actual construction cost something like 150 to 160 lakhs. The estimate was nearly double. This fact was brought to the notice of the Tariff Board who deal with this question at page 122. They say that the cost of the estimates was exceeded for two reasons : first, on account of the rise in the cost of prices generally, and secondly, the alterations in the design to render the works more suitable to Indian conditions. That, I submit, is a reason which the Tariff Board presumably accepted as adequate for recommending protection to this Company. I therefore submit that on the first ground, namely, that the Tin-plate Company is overcapitalised—a statement which on examination will be found to be inaccurate, especially in view of the view taken by the Government expert who served on the Tariff Board as a co-opted technical adviser—that the main ground given by the Select Committee for rejecting protection to the tin-plate industry, on closer examination falls to the ground. Now, Sir, what are the other reasons that warrant rejection or might be considered to warrant rejection. It has been said—and I have no doubt that it is a statement which is likely to be repeated here—that the Tin-plate Company is not able to produce, and will not during the next 3 years produce, sufficient quantity of tin-plates required for the country. Well, Sir, the total imports of tin-plates in this country is about 50,000 tons, of which the Tin-plate Company are estimated to produce 28,000 tons. The Tariff Board in their report point out—and it is a statement again borne out by Mr. Mather's statement in the volume to which I have referred—that the plant of this company is designed for future expansion. I therefore submit that the mere fact that this company at present produces, or is estimated to produce, 28,000 tons of tin-plates and will not therefore produce the full quantity required for consumption in this country is no reason for refusing it protection. Then, Sir, it has been said that the Tata Iron and Steel Co. are in partnership with the Burma Oil Company who hold about two-thirds of the shares in this company, and to protect the steel industry is to extend the protection to the Burma Oil Company. I think it has been stated here on the floor of this House on several occasions—and I submit might be repeated with advantage once more—that we are not protecting any particular individual or company. The fact that any particular company will receive protection is purely incidental and accidental. What we are protecting here is the manufacture of tin-plates in this country.

[Dr. H. S. Gour.]

I, therefore, submit that we cannot go into the details of the partnership between the Tata Iron and Steel Co. and the Burma Oil Company. It has also been said that this company is overloaded with debentures at a very high rate of interest, namely, 10 per cent. But, Sir, in the year when these debentures were issued, it has not been stated that they were not issued at the then fair market rate, and I have no doubt that if any Honourable Member is anxious to secure a portion of these debentures, the Tin-plate Company would be only too glad to part with them. I therefore submit that the question about the debenturers is equally irrelevant. Then it might be said, Sir, that the Tata's have entered into a disadvantageous contract with the Burma Oil Company. The Burma Oil Company are under the contract bound to receive from the Tata Iron and Steel Company tin-plate to the extent of about 21,000 tons, and the Tata Company would be free to sell in the market only 7,000 tons. And, consequently, it is said that if you give protection, you are giving protection to the producers of a very small quantity of tin-plate which would be thrown for sale upon the open market.

**Pandit Shamlal Nehru :** Is it impossible for Tatas to turn out more tin-plate ?

**Dr. H. S. Gour :** Is it impossible for Tatas to turn out more tin-plate ? My friend Mr. Shamlal Nehru has already answered that question. It all depends on the protection you give them. The House must remember that if for any reason you refuse protection to the Tin-plate Company, you refuse protection to the steel industry, and for this reason Tin-plate is made from second-rate steel which does not come up to the standard of British specifications. That second rate steel is utilized by the Tata Iron and Steel Co. in the manufacture of tin-plate, and if you refuse protection to the Tin-plate Company, you will be forced to extend protection to the material which the Tata Iron Company would not be able to profitably utilize. Then, Sir, there is the poor man's argument that tin-plates are converted into kerosene oil tins, and these kerosene oil tins will become dearer in price. Well, Sir, I will leave Sir Charles Innes to deal with this poor man's argument. I beg only to suggest in this connection that the primary function of this House is to see that it carries out the main purpose of the Bill to which it stands committed, namely, that India must be, as far as possible, self-reliant and self-dependant for the production not only of iron rails and iron bars, but for the production of all steel requirements of the country.

**Mr. Bipin Chandra Pal :** The requirements of the B. O. C.

**Dr. H. S. Gour :** We are told, Sir, why should we help in protecting the requirements of the B. O. C. ? My friend probably forgets that B. O. C. do not consume the entire output, present and possible, of the Tin-plate Company and the other companies that may rise in its wake. I have already said that the total consumption of tin-plate in this country is 50,000 tons, of which the B. O. C. utilise only 21,000 tons. The rest of it I am told is used in making tea boxes, receptacles for oilmen's provisions and things of that character. With the development of industries in this country the necessity for tin-plate in making these boxes will become daily more insistent, and I think you will be starving those industries which depend upon the cheap production of tin-plate in this country if you do not give the Tin-plate Company the protection which, I submit,

it deserves. It has been said that the Tariff Board in their report were somewhat doubtful about the recommendation which they formulated. Well, Sir, I have not seen—I have gone through this report—but I see no note of interrogation in their recommendation. They have no doubt passed in review all the objections which have been raised against protection to this Tin-plate Company. Most of them I have placed before this House. They have given a reply to most of these objections and they' wind up their recommendation by saying—I am reading from page 126 :

“ In itself the establishment of the tin-plate industry in India is clearly desirable and we believe there are good chances of success. Some assistance seems to be necessary for the next 2 or 3 years but we are clearly of opinion that it should be limited to the minimum which will suffice to keep the company going until it is in a position to stand alone.”

This is a recommendation coupled with words of caution, and I do not think that we can improve on this recommendation made as it is after full examination of the facts which are set out in this chapter dealing with this special industry. I therefore submit, Sir, that the Tin-plate Company deserves protection and it should receive protection at the hands of this House. I move my amendment.

**Mr. W. S. J. Willson :** Sir, in all questions of protection to be granted in the future this House, it seems to me, must stand in the position of judge and jury. I would like to know what jury, hearing Dr. Gour state his case which amounted to no more than the negation of a lot of things which he said had been stated but which the House had not heard, would be convinced. The position of this House must, I say, be that of a jury and it is for this House to be satisfied, when any company or any industry puts forward its claim to protection, that it must make out a case. In giving protection we must be extremely careful what we do and we must be satisfied in every case that it is right and reasonable that it should be given. My objection to this particular protection is based on the ground that a case has not been made out. Now I ask any Member of this House to read the cross-examination of Mr. Townend on page 50 of the Evidence—Vol. II—by Mr. Ginwalla and to say if after reading that he can come to the conclusion that even Mr. Ginwalla was satisfied in his own mind that the case had been made out ? Now, Sir, I have attempted to apply a commercial mind to this question and I offer these criticisms upon it. I in no way wish to be hard upon any industry. We all admit that certain industries require protection but the Tariff Board have said all along that it is not up to us to provide protection for shareholders' dividends. If you can prove that an industry is at a disadvantage or under a handicap and that protection will enable it to manufacture its goods at a profit, then you may be justified in giving it ; but my submission is that we are not, on the information so far before us, justified in assuming that this company cannot work without our protection.

Dr. Gour quoted the case of the Company. It is this. The Company was floated in 1920 on estimates prepared the year before. The capital was 75 lakhs of rupees. I do not deny that these works are probably the finest tin-plate works in existence, and they ought to be that since they are the most up-to-date, and the designers had all the previous experience to guide them. But I say that these estimates, whatever they were, were ill considered ; they were not sufficiently examined, they were not submitted to sufficiently severe criticism such as would be given by any really competent firm of first class managing agents. After the estimates were taken out, we find that, in order to make the plant more suitable to

[Mr. W. S. J. Willson.]

India no less than 68½ lakhs of rupees extra, that is, over and above the original estimates, were spent for that purpose. There was also a loss in exchange. Now, a loss in exchange is dead money, which it is not our business to protect. If at the time of the flotation of this Company the managing agents were so negligent as not to fix their exchange which, mind you, was then at a very high rate, it is not for this House to assist them. I know of many companies who have done exactly the same thing, but none of them have come before this House and asked to be dug out of their grave. Sir, I have been to these works and criticised them with the eye of a not inexperienced managing agent. These works did not appeal to me. They seemed to me to be too extravagant throughout. I do not grudge them their room and their spacing, but I do grudge them a building as high as this Assembly for the purpose not only of making small pieces of tin-plate but for the purpose of actually packing them in boxes. Can you justify that? Dr. Gour referred to Mr. Mather's evidence on the subject that these works have been built with a view to their being extended later on. Well, then I say it is not a sound practical business principle, to go and put up a much larger building than you want before the day has come for you to use it, is to . . . . .

**Dr. H. S. Gour :** I think, Sir, there is a misapprehension on the part of my Honourable friend Mr. Willson. I said that these buildings had been constructed for the purpose of keeping them cool so that the factory may work all the year round. That is what I quoted from Mr. Mather's evidence.

**Mr. W. S. J. Willson :** Did you also not quote from the evidence and say something about extension?

**Dr. H. S. Gour :** I said that the buildings were so designed. . . . .

**Mr. President :** The Honourable Members had better address the Chair instead of having conversations across the table.

**Mr. W. S. J. Willson :** That is the point, Sir, that they have been designed for being extended before the time has come to do it. Therefore, Sir, those remarks, I think, rather justify my case on the ground of extravagance.

Now, Sir, this is my best point. Turn to paragraph 28 of the Report, and you find that after the Company had committed this extravagance, after they had negligently lost their money in exchange, they find themselves hard up and they want to borrow money. Who did they go to? They went to themselves, to the Burma Oil Company, who were then invited to subscribe for 125 lakhs of debentures at 10 per cent. Ten per cent. on your own money, lent to your concerns! Now, is that right? And are we to be asked to support a concern which, if you turn to Statement No. 1, you will find charges 10 per cent. on its working capital before it shows a loss and then asks you to protect it? Statement 1 shows the cost of production of 100 boxes of tin-plate at Rs. 2,102. They then proceed to add depreciation, which in my view is excessive, as I make it amount to about 6 per cent. of the total turnover for the year, Rs. 135. Then they proceed to add interest on working capital Rs. 64,—an item I shall deal with shortly—then interest on debentures representing fixed capital (10 per cent. on Rs. 85 lakhs) Rs. 137, and then of course interest at 6 per cent. on Rs. 75 lakhs—the original capital, and so they swell the whole thing up to Rs. 2,510—as against Rs. 2,300 the price of the imported tin-plate—

showing therefore that there was a loss of Rs. 210 which they ask us to make good. I submit, Sir, that that is entirely wrong. In my commercial experience I have never known a Company justify itself in charging in its cost account an imaginary interest on its ordinary shares. I am quite prepared to admit that in a cost account it is legitimate to charge all interest paid out under each head. I would include interest on debentures, but not at 10 per cent. Now, earlier in the evidence it was stated before the Tariff Board exactly how much of that 125 lakhs was paid up, but the Tariff Board have not been at liberty to pass that information on to us. I rather gather, though I may be wrong, that only 85 lakhs have been paid up but even then I would not pass this charge of 10 per cent. on 85 lakhs as it is too high. The other item, Rs. 64 interest on working capital, I take the strongest possible exception to. We have no evidence that the working capital is Rs. 40 lakhs. If, as the Tariff Board implied, the whole of that 125 lakhs has not been paid up, there cannot be 40 lakhs of working capital, nor do I see any necessity why there should be. The Tin-plate Company are exactly next door to the Tata works. They can get their steel almost daily as it is required. There is no occasion for them to keep a large stock of steel for fabrication purposes and when I visited the tin-plate works the large stock was not there. Then again, there is no need to keep a large stock of manufactured tin-plates because the Burma Oil Company take three-fourths of their production and presumably the Burma Oil Company are in a position to pay cash for what they buy. So on the financial question, Sir, I say I object to the inclusion of these items in that calculation and unless they can give us further evidence and put up a very much better case than they have, we ought not to protect the shareholders' dividends. It may be true, it is true, that this is the basis of the agreement between the Tin-plate Company and the Tata Company but that is a totally different thing.

And now, a few words on that side of the question. Dr. Gour tried to make one of his points that if you wish to protect the steel industry you have to protect the tin-plate industry which is steel. Now that I directly deny. The Tin-plate Company is in existence. The Tin-plate Company has an existing contract with the Steel Company for the supply of plates for 25 years. Therefore that cuts the ground away from Dr. Gour's argument. The steel is bought for 25 years. Therefore the actual selling of that steel requires no further prop up.

**Mr. M. A. Jinnah :** It does. Supposing the Company goes into liquidation ?

**Mr. W. S. J. Willson :** Oh ! then they would probably recapitalise it on a different basis. I have said that we are not here to protect dead capital. But let me get back to the point of the steel. The Tata Company had obviously all the worst of this argument between themselves and the Burma Oil Company. The best brains have been on the side of the Oil Company and they have got the best of this bargain. The bargain is to supply the steel to the Tin-plate Company for 25 years at a price which cannot pay the Tata Steel Company. Therefore we have in effect in the first instance given a protection to the Tin-plate Company by giving them cheap steel below cost price. That is one protection which we have given. Having given that, they ask us for another and in the evidence they had the impudence to ask for an import duty of not less than 45 per cent. and they asked it for ten years ! The Tariff Board have certainly done



[Mr. W. S. J. Willson.]

a great deal in cutting it down as far as they did but in my view they have not gone far enough. A great deal has been made of the added costs out here, but no allowance has been made for the much cheaper land that you get, the reasonably cheap coal and electricity and the fact that you have no freight to pay on your raw steel. Therefore, Sir, I have said that I refuse to protect this company on the ground of its calculations of cost.

The third ground is that this is not in any sense a national or even a public industry. As Dr. Gour says, the country's requirement of tin-plates is 50,000 tons per annum. This company programmes to make 28,000 tons out of that. Of these 28,000 tons 21,000 tons are under contract to the Burma Oil Company who can take the lot. As a matter of fact, they can take the whole of the 28,000 tons. They can take the whole lot for 25 years and have the option to go on taking it after 25 years. Therefore, Sir, this company is only programming to make 7,000 tons for the public trade of India, and, in order to protect this company and enable them to get a little higher price for the 7,000 tons which they have to sell, it is proposed that we should impose a tax on the whole of the 24,000 other tons which have to come into India for the public use. In drawing up the schedule for the protection of steel the Tariff Board or the Government—I do not know which—have been careful to differentiate in the tariff between certain steels which come into India and compete with the Tatas and certain steels which do not. In the tariff item on tin-plates there is no attempt to distinguish between the class of tin-plate which is made by the Tin-plate Company and other classes of tin-plate which are required by the country and which are not made by the Tin-plate Company. Surely this is an injustice.

Now, Sir, I have had representations made to me from certain industries. The tobacco packers, the tea packers, who pack a pound of tea at a time, all tell me that this Tin-plate Company do not make the class of plate that they require. They do not make the gauge, that is, the thickness of the plate that is required for the packing of foodstuffs. They only manufacture at the present time a class of plate suitable for kerosene oil tins and a certain amount of inferior quality of that same gauge. The packing companies tell me further that before this Tin-plate Company, which is asking in this way for an unqualified protection for everything they make, is in a position to supply the needs of the packers' trade, which, mind you, is consumed by the major portion of the Indian public, it would be necessary for them to import some entirely new plant, that this could not be done and run for a year at least and that the Tin-plate Company we are now considering are not in a position to supply tin-plates of many of the sizes and gauges on which it is proposed to increase the tariff wall. Therefore, Sir, on all these grounds I say that a case has not been made out yet for the protective duty on tin and that we ought not to allow it.

I think I have dealt with all the points made by Dr. Gour except the "poor man's" argument which has nothing in it. But if you agree to put up the price of tin-plate there is one feature only in the Tin-plate Company's point of view. It will make their partners, the Oil Company, pay more for their tins and it will make you pay more for your kerosene oil. I therefore do submit that it is not for this House, as the case stands at present made out, to impose a duty on the whole of the import of tin-plate in order to bolster up this one company.

**Pandit Shamlal Nehru :** I move that the question be now put.

**Sir P. S. Sivaswamy Aiyer :** I wish to make a few remarks in support of the amendment which has been moved by my Honourable friend Dr. Gour and which is identical with the amendment of which I have myself given notice. In the remarks made by the Honourable Mr. Willson he has treated this provision for the protection of tin-plate as if it were applicable only to the Tin-plate Industry Company now in existence. This provision would be equally applicable to any other tin-plate manufacturing company which may be started. The charge of over-capitalisation is one which has been brought forward only against the Tin-plate Industry Company which is now in existence. Now, the reasons for granting protection for the manufacture of tin-plate in this country are given succinctly by the Tariff Board in their report. There are two grounds put forward by them. One is the necessity for a greater expenditure in the matter of buildings and in the matter of equipment as compared with European or American countries, and the other consideration referred to by them is the necessity of importing skilled labour. These two circumstances which are referred to by the Tariff Board must act as a handicap to any company which may be started for the manufacture of tin-plate. As a matter of fact, the necessity for importing skilled labour did act as a handicap even in the case of a country so industrially advanced as the United States of America. Up to 1890 there was no protection for the tin-plate industry in America. Protection was then introduced and the result of the higher tariff was an enormous development in the manufacture of tin-plate. If in the case of a country so progressive, so industrially advanced, as America it was necessary to introduce protection for the purpose of developing the industry, it follows that it must be much more necessary in the case of a country like India.

The real questions before the House now are, is it or is it not desirable to establish a tin-plate industry in this country, and if it is desirable, is it possible for the tin-plate industry to be established without the measure of protection which is recommended by the Tariff Board and which has been adopted in this Bill? On both these questions I think it is possible to give only one answer. The charge of over-capitalisation, as I have already said, can only apply to this particular Tin-plate Industry Company which is now in existence. It cannot possibly apply to other competing companies which may be started hereafter under the shelter of the higher tariff which is proposed to be introduced by this Bill. If we are really desirous of introducing this new industry, and I do not think that that will admit of any difference of opinion, I think we have no other alternative than to agree to this provision which was contained in the original Bill and which unfortunately has been cut out by the Select Committee. Even taking the charge of over-capitalisation against the company now in existence to be true, is it possible to avoid such mistakes in the case of a pioneer industry like this? Mistakes of this kind are, I submit, more or less unavoidable and unless the State is prepared to give some relief to people who come forward to start pioneer industries it will not be possible to induce capital to undertake the risks inevitably associated with the starting of new industries. I therefore have great pleasure in supporting this amendment.

**The Honourable Sir Charles Innes :** There was one remark in Mr. Willson's speech with which I entirely agree. He said that this was essentially a matter for the House to decide. For that reason, had not

[Sir Charles Innes.]

Dr. Gour and Sir Sivaswamy Aiyer given notice of their amendments, I myself should have put in an amendment to the same effect in order that this question should not be decided by the Select Committee but by the House. At the same time, Sir, I must frankly admit that I have rather a soft corner in my heart for this industry, and that for two reasons. In the first place, during the war I was Controller of Munitions in Madras and I well remember the colossal prices I had to pay for tin-plate required for the army. I remember having to pay as much as Rs. 120 a box for this tin-plate, tin-plate which is now selling at Rs. 20 or 25 a box. That shows how advisable it is, if we can arrange it, that we should have an industry of our own in India, and the second reason is that there are very few countries in the world which have been able to make a real success of the tin-plate industry. I believe I am correct in saying that that industry flourishes on a large scale in only two countries in the world, namely, England and the United States of America. Whatever may be said about the past history of the Tin-plate Company, whatever criticisms may be made about the faults of its estimating,—and may I suggest to Mr. Willson that the Tin-plate Company is not the only company which in 1919 made bad estimates—whatever criticisms of this kind may be made, no one can say that the Company at the present time is not admirably and efficiently managed, and, given a little assistance, there is every prospect of India being one of the few countries in the world which will be able to make a success of this tin-plate industry. That is one of the reasons why I say that I have a soft corner in my heart for this industry. I do not propose to deal with Mr. Willson's criticisms about over-capitalisation. There can be no doubt about it that there has been over-capitalisation, but Sir Sivaswamy Aiyer has dealt with the point sufficiently.

Mr. Willson then made a great point of the fact that two or three years ago this Company was hard hit for money and they did not go to the public but went to the B. O. C. They went that is to themselves and borrowed money at 10 per cent. Mr. Willson suggested that there was something grossly unfair in that, but I ask Mr. Willson what prospect there was for this Company to get money from the public at that time. They had not a prospectus, and, if the B. O. C. had not come to the rescue of this Company by advancing this debenture money, the Company must have gone into liquidation. Mr. Willson also suggested that the B. O. C. is the only Company which is going to make anything of this tin-plate. What does it make? If all the debentures have been issued the B. O. C. will have 175 lakhs in that Company. It is not getting one pie of interest on these 175 lakhs, and the only prospect of a return it has is that of being able to buy, if it so desires, two-thirds of the production of the Company at the same price which it would have to pay for imported tin-plate. It does not seem to me that the Burma Oil Company is going to get so much out of it after all.

4 P.M.

The case is admittedly a difficult one. It is fully stated in the Tariff Board's report and what I wish the House to consider is this. You have got to take the thing as a whole. The tin-plate industry is after all a part of the steel industry. Now, if you refuse this protection what will happen? Two things may happen. The

tin-plate industry may carry on. If it does carry on for many years it will be a millstone round the neck of the Tata Iron and Steel Company. I do not say for a moment that it is the business of this House to relieve the Tata Iron and Steel Company of the consequences of a mistaken or a bad contract ; but I do say that if by a small measure of protection you can kill two birds with one stone, then it is worth while going in for that measure of protection. If you give this small measure of protection to the Tin-plate Company you will certainly help the Tata Iron and Steel Company, and I must remind the House that the scheme which we put up on the recommendation of the Tariff Board for the protection of the steel industry is the minimum scheme which we think will carry the existing industry through the critical next three years. At the same time, while you are doing this, you are giving just that small amount of protection which will enable India to have within its own borders what is after all an extremely useful and valuable industry, namely, the tin-plate industry. If, on the other hand, the Company closes down, then good-bye to any chance of our ever having a tin-plate industry in India. And it seems to me, Sir, that the Tariff Board, balancing the advantages against the disadvantages, came to the conclusion that on the whole the advantage lay in giving this protection to the Tin-plate Company, and I submit that the House would be well advised to adopt that recommendation.

**Mr. President :** I will put this amendment in the form in which it appears in the name of Mr. Das and Sir Sivaswamy Aiyer as that is the more correct form.

The question is :

“ That in paragraph 7 of the Schedule after item 154, the following new item be inserted :

‘ Item 155. Steel—

(a) Tin-plates and Tinned sheets including tin taggers. Ton. Ra. 60.

(b) Tin-plates cuttings Ad valorem. 15 per cent ’ ”

The motion was adopted.

**Sir Henry Moncrieff Smith :** Sir, owing to the decision of the House to omit item 143 the numbers of the items which follow are not strictly correct. I therefore formally move :

“ That the items following No. 142 be renumbered in consecutive order and necessary consequential amendments be made in the other parts of the Schedule.”

The motion was adopted.

**Mr. President :** The question is :

“ That the Schedule as now amended do stand part of the Bill.”

The motion was adopted.

The Schedule was added to the Bill.

**Mr. President :** We now come to clause 1 of the Bill. The first amendment is No. 15 by Mr. D. P. Sinha that in clause 1 after the words “ called the ” and before the words “ Steel Industry ” the word “ Tata ” be added. That I think is out of order as it purports entirely to alter the scope and object of the Bill which is not to protect the Tata steel industry but the steel industry of India.

Then the next two amendments are Nos. 16 and 17, but they relate to the Preamble.

[Mr. President.]

Amendment No. 18 has gone out already.

Then we come to amendment No. 19 standing in the name of Mr. Fleming.

Mr. Bhubanananda Das : What about my amendment No. 17 ?

Mr. President : That relates to the Preamble.

Mr. E. G. Fleming (Burma : European) : Sir, my amendment is that :

“ To clause 1 of the Bill the following new sub-clause be added, namely :

‘ The provisions of this Act, shall not apply to the province of Burma ’.”

The amendment, I may say, was submitted in response to the general outcry which arose in Burma when the recommendations of the Tariff Board became known. Direct communications to the Government of India, through the Local Government, protesting against the terms of this measure and pointing out the unjustness of making it applicable to Burma were despatched from the Burmese Chamber of Commerce, the Burma Chamber of Commerce and only a few days ago I received a copy of a protest put forward by the members of the Corporation of Rangoon. These were all endorsed by the Local Government and I hope that the Honourable Members of this House will also act in the same manner. In addition to this only last Monday I received a telegram from the General Council of Burmese Associations and Nationalist Party in Council saying that they desire the exclusion of Burma from the scheme of protection for the steel industry and urging me to move for it. I have had the honour of receiving this telegram as unfortunately none of my Burman colleagues have been able to come here. The case of the Province, Sir, is like this. The Tariff Board's report and recommendations may be very able, but the people of Burma are not convinced that the assistance now needed by the steel industry of India can best be obtained in the manner proposed, that is, bounties and additional taxation in the form of enhanced import duties.

Another point which has been the cause of much questioning in Burma was the fact that the Tariff Board never visited the Province to obtain first hand information of existing conditions. They had written evidence and written reports all of which were protests. There is not a single person in Burma who has been able to support the idea that Burma will benefit or that Burma should be subjected to a tariff on steel. There is also another point. It is significant that in the whole of the Tariff Board's report, which is now beside us, as far as I can make out, there is only one casual reference to Burma. That is particularly with reference to the shipbuilding industry of Calcutta and Rangoon. That may be beside the point, but it however goes to show how indifferent and what little interest many Boards and Inquiry Committees take in the interests of the people of Burma.

With regard to the special facts of the motion before the House, I will try and put the case of Burma before Honourable Members as briefly as possible. The Tariff Board admit that their recommendations, if accepted, would result in consumers and tax-payers having to bear a burden of a considerable but unassessed value for the benefit of the steel

industry of India. They also submit that, in spite of the sacrifice India is now asked to make to preserve the steel industry, it will be but temporary and the advantages will ultimately more than compensate for the penalties now imposed. In the first place, I would reply that there is a very great danger and the effect of putting a tax like this is that once a protective duty has been imposed it is very difficult to get it repealed. The Tariff Board also give it as their considered opinion that the burden will be widely diffused and will not press with undue severity on any one section of the community.

To that, Sir, my reply is that it will press with undue severity on the people of Burma, and as for the contention that the effects will be widely diffused I admit that in the matter of area this is so, but in the financial aspect of the case the poorer classes will be the sufferers. Agricultural implements (now excluded), house-building materials will cost more, road improvements will be more costly, and consequently district rates will have to be put up. Railway fares will probably have to be increased.

The main point of the whole thing is that Burma does not at present produce any steel, nor is she likely to be able to do so for the next three or four generations, if then. Up to the present no deposits of iron ore or coal have been discovered in either sufficient quantity or of suitable quality.

It is admitted that Burma is still in a most undeveloped state, as compared with India.

The open mileage of railways in Burma is less than 5 per cent. of the total open mileage of railways throughout India, 1,600 miles against 37,000.

On the other hand, however, Burma is the largest province of the Indian Empire and constitutes approximately 15 per cent. of the total area of all India.

Calculated on this basis Burma at present only has about one mile of railway to three which she should have to bring her up to an equal state of development with India in this respect.

Trunk roads are non-existent and tributary roads to rail and river are of a most primitive kind.

The ports of Burma are inadequately equipped for handling even the existing trade of the province.

Irrigation and water works, town planning and development schemes, schemes for the advancement of education and the improvement of public health and social conditions, further expansion of agricultural and industrial undertakings are all crying for immediate development.

That, Sir, is the condition of Burma which, I submit, only goes to show that in the past Burma has been deprived of sufficient funds for her needs, starved in such a way that necessary works of development and expansion have had to be deferred altogether or carried out on an economically small scale.

Against all my arguments with regard to the hardships Burma has suffered in the past from lack of funds for her urgent needs as regards development, I know my friends, the Honourable Member for Commerce or the Honourable the Finance Member, are ready to reply that Burma has just been given 9 crores of rupees by the Central Revenue Department.

[Mr. E. G. Fleming.]

I doubt if the expression given is a fair statement. "Repaid", I submit, is more correct. This sum was the amount collected by Government by means of the rice control profits during the war.

This money I submit was the property of the cultivators and rice millers of Burma. The cultivator was limited in the price he was to receive for his paddy and the rice miller was controlled as to the price at which he could sell rice and any profit derived from the sale of the rice was attached by the Central Revenue Department.

Parts of India, I think, contend that they paid for this, but, although I have not got figures beside me, I am fairly confident that exports of rice to places outside India were on at least an equal scale as exports to Indian ports, in addition to which considerable quantities of rice shipped to Indian ports were exported.

Burma is alive to her condition and the disadvantage under which she is progressing, if you call it progress. She has in hand, or is about to put in hand, many large schemes amongst which I would mention :

Duplication of the main railway line from Rangoon to Mandalay and the strengthening and rebuilding of several railway bridges,

Railway extensions—Moulmein to Ye and Pyinmana to Magwe,

The building of a new cantonment 14 miles from Rangoon,

New wharves at Rangoon,

New roads, bridges, canals, reservoirs throughout the Province,

New university buildings,

Extensive works for the development of Rangoon,

New municipal markets, hospitals, schools,

Improvement of water and sewage lines.

Private enterprise is responsible for :

Tramway extensions and retracking electric light extension and installations, at district headquarters and townships,

Extensions and repairs to existing mills and factories, including improvements in housing conditions for labour, the majority of whom are emigrants from India, and who I may say remit every month considerable sums of money by money order to India, which is money earned in Burma which goes out.

There are also proposed new ventures requiring additional factory buildings and godowns, for rice and cotton milling, paper-pulp making, sugar-refining, oil-seed crushing and mining industries. In all these undertakings articles of iron and steel are required and principally items which are to be subject to the considerably enhanced import duty proposed if this Bill is passed.

As I have already said, Sir, Burma cannot produce steel, and as from a very liberal estimate by the end of the next three years the steel produced in India will at the very most be under half the total amount required by the whole country, I submit that there is no prospect that Burma will be able to get her requirements in the future from India. It is but reasonable to suppose that with demand being so much in excess

of supply steel produced in India will find ready buyers waiting practically at the factory door, ready to secure all that is offering. The natural result of this will be that Burma will of a necessity have to continue importing her requirements of steel as she is now doing. The effect of this measure will then be that Burma will have to pay unnecessarily an additional import duty which will in due course go to the Central Revenues and Burma will not benefit therefrom. She will, in fact, be a decided loser as the important works towards her development will cost her considerably more.

If Burma is excluded from the provisions of this Act, there need be no fear that re-exports of steel from Burma to India would affect the Indian markets. I submit the Customs authorities could easily deal with that by export certificates, and the tariff could be adjusted at the port of entry into India. As a matter of interest on the point of steel imported into Burma, the customs tariff of sea-borne trade is rather difficult to follow in this matter, and as I am not an important merchant myself, I cannot follow it, but under the heading steel and iron combined Burma's imports up to March 1923 were 10 per cent. of the total imported into India, and the value was 13 per cent. There is another heading referring to steel alone, where Burma's imports were only 3 per cent. In this second item I may mention that the heaviest item in that portion was steel bars, of which Burma only imported 4,057 tons out of a total of 188,000 tons. I however wish to point out that imports of this commodity were mostly from countries outside the British Empire and amounted to 168,770 tons, or just 89 per cent. Taking that big item out, or in other words combining Burma's imports of steel and iron, as shown in the customs schedule, and steel alone, the combined imports of Burma are approximately 7½ per cent. and the value 11 per cent. of the whole of India. There is a great cry in Burma that in the past she has been bearing more than her normal share of the general taxes of India. She, at present, contributes 10 per cent. of the income-tax and customs receipts of the whole of British India, and during the period that the salt tax was at the enhanced rate of Rs. 2-8 per maund, the tax collected in Burma was considerably in excess of what it was anticipated would be derived from that Province. These taxes, however, are general throughout India, but I repeat again Burma contributes an excessive share, seeing the average is 10 per cent. of the total collected all over, whereas the population of Burma is only 4 per cent. of the whole of India, and under one-tenth of the population of Bengal.

There is another matter which I think requires a reference in this aspect, the rice export duty. The rice export duty amounted to approximately 1 crore of rupees from Burma and it went wholly to the central revenue funds. This is a further instance of Burma contributing a considerable sum which I think I am right in saying is not received from the other Provinces on anything like the same scale. In the early part of the debate I think I heard reference made to the great assistance the Pioneer Steel Producing Company of India had been to the country throughout the war. On these grounds I submit that Burma is also due some consideration for the assistance given by that Province specially in the production of wolfram. Wolfram is now not wanted and those who sank money in developing the industry in order to increase the production at a considerable cost to themselves in the way of improved plant and machinery are now heavy losers.



[Mr. E. G. Fleming.]

There is a point which I feel is against me and that is the reference made the other day to the fact that Burma's oil industry was protected. If you will refer to the Indian Fiscal Commission's report at page 11, paragraph 16, there is a reference to this subject :

".....and a duty of half an anna per gallon on petroleum was imposed for revenue purposes in the year 1888."

As far as I know, revenue purposes still require that half anna duty. Another point that is also referred to at page 13 is revenue from customs which the financial balance of the Government required to be raised :

".....and the need for more revenue from customs was not yet at an end. In 1922 while we were still prosecuting our inquiries it was found necessary to make further far-reaching changes in the tariff."

Turn over the page and you read that the duty on kerosene was raised by one anna per gallon and an excise duty of one anna per gallon was placed on kerosene produced in India. There is another reference to this later on at page 83 where it is said that the excise duty will fall mainly on the producer, or in other words that the consumer will not have to pay the excise in addition to the enhanced import duty.

Well, these import duties have been put on by Government and I submit that they have found them quite useful. The indigenous oil companies can produce two-thirds of the requirements of India, and had they not continued to produce two-thirds of the requirements of India it might have been found that the companies who imported oil from other places would have charged exorbitant prices and the consumer would have had to pay more for kerosene. Kerosene oil throughout the country, I think I am right in saying, has remained very stationary in spite of other commodities going up. That is put in as a claim that Burma is not benefitting from the protection of its oil trade. The excise duty was put on by Government and therefore the Government apparently are deriving the benefit from it and not the oil companies. I do not suppose it is unknown to Members of this Assembly that the people of Burma have been suffering from heavy taxation and are under a sense of grievance that their claims to consideration are not receiving full attention. They have even gone so far in some places as to moot the question of separation from India. The general impression is that Burma continues to be handicapped by the failure of India to realise and provide for her special needs. It is overlooked that she came late into the Empire and that her identity is in every way different from that of any province in India.

**Mr. President :** I am afraid the Honourable Member is dealing with a much larger question—about the position of Burma in the Indian Empire. We are not concerned with that question now.

**Mr. E. G. Fleming :** With your permission, Sir, I have to add a little bit more as I wish more sympathy for Burma.

**Mr. President :** I allowed the Honourable Member every latitude, but I am afraid he is now travelling much beyond the question before us.

**Mr. E. G. Fleming :** I have had it put to me that Burma is part of India, and therefore she must suffer with the rest of the Provinces. As

against that, I would submit that the Montagu-Chelmsford Report said that Burma was not India and that its problems were altogether different. Historically and geographically, Burma is only by accident a part of the Indian Empire. I know I shall be told a similar application for exclusion by other Provinces would be equally admissible, but I submit, Sir, that either they have not had the courage of their convictions or they consider that the development of their Provinces will not suffer or be in any way retarded. I submit, Sir, that probably only a few Honourable Members have ever had the privilege of visiting Burma and obtaining first-hand knowledge of the conditions existing there from the inhabitants themselves. Those who have visited the Province will have seen how far the country is behind India in the most necessary matters, such as transport facilities. In conclusion, all I can say is, that what Burma wants is protection, and the protection she wants is the protection from being included in this Bill.

**The Honourable Sir Basil Blackett :** Sir, I hope that the Honourable Member who has just pleaded the case of Burma will not think that it is due to any lack of sympathy for that part of India that the Government, and I think the House, are disinclined to lend support to his amendment. The strength of his case, if it had strength, rested in that part of his argument, which you, Sir, did not allow him to develop. We might have had an interesting debate on a new subject, namely, whether or not the fact that we have decided to introduce protection justifies the continuance of Burma as part of the Indian Empire. If that question is excluded, and if it is assumed that at present we are not discussing the question of the separation of Burma from India, then I think we must assume that while Burma may suffer—and I will show how much less she will suffer than she thinks from the imposition of protective duties,—she also has the right to share in the added prosperity of India which, we hope, will result from this Bill, and she must take one part with the other.

The Honourable Member who has spoken obviously had lively memories of the debate that took place on his subject in the Select Committee and he tried to forestall in advance some of the arguments that were going to be brought against him. As a matter of fact, he was quite wrong in thinking that I had any idea of mentioning the rice profits. I had no idea whatever of speaking on the subject. He was right in some other things but I will come to them later. I should like first of all to show how much strength there is in this claim, not this time from the "poor man" but from the "poor province." In the representation from the Burma Chamber of Commerce it is stated that Burma imports stand at 11 per cent. of the total imports under the heading "Iron and Steel." We have had much the same figures from Mr. Fleming to-day; and they are about true. But steel imports are classified also under the heading "Steel" and it is under this last heading that steel bars are classified. Now, the total average import into the Indian Empire is 133,000 tons a year and the Burmese average import of steel bars is 4,000 tons a year. So, taking both headings together, the Burmese import is about 7 per cent. of the total. The biggest single item consists of the imports of tubes and pipes for oil-fields. Import duties on tubes and pipes are not affected by the present Bill. I have here figures giving the averages of the total imports and the imports into Burma for the last three years in thousands of tons and percentages. I think that it might be interesting to read them to the House.

[Sir Basil Blckett.]

	Total average import	Average import into Burma.	Percentage of Burma to total.
			Per cent.
Tubes and pipes—wrought.. ..	37·8	17·3	46
Wire nails .. .. .	9·8	3·4	30
Wrought Iron—Angles and bars ..	20	3·6	16
Beams, girders, pillars and bridge work.	77·5	10	13
Tin-plate .. .. .	40	5·3	13
(I notice by the bye that the Honourable Member did not, as far as I could see, challenge a division on the question of tin-plate.)			
Galvanized sheets .. .. .	93	10·3	11
Wire, other than fencing .. .. .	3·0	·3	7·7
Light rails, etc. .. .. .	19·3	1·8	5·5
Beams, angles, bars, not fabricated..	92	5	5·5
Black sheets, not galvanized ..	89	3·5	4
Steel bars .. .. .	153	4·1	3

Now, there is no increase of duty on wrought tubes and pipes. One of the heaviest increases—from Rs. 14 to 40 per cent. on steel bars—practically does not touch Burma at all. Following the same methods of calculation as adopted by the Tariff Board, I cannot put the increased burden on Burma as the result of this Bill at higher than 8 or 9 lakhs at the outside. And of that, some portion will be imports by the Government of Burma which under existing arrangements will not be an additional charge on Burma. Now the Honourable Member tried to answer in advance an argument which he evidently fears very much about the production of oil. I have here a volume which he must have seen in my hands containing the evidence of the Burma Chamber of Commerce before the Fiscal Commission. They had a very good opportunity of giving their views and I will read a short portion of those views :

“ Q.—With reference to oil, is any protection required ?

A. (of the representative of the Burma Chamber of Commerce).—Yes.

Q.—Would you care to put any proposition before the Commission ?

A.—I consider that it is absolutely essential that the present protection which is given to us should be continued.

Q.—What is the protection that you now get ?

A.—The protection given is an import duty on foreign oil.

**Q.**—Without the continuation of this protection your industry would be seriously handicapped ?

**A.**—It would stop eventually.

**Q.**—The import duty at present is 20 per cent ?

**A.**—Boughly.

**Q.**—You refer to kerosene oil ?

**A.**—Yes.

**Q.**—You want this to be kept on ?

**A.**—Yes, I want the present protection to be continued.

**Q.**—You look upon it as consistent with free trade doctrine ?

**A.**—Yes, because it is an industry which is absolutely essential for India. There is no other industry which can compare with it.

*The President.*—**Q.**—Iron and steel ?

**A.**—No, because the quantity of iron and steel which can be manufactured in India is almost limited. At present the production of oil in India is far below the demand. Besides, this is the only place in the British Empire that produces oil at all."

And over the next page he was asked to define his views on the subject of protection :

" **Q.**—I should like to follow out the practical consequence of that. There are three possible cases. Take first the case of an industry which could not survive even when protected. That will die in any case, and we need not worry about it. The second case is an industry that can survive if protected and cannot survive if not protected. You say that you would give protection for some time until you discover that the industry fulfils your condition.

**A.**—If it is proved that the labour could be adapted after a certain time to suit the necessities of that industry, then I should be prepared to protect that industry for a certain time until the labour can be trained."

I submit, therefore, that out of their own mouth the Government of Burma are convicted of being in favour of protection of steel and of the general doctrine of discriminating protection.

**Pandit Shamlal Nehru :** I move that the question be now put.

**Mr. E. G. Fleming :** May I ask the Honourable the Finance Member who was the gentleman who gave that evidence before this Commission ?

**The Honourable Sir Basil Blackett :** This is the oral evidence of Messrs. A. B. Richie, John Hogg, and J. K. Michie of the Burma Chamber of Commerce examined at Rangoon on the 25th January 1922. I think it was Mr. Hogg who was the man actually answering at that particular stage. But as far as I can see the three were unanimous.

**Mr. E. G. Fleming :** I am not quite clear why Mr. Hogg was speaking before the Fiscal Commission about kerosene protection.

**Mr. President :** The question is :

" That to clause 1 of the Bill the following new sub-clause be added, namely :

' (2) The provisions of this Act shall not apply to Burma '."

The motion was negatived.

**Mr. President :** The next amendment\* is Mr. Lohokare's and it is covered by the additional clause that we added this morning. The same applies to the next amendment No. 21†. Then comes amendment No. 22—Mr. A. N. Dutt's,—namely :

“ To clause 1, the following sub-clause be added :

‘ It shall remain in force up to the 31st day of May, 1925 ’.”

That really goes against the whole scheme of the Bill and destroys its scope. It was insisted upon by non-official Members and accepted by Government that this was not a temporary measure.

**Mr. Amar Nath Dutt :** Sir, when we wanted an extension of terms, as certain Members did, for this Bill, it was said that we cannot tax the people longer than was provided in the official measure. But I never knew that we cannot limit the scope of the Bill to a certain number of years and we are to accept the number of years that is given to us by the Treasury Benches. I submit that in that case, when the Official Benches introduce a Bill, we will have either to accept it or to reject it. We will have no other alternative. But I say that my amendment is perfectly legitimate and perfectly within the scope of the Bill and therefore I am entitled to move it. If I am allowed to move it, then I shall place my reasons before the House why this amendment is necessary.

**Mr. President :** I never said anything of the sort that the Honourable Member attempts to put into my mouth. I have never said that you cannot move an amendment limiting the scope of the Bill. But the limitation must not be of such a character as to destroy the whole basis and scope of the Bill altogether. This amendment is one falling under that category.

All the amendments to clause 1 having now been dealt with, the question now is :

“ That clause 1 stand part of the Bill.”

The motion was adopted.

Clause 1 was added to the Bill.

**Mr. President :** Now, we proceed to the Preamble. The first amendment on the Preamble is No. 2 by Diwan Chaman Lal. He will realise in view of what we have done till now that it is entirely outside the scope of the Bill.

**Mr. Chaman Lal :** Sir, before I proceed to give my reasons why this amendment should be taken up, may I, with your permission, say a word as regards the little incident that happened this morning. I never

\* That to clause 1, the following new sub-clause be added :

“ (2) It shall not affect the production of a company, firm or other person of the following description engaged in the manufacturing of steel in India such production being treated as imports :

A company, firm or other person who does not satisfy the following conditions—

- (a) At least one-third of the total capital is held by natives of India.
- (b) At least one-third of the managers, directors or organizers are natives of India.
- (c) At least half of the skilled labour employed are natives of India.
- (d) All unskilled labour is native.

If the above is not accepted, then—

After clause 4, the following new clause be added to the Bill :

‘ 5. Bounties mentioned in sections 3 and 4 shall not be paid to any company, firm or other person engaged in the business of manufacturing steel in India, that does not satisfy the following conditions :

- (a) at least half of the total capital is held by natives of India ;
- (b) at least half of the managers, directors or organizers are natives of India ’.

† Vide page 2670, *supra*.

meant to question the dignity of the Chair. The dignity of the Chair must be preserved at all costs and my protest was aimed against those gentlemen who are anxious to preserve order by creating more disorder. With your permission, may I be permitted also to make a statement on a matter of grave public importance. During the last few days we have been holding conferences with certain Directors of the Tata Co., and I am authorised to state on behalf of Mr. R. D. Tata that he is quite prepared to accept the recommendations of the Conciliation Committee in regard to the recognition of an union or association of the workers of Jamshedpur as the truly representative organisation of the workers of that town. Further, Sir, another point that has been settled in consultation with the Directors of the Tata Co. ....

**The Honourable Sir Charles Innes :** May I rise to a point of order ? Is the Honourable Member. ....

**Mr. President :** The Honourable Member is now travelling beyond the question now before the House. I called upon him to submit anything he may have to say, to show that this amendment is in order.

**Mr. Chaman Lal :** That was the very reason why I asked your permission to make a statement because I thought it was a matter of public importance and might help Honourable Members to come to certain definite conclusions. Sir, the amendment that stands in my name runs as follows :

“ That for the Preamble the following be substituted. .... ”

**Mr. President :** The Honourable Member need not read the amendment which is before the House.

**Mr. Chaman Lal :** I admit that it is before the House, but I want this preamble to go on record and unless I read it there is no other means of putting it on record.

**Mr. President :** It will appear on record as an amendment moved by you and ruled out of order.

**Mr. Chaman Lal :** With your permission, if you do not have any serious objection to my reading it, I will read it.

**Mr. President :** I have a very serious objection. The Honourable Member will see that we want to save time as far as possible.

**Mr. Chaman Lal :** Well, Sir, the amendment that stands in my name, is as follows— you say I need not read it ; I hope the reporter at the table will take it down :

“ That for the preamble the following be substituted :

“ Whereas the industries of India have been systematically ruined by the adoption by Great Britain of a policy of levying exorbitant duties on Indian Manufactures in the past ; and whereas steps should be immediately taken for the preservation and extension of Indian industries not as private monopolies but as national assets, be it enacted as under subject to the following provisos in so far as the steel industry is concerned :

- (a) That the principle of nationalisation of the steel industry in India is accepted as the settled policy of the Government of India.
- (b) That in pursuance of the acceptance of this principle a Board of Valuation will be set up by the Governor General in Council to recommend the price at which particular concerns operating in steel or pig-iron and the raw-materials requisite for their manufacture should be purchased from their present owners for the nation.

[Mr. Chaman Lal.]

- (a) That in the direction of this industry upon Nationalisation the local management will be entrusted to Advisory Boards consisting of a number of representatives nominated by the Government and an equal number elected by ballot of the workers engaged in the particular industrial concern.
- (d) That Conciliation Boards for the settlement of all industrial disputes arising in the steel industry will be appointed forthwith.
- (e) That an immediate enquiry by a Committee consisting of two officials nominated by Government and two elected members of the Assembly selected by the House will be instituted into the economic condition of workers engaged in the steel industry with a view to its improvement."

The objections that have been raised to the acceptance of that amendment are purely technical. May I draw your attention to the fact that the law governing amendments is set out in the Manual at page 85.....

Mr. President: I cannot allow the Honourable Member to give references and authorities. He has merely to state the point of order and I have to decide upon it.

Mr. Chaman Lal: I cannot see how I can explain my position unless I inform Honourable Members what is exactly the position governing this amendment. In my personal view there is no rule or regulation which can prevent an amendment of this nature from being moved in this House and I take my stand upon the rules and regulations governing amendments in general. The rules are these; that no amendment shall be moved to any question before the House if that question has already been decided, or if that question is inconsistent with a previous decision on the same question, or if that is beyond the scope of the Bill or has merely the effect of a negative vote.

The Honourable Sir Alexander Muddiman (Home Member): I suggest for your consideration that the House has discussed and passed all the clauses of the Bill and the only thing to be done now is to bring the Preamble if necessary into relation with those clauses.

Mr. President: I think the Honourable Member's amendment to the Preamble is not in order.

Mr. Chaman Lal: I submit to your ruling, and I have nothing more to add.

Mr. President: The next amendment\* is in the name of Mr. Devaki Prasad Sinha.

Mr. Devaki Prasad Sinha: I do not move it.

Mr. President: The next amendment is Mr. Duraiswami Aiyangar's, about the substitution of the words "in pursuance of the declared policy of protection". Do you wish to move it?

Mr. C. Duraiswami Aiyangar: Sir, I rise to move the amendment that stands in my name that:

"In the Preamble to the Bill for the words 'in pursuance of the policy of discriminating protection' the words 'in pursuance of the declared future policy of protection' be substituted."

\*In the Preamble to the Bill the words "in pursuance of.....the community" be deleted.

It has always looked curious to me that the Preamble, which ought to be the root or the seed of the whole Bill, is taken up last, so much so that the Honourable the Home Member is enabled to say that it is the Bill which commands the Preamble and not the Preamble that controls the Bill. It is the Preamble in which the policy is to be enunciated. It is the Preamble that must indicate the policy and in accordance with that policy the Bill is to be framed. The procedure that we adopt is to cut the head according to the cap. Now the Preamble has to be controlled by the provisions that we have already passed here in this Assembly. With reference to this Bill I think the only amendment that may now perhaps be admissible will be to convert "with due regard to the welfare of the community" into "without due regard to the welfare of the community". But all the same I insist that my amendment shall at least be passed, so that even if the effect goes, the principle may stand, even if the limbs are emaciated, the head may continue to be strong. In this view of the matter I wish to present this amendment, Sir. Have you ever heard of this phrase "discriminating protection" in any other country on the globe? It is in India that new and peculiar phrases are invented for the Government of India. When we go to the Lee Commission we have the "increasing association of Indians". When we go to the Government of India Act, it becomes "the progressive realisation of responsible government". When we come to protection, we have "discriminating protection". I ask, what is the meaning of the words "discriminating protection" when used in a Statute? Is it the ordinary literal signification of discriminating between right and wrong, between good and bad? If so, I would ask, is there any other Act of this Legislature, any conduct or proceeding of this Legislature, which is not to be guided by discrimination? Is it only in the matter of protection that we have to exercise discrimination and is it suggested that in all other Acts we shall proceed with indiscriminate? Even if it is not the literal meaning, if the word "discrimination" has been raised to the status of a technical terminology, then we have carefully to scan it before we can say whether it should be retained or deleted. Sir, the word "discriminating" when it is applied as a technical term by the Fiscal Commission has all its mischievous consequences and it will affect us at every stage as it has already affected us. The word "discrimination" is absolutely unnecessary in an independent country but in a dependent country, when the policy of the dependent country and its Legislature has to be shaped according to the interests not of its own but according to Imperial interests, then alone the question of "discriminating protection" comes in. Therefore, I see in this word "discrimination" consequences of a far reaching nature.

I thought I would never be called upon to move this amendment after the submission of the Bill to the operation of a Select Committee in which there were several revered and respected leaders of the non-official party. But alas, Sir, to my disappointment I find that for all practical purposes the Select Committee has been nothing more than a revised and enlarged edition of Sir Charles Innes. The Bill has come back to us much in the same condition in which it went there, and if anything took place there at all it was to make the Preamble much worse than it was before it went to the Select Committee. The only addition which has been made in the Select Committee has enlarged its scope. At least we thought that Sir Charles Innes had been good enough



[Mr. C. Duraiswami Aiyangar.]

to give us "discriminating protection" for only the short period of three years and we thought it would have come to an end at the end of three years. In fact, Sir Charles Innes himself said the other day that the application of the Bill would cease though the policy would remain. From that I inferred that the application of it would leave the physical plane and it would not matter if the policy remained in the astral plane. But it has come back to us and by the amendment made in the Select Committee the same discriminating protection is now to be our portion in perpetuity and the phrasing of it in the Select Committee is "with due regard to the welfare of the community". There were 14 or 15 Members, non-official Members, sitting there together; could they not find any other word instead of the word used? Could they not have said "with sole regard to the interests of India".....

**Mr. President :** The Honourable Member is not addressing himself to the amendment but to other words not affected by his amendment.

**Mr. C. Duraiswami Aiyangar :** It is very difficult for me. Even in courts we are not so severely restricted.

**Mr. President :** It may be difficult but you have to do it.

**Mr. C. Duraiswami Aiyangar :** All that I wish to say is that, with a view to stating my position as to why I am asking for the word "discriminating" to be deleted, I refer to the reason that the addition made in the Select Committee has made the word "discriminating" more mischievous than it was at one time. Now, Sir, I will place the practical effect of the word "discrimination" before you as it has been proved to us before the Tariff Board and also before this Assembly. The Tariff Board itself became considerably hampered by the use of the words "discriminating protection", which no other economist of India ever used, which no other public man in India ever demanded. Sir, I may read to you a passage, a recommendation made by Professor Vakil in his book. He says :

"It is to be hoped that when the time for determining the fiscal policy of India by legislation arrives the members of the Indian Legislature with the overwhelming support of Indian opinion will have the courage to force upon the Government of India the minority recommendation that there shall be an unqualified pronouncement that the fiscal policy best suited for India is protection."

(Inaudible interjection by Sir P. S. Sivaswamy Aiyer.) I have already answered Sir Sivaswamy Aiyer's question whether it should be indiscriminate or discriminate. I said that the word "discriminate" in its literal significance controls every one of our acts, not only in the matter of protection but in every kind of legislation or Resolution passed here. It is in that view of the matter, Sir, that the late Mr. Gokhale also distinguished between the right kind of protection and the wrong kind of protection. But when it comes to making it a statutory term, it is there, Sir, that I take serious objection, and I wish that it should not be used as a term in the Statute because it will be no longer used in its usual significance but with a peculiar significance, and that significance is that, whenever we have to apply a policy of protection with reference to any industry in this country, not only steel but also other industries, it will come seriously to affect us and introduce many other considerations than those purely of Indian interests. Therefore, Sir, I wish that this term should not be introduced or kept in. If it is a question of ordinary discrimination, between right and wrong, there can be no

serious objection to the removal of that term altogether. Therefore, Sir, if it is insisted upon I have every reason to suspect that it has got some other meaning than its literal popular significance. Now, Sir, at page 110 of Professor Shah's book, there is an extract from Mr. Wilson's history of India which I should like to read to the House. It says :

"The customs had somewhat declined but this arose from a measure adopted shortly after the renewal of the charter by which in consequence of orders from home, the duties were generally lowered and a variety of articles—the produce or manufactures of Great Britain—wholly exempted from any charge upon their being imported into India. As similar immunities were not granted to the manufactures or products of India in the ports of the United Kingdom this was a piece of selfish legislation in which the interests of the dominant country were alone consulted and those of the subordinate dependency deliberately injured, the latter being not only deprived of a legitimate source of revenue but being exposed to an unequal competition under which native industry was already rapidly decaying."

There, Sir, he has indicated what the adoption of a policy of discriminate protection would mean, if we took into consideration not only the interests of India but also those of the United Kingdom simultaneously. Therefore, Sir, I want that this protection should be controlled entirely by the interests of India and not of British and Imperial interests. The Tariff Board, as a matter of fact, has introduced a code of ethics, a code of altruism, a code of loyalty, and a code of sympathy. All these arise out of this one consideration of their being hampered at every stage by so-called discriminating protection. I say a code of ethics because while in every country, in every civilised country, anti-dumping legislation is framed, the Tariff Board Report feel shy of the term itself. There was some question of morality in it and they would not use the term. I say a code of altruism, which results in foreign capital being imported into this country. I say a code of loyalty, because Imperial interests are at stake, and, similarly, in regard to a code of sympathy. The code of sympathy comes in when the Board has to deal with the increase of Railway expenditure, while the Railway finance is suffering from obesity and not anaemia. These considerations arose out of the simple reason that at every stage the Tariff Board were asked to go on discriminating, as if they would not do so of their own initiation if they considered it necessary.

I will quote to you one small passage, and will not take up more of your time ; but I will ask you to seriously consider this question of discrimination. The quotation is from Shah's "Trade, Tariff and Transport in India", page 284, and runs as follows :

"But the protection they have recommended, and the discrimination they have indicated, apart from implying a certain restriction attempted upon the free discretion of the Legislature in finally determining the fiscal policy of the country, will scarcely inaugurate an era of boundless prosperity for the Indian industries, restoring this country to that place in the roll of the industrial nations of the world, that is her due, as much because of the immense natural resources she possesses, as of her vast labour power. The Majority Report displays an almost old-maidish nervousness about the dangers of the Protection it has recommended. Accordingly, its main recommendation seems like a forced ungracious concession, the result of an obvious compromise between the doctrinaire free trader, and the nervously apprehensive protectionist, ashamed of his demands even while he is making them, lest he be accused of selfishness . . . It is difficult to understand how the eminent men, who composed the majority of the Commission, should have lent themselves to approve a *camouflage* that was invented and is maintained for the obvious needs of economy in the government of one country by another of imperialistic tendencies, but which can have no possible counterpart in the realities of life in a country like this."

[Mr. C. Duraiswami Aiyangar.]

This is the opinion of a great authority on the introduction of this word "discrimination". Are we not justified in following it and learning a lesson from this great authority ?

And if that be your view and the view of the other side is that what they mean by discrimination is the distinction between right and wrong, then they might consent to omit it and you must insist upon deleting it also. Therefore, there can certainly be a unanimous opinion on this point, even if nothing more than the distinction between right and wrong is intended. The Tariff Board also insist upon our having declared a policy of protection in absolute terms. They did not recommend the introduction of any word "discriminating" before protection. Therefore with these words I commend to you my amendment, and I think, whatever may be the result of our deliberations over the other provisions of the Bill, let us please retail this as the first introduction of a policy of unqualified protection for our country, and I would honestly ask Sir Charles Innes to get that immortal name which Mr. Galt got in Canada by defending Canada, so that we may always remember that whereas they look to their tariff as the Galt Tariff, we shall look upon ours as the Innes Tariff. Leave out this word and introduce in this connection a policy of unqualified protection as determined by the policy of the British Government in India.

6 P.M.

Mr. C. S. Kanga Iyer (Rohilkund and Kumaon Divisions, Non-Muhammadan Urban) : On a point of order. There are various other amendments on the same proposition and I feel it will facilitate discussion if you call upon the movers of those amendments to have their say, so that it would enable the Commerce Member to reply to them all together. I put this suggestion before you.

The Honourable Sir Charles Innes : Sir, Mr. Duraiswami Aiyangar will pardon me if I say that his speech reminds me of one of his own Tamil proverbs. The proverb is that it needs a very big stick to kill a very small snake. The Honourable Member has spent 20 minutes in dealing with what I cannot help feeling is a point of very small importance indeed. The whole object of the Honourable Member's speech was to show cause why the word "discriminating" should be omitted from the Preamble of this Bill. If you are going to have a preamble at all, and if you are going to refer to the policy which has been adopted by the Government of India, the phrase you use should at least be accurate, and the policy which the Government has adhered to, the policy which this House has adhered to, is the policy of discriminating protection. The Honourable Member has spent so much time in studying Professor Shah that he has forgotten to read the Fiscal Commission's Report and if he had read the Fiscal Commission's Report, he would have seen that there are good reasons why our policy is a discriminating policy. The actual word "discriminating" is explained in one small paragraph of the Report :

"In the interests of consumers generally, and particularly of the masses of the people, in the interests of agriculture, in the interests of steady industrial progress and for the maintenance of a favourable balance of trade, the policy of protection which we recommend should be applied with discrimination so as to make the inevitable burden on the community as light as is consistent with the due development of industries."

And, Sir, the House itself this very day has adopted a policy of discriminating protection. The House has refused one of the proposals put forward in this Bill. It has refused to give any protection in the matter of agricultural implements. The Honourable Member himself voted for that amendment. The Honourable Member himself, therefore, is a disciple and an apostle of the policy of discriminating protection. Sir, I do not think it is necessary for me to take the time of the House any longer. This phrase is historically accurate: it expresses the policy which we the Government and this House have adopted, and I submit there is not the least necessity to make the amendment suggested by the Honourable Member, especially in view of the alterations which we have made to the Preamble in the Select Committee. I oppose the amendment.

**Mr. Jamnadas M. Mehta :** Sir, I have not much to add to what Sir Charles Innes has said, but at the same time I really feel that so much wrangling over a single word can lead us absolutely nowhere.

As a matter of fact, if the Honourable Member had read the Resolution of the Assembly which was passed on the 16th February 1923, the phraseology objected to by him occurs there.

**Mr. C. Duraiswami Aiyangar :** I knew it.

**Mr. Jamnadas M. Mehta :** Then you have known it to no purpose whatever; if the Assembly has laid down a certain thing you should not ordinarily go beyond that. We are not in a court of law here and ought to be guided by common sense. Unless, therefore, there are any exceptional reasons we should not go beyond the Assembly's Resolution. That Resolution was in its turn based on the report of the Fiscal Commission in which the precise signification of the words "discriminating protection" has been defined. In the report of the Tariff Board, paragraph 98, page 56, my Honourable friend will find what discriminating protection means. It means this—I am quoting from the report :

"This principle as we understand it operates in three ways :

(1) It governs the selection of the industries to be protected."

You cannot protect each and every industry simply because it is indigenous; you have to discriminate. If you do not want to discriminate, must we protect indiscriminately anything? What is exactly meant by the opposition of my Honourable friend to this word? Here is the Tariff Board which says "It governs the selection of the industries to be protected." Then "it limits the amount of the protection to be granted." You cannot give the whole of the protection that is asked for; you must select, you must consider, you must discriminate. No one surely can quarrel with a phrase which says you must select and limit the protection to be given. Then the third point is :

"Within each industry it excludes from the protective scheme those products which are not made and are not likely to be made in India."

That means that you cannot very effectively work an industry in this country simply by a scheme of protection; you must not waste public funds on it in the forlorn or distant hope of its being some day in a position to stand on its own legs.

**Mr. C. Duraiswami Aiyangar :** The Honourable Member is misrepresenting me. I never said there should be no discrimination. I only objected to the technical term used.

**Mr. President :** The Honourable Member is entitled to put his own interpretation on what Mr. Aiyangar said.

**Mr. Jamnadas M. Mehta :** I am simply quoting for the benefit of the Honourable Mr. Duraiswami Aiyangar the interpretation which the Tariff Board placed very wisely and properly on the term which my Honourable friend wants to be deleted but to which nobody can object except for the sake of a wrangle. Therefore, I see absolutely no justification for this amendment which, however you look at it, means absolutely nothing. My Honourable friend says "In pursuance of the declared future policy of protection". Apart from its English does it mean anything? Its English also is dubious. What is "the declared future policy of protection?" For all these reasons, Sir, I say that this amendment is absolutely useless and ought to be thrown out.

**Mr. President :** With regard to the inquiry of Mr. Ranga Iyer as to how the other amendments will be dealt with, I will tell the House what I propose to do. All these amendments show that the attack is on the word "discriminating". Therefore what I propose to do is to put to the House whether the word "discriminating" should stand part of the Preamble. If the House decides to keep that word, then all the amendments will be disposed of. If, on the contrary, the House comes to the conclusion that the word "discriminating" should be omitted, then I will put to the House what word they want to substitute in its place. Therefore if Mr. Patel, who has given notice of an amendment and also Mr. Ranga Iyer, want to speak, I will give them an opportunity of speaking now.

**Mr. C. S. Ranga Iyer :** Sir, the Honourable the Commerce Member has in his speeches made it quite clear that the Government are for a "continuous" policy of protection but unfortunately the Honourable Sir Charles Innes will not be here always. He is an Honourable Member who may be in this House to-day and the Head of a Province to-morrow, but the Bill will stand on the Statute-book. I want, Sir, that the word used in the numerous speeches made in this House—the Honourable Members on the Government Benches have enunciated the policy of Government as one of "continuous" protection—should be embodied in this Bill. If the policy is not to be continuous,—say so straightaway,—then Government is not protectionist. Do not mislead us. I want an answer on this point from the Members of this House. The Honourable the Finance Member has given his answer that the Government stand for a "continuous" policy of protection and I want the Members of this House to introduce that word in the Bill, otherwise you do not have a continuous policy. I suspect, Sir, I have very great reasons to suspect—for the past record of the Government is entirely against them—I suspect the policy of the Government, whether it is one of protection. It is "discriminating protection", and according to my interpretation, discriminating protection is no protection at all. You discriminate in a policy of protection not only between one industry and another, but between one country and another. Take the Bill before the House. What kind of discrimination have the Government to show? They have discriminated between America and India, between Belgium and India, between Germany and India—"the menace of the release of the Ruhr Stocks", that is the phrase used in the Report. They have discriminated further between France and India, but when England is concerned, when the interests of England are concerned, there is no favourable, no kind of discrimination in protection, but there is a kind of discrimination which goes against India. For instance, as Honourable Members who have read the Tariff Board Report are aware, the hundred thousand tons of rails that come from England are not to be

included in the import duties ; they ought to be excluded from the protective duties. Therefore, Sir, the policy of Government to-day is the policy of the Government in the 19th century, the policy that lost our industries, the policy that killed our industries. I am anxious, Sir, that the foundation of this Bill must be sound. I find no foundation to this Bill at all. A discriminating policy may be very good sometimes when you truly discriminate between one country's industry and another, but a discriminating policy left to discretion of the Government, this House cannot accept, for they may not draw the demarcating line of discrimination between Manchester cloth and Indian cloth. They may say when we take up cloth to-morrow that it falls heavily on English manufacturers, and therefore their policy of protection falls to the ground. Thus in a vital issue, discriminating protection will be no protection at all. The policy of the Government is a policy which neither this House nor any Honourable Member who wants to understand that policy can comprehend. I am anxious, Sir, that we should not only leave out that word "discriminating", but should say that the policy of the Government is continuous, and if the Government do not say so, take it from me the country will say that the Government have protected the Tata industries, because Tata's went to their rescue when Germany was at England's throat. As a matter of fact, when England was fighting for her very existence, Tata's stood them in good stead, and the Government are therefore anxious to protect them,—a kind of generosity, nothing more. If on the other hand, the Honourable the Commerce Member and the Honourable Members opposite have the candour—I do not use the word "honesty"—to insert the phrase "continuous protection" in the Bill and if they can take the country into their confidence and say "Please trust us", the country will trust them. If instead, the Honourable the Commerce Member says, 'Here is my speech for the deed', then I can only say he is an honourable man, he is a friend of India, but unfortunately that phrase is not in the Bill which is before this House.

Sir, I gave notice of this amendment before the Bill emerged from the Select Committee. I fully recognise, Sir, that the Select Committee has made an effort, a very real effort, to improve the Bill. But in attempting to improve the Preamble, I am afraid they have made it distinctly worse than it was before by incorporating the phrase "with due regard to the well-being of the community".

**Mr. President :** We are not on those words now.

**Mr. C. S. Ranga Iyer :** We are not on those words now, Sir ; I recognise that. But the inclusion of those words has strengthened my ground that a continuous policy of protection should be adopted because, Sir, we are aware that in the past our plea for protection was defied by Anglo-Indian representatives in the name of the masses and the politicians who opposed the policy of free trade were described as a microscopic minority. We fought for a policy of protection but they gave free trade in the name of the community of India, "with due regard to the well-being of the community". Therefore, Sir, I submit that this inclusion of the phrase has weakened our case. It has strengthened the discriminating-protection policy and, when you introduce or ask for the introduction of a protective policy in some other matter, so called "representatives" in this House, who do not really represent "the well-being of the community", will stand up and say that they are the representatives of the voiceless millions of India and not the microscopic minority of politicians in this House.

[Mr. C. S. Ranga Iyer.]

For these considerations, Sir, I submit that it is absolutely essential that we must press on this House and the Government to include the phrase "continuous policy" and if the policy is not continuous or consistent or uniform, it will be disappointing.

**The Honourable Sir Basil Blackett :** Sir, I should like just for a few moments in spite of the late hour to say a few words about the last speech. The Honourable Member has made one more of the speeches which he might have made in Hyde Park or anywhere like that. He says that he makes it in the name of candour. I can only suggest that he makes it in the name of ranter. We are discussing here the Preamble of a Bill the whole of which we have already passed. The question simply before us is whether this Preamble is in accordance with the Bill as passed. The Government have stated very definitely that their policy is the policy adopted by the House rather more than a year ago, a policy of discriminating protection with due regard to the well-being of the community. If those words are taken out, it will not alter the policy of the Government. If other words are put in they may possibly not be in accordance with the Bill. The policy of the Government is not a policy of indiscriminate protection. The policy, as has been pointed out and very well put by the Honourable Mr. Jamnadas Mehta, is a policy which has been accepted both by the Government and by the House. If the House wishes now to alter those words there is not the least reason why it should not do so, provided any alteration it makes is an alteration which brings out more clearly the meaning which the Government attaches to those words.

We have, during the course of the debate, done a good deal of discriminating in the matter of protection. I was not sorry to see the tin-plate industry which may be regarded as one of the border line industries protected contrary to the view taken in the Select Committee. I have, like Sir Charles Innes, a soft place in my heart for that industry, if only because, unlike some others, it is an industry "where adequate arrangements have been made both for introducing cool air and for removing heated air." I would appeal to the House, after the long debate which we have had, not to waste any more time on junior wrangling.

**Mr. President :** The question is :

"That the word 'discriminating' before 'protection of industries in British India' stand part of the Preamble."

The motion was adopted.

**Mr. President :** That disposes of amendments\* 3, 4, 5 and 6. Mr. Lchokare's amendment No. 71 goes out. Then we come to Mr. Ranga

\*3 In the Preamble to the Bill for the words "in pursuance of the policy of discriminating protection" substitute the words "in pursuance of the declared future policy of protection."

4. By Babu Rang Lal Jajodia :

That in the Preamble the word "discriminating" be deleted.

5. By Mr. V. J. Patel :

In the Preamble of the Bill for the word "discriminating" the word "effective" be substituted.

6. By Mr. C. S. Ranga Iyer :

That in the Preamble the words "uniform, continuous and consistent" be substituted for the word "discriminating".

†In the Preamble, after the words "protection of industries" insert the words "at least half of whose capital and management belongs to natives of India".

Aiyar's amendment No. 8. He wants in the Preamble to add after the words "British India" the words "subordinating Imperial interests and British interests alike to Indian interests." Does the Honourable Member want to move it ?

**Mr. C. S. Ranga Iyer :** Yes, Sir, to supply food for "senior wrangling" ! I believe the last phrase of the Honourable the Finance Member was to characterise the discussion in this House as "junior wrangling." I do not know if there is much difference between my age and that of the Honourable the Finance Member. But his is a phrase, Sir, which I do not think it necessary to answer in the same language. It is an objectionable phrase. You cannot shut out discussion in this House by saying it is junior wrangling, or senior wrangling or commercial wrangling, or bureaucratic wrangling or financial wrangling. I do not think, Sir, that I should go into it, but surely that is hardly a phrase to cool his brain or the brain of the House. No doubt I wish to give him a little more excitement and a little more heat by moving this amendment which but for his very objectionable attitude I might not have thought of moving. But it becomes very necessary, when Finance Members and Members who ought to have a certain sense of responsibility try to choke off very sincere discussion on very trivial grounds, to place on record what I think and what my countrymen think of the English policy, the financial policy and the commercial policy that is and that has been. Their policy has been, Sir, one of exploitation, one of cruel, dishonest, exploitation, and I do not think, Sir, that without the substitution of the words in my amendment we can get rid of that immoral, that dishonest, that pro-British and anti-Indian policy. May I, Sir.....

**The Honourable Sir Charles Innes :** May I rise to a point of order, Sir ? I should like to ask, Sir, whether what the Honourable Member is now saying is relevant to this Bill.

**Mr. President :** I do not think it is.

**Mr. C. S. Ranga Iyer :** I want to introduce by way of.....

**Mr. Chaman Lal :** Did the Honourable Sir Charles Innes rise to a point of order ?

**Mr. President :** I cannot hear you.

**Mr. Chaman Lal :** May I ask, Sir, whether the Honourable the Commerce Member rose to a point of order ?

**Mr. President :** Yes, he did.

**Mr. C. S. Ranga Iyer :** I want to introduce the following words :

"subordinating Imperial interests and British interests alike to Indian interests."

I want to introduce them because I do not trust the British Government and the British Government's policy in England and the bureaucratic Government's policy in India. I want to introduce them because their policy stands rooted in the past. And what is their past ? Sir, I will read for the benefit of this House, for the benefit of the Honourable the Finance Member, the views of a man, a Member of the Viceroy's Council who was much older than himself and therefore his was not a case of "junior wrangling." Sir J. Arbuthnot writing in 1879 in his Minute of Dissent.....



**Mr. President :** Order, order. We are not now here discussing the past Imperial policy. We are not discussing that now.

**Mr. C. S. Ranga Iyer :** Sir, I submit to your consideration, I venture to say that the present stands rooted in the past and you cannot separate the present from the past and you cannot but introduce these words into the amendment.....

**Mr. President :** I am afraid the Honourable Member will have to make an attempt to separate the past from the present.

**Mr. C. S. Ranga Iyer :** I shall very much endeavour to separate the present from the past though I do not see how I can, because the present Government is an inheritor of the past.

**Mr. President :** I am afraid that, if the Honourable Member finds himself unable to differentiate in that manner, he will have to close his remarks.

**Mr. C. S. Ranga Iyer :** I think, Sir, I have got to close, because of your ruling, my remarks on that aspect of the question. But then I wish to go into the higher Imperial aspect, the British aspect and the Indian aspect in regard to the present and in regard to the future. Sir, India is considered to be a part of the English Empire and we hear of British preference, Imperial preference and all kinds of new preferences being talked about in this country, in the Anglo-Indian newspapers and also in the Tory and Labour and other newspapers in England. And therefore, Sir, if we do not substitute the words of my amendment, there is a distinct and a vital danger, under the pretext of Imperial preference or British preference or some other preference, of Indian interests being ignored. We all know that India has been treated hitherto as the Cinderella of the English Empire. We all know that Indians have been no more than drawers of water and hewers of wood for a foreign bureaucracy. We all know that they still continue to be the same.....

**The Honourable Sir Charles Innes :** I rise to a point of order. It has just been pointed out that the Bill governs the Preamble and not the Preamble the Bill. I submit that there is nothing in this Bill which in any way subordinates Imperial interests and British interests alike to Indian interests, and that being so, I submit that it is not proper that these words should be inserted in the Preamble. I think they are more in the nature of a political manifesto than a sober Preamble.

**Mr. C. Duraiswami Aiyangar :** I submit that the Bill governs the Preamble only after it becomes an Act. In the legislative stage it is the Preamble that governs the Bill.

**Mr. President :** It is quite a novel doctrine.

**Mr. C. Duraiswami Aiyangar :** All the same it is correct.

**Mr. President :** Unless Mr. Ranga Iyer will limit his observations to the actual words that he wants to introduce—I am afraid, he is travelling far beyond.

**Mr. C. S. Ranga Iyer :** Will you please make your meaning clear so that I might follow your suggestion? I shall try to follow you provided you will make it quite clear as to what you expect me to do.

**Mr. President :** The Honourable Member should confine himself to the amendment before the House "subordinate Imperial interests and British interests alike to Indian interests."

**Mr. C. S. Ranga Iyer :** According to the weight of authority on the subject.....

**Mr. President :** The point of order has been raised that these words, "subordinating Imperial interests and British interests alike to Indian interests" cannot be inserted because they will not correspond with what the clauses of the Bill contain. The clauses of the Bill say nothing about subordinating Imperial interests and British to Indian interests at all and I think this amendment is not in order.

**Mr. M. S. Aney :** Is it in conflict with anything in the clauses ?

**Mr. President :** I rule the amendment as out of order.

**Mr. C. S. Ranga Iyer :** I thought when you called on me to speak that you considered the amendment was quite in order.

**Mr. President :** I now consider the amendment out of order.

**Mr. C. S. Ranga Iyer :** May I submit my reason why it should not be considered out of order ?

**Mr. President :** Merely on the point of order.

**Mr. C. S. Ranga Iyer :** Yes, on the point of order. When you called on me to speak I thought you considered the amendment was quite in order. There is nothing, Sir, in this amendment which offends against the Bill before the House. In fact, the Preamble is supposed to embody the policy of the Government, and I want that the policy of the Government should be embodied in unambiguous language so that there may not be any fear in future of the language being interpreted away, as such languages have been interpreted away in the past by Viceroys and ex-Viceroys. Therefore, I think that it is but fair and that it is but proper to give an opportunity to a Member of this House to make the policy of the Government quite clear, because it is very ambiguous, it is very misleading, and judging from the record of the Government, judging from the present policy of the Government, judging from the temper of the people, judging from their anxiety, judging from their solicitude for the national industries which have not been encouraged, I think it is but fair to describe the policy of the Government in very unambiguous language by including the phrase "subordinating Imperial interests and British interests alike to Indian interests". On these grounds I submit to you that you should not rule this amendment out of order but should revise your judgment.

**Mr. President :** The Preamble cannot go beyond the clauses of the Bill and I think the amendment is out of order.

**Mr. C. S. Ranga Iyer :** Thank you.

**Dr. H. S. Gour :** I rise to move that in the Preamble the words "with due regard to the well-being of the community" be omitted. These words were added in the Select Committee and Honourable Members will remember that during the debate that has taken place here since the emergence of the report of the Select Committee, various meanings have been ascribed to these added words. The Honourable Dr. Datta who opened the debate thought that those words were large enough to include protection of labour. The Honourable Mr. Jamnadas Mehta made no secret of the fact that this was the door through which he could drive a coach and four for the protection of labour and also

[Dr. H. S. Gour.]

for the protection of the wage-earners of all classes. The Honourable Mr. Patel thought that these words gave him an opportunity to move for the nationalisation of the steel industry or at any rate for its compulsory purchase and profit sharing. The Honourable Mr. Joshi recognised in these cryptic words the salvation for his labour unions.

**Mr. President :** Is the Honourable Member referring to the pronouncements of these gentlemen in the Select Committee ?

**Dr. H. S. Gour :** They were made here.

**Mr. President :** There was nothing said here.

**Dr. H. S. Gour :** I am referring to the debate in which Dr. Datta referred to these words and said that these enabled him to protect the labourers and I appeal to my friend Mr. Jamnadas Mehta whether he did not also speak in the same strain.

**Mr. Jamnadas M. Mehta :** I did.

**Dr. H. S. Gour :** The Honourable Mr. Patel used these words as a peg to support his argument for the nationalisation of the steel industry. I will not labour this point.

**Mr. President :** You had better leave Mr. Patel and Mr. Jamnadas Mehta alone and get along.

**Dr. H. S. Gour :** I will leave them all alone.

In the first place my objection to these words is this. All Acts of the Indian Legislature are enacted with due regard to the well-being of the community. Taken in this large sense I do not see why these words should find an express place in the Preamble. That is my first point. The future interpreters of these words, well knowing that all Acts of the Indian Legislature are, presumably at any rate, enacted in the interests of the community, will ask that there must be a special meaning given to these words because the Legislature has expressly embodied them as part of the Preamble. (At this stage there was an interruption by Pandit Shambu Dayal Misra.) Now, Sir, we have already had from my friend, Mr. Misra, another ambiguity thrown upon us that these words are used in contradistinction to the word "discriminating". As I have said, these words are ambiguous and they will be used in future to convey a variety of meaning out of all connection with the context. I also say that these words are meaningless. I ask Honourable Members in this House to let me know what they mean by the words "with due regard to the well-being of the community", which community, the trading community, the labouring community, the Indian community, the human community.....

**Mr. Jamnadas M. Mehta :** Community means the public.

**Dr. H. S. Gour :** I will categorise my reasons for the omission of these words. I say in the first place, these words are superfluous. They underlie every Act of the Indian Legislature and are the cardinal principle of all Acts which are placed upon the Statute-book. If they are expressly embodied in any Act of the Indian Legislature it must be because there is a special reason or justification for their insertion. I do not know what special reason there was for inserting these words in the Preamble. That is my second reason. My third reason is, Sir,

that these words are confusing and are likely to cause confusion in future. They are already causing confusion in the minds of the various Members of this House, who have ascribed to them different meanings to suit different amendments which they have tabled and wished to press upon the notice of this House. I therefore submit, Sir, that these words are superfluous and are likely to cause confusion in the interpretation of the Act, and, relying upon the ruling which you have just now given, I invite the attention of the House as to which of the clauses which follow the Preamble bring out the particular relevancy of these words "with due regard to the well-being of the community." I submit therefore that on all grounds these words are superfluous and must be deleted from the Preamble.

**Mr. Chaman Lal :** Sir, I am indebted to Dr. Gour for having made two statements before this meeting of Tata's shareholders—I mean before this House. (Laughter.) The first statement that he has made is that he is against any words being inserted in the Preamble of the Bill relating to the well-being of the community. I understand therefore, Sir, that the Honourable Member is against the well-being of the community, although he has no reason whatsoever to be against the well-being of the Tata community for which this Bill has been produced. The second statement that he made is that his mind is very confused. (Laughter.) It was unnecessary to make that statement. If these words confuse Dr. Gour's mind, I may assure him that there are Honourable Members here who have the well-being of the community at heart whose minds are not confused. They do not want to sidetrack the issue by saying that there is nothing in the Bill to which these words relate, and may I point out that by saying that you are merely trying to get behind the provisions of the Bill by making it clear in the future that so far as you are concerned any measure which you bring forward will never be introduced in reference to the well-being of the community but always in reference to the well-being of the shareholders for whose benefit Bills of this nature are brought forward. I think it was unnecessary on the part of Dr. Gour to emphasise this point. Even the Fiscal Commission's report admits this phrase, even the Tariff Board's report admits this point, and it is not really such a very great crime to have committed to have mentioned the fact that you want to regard the well-being of the community in bringing forward measures of this nature. If you do not frankly want to pay any regard to the well-being of the community, then say so, and Dr. Gour at least has made his position clear. We have been saying that from the very beginning that you have not the slightest regard for the well-being of the community. This Bill is merely a capitalistic measure, a measure intended to benefit a small community, a small group of people who seem to be sinking under the weight of their financial burdens. But nevertheless let us have those words in the Preamble of the Bill, and let us lay it down for all time that any measure of this kind will never be brought forward in the interests of the capitalist but always in the interests of the masses.

**The Honourable Sir Charles Innes :** Sir, I think the proper way to look at this matter, especially at this stage of the discussion, is that it really does not make very much difference whether we leave the words in the Preamble or not. The reason why I agreed to the introduction of these words was that it was pointed out to me that these words were actually

[Sir Charles Innes.]

used in the Resolution adopted by this Legislative Assembly on February 16th, 1923. The actual clause was "that the principle should be applied with discrimination with due regard to the well-being of the community". I agree with Dr. Gour that the words are somewhat otiose because after all the words "with due regard to the well-being of the community" merely explain what we always intended by discriminating protection. The idea was that we should discriminate between industries to be protected having regard to the interests of consumers and to the other interests affected. But I do not think that at this stage we need debate the point very much longer. As far as the Government are concerned, we do not mind whether the words are taken out or left. But, as they cannot in any way affect the provisions of the Bill, I suggest that we leave the words alone.

**Mr. President :** The question is :

"That the words 'with due regard to the well-being of the community' stand part of the Preamble."

The motion was adopted.

**Mr. Devaki Prasad Sinha :** Sir, the discussion that has preceded this amendment\* makes it clear that it is necessary that in the Preamble to this Bill we must have some kind of provision in order to safeguard the interests of consumers. Sir Charles Innes in reply to Dr. Gour's amendment has said that the word "community" means consumers as well as other sections of the community. Now, when the question of protection is being discussed, the interests of the consumer naturally conflicts with the interests of the producer, and, as it often happens in deciding the question of protection, the interests of the consumer are allowed to go to the wall. It is therefore necessary that some safeguard must be incorporated in the Preamble to this Bill. Sir Basil Blackett in discussing the provisions of this Bill said that the value of protection must be judged in relation to the national dividend. I quite agree with him but I also believe that national dividend itself should be judged in relation to national welfare, and that in order that an increase in national dividend may conduce to an increase in national welfare, it is necessary that national dividend should be properly distributed. In order, therefore, that an economic distribution of the national dividend should conduce to national welfare it is necessary that the interests of the consumer should be carefully safeguarded. I realise that by the mere insertion of the words of my amendment that safeguard which I have in my mind, may not be attained, but I confess I do not see any reason for omitting these words which I suggest, when, as a matter of fact, we have introduced in the Preamble of the Bill such an ambiguous expression as "the well-being of the community."

**The Honourable Sir Charles Innes (Commerce Member) :** Sir, I submit that it is entirely unnecessary to insert these words, which are already covered by the words "the well-being of the community", and in this connection I would like to refer the House to paragraph 93 of the Fiscal Commissioner's Report, where the meaning of the words "the welfare of the community" is explained. I, therefore, submit, Sir that it is quite unnecessary to insert these words.

\* In the Preamble to the Bill, after the words "the community" the following be added, "and the interests of consumers generally",

**Mr. President :** The question is :

“ That in the Preamble to the Bill after the words ‘ the community ’ the following be added ‘ and the interests of consumers generally ’.”

The motion was negatived.

The next amendment is No. 11\* by Mr. Devaki Prasad Sinha, which I rule out of order.

The next is No. 12† by Mr. V. J. Patel which cannot be moved and is also out of order.

No. 13‡ is by Khan Bahadur Sarfaraz Hossain Khan also goes out.

No. 14§ is by Mr. K. Rama Aiyangar. The tax-payer is included in the community I take it, so this amendment also goes out.

No. 16|| by Mr. Jamnadas Mehta is also out of order, and No. 17¶ by Mr. Bhubanananda Das is also out of order.

**Mr. Bhubanananda Das :** Sir, I think it is in order.

**Mr. President :** Nothing like trying. You can make the attempt to convince me.

**Mr. Bhubanananda Das :** I am trying to convince you and also this House.

**Mr. President :** What you want to introduce in the Preamble has no relation to the clauses enacted. It cannot be part of the Preamble. It is so clear there is no use the Honourable Member taking time over it. The question is :

“ That the Preamble stand part of the Bill.”

The motion was adopted.

The Preamble was added to the Bill.

**Mr. President :** There remains the Title. The question is :

“ That the Title stand part of the Bill.”

The motion was adopted.

The Title was added to the Bill.

\* In the Preamble to the Bill, for the words “ fostering and development of Steel Industry ” the following be substituted “ temporary protection of Indian Manufacturers of Steel ”; and also the words “ and to determine.....to the said industry ” be omitted.

† In the Preamble after the words “ such articles ” the following words be inserted :

“ and by providing for purchase of steel of indigenous origin by Government departments, State-owned railways and public bodies, by providing for freight subsidies under certain contingencies.”

‡ In the Preamble of the Bill, after the words “ certain such articles ”, the following words be inserted :

“ With a view to increase the national assets and ultimately to nationalise the steel industry in India, and with a view to relieve the general tax-payers and consumers of a portion of their burden of taxation.”

§ In the Preamble of the Bill after the word “ articles ” following words be inserted :

“ With due regard to the interests of the tax-payer.”

|| In the eleventh line of the Preamble to the Bill for the word “ three ” the word “ five ” be substituted.

¶ In the Preamble, after the words “ said industry ” the words “ and to provide that all purchase of iron and steel by Departments of and under the control of the Government of India shall be of Indian origin,” be inserted.

**The Honourable Sir Charles Innes :** I move, Sir, that the Bill be passed.

I am afraid, that I have made a quite incredible number of speeches to-day, and I do not wish to add to that number, especially as I know that the House is tired, and I am also tired myself ; but I do desire to congratulate the House on what I think is a really good piece of work. It was of course inevitable that in so controversial a matter as a protection Bill, there should be wide and sharp differences of opinion between different sections of the House, but I do hope that the House will recognise that whether the speakers came from the Government Benches here or whether the speakers came from any part of the House, there was only one thought in their minds, namely, they wanted to do what was the best for India as a whole. It has been said, Sir, that when I made my previous speech I seemed as if I had misgivings as to the policy of this Bill. I desire publicly to contradict that statement. I have no misgivings about this policy of protecting the steel industry in India. Whether we look at it from the point of view of protecting the existing steel industry or the point of view of establishing a sound and healthy steel industry in India, I am quite satisfied myself that the policy is the right one. But I would just say one thing more before I sit down. I hope that every time the Government puts forward a Bill for protection of any industry before this House, that this House will examine the Bill with the same care and the same jealous scrutiny that it has applied to this Bill, for in that there is the best safeguard for the consumers in India and for India as a whole.

**Sir P. S. Sivaswamy Aiyer :** Sir, I have much pleasure in supporting the motion of Sir Charles Innes that this Bill be passed, and in doing so, I should like to congratulate Sir Charles Innes on the skill and the ability with which he has piloted this Bill. He has displayed unflinching tact and good humour and a spirit of compromise throughout these debates. This Bill has encountered very rough squally weather, and has been tossed about by angry winds and waves, but the skipper has brought his craft successfully to port jettisoning only one item of the cargo. I hope that this may not interfere with the success of the main industry for the promotion and development of which this Bill was primarily intended.

Until I saw the notice of the amendments to this Bill I could not believe that there would be such a diversity of opinions with regard to the provisions of this Bill. I thought that the House had committed itself by a Resolution passed last year to the policy of discriminating protection. I thought that the whole of India was interested in the fostering and development of this great pioneer industry which we owe to the genius and foresight of that great patriot, Jamssetjee Nusserwanjee Tata. I could not in my simplicity believe that this Bill could evoke such varied bitter opposition. Nobody who has watched the debates can say that this Bill has been rushed through in haste or that it has not been subjected to severe and minute criticism from every conceivable point of view. Nobody can say that this House does not listen to any particular school of thought or to the representations made by any person interested in any particular section of the community or in any particular class. Sir, we have listened to advocates of free trade ; we have listened to the champions of labour ; we have listened to socialists ; we have listened to the advocates of the nationalisation of industries ; and I do not know whether there is any class or interest which has not been

heard in this Assembly and heard with patience. Many amendments have been moved and they have all been patiently discussed. At times it seemed that there was a danger of our forgetting the main issue, namely, the necessity of protecting this premier industry which has been started by Indians and promoted by Indians and is being managed by Indians ; but I am glad to find that the collective good sense of the House has prevailed over all these sectional differences, and that the result is one upon which we all may reasonably congratulate ourselves. I regard this piece of legislation as marking an era in the history of British administration and in the economic history of British India. For many years past we have complained of the fiscal policy of Government being controlled and dominated by considerations of Imperial interest, by considerations of what was thought to be in the interests of Britain ; but to-day we have passed a measure which is a recognition of our fiscal independence, however qualified some of you may think it is. Its passage is an assertion and an exercise of the right of fiscal independence which was recommended by the Joint Select Committee. I look upon this measure with great gratification as marking the practical recognition by the Government of their duty to identify themselves with the national sentiment, and to take a leading part in fostering and developing the industries of India. I look upon it with great gratification as a tardy piece of reparation for the systematic fiscal policy by which the industries of India were crushed in the past. I congratulate the Honourable Sir Charles Innes and I congratulate the Government upon the successful result of this piece of legislation and I hope it will have a much smoother passage in the other place than it has had here, and a quicker passage too, and I hope there will be no further items of cargo to be jettisoned in the other House. Sir, I think I may also congratulate the House upon the good sense which has prevailed—upon the collective good sense, as I say, which the House has shown.

In conclusion, Sir, I should like to pay my tribute to the Tariff Board for the impartiality, the ability and the moderation which have characterised their report, for the spirit of conscientiousness with which they went into their inquiry about this question. But for the moderation and impartiality which they displayed in their Report, it is hardly likely that their Report would have commended itself to so many sections of the public and met with the acceptance of the Government as well as of the people. With these words, Sir, I have great pleasure in supporting this motion.

**Pandit Madan Mohan Malaviya :** Sir, I agree with my Honourable friend Sir Sivaswamy Aiyer that the passage of this measure to-day marks an important date in the commercial history of this country. I also agree with him and the Honourable the Member for Commerce that it is a measure of very great importance, and for that very reason, I think, Sir, I ought not to give a silent vote on it. While I heartily welcome the passing of the Act, so far as it affords protection to a great national industry, the birth and growth of which has been a matter of deep interest to every patriotic Indian, I feel at the same time that the measure as it has been shaped, is much wider in its scope than ever educated Indians demanded, it is much wider in its scope than the needs of the country justify, and I cannot, therefore, give the measure as it stands my support. I feel, Sir, that during no time in the history of the existence of any Legislature in this country has a more delicate, a



[Pandit Madan Mohan Malaviya.]

more important, measure been laid before the House. And for that very reason I regret that the Government did not see their way to accept some very important amendments which were placed before the House. One of these was that which related to restricting the flow of foreign capital into this country. I do not wish to repeat all that I have said on that point, but I do not know that in any part of the world, there is any legislature which has passed a measure of protection of the type, of the scope, of the character, which is before this House to-day. I do not know that in any country the general tax-payer has been taxed and bounties paid out of the taxes, not to indigenous enterprises only but also enterprises which may not be indigenous, which may be entirely foreign. The Bill empowers the Government to extend such bounties to such foreign concerns. I suggested and some other Honourable Members also suggested that there should be a limitation imposed on the extent of foreign capital that might flow into this country on account of the protection which the tariff wall will create. I regret that the Government did not see their way to accept our suggestions. I also suggested as the last proposal, that in the new section which it was agreed to add to the Bill as the result of the conference between some non-official Members and Government Members, two clauses should be added, which I took from the Safeguarding of Industries Act, which would have ensured that, if the Government desired to offer any bounty out of the taxes raised to a company which does not exist to-day, but which might come into existence as a result of the passing of this Act, their proposal should be laid before this Assembly for its approval, and that, if the Assembly was not sitting, it should be laid before the Assembly at its next meeting. That provision was taken from an English Act passed only two or three years ago.

**Mr. President :** I appeal to the Honourable Member at this stage  
 6 P.M. not to go into the details of the various amend-  
 ments we have lately dealt with. The discussion  
 at this stage is only of a very general character.

**Pandit Madan Mohan Malaviya :** I submit, Sir, that on a motion that a Bill be passed, I submit with great respect, every Member of the House is entitled to put forward and to repeat the points which he has urged and which he wants to lay emphasis on, if he thinks that any useful purpose will be served by it, and I assure you that I think that there is a useful purpose likely to be served by my recapitulating some of the points, because I want those points to be yet considered by the Government and the House. Now, Sir, I regret that those provisions were not accepted by the Government. I cannot therefore lend my vote to support the Bill as it stands before the House. I recognise, however, I am glad, somewhat relieved, to think, that the Government have agreed to appoint a Committee early to go into the question of what limitation might be placed upon the coming in of foreign capital, of companies with foreign capital to which the provisions of this measure might be extended. I hope that the Committee will soon be appointed and that it will be composed of men who will command the confidence of the House and the country. (*Mr. Jamnadas M. Mehta :* "We have to elect it.") Thank you. But half the Committee only will be elected, as I understood it. I hope that the matter will be taken up early, and will be considered, as the Preamble says, "with due regard to the well-being of the community."

That is one circumstance I take note of. The other circumstance that I seek consolation in is that, though the provisions which I asked the Government to incorporate in the Bill have not been incorporated, it is possible that Government may yet recognise the wisdom and the justice of placing before the Assembly any proposal to grant any bounty or bounties to a Company which has not come into existence if they desire to give bounties to any such company. I do hope that the Government will recognise that, if they should pay out of taxes raised by means of this Bill any bounty to companies which are not in existence to-day in India, it is only right that they should seek the authority of the Assembly for dispensing those bounties. I hope also that it will be possible, even when the Bill has been passed, for this Assembly to put on record a Resolution recommending such a course to the Government. In that hope, Sir, I will not oppose the Bill. I hope that the Government will yet improve the Bill in the directions which I have mentioned and that the Bill, improved as I suggest and worked with due regard to the well-being of the Indian community, will be a beneficial measure and will promote the good of this country.

|| **Mr. N. M. Joshi** : I thank you very much for giving me this opportunity of making a few observations on this Bill when it is about to pass.

Sir, I do not wish to repeat what I have said when the Bill was being considered. But, Sir, I must make it clear that I still hold, after having heard the discussion in this House, that the best method of protecting the steel industry was to nationalise it. But, Sir, as it was not possible for this House, constituted as it is at present, to agree with my view, I have held that I could support a measure for protection if some conditions for safeguarding the interests of the tax-payer were included in it. I am sorry those conditions were also not included in this Bill.

When I spoke at the initial stage of this measure, I had also mentioned a few of the grievances from which labourers working in the steel industry were suffering. When I spoke on those grievances here, it did not give me much pleasure. I knew, Sir, when I was speaking on those matters that I was speaking against people who had helped very generously the organisations to which I belong for a number of years in the work which we have been doing in Bombay and elsewhere. I also knew when I spoke about those matters that amongst the people who are associated with the Tata Iron and Steel Company, there are people who had treated their labour much better than many others do. But, Sir, I thought, occupying as I do my place in this Assembly, and having undertaken to speak on behalf of labour, it was my duty to voice the grievances from which the Jamshedpur labour had suffered. I am sorry that those grievances have not yet been redressed. But I was glad that, as stated by my friend Mr. Chaman Lal, the Directors of the Tata Iron and Steel Company have agreed to recognise the Jamshedpur Labour Union on the recommendation of a conciliation committee. Sir, on behalf of the labour of Jamshedpur I thank the Directors of the Tata Iron and Steel Company for what they have promised to do. I only hope that the spirit of generosity which has induced them to make this promise will continue and no prejudices regarding individuals will be allowed to come in the way of the settlement of this question hereafter. Sir, I also expected that the Assembly would so amend the Bill that the interests of labour in the steel industry would be adequately protected.

[Mr. N. M. Joshi.]

Unfortunately that has not been done on account of your ruling. The interests of other sections have been protected. The interests of the investors, and not only that, but also the interests of Indian investors against those of the European investors, have been safeguarded. Even the interests of people who follow the profession of directors of companies have been protected. But, Sir, no clauses for protecting the interests of manual workers engaged in the industry could find a place in this Bill. I regret that that has been the result of our discussions.

Sir, there is only one point more on which I would like to speak before I sit down. Some time back, I heard remarks from some Members stating that they were tired of hearing of the interests of the poor. Sir, I do not know why the nerves of some people should be affected by hearing that word. If they really do not want to hear the word "poor people" let them see that the poor people do not exist in this country. But as long as they exist, let no one say that he is tired of hearing the name of the poor people. Sir, it seems to me there is an alliance between the representatives of the British Government in this country and the representatives of capitalists in this House, to belittle the burden thrown on the poor people. Levying an import duty on one particular item may be a small burden upon the poor. But if you have small duties upon many articles, that burden may become very large. Sir, the wire nails of Sir Purshotamdas Thakurdas may not alone throw much burden upon the poor. Duty on *kodalis* may put only a burden of one anna upon them. The result of the Lee Commission may place a burden of only a few rupees. But it is our duty to see what is the total burden upon the poor people in this country and whether they are able to bear it. Sir, I was sorry to find that a Member should have proposed an amendment that the words "the well-being of the community" should be dropped. I had always thought that a policy of protection had its dangers. But I never thought that those dangers would begin to appear so early as that. But, Sir, before the Bill is passed, we have begun to see that the words "the interests of the poor people" have become nauseating to some people, (*A Voice* : "No.") Sir, the words "well-being of the community" have become obnoxious to others. (*A Voice* : "Certainly not.") Sir, a voice says, "certainly not." I am glad to hear it. Before I conclude, may I express the hope that this Bill, although I do not approve of it in its present form, may ultimately prove useful to the people of this country and achieve the object for which it is intended.

Mr. K. Rama Aiyangar (Madura and Ramnad *cum* Tinnevely : Non-Muhammadan Rural) : If I had talked on any other occasion on this Bill I should not have liked to stand now before the Assembly. I have felt that some aspects of this Bill have to be placed before the House for consideration. I congratulate the Honourable Member in charge for having piloted the Bill through, but I feel that the burden on him will be considerably more after the Bill is passed and is enacted than it has been till now. In fact, I believe from an analysis of what has been said by the Tariff Board it comes to this. We are going to protect the steel industry and the cost is put down at Rs. 180 per ton. According to Tata's statements referred to in the Report, after three years they can produce steel at a works cost of Rs. 100 per ton, and that means that others who have been already in the industry can produce it at

much less cost, say Rs. 80 or 90. That means that there will be a margin of about Rs. 100 per ton to any business man to start an industry in competition. I take it the Tatas have been founders of this industry here and they have worked through a difficult period to keep it up and we are extremely glad that they are given this protection at a cost of nearly 5 crores extra to the consumer ; but it should not be that later on there are chances of the industry being crushed. As I take it, any business man in other lands must know that this protection, basing it on the cost of steel at Rs. 180, may think of immediately starting steel industry in India, and I do not think that the single statement that has been made in the Tariff Board's report, from the evidence that they have gathered, that it will take five years for any steel company to manufacture steel in India is of any importance at all. I believe if the machinery lying idle in many places referred to in the Tariff Board report is brought down here and work started, steel will be made here much earlier than the period mentioned in the report, so that the Tatas may not be able to withstand competition. Therefore, I submit that it will be in the hands of Sir Charles Innes and the Finance Member to see that practical effect is given to the provisions of this Bill and that Tata's are absolutely and really protected from any further difficulties. No foreign company ought to be allowed to be started within three years to compete with Tata's in the production of steel. With these few words I support the Bill.

**Mr. President :** The question is :

“ That the Bill, as amended, be passed.”

**Mr. Gaya Prasad Singh** (Tirhut Division : Non-Muhammadian) : Sir, during the last few days the debate has been confined only to a few speakers, and a great number of Members have been given no opportunity of taking part in the discussions. I, therefore, ask you to allow me to speak.

(Voices : “ The question may now be put ”.)

**Mr. President :** The question is :

“ That the Bill to provide for the fostering and development of the steel industry in British India, as amended, be passed.”

The motion was adopted.

#### REPORT OF THE ROYAL COMMISSION ON THE SUPERIOR SERVICES.

**The Honourable Sir Alexander Muddiman** (Home Member) : With reference to the Lee Commission Report, I must have one day and therefore it will not be possible to take up the discussion before Monday.

**Mr. N. M. Joshi** (Nominated : Labour Interests) : Why not Saturday ?

(There were other interruptions from all parts of the House.)

**Mr. President :** I would ask Honourable Members to hear the Honourable the Home Member further.

**The Honourable Sir Alexander Muddiman :** My point is this. Had the House finished this Bill earlier, we could have finished the business on the agenda. We have got to attend a meeting to-morrow. I must have some time on Saturday. Therefore I cannot take up the discussion before Monday.

**Mr. V. J. Patel** (Bombay City : Non-Muhammadan Urban) : I suggest that we begin on Saturday and finish on Monday. Otherwise the discussion will go over to Tuesday. That is why I suggest that we might begin on Saturday.

**Dr. H. S. Gour** (Central Provinces Hindi Divisions : Non-Muhammadan) : It is the general wish on this side of the House that the discussion should take place on Monday.

(Cries of "No, no.")

**Mr. President** : Honourable Members must remember that, in order to meet their wishes, Government are making a day available for the purposes of this discussion and therefore we must give them the convenience they want and the day suggested, namely, Monday, will be the most suitable day for the purpose.

**Mr. V. J. Patel** : Will you give us a second day also ?

**The Honourable Sir Alexander Muddiman** : I shall be glad to meet the convenience of the House but this will depend on whether the Tariff Bill comes back.

**Diwan Bahadur M. Ramachandra Rao** (Godavari *cum* Kistna : Non-Muhammadan Rural) : May I ask whether the time limit for admitting Resolution will be extended up to Saturday afternoon ?

**The Honourable Sir Alexander Muddiman** : Certainly.

**Mr. President** : Resolutions will be received up to 2 o'clock on Saturday. The Assembly now stands adjourned till 11 A.M. to-morrow, when the rest of the agenda of to-day will be taken up.

The Assembly then adjourned till Eleven of the Clock on Friday, the 6th June, 1924.

## LEGISLATIVE ASSEMBLY.

Friday, 6th June, 1924.

The Assembly met in the Assembly Chamber at Eleven of the Clock.  
Mr. President in the Chair.

### QUESTIONS AND ANSWERS.

#### THIRD CLASS PASSENGER FARES ON THE SOUTH INDIAN RAILWAYS.

1300 \*Haji S. A. K. Jeelani : (a) Will the Government be pleased to state whether it is a fact that the rates per mile for third class passengers on the South Indian Railway is the same as those for the intermediate class passengers on the Madras and Southern Mahratta Railway ?

(b) If so, will the Government be pleased to state the policy governing the fixation of rates on these two railways ?

Mr. C. D. M. Hindley : (a) The third class fare by Mail trains over the South Indian Railway is the same as the Inter class fare over the Madras and Southern Mahratta Railway generally. A lower fare, however, is charged by ordinary trains.

(b) Government have sanctioned maxima and minima fares chargeable over Railways within which each Railway has power to fix actual fares according to local circumstances.

Mr. A. Rangaswami Iyengar : Is it a fact that the second class fares on the South Indian Railway have not been reduced in the same manner in which they have been reduced on the Madras and Southern Mahratta Railway ?

Mr. C. D. M. Hindley : I am afraid I must ask for notice of that question.

#### DOUBLE LINE RAILWAY PROJECT FROM TAMBARAM TO MADRAS.

1301. \*Haji S. A. K. Jeelani : With reference to the consideration of Double Line Project from Tambaram to Madras on the South Indian Railway will the Government be pleased to state how far matters have progressed since I last interpellated on the subject in the Assembly ?

Mr. C. D. M. Hindley : The Consulting Engineers of the South Indian Railway have submitted their report on the project for doubling and electrifying the line from Tambaram to Madras and it is being considered by the Company. No avoidable delay will be allowed to occur in arriving at a decision.

#### RECRUITMENT OF INCOME-TAX OFFICERS IN MADRAS.

1302. \*Haji S. A. K. Jeelani : (a) Since the separation of the Income-tax from the Revenue Department, in Madras, will the Government be

( 2733 )

pleased to state, how many candidates have been directly recruited for service as Income-tax Officers, and how many have been promoted from subordinate grades ?

(b) Have the Staff Selection Board anything to do with regard to the recruitment of Income-tax Officers ? If so, will the Government be pleased to state the exact nature of its function if not will it be pleased to state why ?

(c) Is it a fact that in the choice of selection for the post of Income-tax Officers, the son of an official is preferred to that of an artisan, a merchant, or an agriculturist ?

(d) Will the Government be pleased to lay on the table a statement showing the number of candidates recruited in Madras up to date as Officers for the Income-tax Department and the avocation of their parents ?

(e) Is it a fact that this year recruitment was not advertised in the papers ? If so, will the Government state why ?

**Mr. A. R. L. Tottenham:** (a) Altogether 43 Income-tax officers have been appointed permanently or on probation.

Of these, 11 were directly recruited from outside Government service, 9 were promoted from the subordinate grades of the Income-tax Department, and 23 were selected from other Government Departments.

(b) No. The appointment of Income-tax officers is governed by Statute. Under section 5 (4) of the Indian Income-tax Act, 1922, they are appointed by the Commissioners of Income-tax, subject to the control of the Governor General in Council and by executive order the appointments require the approval of the Local Government.

(c) In selecting Income-tax officers, permanent or probationary, the object kept in view has been to secure persons whose moral, educational, linguistic and physical qualifications and whose manners and general intelligence will enable them to command the confidence of the public, and to discharge their duties satisfactorily.

Every effort has also been made to secure the due representation of different communities, and it has further been thought advisable that this new Department should contain a substantial proportion of persons with previous official experience and training.

No such criteria as are referred to in this part of the question have ever been applied.

(d) No. The Government do not propose to collect the information asked for, as, in their opinion, no useful purpose would be served by doing so.

(e) Yes. Because several hundreds of candidates applied in the two previous years when vacancies were advertised, and their names had been registered. A large proportion of these had been personally interviewed by the Commissioner, and notes recorded as to their qualifications. In addition several hundreds of fresh applications were received, as it was widely known that there were vacancies to be filled. There was therefore no necessity to invite further applications by advertising in the newspapers.

**Mr. A. Rangaswami Iyengar:** The Honourable Member said that in considering the qualifications for selection the physical, moral and intellectual qualifications were taken into account. What I want to know, Sir, is whether a specific qualification in accounts or accountancy was not one of the main criteria in the choice of these applicants.

**Mr. A. E. L. Tottenham :** No, Sir. If, as a matter of fact, a candidate was highly qualified in accountancy that no doubt would come in as an important consideration. But generally speaking in this respect we rely on the training given to the officers after they come into the Department, when they are trained for one or two years in accountancy, income-tax law and so forth. However a candidate's knowledge of accountancy would certainly be taken into consideration under the head of his "educational qualifications". Training in accountancy is no doubt a form of education.

**CONSULTATION WITH THE WORKERS' ORGANISATIONS IN INDIA *re* SUBJECTS TO BE DISCUSSED BY THE INTERNATIONAL LABOUR CONFERENCES.**

1303. **Mr. N. M. Joshi :** (a) Will Government be pleased to state whether they consult the Workers' Organization in the country before they send their replies to the questionnaire sent to them by the International Labour Office, regarding subjects to be discussed by the International Labour Conferences ?

(b) If the answer to (a) be in the negative, do Government propose to start hereafter the practice of such consultation ? If not, why not ?

(c) Will Government be pleased to explain the procedure which they follow in forming their opinions and gathering facts on the above-mentioned questionnaire ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b). The answer is in the negative. The questionnaires are issued with the object of placing the International Labour Office in possession of the preliminary views of the Governments concerned and the answers are not intended to represent the views of either the employers or the workers, who receive separate representation at the Conference.

(c) The Government of India normally form their opinion on the facts available to them at the time. When time permits and the importance of the subject demands such a course, Local Governments are consulted. But it should be added that the views expressed are purely provisional and do not commit the Governments to the adoption of any particular line when the subject is finally discussed at the Conference.

**Mr. Devaki Prasad Sinha :** Do the Government of India consult individuals who in their opinion have made a special study of the subjects relating to Indian labour ?

**The Honourable Sir Bhupendra Nath Mitra :** I have already answered that, when time permits and the subject is of sufficient importance, the Government of India consult Local Governments. The question of consulting specific individuals is a matter which rests with the Local Governments.

**Mr. N. M. Joshi :** Will Government explain what is the meaning of the term "the opinion of the Government of India" ? Does not the Government of India include the Legislatures and the public in India ?

**The Honourable Sir Bhupendra Nath Mitra :** Of course the Government of India for certain purposes does include the Legislatures. But, as I have already explained at the preliminary stage the opinion of the executive government is asked for. Later on, the representatives of the employers and of the workers have an opportunity of expressing their views at the conference.



**Mr. N. M. Joshi :** May I ask at what stage the Government of India consult the Legislature ?

**The Honourable Sir Bhupendra Nath Mitra :** The Government of India do not consult the Legislature because they are not called upon to do so. The workers and employees have their own representatives at the conference.

**Mr. Devaki Prasad Sinha :** Is there any special officer in the Government of India who makes a study of labour questions in India ?

**The Honourable Sir Bhupendra Nath Mitra :** There is a Department of the Government of India which deals with labour questions and it is equipped with officers who are capable of dealing with such questions.

**Mr. N. M. Joshi :** I would like a reply to my question, at what stage the Government of India consult the Legislature ?

**The Honourable Sir Bhupendra Nath Mitra :** I think I have already replied to that question.

**Mr. Bhubanananda Das :** In view of the fact that there is a socialist party in the House now, will Government also have a socialist Member ?

**The Honourable Sir Bhupendra Nath Mitra :** The question does not arise.

**Mr. K. Ahmed :** Do Government propose to consult the unions or organisations and the associations of labourers and agriculturists before they send their representatives across the Mediterranean ?

**The Honourable Sir Bhupendra Nath Mitra :** If the Honourable Member will kindly give me notice of that question the matter will receive due consideration.

**Mr. K. Ahmed :** Is it not obvious, Sir, that the Government have failed in the object for which the Geneva International Conference has been held since they have omitted the real point at issue, namely, they have ignored the opinion of agriculturists and labourers, the hewers of wood and drawers of water.

**Mr. President :** That is not a question.

**REPEAL OF SECTION 492 OF THE INDIAN PENAL CODE AND OF THE WORKMEN'S BREACH OF CONTRACT ACT, 1859.**

\* 1304. **Mr. N. M. Joshi :** Will Government be pleased to publish the reports which they may have received from Local Governments regarding the repeal of section 492 of the Indian Penal Code and the Workmen's Breach of Contract Act of 1859 ? If not, why not ?

**The Honourable Sir Alexander Muddiman :** Copies of the papers are being placed in the Library.

**INTRODUCTION OF THE SHIFT SYSTEM IN MINES AND PROHIBITION OF THE EMPLOYMENT OF WOMEN UNDERGROUND.**

1305. **Mr. N. M. Joshi :** Will Government be pleased to publish the reports which they may have received from the Local Governments and official and non-official associations regarding (1) the introduction of the shift system in mines and (2) prohibition of the employment of women underground ?

**The Honourable Sir Bhupendra Nath Mitra :** The Honourable Member's attention is drawn to the promise made by the Honourable Mr. Chatterjee on the 15th March last that when all replies had been received the question of publication would be considered. The replies are not yet complete.

**DELAY IN PAYMENT OF MONTHLY WAGES TO EMPLOYEES IN ORGANISED FACTORIES.**

1306. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state whether they had recently made an inquiry regarding the effects of the system of delaying the payment of monthly wages to employees in organised industries by a large number of days ?

(b) If the answer to (a) be in the negative, do they propose to ask for reports from Local Governments on this matter ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) No.

(b) The matter is one which is primarily the concern of Local Governments, and the Government of India do not consider it necessary to move in the matter. They understand, however, that the Government of Bombay have already taken up the question.

**Mr. Chaman Lal :** May I ask the Honourable Member whether he has seen a report in the newspapers that a statement was made by the Honourable Mr. Richards in the House of Commons that this subject was being dealt with by the Government of India ?

**The Honourable Sir Bhupendra Nath Mitra :** The Government of India have received no official information on the subject yet.

**Mr. Chaman Lal :** Will Government make an attempt to obtain official information on this subject ?

**The Honourable Sir Bhupendra Nath Mitra :** I am sorry I did not catch the Honourable Member.

**Mr. Chaman Lal :** Will the Government of India make an attempt to obtain official information on this subject ?

**The Honourable Sir Bhupendra Nath Mitra :** The official information will be sent in due course by the Secretary of State to the Government of India.

**REGULATION OF THE PAYMENT OF WAGES WITHIN A FIXED PERIOD AFTER THEY ARE DUE.**

1307. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state whether there is a special law regulating the system of the payment of wages within a fixed period after they become due ? If so, what that law is ?

(b) If there is no such law on the Statute-book, do Government propose to undertake legislation on the subject ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) No such law is in force.

(b) Government have no such proposals under consideration.

**Mr. N. M. Joshi :** What I want to ask is whether Government intend to undertake legislation on any such proposals ?

**The Honourable Sir Bhupendra Nath Mitra :** I shall require notice of that question.

**Mr. Chaman Lal :** May I again remind the Honourable Member of the statement made by Mr. Richards in the House of Commons condemning this system and may I ask whether, in view of that statement the Government of India are not prepared to take any action in this matter ?

**The Honourable Sir Bhupendra Nath Mitra :** That is not a question, Sir.

#### RACIAL DISCRIMINATION BETWEEN EMPLOYEES ON STATE RAILWAYS.

1308. **\*Mr. N. M. Joshi :** Will Government be pleased to place on the table a statement showing those rules and conditions of service which discriminate on the ground of race or colour and not on individual merit, between the employees of each of the State Railways as regards pay, pension, leave and the concession of free travelling facilities ?

**Mr. C. D. M. Hindley :** The general policy is to eliminate discrimination on the grounds and in the matter referred to by the Honourable Member and considerable progress has been made in this respect on the North-Western and Oudh and Rohilkhand Railways. The matter is being taken up with the Agent of the Eastern Bengal Railway. When this has been done I will have the rules and conditions of service examined and I will send the Honourable Member a statement on the lines desired by him.

**Mr. Devaki Prasad Sinha :** Do Government recognise that, in spite of this general policy, which the Honourable Member has just declared, actual discrimination exists between men of various races ?

**Mr. C. D. M. Hindley :** It is, to some extent, a matter of opinion whether any such discrimination does exist or not.

#### DIFFERENTIAL TREATMENT OF EUROPEAN, ANGLO-INDIAN AND INDIAN EMPLOYEES ON RAILWAYS.

1309. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state whether their attention has been drawn to the following resolution passed by the all-India Trade Union Congress at its fourth session held at Calcutta on the 30th and 31st March 1924 ?

“ That this Congress urges upon the Government of India to appoint a Committee to investigate and report on the existing differences in the scales of pay and conditions of service between Europeans, Anglo-Indians and Indians on Indian Railways which are based not on merit but on colour with a view to remove them as soon as possible.”

(b) If the answer to (a) be in the affirmative, will they be pleased to state whether they propose to take any action to give effect to this resolution ? If so, what it is ? If not, why not ?

**Mr. C. D. M. Hindley :** (a) The Government have seen the Resolution as it appeared in the Press only.

(b) As already stated in reply to the Honourable Member's previous question, these distinctions have already been done away with to a very large extent on the North-Western Railway and the Oudh and Rohilkhand Railway and the question is being further examined on the Eastern Bengal Railway. The Government see no reason to appoint any Committee.

#### INTRODUCTION OF MATERNITY BENEFITS IN INDUSTRIAL UNDERTAKINGS.

1310. **\*Mr. N. M. Joshi :** Will the Government be pleased to state whether they or any of the Local Governments have made any efforts to persuade large employers of labour to introduce, voluntarily, schemes for

maternity benefits in their industrial undertakings ? If so, will they be pleased to state what these efforts were ? If not, why not ?

MATERNITY BENEFITS IN FACTORIES, MINES, ETC.

1311. \*Mr. N. M. Joshi : Will the Government be pleased to call for reports from Local Governments regarding schemes for maternity benefits which may be in existence at present in factories, mines and tea and coffee estates ?

**The Honourable Sir Bhupendra Nath Mitra :** Sir, I propose, with your permission, to answer this and the next question together.

The question was examined by the Government of India some three years ago at various meetings between their officers and Chambers of Commerce, Employers' Associations, factory owners, and others interested in the question. It was also discussed informally at a conference in Simla with representatives of associations concerned with the welfare and medical relief of women and children. As a result of these discussions, the matter was brought to the attention of Local Governments who were asked to express their views in regard to the encouragement of voluntary systems of maternity benefits. Most Local Governments expressed their willingness to endeavour to persuade employers to start voluntary schemes for this purpose. The Government of India will ask Local Governments for further information on the subject, as desired by the Honourable Member.

SYSTEM OF FINES IN ORGANISED INDUSTRIES.

1312. \*Mr. N. M. Joshi : (a) Will Government be pleased to state whether they had recently made an inquiry regarding the system of fines inflicted upon employees in organised industries by their employers by a reduction in wages ?

(b) If the reply to (a) is in the negative, do they propose to ask for reports from the Local Governments on this matter ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) No.

(b) The matter is one which is primarily the concern of Local Governments, and the Government of India do not propose to move in the matter.

LABOUR REPRESENTATION ON THE CENTRAL AND LOCAL LEGISLATURES.

1313. \*Mr. N. M. Joshi : (a) Will Government be pleased to state whether their attention has been drawn to the following resolution passed by the All-India Trade Union Congress at its fourth session held at Calcutta on the 30th and 31st March 1924 ?

"The All-India Trade Union Congress urges upon the Government the necessity of extending the basis of franchise for electing members for Central and Local Legislatures, so as to give adequate representation to the working classes and also urges upon them the necessity of giving special representation to the organisations of labour in India."

(b) If the answer to (a) be in the affirmative, will they be further pleased to state whether they propose to take any action to give effect to this resolution ? If so, what that action is ? If not, why not ?

**The Honourable Sir Alexander Muddiman :** (a) I have not previously seen a copy of the Resolution referred to by the Honourable Member.

(b) The Government of India do not at present propose to take the action suggested by the Honourable Member. The question could only come up for consideration if a general revision of the franchise were undertaken.

**Mr. Devaki Prasad Sinha :** Did this question of granting wider franchise to labour at all come up for consideration before the Committee which was presided over by the Honourable Sir Alexander Muddiman ?

**The Honourable Sir Alexander Muddiman :** I did not hear the Honourable Member's question. Will he please repeat it ?

**Mr. Devaki Prasad Sinha :** Did this question of extending the franchise to the labour population of the country at all come up for consideration before the Committee which was appointed recently and which was presided over by the Honourable the Home Member ?

**The Honourable Sir Alexander Muddiman :** No, Sir ; not in that form.

**Mr. Devaki Prasad Sinha :** Is this question likely to be placed before the new Committee, the appointment of which has been announced ?

**The Honourable Sir Alexander Muddiman :** The Committee will be seized of it to this extent whether there is power to revise the franchise under the rulemaking power under the Government of India Act.

**Mr. Devaki Prasad Sinha :** Do Government propose to invite the opinions of various labour organisations on this question before the question is finally discussed by the Committee ?

**The Honourable Sir Alexander Muddiman :** No, Sir. The public will have an opportunity of making representations when the Committee is formed.

**Mr. Devaki Prasad Sinha :** What I want to find out is whether Government at all propose to ascertain the views of labour organisations on this question ?

**The Honourable Sir Alexander Muddiman :** I imagine labour organisations are part of the general public and the public in general will have the opportunity of making representations to the Committee as I explained to the House the other day.

#### NATURALIZATION OF INDIANS IN THE UNITED STATES OF AMERICA.

1314. **\*Mr. M. A. Jinnah :** (a) Will Government be pleased to state whether any and if so what steps have been taken and with what result by the Government of India or by His Majesty's Government with regard to the recent ruling of the Supreme Court of the United States of America which has held that according to law of that country the naturalization of His Majesty's Indian subjects as American citizens is illegal ?

(b) Will the Government be pleased to make a statement informing the House as to the present state of this question and what steps if any the Government propose to take further in the matter ?

**Mr. Denys Bray :** I would refer the Honourable Member to the answer given yesterday to Question No. 1290 put by Mr. Devaki Prasad Sinha.

I am not in a position to make a statement on the matter, which in its various bearings still forms the subject of representations to the Government of the United States of America. The Honourable Member

will appreciate the delicacy and difficulty of the position. For the ruling excluding British Indians from United States citizenship is a decision of the Supreme Court of the United States of America ; and that decision is based on one of the statutes of the American Constitution dating from 1790. The ruling itself is final and unimpugnable. It is with implications that we are concerned.

**Mr. Devaki Prasad Sinha :** Do Government propose to make a statement, either in this House or in the form of a communiqué, when the question is finally settled between the Government of India and the United States ?

**Mr. Denys Bray :** Government have not yet considered this point, but they will of course consider it when the time comes.

REPAIR OF MOTOR CARS OF RAILWAY OFFICIALS.

1315. **\*Maulvi Muhammad Yakub :** Is it a fact that all the motor cars belonging to most of the officers are always repaired in the Railway Workshop at Lucknow and special machinemen and others, who attend to these repairs are charged in the workshop labour bill ? If so, may we ask why private work is done in workshops at a great loss to the Government ?

**Mr. C. D. M. Hindley :** Government are aware that Railway officers get their motor cars repaired in the railway workshops, but when this is done, the owner of the car has to pay all actual charges for labour and stores used in effecting the repairs and in addition has to pay certain percentages in accordance with the Code to cover supervision costs. No question of loss to Government therefore arises in this connection.

EXPENDITURE ON THE INDIAN LAW REPORTS COMMITTEE, 1922.

1316. **\*Mr. Ahmad Ali Khan :** (a) Will Government be pleased to state what was the total expenditure on the Law Reporting Committee 1922 ?

(b) Has any, and if so what, action been taken by the High Courts on the recommendations of the Committee ?

**Sir Henry Moncrieff Smith :** The Honourable Member is referred to the answer given to Mr. K. Ahmed's question on the same subject on the 2nd June, 1924, No. 1176.

It is for the Local Governments concerned, and not for the High Courts, to take action on the recommendations of the Committee.

ACQUISITION OF PAPER AND PULP PLANT FOR THE FOREST RESEARCH INSTITUTE, DEHRA DUN.

1317. **\*Mr. Ahmad Ali Khan :** (a) Will Government be pleased to state if any paper and pulp plant has been acquired for use at the Forest Research Institute (Dehra Dun) ?

(b) Will Government be further pleased to state if any experiment has been made with Savannah grasses to test their possibilities as raw material for the manufacture of paper in this country ? If the answer be in the affirmative, what has been the conclusion arrived at as a result of the experiment ?

**Mr. J. W. Bhoré :** (a) The reply is in the affirmative.

(b) Savannah grasses have been investigated in the paper-pulp laboratory and several species have been found satisfactory. These will

in due course be tested in the pulp making plant and results published. The plant however will be fully occupied on bamboos for some time.

SCHOOL OF MINING AND GEOLOGY AND CHEMICAL RESEARCH INSTITUTE,  
DHANBAD.

1313. \*Mr. Ahmad Ali Khan : (a) Will Government be pleased to state what progress has been made with the establishment of a school of mines and geology at Dhanbad ?

(b) In view of the increasing importance of the locality as a mining centre do Government propose to take steps to open the school at an early date ?

(c) Are any steps being taken by Government to establish also a Chemical Research Institute at Dhanbad ?

The Honourable Sir Bhupendra Nath Mitra : (a) and (b). The attention of the Honourable Member is invited to the reply given on the 19th March, 1924, to a similar question by the Honourable Raja Moti Chand in the Council of State. The sum of Rs. 2,50,000 referred to in that reply has since been voted by the Legislative Assembly and the Government of Bihar and Orissa are proceeding with the work of constructing the school buildings.

(c) The reply is in the negative so far as the Central Government is concerned.

ABOLITION OF THE POSTS OF RESIDENT IN WAZIRISTAN AND POLITICAL AGENT  
FOR WANA.

1319. \*Mr. Ahmad Ali Khan : Will Government be pleased to state if either of the undermentioned posts has been abolished as recommended by the Incheape Committee :

Resident in Waziristan ;

Political Agent for Wana ?

Mr. Denys Bray : Neither post has yet been abolished. The Indian Retrenchment Committee recommended that the question of the abolition of one of the two should be taken up when conditions in Waziristan have settled down. The Government of India will give full consideration to this suggestion when that time comes.

DISCHARGE OF CHOWKIDARS AND SERGEANTS BY THE EAST INDIAN RAILWAY.

1320. \*Mr. Ahmad Ali Khan : (a) Is it a fact as reported in the *Statesman* of the 8th May that about 150 chowkidars and sergeants out of a total of 266 in the employ of the E. I. R. Company have been discharged ?

(b) Is it further a fact that the same are going to be replaced by an equal number of Gurkhas ?

(c) Will Government be pleased to state the reason for taking such a step ?

Mr. C. D. M. Hindley : (a), (b) and (c). The matter is one of internal administration, and the Government have no definite information, on the subject. But they are aware that the East Indian Railway is reorganising its Watch and Ward Staff in order to reduce pilferage and if the statement referred to by the Honourable Member is correct,

presumably the action has been taken by the East Indian Railway administration as part of its reorganisation scheme.

STRINGENCY IN THE MONEY MARKET.

1321. \*Baboo Bungalal Jajodia : (a) Is the Honourable the Finance Member aware of the great stringency that has prevailed in the money market in India for several month leading to a rise in the Bank rate of interest to 9 per cent. ?

(b) Has the attention of the Honourable the Finance Member been drawn to the fact that the difference in the Bank rates of interest has varied between 4 per cent. and 9 per cent. at different times of the year and that such variation has injuriously affected the development of trade and industries ?

(c) Will the Honourable the Finance Member be pleased to state what steps, if any, the Government intend to take to prevent a recurrence of similar stringency in the money market and too high a rise in the Bank rate of interest in future and to explain the policy of the Government in connection therewith ?

(d) Is the Honourable the Finance Member considering the desirability of adopting the suggestion made by the Indian Merchants' Chamber and Bureau that rises in the Bank rate of interest should be by  $\frac{1}{2}$  per cent. instead of by 1 per cent. and that the Emergency Currency to meet the seasonal demands should be issued at 5 per cent.,  $5\frac{1}{2}$  per cent. and 6 per cent.

(e) Are the Government considering the advisability of entrusting the work of issuing Currency Notes to the Imperial Bank of India and will the Government be pleased to explain their policy in this matter ?

The Honourable Sir Basil Blakett : (a) and (b). The answer is in the affirmative.

(c) I would refer the Honourable Member to my speech in the Council of State on the 7th March, 1924. The Government have no further pronouncement to make on the subject at present.

(d) The suggestion was made under the belief apparently that the Bank of England's rate is habitually moved up by  $\frac{1}{2}$  per cent. stages.  $\frac{1}{2}$  per cent. stages are frequent when the rate is going down but there is not a single instance in which the rate has gone up by less than 1 per cent. and the traditional rule in London is that "Bank rate does not go up by halves". In any case the Bank rate is not fixed by the Government either here or in London.

(e) The suggestion is possibly premature but is one which deserves and will receive full consideration. It has undoubtedly many attractions.

I have endeavoured to answer each part of the question as fully as is reasonable in the form of replies to questions during question time in the House. But the subject is an intractable one which does not easily lend itself to this method of handling. I desire to assure the Honourable Member and the House that the general subject is engaging my earnest attention. I would however warn the House that it is far easier to criticize existing conditions than to make constructive proposals for improving them. Until banking facilities are more widely developed



in India than at present, and until the extension of industrial and commercial activities renders the demand for currency in India less seasonal the difficulty of seasonal fluctuations in money rates cannot be entirely avoided.

#### AMENDMENT OF THE RATE OF EXCHANGE IN THE INDIAN CURRENCY ACT.

1322. \*Baboo Runglal Jajodia : (a) Is the Honourable the Finance Member aware of the great uncertainty that prevails in the minds of merchants by reason of the rate of 2s. to the rupee continuing in the Indian Currency Act ?

(b) Is the Honourable the Finance Member aware that notwithstanding his declaration that the 2s. rate is not operative and does no harm to anybody by remaining in the Statute dues have sometimes to be realised, e.g., costs awarded by the Privy Council at the rate of 2s. per rupee by reason of the fact that such rate is mentioned in the Indian Currency Act ?

(c) Are the Government prepared to consider the advisability of amending the Indian Currency Act by substituting the rate of exchange by 1s. 4d. gold instead of 2s. ?

The Honourable Sir Basil Blackett : The answer to part (a) of the question is in the negative. In regard to part (b) my information is that costs awarded by the Privy Council are not realised at the 2s. rate but at the market rate. I have nothing to add at present to what I have previously stated in regard to part (c).

#### PREMIA PAID BY GOVERNMENT DURING THE LAST THREE YEARS FOR FIRE AND MARINE INSURANCE.

1323. \*Baboo Runglal Jajodia : Will the Government be pleased to state the amount of premium paid during the last 3 years on (1) Fire and (2) Marine Insurance effected on account of the Government and with which Companies the same was effected and is the Government considering the advisability of helping the Indian Insurance Companies by placing all their insurance business with them.

The Honourable Sir Basil Blackett : The information asked for by the Honourable Member is being collected.

#### REPORT OF THE RAILWAY RISK NOTES REVISION COMMITTEE.

1324. \*Baboo Runglal Jajodia : Will the Government be pleased to state what steps they intend to take in connection with the report made by the Railway Risk Notes Revision Committee and why so much delay is taking place in steps being taken ?

Mr. C. D. M. Hindley : Government are in correspondence with the Railway Administrations regarding the introduction of the revised Risk Note Forms as approved by Government's legal advisers.

#### INDIANS IN THE SUPERIOR ESTABLISHMENT OF THE RAILWAY DEPARTMENT.

1325. \*Mr. Bhubanananda Das : (a) Will the Government be pleased to state the total strength of officers employed in the superior establishment of the Railway Department under the Government of India ?

(b) What is the percentage of Indians in the above and the salaries drawn by them ?

**Mr. C. D. M. Hindley :** (a) The total strength of officers in the superior establishment of the Railway Department is 17.

(b) Of these two are Indians who draw Rs. 1,200 and Rs. 1,025.

**RECRUITMENT OF INDIANS FOR THE STAFF OF THE RAILWAY BOARD.**

1326. **\*Mr. Bhubanananda Das :** (a) Will the Government be pleased to state whether they are taking steps to recruit Indians in the staff of the Railway Board ?

(b) If Indians with necessary railway experience and seniority are not at present available in the Railway Service, are the Government prepared to recruit suitable Indians from retired Indian railway officials ?

**Mr. C. D. M. Hindley :** (a) Two Indians have recently been recruited for the staff of the Railway Board.

(b) The Government see no necessity to take this step.

**APPOINTMENT OF INDIANS AS DEPUTY AGENTS ON RAILWAYS.**

1327. **\*Mr. Bhubanananda Das :** (a) Will the Government be pleased to state whether Deputy Agents are being appointed on some of the Railways ?

(b) Has any Indian been given many of these appointments ?

**Mr. C. D. M. Hindley :** (a) Yes. Deputy Agents are employed on the three State Railways.

(b) At present none of the four Deputy Agents are Indians.

**Mr. Bhubanananda Das :** Will Government be pleased to appoint some Indians as Deputy Agents on these Railways ?

**Mr. C. D. M. Hindley :** Selection for appointment to the posts of Deputy Agents must depend upon the officers available with the necessary experience and training.

**OVERSEAS ALLOWANCE TO INDIANS RECRUITED FOR THE IMPERIAL SERVICES.**

1328. **\*Mr. Bhubanananda Das :** (a) Is it a fact that Indians recruited for the I. E. S. after December 1919 will not be entitled to any overseas allowance ?

(b) Is it a fact that Indians recruited for other Imperial Services up to 1924 will be entitled to overseas allowance ?

(c) If so, why is this distinction made between Indian officers in the I. E. S. and those in other Imperial Services as regards overseas allowances ?

**Mr. J. W. Bhore :** (a) Yes.

(b) This is so only in respect of Indians recruited in England for the following services : The Indian Civil Service, the Indian Service of Engineers, including State Railways, and the Telegraph Engineering Branch of the Posts and Telegraphs Department.

(c) Indians entering the Indian Civil Service through competition in England up to 1924 were granted overseas pay in order to meet fully the claims of those who were preparing for the Indian Civil Service examination when overseas pay was introduced (December 1919). In the Indian Service of Engineers, including State Railways, and the Telegraph Engineering Branch of the Posts and Telegraphs Department

overseas pay was introduced in 1920, and as Indians recruited from England prior to that year were granted European rates of pay, it was decided in order to avoid any possible grievance on the part of Indians then specially studying in England with the hope of obtaining appointment from that country to grant such Indian entrants overseas pay up to 1924. As similar reasons did not exist in the case of the Indian Educational Service, the concession of overseas pay was not granted to Indians recruited after December 1919.

**ACQUISITION OF LAND BY THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY FOR EXTENSION OF THEIR TERMINAL STATION IN BOMBAY.**

1329. \***Mr. Bhubanananda Das** : Will the Government be pleased to state whether the Bombay, Baroda and Central India Railway are contemplating to acquire land for extension of their terminal station in Bombay ?

**Mr. C. D. M. Hindley** : (a) The answer is in the affirmative, but I may inform the Honourable Member that the Agent, B. B. and C. I. Railway Company, has already been instructed to stay acquisition of such land at Grant Road in respect of which no acquisition proceedings are actually in progress.

**Mr. Bhubanananda Das** : In view of the ultimate acquisition of the B. B. and C. I. Railway as a State Railway, will the Government consider whether they will have one terminal station at Bombay, namely, the Victoria Terminus, and not have a separate station for the B. B. and C. I. Railway ?

**Mr. C. D. M. Hindley** : The whole question of terminal arrangements for the Railways in Bombay is now under consideration by Government.

**Mr. Jamnadas M. Mehta** : Will the Honourable Member state when approximately this question of the terminal station for the B. B. and C. I. Railway is likely to be finally considered and settled ?

**Mr. C. D. M. Hindley** : I am sorry I am quite unable to state when it is likely to be settled.

**Mr. Jamnadas M. Mehta** : Any approximate time even roughly ? On that hangs an important decision in the Bombay Municipality ?

**Mr. C. D. M. Hindley** : I have already given my answer, Sir.

**Mr. Jamnadas M. Mehta** : It is a very poor answer.

**RESOLUTION re RUPEE TENDERS.**

1330. \***Mr. Bhubanananda Das** : Will Government be pleased to state what steps have been taken so far to give effect to the Resolution on Rupee Tender passed by this Assembly on 14th February, 1924 ?

**The Honourable Sir Bhupendra Nath Mitra** : The matter is under consideration.

**CONTRACT FOR GOVERNMENT STORES.**

1331. \***Mr. Bhubanananda Das** : (a) Will Government be pleased to lay a statement on the table showing the various orders that have

been placed by the different departments under the Government through :

- (i) the Indian Stores Department,
- (ii) the High Commissioner in London from the commencement of the current year ?

(b) Will Government also be pleased to lay on the table a comparative statement of purchases made by these two purchasing Departments during the same period last year ?

(c) Are Government prepared to publish in the Gazette of India at the end of every month a comparative statement of such orders executed by these two Departments ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) Particulars of the contracts placed by the Indian Stores Department are published in the Indian Trade Journal and in certain newspapers every week. Details of the purchases made by the India Store Department, London, during the period specified are not available.

(b) The information asked for is not available in the form required by the Honourable Member, but I invite his attention to the statements placed on the table on the 4th February last in reply to starred Question No. 88. It is hoped that the figures then furnished will suffice for the Honourable Member's purpose.

(c) As I have already stated details of contracts placed by the Indian Stores Department are published regularly. As regards the India Store Department, London, I invite attention to the reply given to starred Question No. 275 on the 11th February last. The question how statistics of stores purchased, respectively, by the Indian Stores Department and the India Store Department, London, can be compiled in a form useful to the public is engaging attention.

#### PURCHASE OF RAILWAY STORES.

1332. **Mr. Bhubanananda Das :** Will Government be pleased to lay a statement on the table of the indents made by the Railway Commission since the current year :

- (a) with the Indian Stores Department,
- (b) with the High Commissioner in London,
- (c) direct on the manufacturers and their agents in India and outside ?

**Mr. C. D. M. Hindley :** The Railway Board do not actually place any orders for stores. Orders are placed direct by railway administrations and at present the Railway Board have no information of the amounts of orders placed since 1st April, 1924.

**Mr. Bhubanananda Das :** May I know if the different Railways place orders with the Indian Stores Department or directly with the London Department ?

**Mr. C. D. M. Hindley :** The State Railways place orders for such stores as are purchased in England through the High Commissioner. In regard to purchases in India they are made generally direct by the Stores Department of each Railway. In respect of certain articles the services of the Indian Stores Department are utilised.

**Mr. Bhubanananda Das :** In view of the fact that the Indian Stores Department is centralising all purchases, will the different Railways place their orders with the Stores Department of India ?

**Mr. C. D. M. Hindley :** The matter is at present under the consideration of Government, Sir. I am not in a position to make any statement.

**RAILS AND FISH-PLATES OF INDIAN AND FOREIGN ORIGIN PURCHASED BY THE STATE AND GUARANTEED RAILWAYS.**

1333. \***Mr. Bhubanananda Das :** Will Government be pleased to lay a statement on the table, in time before the Tariff Board recommendations are discussed, showing :

- (a) the quantity of rails and fish-plates of Indian origin purchased by the State Railways,
- (b) the quantity of rails and fish-plates of foreign origin purchased by the State Railways,
- (c) the quantity of rails and fish-plates of Indian origin purchased by the Guaranteed Railways,
- (d) the quantity of rails and fish-plates of foreign origin purchased by the Guaranteed Railways ?

**Mr. C. D. M. Hindley :** With regard to (a), (b) and (c), a statement is laid on the table giving quantities for the year 1923-24. With regard to (d), information is not available but railways have been asked to supply the figures for the year 1923-24 and they will be communicated to the Honourable Member on receipt.

<i>Statement.</i>	<i>Tons.</i>
(a) Quantity of rails and fish-plates of Indian origin purchased by the State Railways .. ..	35,148
(b) Quantity of rails and fish-plates of foreign origin purchased by the State Railways .. ..	Nil.
(c) Quantity of rails and fish-plates of Indian origin purchased by the Guaranteed Railways .. ..	39,877

**IRON AND STEEL OF INDIAN AND FOREIGN ORIGIN PURCHASED BY STATE AND GUARANTEED RAILWAYS, ETC.**

1334. \***Mr. Bhubanananda Das :** Will Government be pleased to lay a statement on the table, in time before the Tariff Board recommendations are discussed, showing :

- (a) the quantity of steel sections of Indian origin purchased by
  - (1) State Railways,
  - (2) Guaranteed Railways,
  - (3) other departments direct under the Government,
  - (4) Departments under control of Government, (Port-Trusts, Municipal bodies, Development Departments, &c.).
- (b) The quantity of iron and steel of foreign origin purchased by the above mentioned departments.

FOREIGN IRON AND STEEL PURCHASED BY GOVERNMENT DEPARTMENTS.

1335. \*Mr. Bhubanananda Das : Will Government be pleased to state the quantity of iron and steel purchased by various departments under Government during the last year from sources not either Indian or British ?

The Honourable Sir Bhupendra Nath Mitra : With your permission, Sir, I propose to answer this and the ~~succeeding~~ question together. *preceding*

It would not be possible to furnish the information asked for without an inquiry from a very large number of purchasing departments and officers which would involve a considerable amount of time and labour. In any case the information could not have been received before the close of the present session.

Mr. Bhubanananda Das : May I know if it is the policy of the Government Departments to buy iron and steel of Indian origin ?

The Honourable Sir Bhupendra Nath Mitra : Yes, as a general question of policy.

Mr. Bhubanananda Das : In view of the Tariff Bill that we have passed yesterday, will Government Departments consider the advisability of purchasing all their iron and steel in India and of Indian manufacture first ?

The Honourable Sir Bhupendra Nath Mitra : Is that a question, Sir ?

Mr. President : I did not hear the question.

Mr. Bhubanananda Das : In view of the fact that the Tariff Bill has been passed in this House, will Government Departments take steps to purchase their requirements of iron and steel of Indian manufacture ? In view of the Tariff Bill having been passed to give protection to Indian iron and steel, will Government Departments give an undertaking to this House that they will make their purchases of iron and steel primarily of Indian manufacture and then, if not available, from foreign countries ?

The Honourable Sir Bhupendra Nath Mitra : After the Tariff Bill has been finally passed the matter will receive due consideration from Government.

RUSSIAN ROUBLE NOTES.

1336. \*Mr. W. M. Kussanally : (a) Will Government please place on the table a copy of the Ordinance of 1919, *re* Russian rouble notes ?

(b) What were the circumstances that justified the same ?

(c) Is it still in force ? If so for what reasons ?

(d) For what amount are such notes held in India ?

(e) Have the Government recently received a representation from the public meeting held in Shikarpur (Sind), relating to these notes ?

(f) If so, what do they pray for ?

(g) What steps do Government propose to take in the matter ?

The Honourable Sir Alexander Muddiman : (a) The Honourable Member will find a copy of the Rouble Note Ordinance of 1919 in the Library.

(b) The Ordinance was issued to protect the public by checking the unhealthy speculation and preventing the use of the notes for propagandist purposes.

(c) The answer is in the negative.

(d) Government have no information.

(e), (f) and (g). Yes. A copy of the representation\* is laid on the table. It is not proposed to take any action. Under section 4 (1) of the Ordinance a period of six weeks was allowed under which holders of notes were allowed to export them and under section 4 (2) notes deposited in a Treasury could be withdrawn for the purpose of export under a license.

**Mr. W. M. Hussanally :** With regard to (d), will Government be pleased to make an inquiry ?

**The Honourable Sir Alexander Muddiman :** Government cannot make inquiries without legislative power.

**Mr. Chaman Lal :** Did Government receive any representations from the merchants of Hoshiarpur in this behalf ?

**The Honourable Sir Alexander Muddiman :** I have no information on the point.

#### CONVERSION OF THE G. I. P. AND B., B. AND C. I. RAILWAYS INTO STATE RAILWAYS.

1337. \***Mr. W. M. Hussanally :** (a) Will the Government be pleased to state what were the recommendations of the Railway Commission in regard to the G. I. P. and the B. B. C. I. Railways whose contract is shortly to expire ?

(b) What was the recommendation of the Legislative Assembly in regard to the same two Railways ?

(c) What decision has the Government arrived at in the matter of taking over the Railways in question and converting them into State Railways ?

**Mr. C. D. M. Hindley :** (a) If the Honourable Member is referring to the committee appointed to inquire into the administration and working of Indian Railways, his attention is invited to Chapter VII of their report. He will see that five members of the committee recommended that, if their financial and administrative proposals were accepted, the undertakings of guaranteed companies, which include the G. I. P. and the B., B. and C. I. Railways, should, as and when the contracts fall in, be entrusted to the direct management of the State ; while the five remaining members of the committee recommended that the G. I. P. Railway Company might possibly be converted into a rupee capital company domiciled in India with its headquarters in Bombay, and that the cases of other lines should be considered on their merits when the contracts become terminable.

(b) The Legislative Assembly's Resolution passed on February 27th, 1923, recommended that on the expiry of their lease the G. I. P. Railway should be taken over for management by the State. The case of the B., B. and C. I. Railway, whose present contract does not expire before the 31st December, 1941, has not been before the Legislative Assembly.

(c) The G. I. P. Railway will be taken over for management as a State Railway on the 1st of July, 1925. The question of the future management of the B., B. and C. I. Railway will not arise for more than 17 years, and has not been considered by Government.

\* Vide Appendix "A" to these Debates.

REFORMS INQUIRY COMMITTEE.

1338. \* Mr. W. M. Hussanally : (a) What is the personnel of the Committee recently appointed by Government to investigate the working of the Reforms Act ?

(b) What are the terms of reference to the said Committee ?

(c) How many non-official members have been appointed to the said Committee ?

(d) If none so far, do Government propose to appoint any ?

(e) Is this Committee a preliminary Committee to be followed by another mixed committee of officials and non-officials or will the Government take action upon the recommendations of the present Committee ?

(f) Is it intended that the Committee already at work or the one that may be appointed hereafter will take any evidence as to the working of the Reforms before making any recommendations ?

(g) Have the Provincial Governments been called upon to make any recommendations ?

(h) If so will the recommendations of the Provincial Governments be submitted for scrutiny to the said Committee or its successor if any is contemplated ?

(i) Have the Provincial Governments been instructed to associate any non-officials in their inquiry, or take any evidence before they arrive at their conclusions ?

(j) Do the Government propose to make a full statement of their intentions and the method and procedure they intend to adopt in regard to the inquiry they are holding in the matter and take the public into their confidence ?

The Honourable Sir Alexander Muddiman : I have nothing to add to the information contained in the Communiqués issued on the 16th and 23rd May, copies of which have already been placed on the table in reply to Mr. Rangaswami Iyengar's unstarred Question No. 271, dated the 27th May, 1924.

Diwan Bahadur M. Ramachandra Rao : May I ask the Honourable Member whether the report of this new Committee will come up for discussion in the Assembly ?

The Honourable Sir Alexander Muddiman : This is a hypothetical question. We have not a report yet.

Diwan Bahadur M. Ramachandra Rao : After you have it.

The Honourable Sir Alexander Muddiman : I will consider the point when we have a report.

Diwan Bahadur M. Ramachandra Rao : May I inform the Honourable Member, Sir, that in the approaching September Session the Assembly would like to have some information as regards the intentions of Government in this matter ?

The Honourable Sir Alexander Muddiman : I quite appreciate the Honourable Member's point.



## REFORMS INQUIRY COMMITTEE.

1339. \*Sardar V. N. Mutalik : Will Government be pleased to state :

- (a) Whether it is a fact that they have undertaken an inquiry into the working of the Reforms, with a view to reform the Reforms ?
- (b) If so, the nature and the scope of the inquiry ?
- (c) Whether it is a fact that a Committee is appointed to make the inquiry, and if so, the personnel of the Committee ?
- (d) The terms of reference to the Committee ?
- (e) Whether the inquiry is to be an open one, or only departmental, and confidential ? and whether the Committee is empowered to ascertain the views of the public, and of representative bodies ?
- (f) Whether the Committee is asked to go into the question of inadequate representation, at present given to some special interests ?

The Honourable Sir Alexander Muddiman : I have just given an answer to a similar question (No. 1338).

## INQUIRY INTO THE WORKING OF THE REFORMS.

1340. \*Sardar V. N. Mutalik : Will Government be pleased to place on the table a copy of the communication between this Government and the Local Governments on the questions referred to them with regard to the reforming the Reforms ?

The Honourable Sir Alexander Muddiman : Government are not prepared at present to lay on the table a copy of the communication referred to. A communiqué summarising the terms of reference has already been laid on the table.

## REDUCTION IN THE RATES OF PAY OF OFFICERS OF THE BRITISH ARMY.

1341. Mr. A. Rangaswami Iyengar : (a) Has the attention of the Government been drawn to the British Army Order issued in England early last month announcing the decision of His Majesty's Government that "in view of the fall in the index figures for cost of living since 1919, a reduction of approximately 5½ per cent. shall be made in the rates of both pay and non-effective emoluments of officers" ?

(b) Are the Government aware that this revision, which is to take effect from July 1st, next, has been made in accordance with Army Order 321 of 1919, which "provided that 20 per cent. of the rate of pay, half-pay and retired pay, would be subject to revision according to variations, up or down, in the cost of living, and that the first revision would be made in 1924" ?

(c) Will the Government be pleased to state whether this Order of reduction of the rates of pay will become applicable to British officers serving in India, either in British or in Indian units ?

Mr. H. E. Pate : (a) Government have seen the Army Order referred to by the Honourable Member.

(b) Yes. The Honourable Member has, however, misquoted Army Order 324 of 1919 which reads as follows :

“ The new rates . . . . will be subject, after five years, to revision, either upwards or downwards to an extent not exceeding 20 per cent., according as the cost of living rises or falls.”

(c) No. The reduction made in the rates of pay cannot be made applicable to officers serving in India, since, although their pay is subject to revision from the 1st July, 1924, any such revision is dependent not on the Home index, but on the cost of living in India.

**Mr. A. Rangaswami Iyengar :** May I take it, Sir, that British Officers are not subject to the same conditions as regards the regulation of prices in England as well as in India ?

**Mr. H. E. Pate :** As I explained in the last clause of my answer, you may so take it, Sir.

CONTROL EXERCISED OVER LOCAL GOVERNMENTS IN RESPECT OF LAND REVENUE SETTLEMENT.

1342. **Mr. A. Rangaswami Iyengar :** Will the Government be pleased to lay on the table of the House the instructions of the Secretary of State showing the nature and extent of the administrative control exercised over the Local Governments in regard to legislation and administration in respect of land revenue settlements, a matter which the Member in charge promised to consider on March last ?

**Mr. J. W. Bhore :** So far as the control exercised by the Secretary of State over Local Governments in regard to legislation in respect of land revenue settlements is concerned, the Honourable Member is referred to the reply given by Sir Henry Moncreiff Smith to Diwan Bahadur M. Ramachandra Rao's starred Question No. 1127 in the Legislative Assembly on the 30th May last. As regards his control over administration, there are no definite instructions on the subject.

**Mr. A. Rangaswami Iyengar :** Am I to take it, Sir, that the statement made by the Honourable the Revenue Member the other day that there are certain special instructions is incorrect ?

**Mr. J. W. Bhore :** I can assure the Honourable Member that the reply I have now given is correct.

LAND REVENUE POLICY.

1343. **Mr. A. Rangaswami Iyengar :** (a) Did the hardships involved in the land revenue policy of the Governments in India come up before the Joint Parliamentary Committee ?

(b) Have the recommendations made by them in paragraph 11 of their report been considered by the Government of India and the Secretary of State ; and, if so, will the Government be pleased to state which of them have been accepted and which of them rejected ?

(c) Is it possible for the Government of India to state the exact policy they have prescribed to the Provincial Governments on the whole of this matter at present ?

**Mr. J. W. Bhore :** (a) The Government of India are aware that the point was brought forward in evidence by several non-official witnesses before the Joint Select Committee on the Government of India Bill of 1919.

(b) and (c). The recommendations of the Joint Select Committee were referred to Local Governments in March 1920 and their attention was drawn to the need for early action on the lines indicated therein. No further instructions have been issued by the Government of India.

**Mr. A. Rangaswami Iyengar :** Are the Government aware that, notwithstanding their instructions for early action, not a single Local Government has so far passed a Bill till the year of grace 1924 ?

**Mr. J. W. Bhore :** That is a matter which concerns the Local Governments. I have indicated the policy of the Government of India in this matter.

CONTROL OF THE SECRETARY OF STATE OVER PROVINCIAL GOVERNMENTS'  
LAND REVENUE LEGISLATION.

1344. **Mr. A. Rangaswami Iyengar :** With reference to the reply of Sir B. N. Sarma in reply to my supplementary question on the 26th February last to Question No. 524, will the Government be pleased to state or place on the table the rules under which the Secretary of State exercises control over Provincial Governments in regard to land revenue legislation ?

**Mr. J. W. Bhore :** The Honourable Member is referred to the reply given to Question No. 1342 on the subject to-day.

THE KRISHNASAGARA RESERVOIR PROJECT.

1345. **Mr. A. Rangaswami Iyengar :** With reference to the answers to my Question No. 526 on the 27th February last, will the Government be pleased to state :

- (a) Whether the Government of India and the Secretary of State authorised or previously sanctioned the proposals for arriving by conference or discussions at an agreement on the matter in dispute regarding the Krishnasagara Reservoir Project ?
- (b) Whether the Government of India or the Secretary of State instructed the Madras Government to give an opportunity to the extensive numbers of landholders affected by the project to be heard or to make representations on the new proposals set on foot since the setting aside of the award ?
- (c) Whether the agreement requires the ratification of the Government of India and of the Secretary of State ; if so, whether these authorities will give an opportunity to the landholders affected to make representations, if any, on the matter, and give due consideration to them before finally ratifying the agreement ?

**The Honourable Sir Bhubendra Nath Mitra :** (a) The answer is in the affirmative. With the approval of the Secretary of State the Governments of Madras and Mysore were invited to attempt to arrive, by mutual agreement, at a settlement of the longstanding controversy regarding their respective rights in the waters of the river Cauvery.

(b) The answer is in the negative.

(c) The agreement requires the approval of the Secretary of State and the ratification of the Government of India. It is not proposed to invite further representations in the matter and thus postpone a final

settlement of a controversy which has hampered all development of irrigation both in Madras and Mysore for the past fourteen years. It was the fear that the original arbitration award did not fully protect the interests of the landholders in the area affected which led the Local Government to appeal against that award in 1916, and the subsequent protracted discussions have been directed throughout towards the discovery of a solution which would afford such full protection. Both the Local Government and the expert advisers of the Government of India are satisfied that the solution embodied in the agreement recently arrived at fulfils this condition in every respect.

**Mr. A. Rangaswami Iyengar :** May I know with reference to this agreement whether as a result of this reconsideration this reservoir has now been sanctioned to be built at an altitude higher than it was intended, to which the Government of Madras originally objected, and whether it has also been agreed to, that certain subsidiary reservoirs are to be built on the Cauvery River lower down and in consequence the Mysore Government have now been able to obtain a much higher duty on the waters now impounded on the Cauvery than they were at the time when the award was originally given, to which the Madras Government then objected ?

**Mr. President :** The question is of excessive length.

**Mr. A. Rangaswami Iyengar :** It is of excessive length because the Government have refused to receive representations on this matter.

**Mr. President :** The question should not be of such an excessive length.

**Mr. A. Rangaswami Iyengar :** Then I will put the questions *seriatim*. Are the Government aware that the reservoir now agreed to be constructed as between the Madras and Mysore Governments is of a much higher altitude, that is, about 125 feet instead of 114 feet, as originally the matter in dispute was ?

**The Honourable Sir Bhupendra Nath Mitra :** I shall require notice of that question. I cannot obviously answer all these questions of detail without any notice.

**Diwan Bahadur M. Ramachandra Rao :** May I ask the Honourable Member whether the terms of this agreement have been published in the districts of Trichinopoly and Tanjore which are affected by this arrangement and if they have not been published, whether the Government of India would direct the Madras Government to publish that agreement and give the people of the Tanjore and Trichinopoly districts an opportunity of being heard before it is finally approved of by the Secretary of State ?

**The Honourable Sir Bhupendra Nath Mitra :** The Government of India have no information of the procedure actually followed by the Madras Government.

**Diwan Bahadur M. Ramachandra Rao :** May I now suggest to you whether the Government of India would inquire and direct the Madras Government to publish the agreement if it has not been already published, as I am informed it has not been published, so that an opportunity may be afforded to the people of these two districts to make any representation they may like ?

**Mr. President :** A suggestion for action is not a question.

**Diwan Bahadur M. Ramachandra Rao :** I ask whether the Government of India will take action . . . .

**Mr. President :** You are suggesting to them an action. That is not a question.

**Diwan Bahadur M. Ramachandra Rao :** May I ask whether in the opinion of the Government of India it is desirable to publish.....

**Mr. President :** You cannot ask for an opinion on a question.

**Diwan Bahadur M. Ramachandra Rao :** May I ask where the agreement is at present ?

**The Honourable Sir Bhupendra Nath Mitra :** It is before the Secretary of State.

**Diwan Bahadur M. Ramachandra Rao :** May I know whether the Government of India have expressed any views in the matter of that agreement ?

**The Honourable Sir Bhupendra Nath Mitra :** The Government of India have endorsed the views of the Madras Government.

**Mr. A. Rangaswami Iyengar :** Are the Government aware that the landholders of the Tanjore and Trichinopoly districts have cabled to the Secretary of State and the Government of India to the effect that this agreement will affect their interests very seriously and prejudicially ?

**The Honourable Sir Bhupendra Nath Mitra :** I have no information yet about any petition having been made to the Government of India. I have no information whether any representation has been made to the Secretary of State.

**Mr. A. Rangaswami Iyengar :** May I know if the Government of India will yet receive representations from the large number of landholders of the two rich districts of the Madras Presidency in regard to matters so vitally affecting them,—whether they will yet receive representations on the text of the agreement, and whether they will have the text of the agreement published by the Local Government of Madras ?

**The Honourable Sir Bhupendra Nath Mitra :** The matter is one which primarily concerns the Government of Madras.

**Mr. A. Rangaswami Iyengar :** May I know, why the Government of Madras have not published the agreement for the benefit of the public so far, whether the Government of India will move in the matter and cause the agreement to be published ?

**The Honourable Sir Bhupendra Nath Mitra :** The matter will receive due consideration, but I cannot in any way commit the Government of India to fetter the discretion of the Madras Government in the matter.

**Diwan Bahadur M. Ramachandra Rao :** May I ask whether you would inquire from the Madras Government whether the agreement has been published ?

**The Honourable Sir Bhupendra Nath Mitra :** The necessary inquiry will be made.

#### COMMITTEE ON INDIAN TAXATION.

1346. **Mr. A. Rangaswami Iyengar :** Will the Government be pleased to state :

(a) In what stage the proposals for the appointment of the Committee on Indian taxation are ?

(b) Whether the personnel of the Committee has been settled and when it is expected to begin work ?

**The Honourable Sir Basil Blackett :** The attention of the Honourable Member is invited to the Resolution on the subject by the Government of India appearing in the Gazette of India Extraordinary published on Monday, the 26th May, 1924.

**Mr. President :** Mr. A. Rangaswami Iyengar. Question No. 1347.

**Mr. Bhubanananda Das :** I have a supplementary question on No. 1346. In view of the assurance given in the other House at Delhi that an Indian economic expert will be on the Taxation Committee

**Mr. President :** Order, order. I have already called on Mr. Rangaswami Iyengar to put his next question, No. 1347.

**LEVY OF TAXATION BY EXECUTIVE ACTION.**

**1347. Mr. A. Rangaswami Iyengar :** (a) With reference to the answer to my Question No. 562, dated 3rd March, 1924, of the Honourable the Finance Member that no fresh taxation has been imposed since the advent of the Reforms except by legislation, will the Government be pleased to state what are the old taxes (Central as well as Provincial) which were being imposed by executive action till 1920, under the authority of the Government of India and subsequent to 1920, under the authority of the Provincial and Central Governments ?

(b) Are any steps proposed to be taken to bring them under the control of the Legislatures in accordance with the recommendations of the Joint Parliamentary Committee of 1919 ?

**The Honourable Sir Basil Blackett :** Taxation is being imposed under the following heads :

Central	Provincial (except in areas administered by Minor Local Governments).
(1) Customs (including cotton and petrol excise duties).	(4) Land Revenue (not generally regarded as taxation).
(2) Taxes on Income.	(5) Excise (including opium excise but excluding cotton and petrol excise).
(3) Salt.	(6) Stamps.
	(7) Registration.

Of these, taxation under (1), (2) and (6) was and is levied at rates fixed by law. As regards (3) the rates used to be fixed by rule under the law subject to statutory limitation but since the Reforms the rates have been determined by the Legislature. As regards (5), taxes on consumption under the Opium and Excise Acts have been, and continue to be, generally speaking, collected at rates fixed or otherwise determined by or under rules made under the law subject to no statutory limitations. As these taxes largely consist of fees, it is difficult to fix the rates by legislation and it is not proposed to do so. There remain (4) and (7) about which the requisite information is being collected in connection with the Taxation Committee.

**Mr. A. Rangaswami Iyengar :** May I know if in regard to the items comprised in No. 5 and with regard to registration the Government would consider the advisability of bringing all taxation or fees levied under strict statutory limitation in accordance with the recommendations of the Joint Committee ?

**The Honourable Sir Basil Blackett :** I have already answered regarding item No. 5. As regards No. 7, when the requisite information has been collected the matter will be considered.

**Mr. A. Rangaswami Iyengar :** I understood that under item No. 5 the Honourable the Finance Member stated that they were levied under rules which empowered the Local Government to levy these rates-rules made under Statutes. What I now want to know is whether, instead of taking power to levy, legislation itself will impose the fees and the rates in question instead of leaving it to the discretion of the Local Government to make rules ?

**The Honourable Sir Basil Blackett :** I think I have answered that question. As regards these taxes, as they consist largely of fees it is difficult to fix the rates by legislation and it is not proposed to do so.

**Mr. Devaki Prasad Sinha :** May I know under what heading the *chowkidari* tax comes, which is regulated by rules under Regulations passed many years ago and which has recently been increased in Bihar and Orissa ?

**The Honourable Sir Basil Blackett :** I am not aware of the facts stated in the question and I shall require notice of it.

#### INQUIRY INTO THE WORKING OF THE REFORMS.

1348. **Mr. A. Rangaswami Iyengar :** (a) Will the Government of India be pleased to state whether all the information informally called for from Provincial Governments on the working of the Reform Act and obtained ( as stated in reply to Question No. 10 of Mr. K. C. Neogy in this Assembly on the 1st February last) has been placed before the Official Committee now investigating the subject, and whether the whole of that information will be published in order to enable them to make the representations to which the Home Member said the Government will not close their ears ?

(b) Is it a fact that the Madras Government has recommended a scheme of full or qualified provincial autonomy and, if so, will the Government be pleased to state whether the proposal has been communicated to the Secretary of State ?

**The Honourable Sir Alexander Muddiman :** (a) The information informally obtained from Local Governments was not placed before the Committee. It was not intended that the information should be published.

(b) No.

**Mr. A. Rangaswami Iyengar :** May I know whether the Madras Government have submitted any report on this question of provincial autonomy in the provinces ?

**The Honourable Sir Alexander Muddiman :** They have submitted a reply. I have said that my answer to (b) of the question is in the negative.

**Mr. A. Rangaswami Iyengar :** I want to know whether they have received any report on the question of provincial autonomy.

**The Honourable Sir Alexander Muddiman :** I must have notice of that.

COMMITTEE ON INDIAN TAXATION.

1349. Mr. A. Rangaswami Iyengar : Will the Government be pleased to state :

- (a) What progress has been made in regard to the appointment of the Committee on Indian Taxation and the commencement of its operations ?
- (b) Whether the question of placing all sources of taxes and revenues, Central, Provincial and Local, on the basis of permanent or annual legislative measures to be enacted by the Central and Provincial Legislatures, will also be a matter within the terms of reference to the said Committee ?
- (c) Whether the procedure for obtaining supply and sanctioning appropriation through the Legislatures will come under enquiry in considering schemes of a Federal or semi-Federal Financial system in India ?

The Honourable Sir Basil Blackett : (a), (b) and (c). The attention of the Honourable Member is invited to the Resolution on the subject issued by the Government of India and published as a Gazette of India Extraordinary on Monday, the 26th May, 1924.

AMENDMENTS OF THE INDIAN LEGISLATIVE RULES OR OTHER STATUTORY RULES.

1350. Mr. A. Rangaswami Iyengar : Will the Government be pleased to state :

- (a) Whether its attention has been drawn to the reply of Professor Richards on 5th May last to the questions in respect of the recent alterations in the Indian Legislative Rules ?
- (b) Whether the Government of India were communicated with on this matter before the answer was given ?
- (c) Whether the Government of India have now any intention of carrying out the policy which the Under Secretary of State declared in the House of Commons to be extremely desirable namely, " of consulting the Legislature before changes are made in these and other Statutory Rules ?
- (d) Whether the attention of the Government of India has been drawn to the statements in the Simla letter of the Correspondent of the *Times of India* in its issue of the 7th April regarding Section 67 (B) of the Government of India Act and a proposal that the Legislative Department should take up the question of its amendment and make proposals through the Government of India to the authorities at home ?
- (e) Whether the Government of India, in addition to the new Legislative Rules now made regarding the use of the Certificate powers of the Governor General, propose to recommend an amendment of the Act itself for the purpose ?

Sir Henry Moncrieff Smith : (a) Yes.

(b) No.

(c) The Honourable Member is referred to my reply to part (a) of Question No. 1291 put by Mr. Devaki Prasad Sinha.



(d) The Government of India have seen the article to which the Honourable Member refers.

(e) It is not the immediate intention of the Government of India to propose an amendment of section 67-B of the Government of India Act.

**INELIGIBILITY OF PLEADER-JUDGES FOR APPOINTMENT AS PERMANENT CHIEF JUSTICES OF HIGH COURTS.**

1351. \*Mr. N. M. Dumasia : (a) Are Government aware that pleader-judges of the various High Courts in India have acted as Chief Justices on various occasions but have been considered to be ineligible for appointment as permanent Chief Justices under the Statutes governing the Indian High Courts from time to time ?

(b) Is it a fact that with reference to a prospective vacancy in the office of the Chief Justice at Madras a reference was made by the Madras Government to the Secretary of State with regard to the eligibility of a pleader for such appointments ?

(c) Is it a fact that the Law Officers of the Crown in England gave their opinion that there was nothing in section 101, clause (4) of the Government of India Act which debarred a pleader from being appointed permanent Chief Justice ?

(d) Are Government aware that there is considerable public opinion in favour of immediately removing the disability under which pleader-judges of the various High Courts suffer with regard to the permanent appointments of Chief Justice, if such disability exists ?

(e) Are Government prepared to recommend to the proper authorities to make the necessary amendment in section 101 of the Government of India Act to remove all doubts about the eligibility of a pleader to be appointed Chief Justice ?

The Honourable Sir Alexander Muddiman : (a) Yes.

(b) Government are aware that a reference to the Secretary of State on this question was made in 1921, but they understand it was not made by the Madras Government.

(c) No.

(d) and (e). I would invite the attention of the Honourable Member to statement made by my predecessor in the Assembly on the 19th of February, 1924 in reply to the Resolution moved by Dewan Bahadur T. Rangachariar to the effect that Government are agreed that the Government of India Act ought to be amended in order that it may be possible to appoint a pleader to the position of a permanent Justice of a High Court. The exact amendment which should be recommended by Government will be considered in connection with any other amendments of section 101 of the Government of India Act which may appear to be desirable in connection with the recommendations on connected questions of the Royal Commission on the Services and the Bar Committee.

**RECOMMENDATIONS OF THE SEAMEN'S RECRUITMENT COMMITTEE.**

1352. \*Mr. K. Ahmed : Will the Government be pleased to state why they have taken such a long time to give effect to the Recommendations of the Seamen's Recruitment Committee ?

**The Honourable Sir Bhupendra Nath Mitra :** The delay is due to the fact that references have had to be made to the Governments of Bombay and Bengal on the subject. The recommendations of the Seamen's Recruitment Committee involve changes of a far-reaching character and require very careful consideration in consultation with the Local Governments. The Government of India are at present awaiting a reply to a reference made to the Government of Bengal in March last.

**Mr. Chaman Lal :** Is it not a fact that nearly two years have elapsed since this matter was first taken up.

**The Honourable Sir Bhupendra Nath Mitra :** I am sorry I have not got the information in my possession at the present moment ; but if the Honourable Member will give notice of that question, the Honourable Member in charge of the Commerce Department will no doubt furnish him with an adequate reply.

**Mr. K. Ahmed :** I rise on a point of order. Is this the way in which the Government Member.....

**Mr. President :** Are you putting a supplementary question ?

**Mr. K. Ahmed :** I am asking whether the way in which the Government Member in charge.....

**Mr. President :** Order, order. You can only put a supplementary question.

(At this stage Mr. Chaman Lal rose to ask a supplementary question but the President asked Mr. K. Ahmed to ask his next question on the list.)

REPORTS RELATING TO THE RECRUITMENT OF SEAMEN.

1353. **\*Mr. K. Ahmed :** (a) Are the Government aware that the Honourable Sir Charles Innes on 26th September, 1921, in the Assembly while moving the Resolution regarding the non-ratification of the Draft Convention for establishing facilities for finding employment for seamen, said that " No action will be taken on the Report of the Seamen's Recruitment Committee without giving this House an opportunity of considering the Report ?

(b) If the answer be in the affirmative, do Government propose now to fulfil the said undertaking by placing in this House, the Reports submitted by the Calcutta and Bombay Committees for the recruitment of seamen along with the report of the Delhi Substantive Committee ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) The answer is in the affirmative.

(b) The Honourable Member's attention is invited to the reply given on the 11th February, 1924, to Mr. V. J. Patel's question on the same subject, to which I have nothing to add.

**Mr. Chaman Lal :** May I ask whether I was in order or not in asking a supplementary question to the previous question ?

**Mr. President :** Mr. Kabeerud-Din Ahmed put a question and it was answered.

**Mr. Chaman Lal :** Before you called on Mr. Kabeerud-Din Ahmed I rose to put a supplementary question. I want to know whether I am in order or not in putting a supplementary question.

**Mr. President :** You did not catch my eye.

**Mr. K. Ahmed :** Mr. Chaman Lal did catch your eye all right, Sir. You said he was out of order.

**Mr. N. M. Joshi :** May I know whether the promise made by Sir Charles Innes that no action will be taken before the House has had an opportunity of considering the report is going to be fulfilled ?

**The Honourable Sir Bhupendra Nath Mitra :** The answer is in the affirmative.

**Pandit Shambhu Dayal Misra :** When, Sir ?

**The Honourable Sir Bhupendra Nath Mitra :** The Report has already been published. Government will take action on the Report in due course.

**Mr. Chaman Lal :** May I know whether "due course" means a decade or 15 years ?

**The Honourable Sir Bhupendra Nath Mitra :** It varies with the importance of the subject.

**Mr. Chaman Lal :** May I ask the Honourable Member whether he is aware of the fact that a great deal of discontent prevails among the seamen's associations in India regarding the illegal gratifications that are being demanded, a matter which came up before this committee ?

**The Honourable Sir Bhupendra Nath Mitra :** I am sorry I have no personal information on the subject.

**Mr. K. Ahmed :** Will the Government, for the benefit of the country, come to some conclusion immediately and decide the matter ?

**Mr. President :** I have not heard a word of the Honourable Member's question.

**Mr. K. Ahmed :** In view of the fact that a number of petitions, complaints and resolutions have been received by the Department of my Honourable friend, with regard to the abuse that is in existence in this Department, do Government propose to take immediate action in the matter ?

**The Honourable Sir Bhupendra Nath Mitra :** The matter is one of very considerable importance and it is receiving due attention on the part of the Government of India.

**Dr. H. S. Gour :** If the Honourable Member has no information on the subject, may I take the liberty of furnishing him with complete information which I have received.

**Mr. President :** That is not a supplementary question. You cannot supply information by a supplementary question.

**Pandit Shamlal Nehru :** Does the Honourable Member consider this matter important enough to take immediate action ?

**The Honourable Sir Bhupendra Nath Mitra :** I have already replied to that question.

**Mr. Chaman Lal :** May I ask whether it is not a fact that the International Labour Conference at Genoa in 1920 passed a Draft Convention regarding facilities with regard to the recruitment of seamen and whether steps have been taken to put those recommendations into force ?

**The Honourable Sir Bhupendra Nath Mitra :** I am sorry I have no personal information on the subject. I am aware that the Genoa Convention said something on the subject. If the Honourable Member will send in a regular question, the Member in charge of the Commerce Department will no doubt furnish him with all the information he wants.

**Pandit Shambhu Dayal Misra :** Will the Honourable Member tell us whether this matter has ever been placed before him ?

**The Honourable Sir Bhupendra Nath Mitra :** May I ask the Honourable Member to repeat his question ?

**Pandit Shambhu Dayal Misra :** May I know whether this matter was ever placed before the Honourable Member who is replying to this question ?

**The Honourable Sir Bhupendra Nath Mitra :** It has been dealt with by the Honourable Member in charge of the Commerce Department.

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MEETINGS OF THE STANDING FINANCE COMMITTEE AND OF THE COMMITTEE ON THE SEPARATION OF RAILWAY FINANCES.

**The Honourable Sir Basil Blackett (Finance Member) :** Sir, I should like to say with your leave that, in view of the possibility of the House rising by lunch time, it is proposed to hold a meeting of the Standing Finance Committee at 3-15 P.M. this afternoon and a meeting of the Committee on separation of Railway Finances at 2-45 this afternoon, not 3 P.M. as has been announced. I should like further to say that it is now not proposed to attempt to hold further meetings of the Public Accounts Committee at present and that the next meeting will be held in August.

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THE INDIAN (SPECIFIED INSTRUMENTS) STAMP BILL.

**The Honourable Sir Basil Blackett (Finance Member) :** Sir, I beg to move :

“ That the Bill to provide for the modification of certain provisions of the Indian Stamp Act, 1899, in their application to certain promissory notes and other instruments, as passed by the Council of State, be taken into consideration.”

This Bill is a small Bill to amend the Indian Stamp (Amendment) Act passed last year. That Act received the assent of the Governor General on the 1st October 1923. It came into force on that date. It is now brought to the notice of Government that in certain cases the provisions of this Act did not become sufficiently known with the result that certain instruments, the duty on which had been enhanced, have been executed on insufficient stamps. Among them are some promissory notes for over Rs. 250, which cannot be validated as the law now stands, or used in evidence, and, in order to avoid hardship, it is proposed that such instruments should be allowed to be validated if executed after the 30th of September 1923 but before the 1st of January 1924, and in the case of promissory notes, to make them admissible in evidence on payment of the difference of stamp duty between the old and the new rates. It is a provision for the relief of the subject in which, I am sure, this House will have no difficulty in agreeing.

The motion was adopted.

**Mr. President :** Notice of an amendment to clause 2 of the Bill by Mr. Duraiswami Aiyangar has been received.

**Mr. C. Duraiswami Aiyangar** (Madras ceded districts and Chittoor : Non-Muhammadan Rural) : Sir, last evening I had a talk about this subject with the Honourable Sir Basil Blackett, and he consented to alter the period to the 1st day of April 1924 instead of the 1st day of July 1924. But as the Honourable Sir Basil Blackett has agreed to my proposal, I request the permission of the Chair to amend my amendment by putting in the words "1st day of April 1924" in place of the words "-1st day of July 1924". In moving this amendment, I may say a few words. . . . . (*Voices from all sides of the House* : "No, no".)

**The Honourable Sir Basil Blackett** : I am quite prepared to accept this amendment. My object in agreeing to it last night was to save the time of the House.

**Mr. President** : Amendment moved :

"In clause 2 of the Bill, for the words and figures 'before the 1st day of January 1924', the words and figures 'before the 1st day of April 1924' be substituted."

The motion was adopted.

**Mr. President** : There is no other amendment to any other part of the Bill.

**The Honourable Sir Basil Blackett** : Sir, I move that the Bill, as amended, be passed.

The motion was adopted.

#### THE INDIAN SOLDIERS LITIGATION (AMENDMENT) BILL.

**The Honourable Sir Alexander Muddiman** (Home Member) : Sir, I beg to move :

"That the Bill to amend the Indian Soldiers (Litigation) Act, 1918, for certain purposes, as passed by the Council of State, be taken into consideration."

Sir, this is a very small Bill, and I think it is entirely non-controversial. It contains only one operative clause directed to set aside a ruling of the High Court of Judicature of Lahore. It was held by that Court that section 11 of the Indian Soldiers (Litigation) Act, 1918, is only applicable to a person who is an Indian soldier at the time when he brings his suit or files his appeal. Section 11 gives special concessions in the matter of limitation to an Indian soldier who has been serving under war conditions and allows him to exclude such service from the period of limitation. As a result of this decision of the Court this benefit would only now enure where the person concerned is actually a soldier at the time he institutes the suit, or made an application or filed an appeal. This of course was clearly not the intention of the Legislature in enacting the provisions of section 11, and I therefore propose to amend the section by inserting in this section the words "is or has been". This will give effect to what was undoubtedly the intention of the Legislature.

The motion was adopted.

**The Honourable Sir Alexander Muddiman** : Sir, I move that the Bill, as passed by the Council of State, be passed.

**Sardar Bahadur Captain Hira Singh** (Punjab : Nominated Non-official) : Sir, I heartily welcome this Bill. It is a Bill which I hope will

save the property of many of our gallant soldiers. The error in the former Bill has affected many people adversely. It is very kind of you to correct it, but, Sir, if retrospective effect is not given to the Bill, it will be of very little use to those soldiers who have suffered unjustifiable losses. I am sure this Bill will be passed without any dissenting voice. I do not know whether I am in order in moving this amendment in order to rectify the injustice done. All that I want is to amend the Bill in order that it should have retrospective effect. By the adoption of this course, the House will be removing the distinctions and heart-burning amongst those who were unfortunate enough to suffer a loss under the provisions of the old Bill.

**Mr. President :** The Honourable Member is not in order at this stage in moving his amendment.

**The Honourable Sir Alexander Muddiman :** To save time, I am quite prepared to assure the Honourable Member that this Bill has got to come up again before the Legislature in September, and I will certainly examine the point which the Honourable Member mentions.

**Mr. President :** The question is :

“ That the Bill to amend the Indian Soldiers Litigation Act, 1918, for certain purposes, as passed by the Council of State, be passed.”

The motion was adopted.

#### RESOLUTION RE THE REMOVAL OF THE IMPORT DUTY ON SULPHUR.

**The Honourable Sir Charles Innes (Commerce Member) :** Sir, I beg to move :

“ That this Assembly recommends to the Governor General in Council to accept the recommendation of the Tariff Board that the import duty on sulphur be removed.”

The House may remember, Sir, that one of the recommendations made by the Fiscal Commission was that, so far as possible, the Government of India should exempt from import duty the raw materials required by the industries of India. Sir, we were unable at once to adopt this recommendation. Hitherto our tariff has always been a revenue tariff, and we have consistently declined to take into consideration the uses to which articles imported into India may be put. But the adoption by the Legislature of a Resolution last year in favour of a policy of discriminating protection has altered the whole position, and, as we have had numerous representations from manufacturers of chemicals throughout India with regard to the import duty on sulphur, we decided to refer the question whether or not the duty should be removed to the Tariff Board. I think I am correct in saying that all Members of the House have received a copy of the Tariff Board's Report. The Tariff Board think that the reasons for taking the duty off are strong. Sir Thomas Holland once said that the best way of measuring a country's industrial progress was to see how much sulphuric acid was used in the country. We are handicapped in this matter by the fact that there are no deposits of sulphur in India ; consequently we have to import all the sulphur that is required. I do not say that the removal of the duty will enable large-scale chemical industries to be started in this country because we shall always be handicapped by the fact that we shall have to import our raw sulphur. But

[Sir Charles Innes.]

I do say that if we remove the duty, we shall assist many deserving industries in cheapening the prices of their raw materials. I refer particularly to chemical industries, the industry for the making of disinfectants, the making of insecticides, and industries connected with by-products of coke in the manufacture of iron and steel. I think, therefore, that it is quite clear that the removal of this duty will be a useful measure. On the other hand, it is not going to cost us very much. We calculate that the most it is going to cost us will be 2 lakhs of rupees a year. The Government of India have accepted the proposition that the benefits which industries in India will derive from the removal of this duty is well worth the price we shall have to pay. I hope, therefore, the House will accept this Resolution.

**Mr. President :** The question is :

“ That this Assembly recommends to the Governor General in Council to accept the recommendation of the Tariff Board that the import duty on sulphur be removed.”

**Mr. Rama Aiyangar** has given notice of an amendment.

**The Honourable Sir Charles Innes :** I rise to a point of order. I have not received notice of this amendment. I have just seen it on my table.

**Mr. President :** Has this amendment been circulated ?

**Sir Henry Moncrieff Smith** (Secretary, Legislative Department) : I understand that this amendment was received yesterday in the Chamber, and I am also informed that a copy was sent to the Honourable Member.

**The Honourable Sir Charles Innes :** Then I think the Honourable Member may very well make his speech.

**Mr. K. Rama Aiyangar** (Madura and Ramnad *cum* Tinnevely : Non-Muhammadan Rural) : Sir, I propose to move :

“ That at the end of the Resolution the words ‘ except on flower of sulphur and roll sulphur ’ be added.”

I find from the report that there is no reference to it except in the last sentence which I place before the House :

“ Flowers of sulphur are used chiefly for medicinal preparations and for insecticides, and it is on account of the latter use that the Indian Tea Association ask that this form should also be free from duty. They say that they pay a sum in excess of Rs. 25,000 a year as duty.”

I have gone carefully into the full evidence before the Tariff Board and have also seen the report. The whole thing deals with the question of a variety of sulphur which is used mostly for the preparation of sulphuric acid and for medicinal purposes, but this particular variety of sulphur is used by tea planters mostly, and we know as a fact that, when we consent to give protection, it must be on definite principles which have been recommended by the Fiscal Commission. None of those apply to this case. I do not think tea planters want this protection. On the other hand, they are making huge surplus profits and the other day there was an Association proclaiming that they are at the height of prosperity and there is really more than Rs. 25,000 which could be realised in duty on this. It is not a question of the tea planters' industry not being able to keep its place in the world markets. On the other hand, Indian tea seems to command considerable sales and prices in the world's markets, and under these circumstances I do not see why this Rs. 25,000 should be lost to the public. The only question that might be raised is that, while we are exempting other varieties of sulphur, why not do so here. It

cannot be said that because it is only a small amount, there need not be any distinction between variety and variety. But Rs. 25,000 is not a small amount. I do not think that this should be the attitude of this House. I really do not understand that attitude. I do not think the tax-payer in India can afford to lose the sum.

**Pandit Shamlal Nehru** (Meerut Division : Non-Muhammadan Rural) : Sir, I quite agree with my Honourable friend, Mr. Rama Aiyangar, and think it is fair to tax "flower of sulphur" and the other variety of sulphur mentioned by him. This variety of sulphur is used by tea planters who, in my opinion, do not deserve any consideration, even if they are in danger which they are not. As it is, they are making tremendous profits. If any one deserves consideration at all it is the large army employed by these tea planters. I would have no objection if this amendment were rejected, provided the extra profits made by tea planters are compulsorily given to their employees. That, of course, will not be possible, and, therefore in my opinion, this amendment should be accepted and no extra profits should be given to tea planters.

**The Honourable Sir Charles Innes** : Sir, I do not think an amendment of this kind should be sprung on the Member in charge. The only reason advanced in favour of the amendment is that this variety of sulphur is used by the tea industry. That is an incorrect way of putting the case. Flowers of sulphur are mainly required for the preparation of insecticides. It may be that tea industry is the principal user of insecticides, but at the same time such insecticides are used throughout India. Then again it is said that the tea industry is well able to bear the burden of this duty upon flower of sulphur. The tea industry, like many others in India, has its ups and downs. Two years ago, at the end of 1920, we were confronted with the following situation. The tea industry was losing on every pound of tea sold and exports from this country are something like three hundred million pounds a year. In addition, the tea industry pays an export duty of 3 pies a pound on all its exports.

Three years ago the tea industry was in the position of losing on every pound it sold and also added to its losses by paying us a duty of three pies in the pound. It pays us every year in the shape of an export duty something like 50 lakhs of rupees a year, and it seems to me, Sir, that this House would be taking up an ungenerous and undignified position if it refused the recommendation of the Tariff Board in favour of remitting the tax on flowers of sulphur merely because those flowers of sulphur go to the making of insecticides and because one of the most important industries of India uses those insecticides. Sir, I appeal to the House not to accept the motion which I regard as a very ungenerous one and one which cannot be defended on any principles of protection.

**Pandit Shamlal Nehru** : May I ask the Honourable Sir Charles Innes if it is not a fact that the present Government in England have increased the duty on tea by three pence a pound ?

**The Honourable Sir Charles Innes** : And has thereby reduced the preference which Indian tea gets in the United Kingdom.

(Mr. K. Rama Aiyangar rose to speak.)

**Mr. President** : You cannot make a second speech. You certainly have said all you wanted to say when you moved your amendment.

I will now put Mr. Aiyangar's amendment. The question is :

"That at the end of the Resolution the words 'except on flowers of sulphur and roll sulphur' be added."



(Mr. President declared the motion negatived, but Mr. K. Rama Aiyangar asked for a division.)

Mr. President : Those in favour of the amendment stand up.  
(A few Members rose.)

Mr. President : Those against will stand.  
(A majority of Members rose.)

Mr. President : The "Noes" have it.

Mr. K. Rama Aiyangar : I am entitled to claim a division.

Pandit Shamlal Nehru : There are electric bells for a division which give an opportunity for every one to come in and vote as they please. It is often done in the case of the Government Benches, the Members of which usually sit in their offices and come in when they hear the bell to vote as directed.

Mr. President : I quite agree that ordinarily a division when claimed should be given, but when it is apparent that the demand is really a frivolous one.....

Mr. K. Rama Aiyangar : I beg your pardon. I want that a division should be taken and I claim it because I want the names of those who support or oppose my amendment to be placed on record.

Mr. President : Very good.

The question is :

"That the words proposed by Mr. Rama Aiyangar be added to the Resolution."

The Assembly divided :

AYES—14.

Acharya, Mr. M. K.  
Aiyangar, Mr. C. Duraiswami.  
Aiyangar, Mr. K. Rama.  
Dutt, Mr. Amar Nath.  
Govind Das, Seth.  
Hari Prasad Lal, Rai.  
Kartar Singh, Sardar.

Malaviya, Pandit Krishna Kant.  
Misra, Pandit Harkaran Nath.  
Narain Dass, Mr.  
Nehru, Dr. Kishenlal.  
Nehru, Pandit Shamlal.  
Patel, Mr. V. J.  
Yusuf Imam, Mr. M.

NOES—48.

Abdul Qaiyum, Nawab Sir Sahibzada.  
Abul Kasem, Maulvi.  
Ahmad Ali Khan, Mr.  
Aiyer, Sir P. S. Sivaswamy.  
Ajab Khan, Captain.  
Bell, Mr. R. D.  
Bhore, Mr. J. W.  
Blackett, The Honourable Sir Basil.  
Bray, Mr. Denys.  
Coeke, Mr. H. G.  
Dalal, Sardar B. A.  
Das, Mr. Bhubanananda.  
Datta, Dr. S. K.  
Davies, Mr. G. H. W.  
Faridoonji, Mr. R.  
Fleming, Mr. E. G.  
Gour, Dr. H. S.  
Hezlett, Mr. J.  
Hindley, Mr. C. D. M.  
Hira Singh, Sardar Bahadur Captain.  
Holme, Mr. H. E.  
Hudson, Mr. W. F.  
Hussanally, Mr. W. M.  
Innes, The Honourable Sir Charles.  
Littlehailes, Mr. R.

Mitra, The Honourable Sir Bhupendra Nath.  
Moncrieff Smith, Sir Henry.  
Muddiman, The Honourable Sir Alexander.  
Muhammad Ismail, Khan Bahadur Saiyid.  
Mutalik, Sardar V. N.  
Nag, Mr. G. C.  
Neogy, Mr. K. C.  
Pate, Mr. H. R.  
Purshotamdas Thakurdas, Sir.  
Ramachandra Rao, Diwan Bahadur M.  
Raj Narain, Rai Bahadur.  
Rushbrook-Williams, Prof. L. F.  
Sams, Mr. H. A.  
Sastri, Rao Bahadur C. V. Visvanatha.  
Shams-uz-Zoha, Khan Bahadur M.  
Singh, Rai Bahadur S. N.  
Sinha, Mr. Ambika Prasad.  
Sykes, Mr. E. F.  
Tonkinson, Mr. H.  
Tottenham, Mr. A. R. L.  
Townsend, Mr. C. A. H.  
Willson, Mr. W. S. J.  
Yakub, Maulvi Muhammad.

The motion was negatived.

**Mr. President :** I will now put the original Resolution to the vote. The question is :

“ This Assembly recommends to the Governor General in Council to accept the recommendation of the Tariff Board that the import duty on sulphur be removed.”

The motion was adopted.

#### THE INDIAN PENAL CODE (AMENDMENT) BILL.

##### (AMENDMENT OF SECTION 375.)

**Dr. H. S. Gour** (Central Provinces Hindi Division : Non-Muhamadan) : Sir, this is a purely formal motion intended to give effect to the recommendation of the Select Committee that the Bill should be re-published. (A Voice : “ Which Bill ? ”) The Indian Penal Code (Amendment) Bill. Honourable Members have got the Bill before them, as also the Report of the Select Committee.

**Mr. President :** The question is :

“ That the Report of the Select Committee on the Bill further to amend the Indian Penal Code (Amendment of section 375) with the Bill, as amended by the Select Committee, be circulated for the purpose of eliciting opinion thereon.”

The motion was adopted.

#### APPOINTMENT OF DIWAN BAHADUR M. RAMACHANDRA RAO TO THE PANEL OF CHAIRMEN.

**Mr. President :** Before I adjourn the House, I have to intimate that I have appointed Diwan Bahadur M. Ramachandra Rao as one of the Chairmen.

The Assembly then adjourned till Eleven of the Clock on Monday, the 9th June, 1924.

## APPENDIX "A."\*

*Copy of a telegram from Shivaldas Mulchand, Pleader, President of Panchayat, Shikarpur, Sind, to the Foreign Secretary, Government of India, Simla, dated 15th May 1924.*

Panchayat Shikarpur Sukkur District Province Sind in thickly attended public meeting unanimously resolved that His Excellency the Viceroy be humbly approached to immediately move Home Authorities to adopt suitable and efficient measures while recognising Soviet Government and settling terms therewith to kindly recompensate holders in British India of Russian Rouble Notes withheld from circulation and negotiation under Ordinance of the Government of India in 1919 and recently returned to them from several treasuries the loss suffered by such holders particularly in Shikarpur has been immense humbly prayed therefore that His Excellency's Government to take timely and adequate steps in this connection.

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\* Vide page 2750 of these Debates.

## LEGISLATIVE ASSEMBLY.

Monday, 9th June, 1924.

The Assembly met in the Assembly Chamber at Eleven of the Clock, Mr. Chairman (Mr. K. C. Neogy) in the Chair.

### QUESTIONS AND ANSWERS.

#### REPRESENTATIONS *re* THE RECOMMENDATIONS OF THE SEAMEN'S RECRUITMENT COMMITTEE.

1354. \*Mr. K. Ahmed : Are the Government aware that since 1922 there has been a great deal of agitation both in the press and on the platform for the speedy enforcement of the Seamen's Recruitment Committee's recommendations, and copies of Resolutions passed by the Indian Seamen's Union, Calcutta, were forwarded to the Government to expedite the matter ?

The Honourable Sir Bhupendra Nath Mitra : The Government have received several representations on the subject from the Seamen's Union, etc.

#### SEAMEN'S RECRUITMENT BUREAU AT CALCUTTA.

1355. \*Mr. K. Ahmed : Will the Government be pleased to state when they are going to start the Seamen's Recruitment Bureau at Calcutta in terms of the recommendations of the Seamen's Recruitment Committee ?

#### CONSTITUTION OF ADVISORY COMMITTEES ALONG WITH THE ESTABLISHMENT OF THE SEAMEN'S RECRUITMENT BUREAU AT CALCUTTA.

1356. \*Mr. K. Ahmed : (a) Will the Government be pleased to state whether Advisory Committees as recommended by the Genoa International Labour Conference and adopted by a majority of the members of the Seamen's Recruitment Committee, are going to be constituted along with the establishment of the Seamen's Recruitment Bureau at Calcutta ?

(b) If the answer be in the negative, will the Government be pleased to give their reasons in full ?

The Honourable Sir Bhupendra Nath Mitra : I will answer Questions Nos. 1355 and 1356 together. The Honourable Member is referred to the statement made by the Honourable the Commerce Member in this House on 14th March last which covers both the points raised. The selection of a suitable officer is now under correspondence with the Bengal Government.

#### INCLUSION OF INDIAN SEAMEN IN THE WORKMEN'S COMPENSATION ACT, 1923.

1357. \*Mr. K. Ahmed : Will the Government be pleased to state (i) what steps they have taken to include the Indian seamen in the Workmen's

Compensation Act of 1923 as promised by Sir Charles Innes on the 3rd February, 1923,

and (ii) lay on the table all the correspondence that passed between them and the Secretary of State, the Board of Trade and others ?

**The Honourable Sir Bhupendra Nath Mitra :** I have nothing to add to the reply given by the Honourable Mr. Chatterjee to Mr. Joshi's Question No. 175 on the 8th March, 1924. The question of publication of the correspondence will be considered in due course.

ALLEGED INTERCEPTION OF CORRESPONDENCE OF MEMBERS OF THE LEGISLATIVE ASSEMBLY.

1358. \***Mr. Chaman Lal :** (a) Will Government be pleased to state whether it is a fact that the correspondence of some Members of the Legislative Assembly is or has been intercepted or secretly opened before delivery and if so, the names of such Members ?

(b) Will Government be pleased to state whether such attention has been extended to the correspondence of the wives of any Members of the Legislative Assembly ?

ALLEGED SHADOWING OF MEMBERS OF THE LEGISLATIVE ASSEMBLY BY THE POLICE.

1360. \***Mr. Chaman Lal :** Will Government be pleased to state whether (a) any Members of the Legislative Assembly are shadowed by the police, (b) if so, the names of such Members together with the number by which they are known to the C. I. D. ?

**The Honourable Sir Alexander Muddiman :** With your permission, I will answer Questions No. 1358 and 1360 together. I have no information on the subject ; but, if any Honourable Member has been subjected to any inconvenience, I shall certainly deal with the matter on his bringing the facts to my notice.

**Mr. H. E. Holme :** Is it not a fact that, if it had not been for the activities of the Criminal Investigation Department, the recent Bolshevik revolutionary conspiracy would not have been discovered or brought before the courts ?

**Mr. Chaman Lal :** May I ask if that is a supplementary question and if it is in order or not ?

**Mr. Chairman :** It is in order.

**The Honourable Sir Alexander Muddiman :** That, Sir, is probably a fact.

**Mr. Chaman Lal :** Will the Honourable gentleman inform me as to the law under which the correspondence of Members of this Assembly is being opened ?

**The Honourable Sir Alexander Muddiman :** I do not admit that the correspondence is being opened. The Honourable Member has a question on that point, No. 1359, and I will answer it when we come to it.

**Mr. Chaman Lal :** May I assure the Honourable Member that on several occasions I have complained to Postmasters in regard to this.

**The Honourable Sir Alexander Muddiman :** The Honourable Member has not brought the matter to my notice. If he will do so, I shall inquire into the matter.

LAW RELATING TO THE INTERCEPTION OF THE CORRESPONDENCE OF PRIVATE INDIVIDUALS.

1359. \*Mr. Chaman Lal : (a) Will Government be pleased to state under what law interference in a private individual's correspondence is resorted to ?

(b) Will Government be pleased to state (i) whether any protests have been lodged with the department concerned in this behalf and (ii) whether any reply has been given to such protests ?

(c) Will Government be pleased to state the names of all persons in India excluding the Members of the Legislative Assembly and their wives, whose correspondence is being intercepted or opened and the reasons for which such action is being taken ?

The Honourable Sir Alexander Muddiman : (a) Under section 26 of the Indian Post Office Act (VI of 1898), as amended by section 6 of the Indian Post Office (Amendment) Act of 1912 ; and in the case of printed publications under section 19 of the Sea Customs Act (VIII of 1878).

(b) Government have no information on the subject.

(c) I am not prepared to obtain the information required.

Mr. Gaya Prasad Singh : Why are the Government not prepared to give the information to this Assembly ?

The Honourable Sir Alexander Muddiman : If I did so, I should paralyse the measures which are being taken for the safety of the State.

Mr. Chaman Lal : May I ask with reference to part (c) of Question No. 1359 whether the names of Members of the Legislative Assembly are to be found in that list ?

The Honourable Sir Alexander Muddiman : I have no information on that point.

HARASSMENT OF MEMBERS OF THE LEGISLATIVE ASSEMBLY BY TICKET EXAMINERS AT RAILWAY STATIONS.

1361. \*Mr. Chaman Lal : Are Government aware that some Members of the Legislative Assembly are watched while travelling on the railways and harassed by ticket examiners at every important station ?

Mr. C. D. M. Hindley : The reply is in the negative.

Mr. Chaman Lal : May I ask the Honourable Member whether he is aware that a certain gentleman of the name of Mr. Chaman Lal is being shadowed ?

Mr. C. D. M. Hindley : I am not aware of that fact.

Mr. Chaman Lal : Will the Honourable Member make inquiries ?

Mr. C. D. M. Hindley : No, Sir.

Mr. Chaman Lal : Will the Honourable Member inform me why he will not make inquiries ?

Mr. C. D. M. Hindley : I do not see any reason for them and have nothing to add to my reply that I am not prepared to make inquiries.

Mr. Jamnadas M. Mehta : Is it because the shadowing of Honourable Members of the Assembly is the usual course that the Honourable Member refuses to inquire ?

**Mr. C. D. M. Hindley :** I do not know anything about shadowing of Honourable Members of this Assembly.

**Pandit Shamlal Nehru :** Would the Honourable Member care to enlighten himself on the point ?

**Mr. C. D. M. Hindley :** No, Sir.

**Mr. Chaman Lal :** Will the Honourable Member consider whether it is not a matter of great importance that the liberty of the subject is being interfered with, and whether it is not up to him to inquire into the matter ?

**Mr. C. D. M. Hindley :** I am not prepared to admit that the liberty of the subject is being interfered with by railway officials.

**Mr. Chaman Lal :** May I take it that the Honourable Member's attitude is that he is not prepared to admit anything ?

**Mr. Gaya Prasad Singh :** The Honourable Member professes ignorance and at the same time refuses to make an inquiry. Will the Honourable Member give his reasons for it ?

**Mr. C. D. M. Hindley :** I do not know of any facts which have been placed before me which necessitate this inquiry.

**Mr. Chairman :** I think sufficient questions have been asked on this. Let us pass on.

#### PERSONNEL OF THE REFORMS COMMITTEE.

1362. **Mr. Chaman Lal :** (a) Has the India Office objected to the arrangement of not adding a non-official member of this House to the Reforms Committee ?

(b) Has the India Office objected to the personnel of the Reforms Committee ?

**The Honourable Sir Alexander Muddiman :** The reply to both parts of the Honourable Member's question is in the negative.

#### NUMBER OF AMERICANS AND SOUTH AFRICANS IN INDIA AND AMOUNT OF PROPERTY HELD BY THEM IN THIS COUNTRY, ETC.

1363. **Mr. Chaman Lal :** Will Government be pleased to state (1) the total numbers in India of and the amount of property held in India by :

(a) Americans,

(b) South Africans, and

(2) The volume of trade done both by South Africa and by America with India ?

**The Honourable Sir Alexander Muddiman :** In 1921, 3,446 persons were enumerated in India as having been born in America and 4,719 persons as having been born in Africa. Government have no information as to the amount of property held by them or as to the number of South Africans.

2. In the last financial year India exported to the Union of South Africa goods valued at over two crores and imported goods to the value of 77 lakhs. For the United States of America the corresponding figures are 33 crores and 3 crores.

SHOOTING OF INDIANS IN BRITISH GUIANA.

1364. \*Mr. Chaman Lal : Will Government furnish the House with complete information regarding the recent shootings of Indians in British Guiana ?

Mr. J. W. Bhore : With your permission, Sir, I will read the statement made by the Honourable Sir Narasinha Sarma in reply to a similar question in the Council of State on the 4th June last :

“ An inquiry into the circumstances of the riot has been ordered by the British Guiana Government and began on the 7th April. The results of this inquiry have not yet been communicated to the Government of India and it is not possible, therefore, to give an authoritative version of the causes of the riot and all the incidents connected with it. From information which has so far been received it would appear that there was a strike of wharf labourers in George Town on the 31st March and that on the following day there was disorder in the city. The authorities restored order but to prevent recurrence of trouble issued a proclamation prohibiting assemblies and crowds. The events of the 1st April produced excitement among Indian labourers on the plantations across the river among whom there was evidently dissatisfaction with regard to the wages they were receiving. There was some trouble on the 2nd April, but the situation was well in hand. On the 3rd a large crowd composed mainly of Indians and some Negroes and including men, women and children marched in procession towards George Town. They were stopped at Penitence Bridge and asked to disperse. The authorities, however, offered to let a deputation of five Indians and five Negroes enter the town. The crowd, it is understood, would not disperse. The Riot Act was read but evidently without effect, and the police were attacked with stones and sticks. It would appear that a crowd had also collected at the rear of the police in the town, and, finding themselves menaced both in front and behind, the police opened fire. 11 Indian and one Negro were killed and 16 Indians and five Negroes were wounded. Among the killed were two women and one boy of 15. A commission to inquire into and report on the conditions of employment and rates of wages paid to stevedores, wharfmen and other labourers engaged in the loading and unloading of vessels has also been appointed.”

Pandit Shamlal Nehru : May I inquire whether the Government are aware that Sir Joseph Nunan in a private talk with Mr. Shamlal Nehru said that the firing was not justified.

Mr. J. W. Bhore : No, Sir.

Mr. Chairman : The Honourable Member is not expected to know what passed between an Honourable Member of this House and another gentleman in a private talk.

Mr. Chaman Lal : Who was responsible for the shooting, Sir ?

Mr. J. W. Bhore : I have no information on that point, Sir.

Mr. Gaya Prasad Singh : Will the Honourable Member kindly obtain information and lay it before the House ?

Mr. J. W. Bhore : I have said an inquiry has been made by the British Guiana Government, and when the result of that inquiry is known, I shall be very happy to let any Honourable Member, who desires information, have it.

FRANCHISE FOR INDIANS IN BRITISH GUIANA.

1365. \*Mr Chaman Lal : Are Government aware that nearly 45 per cent. of the population of British Guiana consists of Indians whereas the franchise is limited to a few persons ?

Mr. J. W. Bhore : The more accurate figure is 42. The number of Indians actually on the roll is comparatively small, but the franchise is quite liberal. The actual qualifications are given in paragraph 148 of the Report of the Deputation to British Guiana.



## INDIAN MEMBERS OF THE BRITISH GUIANA LEGISLATURE.

1366. \***Mr. Chaman Lal** : Are Government aware that there is only one member of the Council of British Guiana who is an Indian ?

**Mr. J. W. Bhore** : I regret I do not follow which Council the Honourable Member is referring to ? The administration of British Guiana consists of the Governor, the Executive Council, the Court of Policy which is a legislative body and the Combined Court of Policy which deals with financial matters. No Indian is a member of the Executive Council or of the Court of Policy, but one East Indian has at one time been a member of the Combined Court of Policy.

## PERSONNEL OF THE TAXATION COMMITTEE.

1367. \***Mr. Chaman Lal** : Are Government prepared to assure the House that the Taxation Committee will be composed, apart from officials, of elected members of the Assembly and will have as one of its terms of reference the average income of an Indian ?

**The Honourable Sir Basil Blackett** : I may answer this question and Question No. 1535† by Mr. Jinnah together.

The personnel of the Committee and the terms of reference have already been announced in the Gazette of India Extraordinary, published on the 26th May, 1924.

## STRENGTH OF PARTIES IN THE LEGISLATIVE ASSEMBLY.

1368. \***Mr. Gaya Prasad Singh** : (a) Has the attention of the Government been drawn to that part of the speech of Professor Richards, on the debate on Viscount Curzon's motion in the House of Commons, on the 15th April, 1924, in which the following passage occurs :

“ The figures for the Assembly are as follows : There were 41 Swarajists, returned to the Assembly, 7 Independents, 2 Sikhs, and 3 Burmans ? ”

(b) Will the Government be pleased to state if they are responsible for supplying the information on which the above statement is made ? And if so, will the Government kindly explain how they have arrived at these figures ?

**The Honourable Sir Alexander Muddiman** : (a) Yes.

(b) The Government did supply, for the information of the Secretary of State, certain information showing roughly what they thought might be regarded as the strength of the various parties in the Assembly. The information was only supplied as an estimate.

**Mr. Gaya Prasad Singh** : Are not the Government aware, Sir, that Sir Malcolm Hailey, in reply to starred Question No. 22‡ on the 11th February last, stated that the information was not within the knowledge of the Government of India ?

† 1535. *Mr. M. A. Jinnah* : (1) Will Government be pleased to state whether they have yet fixed the personnel of the Taxation Committee ?

(2) If yes, will Government state the names of the Committee ?

(3) If not, what has led to the delay in constituting the said Committee ?

(4) Do Government intend to give the Assembly an opportunity to discuss the terms of reference and the personnel of the Committee ?

**The Honourable Sir Alexander Muddiman :** I believe that Sir Malcolm Hailey did give such a reply, but Government were not aware when that answer was given by Sir Malcolm Hailey nor are they now in a position to give such information. I understand it is a constantly shifting matter.

**THE INDIAN PEOPLES' FAMINE TRUST FUND.**

1369. **\*Mr. Gaya Prasad Singh :** What is the present financial position of the Indian Peoples' Famine Trust Fund? When did it come to be established, and how? What are the rules governing it, and to what purposes the Fund has been allotted since its creation?

**Mr. J. W. Ehore :** The 20th Report of the Board of Management of the Indian Peoples' Famine Trust, which was published in the Supplement to the Gazette of India, dated the 22nd March, 1924, gives the financial position of the Trust for the calendar year 1923. The Trust was established in 1900 as the result of a gift of Rs. 15,00,000 in Government Promissory Notes made by His Highness Sir Madho Singh Bahadur, G.C.S.I., G.C.I.E., Maharaja of Jaipur, on the condition that the income arising therefrom should be applied for the purposes of charitable relief in seasons of general distress. A copy of the Government of India Notification No. 1616-F., dated the 25th July, 1900, which contains the rules for the administration of the Trust, is laid on the table. In accordance with the wishes of the Founder the Trust Funds have been used solely for the alleviation by grants of money or otherwise of general distress caused by failure or destruction of the crops or by any calamity of like nature either in British India or in any Indian States.

Rules and Bye-laws of the Indian People's Famine Trust.

No. 1616-F.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.—Dated Simla, the 25th July 1900.

(As amended by Notifications Nos. 1703, dated the 9th August 1900, 1321, dated the 5th June 1902, and 695, dated the 25th April 1905.)

**IN THE MATTER OF THE INDIAN PEOPLES' FAMINE TRUST.**

Whereas application has been made to the Governor General in Council by His Highness Saramad-i-Rajaha-i-Hindustan Raj Rajindra Sri Maharaja-dhiraj Sawai Sir Madho Singh Bahadur, G.C.S.I., G.C.I.E., Maharaja of Jaipur, the donor of the proposed Endowment Fund, that promissory notes of the Government of India to the amount of Rs. 15,00,000 be vested in the Treasurer of Charitable Endowments appointed under the Charitable Endowments Act, 1890 (VI of 1890), for the territories subject to the Lieutenant-Governor of Bengal (hereinafter referred to as "the Treasurer"), and that the income arising from the same be applied for the purposes of charitable relief in seasons of general distress;

And whereas the terms of the scheme of administration of the income arising from the said property were published in the *Gazette of India* on the 2nd day of June 1900, together with notice that an order was proposed to be made by the Governor General in Council vesting the said property in the said Treasurer and settling the scheme for the administration of the same, and further stating that any objection to the proposed order or suggestions thereon should be transmitted in writing to the Secretary to the Government of India in the Foreign Department by the 2nd day of July 1900, on which date the proposed scheme will be taken into further consideration;

And whereas the said scheme has been taken into further consideration accordingly together with all the objections and suggestions transmitted and received in the manner aforesaid ;

Now under and by virtue of the powers conferred by sections 4 (1) and 7 (1) of the said Act, the Governor General in Council is hereby pleased to order that the said promissory notes of the Government of India to the amount of Rs. 15,00,000 be, and they hereby are, vested in the Treasurer aforesaid, to take and hold the same upon the terms that he shall collect or draw the income or interest thereof as and when the same becomes due and payable, and to hand over and pay the same as and when the same is received to the Board of Management appointed to administer the same under the scheme settled, in the terms contained in the rules set out below, under sections 5 and 7 (1) of the said Act.

*Rules for the administration of the Trust.*

1. The Trust shall be known as the Indian People's Famine Trust.
2. The purpose of the Trust shall be the alleviation by grants of money or otherwise of general distress caused by failure or destruction of the crops or by any calamity of like nature either in British India or in any Native States.
3. The income of the securities so as aforesaid vested in the Treasurer and of such other securities (if any) as may at any time hereafter be in like manner so vested for the purpose of the Trust, shall be administered by a Board of Management (hereinafter referred to as "the Board"), consisting of the following persons :
  - (a) Five persons appointed by the Governor General in Council, of whom three shall be in the executive service of the Government.
  - (b) Five persons appointed, respectively, by the Local Governments of Madras, Bombay, Bengal, the North-West Provinces and Oudh, and the Punjab.
  - (c) Two persons appointed, respectively, by the Agents to the Governor General in Rajputana and Central India.
  - (d) One person appointed by His Highness the Maharaja of Jaipur for the time being.
  - (e) Any persons becoming life-members under clause 14.

The Governor General in Council shall also appoint the Chairman of the Board from among the members, and subject to the provisions hereinafter contained in the first proviso to rule 4, may, during the absence from India of such Chairman, in like manner appoint an Acting Chairman to exercise and discharge all or any of the powers and duties conferred or imposed upon a Chairman by these rules or by any bye-law or order framed or issued thereunder.

4. Each appointed member of the Board shall hold office during the pleasure of the authority by whom he has been appointed.

Provided that a member who is absent from India for a period exceeding eight months shall cease to be a member of the Board, but may, notwithstanding be re-appointed thereto on a vacancy hereafter occurring. Provided also that any member may resign his place at the Board, by notice in writing addressed to the Chairman.

5. During any vacancy in the Board the continuing members may act as if no vacancy had occurred.

6. The Chairman may convene meetings of the Board at such times and places as he may consider necessary and convenient for the transaction of business, and at all meetings four members shall form a quorum.

7. The Board shall frame bye-laws for the regulation of its proceedings, the maintenance of accounts, and the like.

8. No grant for the relief of distress shall, at any time, be made by the Board unless and until the existence of general and severe privation over a considerable area has been notified to it by the Governor General in Council.

9. When the existence of distress has been so notified to the Board, the Board, after considering all the information regarding it which may have been transmitted by the Governor General in Council or by the Local Government or Native State in which the distress exists, may, if it think fit, make a grant for relief.

10. Before paying over the amount of any such grant, the Board shall satisfy itself that the money granted will be expended in one or more of the following ways, namely :

*Firstly.*—In supplementing the subsistence ration of the Famine Codes by the addition of small comforts, whether of food or of clothing, for the aged or infirm, for patients in hospitals, for children and the like.

*Secondly.*—In providing for the maintenance of orphans.

*Thirdly.*—In relieving *pardah nashin* women and persons in distressed circumstances who by social or caste conditions are debarred from applying for State relief and from submitting to the ordinary tests of distress prescribed in the Famine Code.

*Fourthly.*—In helping to re-establish impoverished agriculturists and others who have lost substantially the whole of their capital in the period of distress, and thereby giving them a fresh start in life.

*Fifthly.*—In providing for any object specially recommended to the Board by the Governor General in Council.

11. When a grant is made for relief by the Board, the Board shall, unless otherwise authorized by the Governor General in Council, pay over the grant for expenditure as follows :

(1) To a Central Relief Committee, if a Central Relief Committee shall have been established for the time being to administer Famine Charitable Relief funds in all parts of India.

(2) To a Relief Committee established in the province in which distress prevails, should no Central Committee have been established.

(3) If neither a Central Relief Committee nor a Provincial Relief Committee shall have been established, then to such person or persons as the Board may appoint in the locality where the distress prevails, the Board having first satisfied itself that proper arrangements for the distribution of relief through trustworthy agents have been made.

12. (1) Subject to any general or special orders which the Governor General in Council may issue in this behalf, the Board may, at its discretion, invest any monies in its possession, and not being immediately required for expenditure on relief, in or upon the securities specified in section 4 (3) of the Charitable Endowments Act, 1890, and may vary and realize such investments.

(2) Any money so invested shall be invested in the joint names of the Comptroller-General and of the Accountant-General, Bengal, and shall not be dealt with save under the order in writing of not less than two of the members of the Board.

(3) Provided that the Board may at any time apply to the Governor General in Council that any securities for money so held may be vested in the Treasurer on the same trusts as the original endowment Fund and as part of the endowment.

13. The Board may accept for the purpose of addition to the original Endowment Fund any securities for money of the kinds specified in section 4 (3) of the Charitable Endowments Act, 1890, not being of smaller amount in each case than Rs. 10,000 in face value, that may be so offered to it for acceptance by any person or persons. The Board shall notify each such donation to the Governor General in Council, and shall jointly with the donor apply that the said securities be vested in the Treasurer on the same trusts as the original Endowment Fund and as part of the endowment.

14. Any person who thus subscribes a sum of not less than Rs. 3,00,000 shall become a life-member of the Board.

15. (1) The Board may accept from a Central or Provincial Charitable Relief Committee the unexpended balances of any monies at the Committee's disposal which the Committee on terminating its operations may wish to make over to the Board for expenditure hereafter on the relief of distress. Such monies shall not be added to the original Endowment Fund, but shall be retained by the Board in current account or temporarily invested in the manner specified in sub-clauses (1) and (2) of clause 12.

(2) Subject to any general or special orders which the Governor General in Council may issue in this behalf, the Board may similarly accept and dispose of any sums of money of less amount than Rs. 10,000 that may be presented to it from any other source.

16. The Board shall at all times conform to, and abide by, any rules relating to the administration of endowments under the Charitable Endowments Act, 1899, which the Governor General in Council, in exercise of the powers conferred by section 13 of that Act, may from time to time see fit to make; and in particular the Board shall submit abstracts of its accounts and reports on the administration of the money entrusted to it to such public servant, in such form and at such times as the Governor General in Council may by such rules prescribe; and shall, when called upon by any public servant appointed by the Governor General in Council to be auditor of its accounts, produce any books, papers, vouchers and documents which may appear to him to be necessary for purposes of audit.

T. W. HOLDERNESS,  
*Secretary to the Government of India.*

#### APPENDIX B.

*Bye-laws under Rule 7 of the Rules for the Administration of the Indian People's Famine Trust, made by the Board at a meeting held on Friday, the 18th January 1901.*

1. An Honorary Secretary shall be elected at a meeting of the Board and shall hold office during the pleasure of the Board.

2. The Secretary shall conduct the correspondence of the Board under the orders of the Chairman.

3. The Secretary shall record the minutes of meetings of the Board, and shall send a copy of minutes of each meeting to each member for information. He shall also keep an account of all monies received and of all monies expended by, or on account of, the Board.

4. There shall be an account opened with the Bank of Bengal in the name of the Board into which all monies received by, or on account of, the Board, by way of interest on the Endowment Fund or otherwise, shall be paid. Drawings on that account shall be by cheque under the signatures of the Chairman and Secretary or the Chairman and another member of the Board.

Provided that nothing in this rule shall preclude the Board from placing, at its discretion, such portion of the receipts as it may think fit, on fixed deposit with the Bank of Bengal or from investing in Treasury Bills for a period not exceeding 9 months and the Board may empower the Chairman and the Secretary jointly to make such investments on its behalf.

5. At the end of each calendar year the Secretary shall prepare a detailed account of all monies received and expended or invested by the Board during the year, and a balance sheet for the year.

6. The accounts and balance sheet of each year shall be submitted to the Board at a meeting to be held in the first quarter of the year next ensuing, on such date as the Chairman shall appoint, and of which fourteen days' notice shall be given to members of the Board.

7. The accounts and balance sheet on being passed at the annual meeting of the Board shall be published in the Gazette of India.

8. Such other meetings of the Board as may be necessary for the transaction of business shall be convened by the Chairman on such dates, and at such times and places as he may fix. Provided that not less than fourteen days' notice shall be given to the members of any meeting convened for the purpose of amending or adding to any of these bye-laws or of making any grant in excess of Rs. 10,000 under Rule 9 of the Rules for the management of the Trust, or of vesting any monies under Rule 12 (3).

9. Proxies may be used in the case of any motion touching the amendment of any of these bye-laws, or the grant of any sum in excess of Rs. 10,000 under Rule 9 of the Rules for the management of the Trust, or the vesting of any monies under Rule 12. Proxies may also be used in the case of any other motion when the Chairman in exercise of his discretion, in giving notice to the members of such motion, states that proxies will be received at the meeting convened to discuss it.

BOYCOTT OF FOREIGN MADE CLOTH.

1370. \*Mr. Gaya Prasad Singh : 1. Will the Government be pleased to state whether they issued any instructions to the Local Governments in or about 1921, regarding steps to be taken to counteract the movement for the boycott of foreign-made cloth in India ?

If so, will the Government be pleased to lay on the table a copy of such instructions or communications ? And if not, why not ?

2. (a) Is it a fact a demi-official circular No. 1527-21-C., dated Ranchi, the 3rd August 1921, was issued by the Government of Bihar and Orissa to all the Divisional Commissioners of the Provinces, in which it is stated that "the Government of India, from the information at their disposal, do not consider that the boycott (of foreign-made cloth) will, in the long run meet with substantial success ; but it would be wrong to disregard the risk that the movement may receive a considerable measure of popular support, or the dangers which are likely to result from it" ?

(b) Will the Government be pleased to lay on the table "the information at their disposal" referred to above ?

And if not, why not ?

The Honourable Sir Alexander Muddiman : Instructions of a confidential nature were issued regarding which I am not prepared to make any further statement.

Mr. Gaya Prasad Singh : Are the Government aware that the Bihar Government's D.O. was published in the "Amrita Bazar Patrika" newspaper at the time ? It was also published in the "Searchlight" of the 26th August, 1921. I can supply a copy to the Honourable Member if he likes.

The Honourable Sir Alexander Muddiman : The information was intended to be confidential, though apparently it was not so regarded.

EMIGRATION DEPOT AT BENARES.

1371. \*Mr. Gaya Prasad Singh : (a) Are the Government aware that an emigration depot exists in Benares, for recruiting labourers for Mauritius ? How long has it been in existence ?

(b) Is there a rule published under Government Notification No. 212, dated the 10th March, 1923, to the effect that "Emigration Agents shall not operate in pilgrim centres during times of pilgrimage, or at places where festivals are in progress" ?

(c) Are the Government aware that Benares is an important pilgrim centre, where religious festivals are constantly held ?

(d) If the answer to (c) be in the affirmative, will the Government state why have they authorised the establishment of an emigration depot at such a place ?

Mr. J. W. Bhore : (a) Yes : since August 1923.

(b) Yes.

(c) Yes.

(d) The depot is used for the accommodation of emigrants and its location at Benares is in no way inconsistent with the provisions of the rule referred to by the Honourable Member which relates to recruitment

at pilgrim centres at certain periods. The Government of India have no reason to think that this rule has been violated.

VERNACULAR NOTIFICATION PUBLISHED BY THE EMIGRATION COMMISSIONER, BENARES.

1372. \*Mr. Gaya Prasad Singh : (a) Are the Government aware that a notification entitled "*Jazira Maurilius me kashtkaron ki zarurat*" was published by the Emigration Commissioner, Benares, last year ?

(b) And if so, has it received the approval of the Governor General in Council under rule 17 (2) of the Emigration Rules ? Do the Government hold themselves responsible for the statements contained therein ?

Mr. J. W. Bhore : (a) Yes.

(b) Yes. Government took every precaution to verify the statements made in the pamphlet and to the best of their knowledge these are correct.

Mr. Gaya Prasad Singh : Are not the Government aware that that pamphlet contains many misstatements of a serious nature ?

Mr. J. W. Bhore : I have replied, Sir, that to the best of our knowledge those statements appear to be correct.

Mr. Gaya Prasad Singh : That knowledge is due to a misapprehension.

EMIGRATION AGENTS EMPLOYED BY THE EMIGRATION DEPOT AT BENARES.

1373. \*Mr. Gaya Prasad Singh : (a) Will the Government be pleased to lay on the table a statement giving the names of the Emigration Agents employed by the emigration depot of Benares, together with their educational qualifications, their residence, antecedents, the area in which they are authorised to operate, their pay, and whether they acted as Emigration Agents in indenture labour days ; and also the number of emigrants they are required to recruit under their license ?

(b) Is it not a fact that under Rule 7 (2) the Emigration Agents "shall be paid a fixed salary which shall not depend on the number of emigrants recruited by them" ?

(c) Are the Government aware that under rule 8 (3) "the number of persons whom an emigration agent is authorised to assist to emigrate, and the area in which he is authorised to operate, shall be specified in every such licence," granted to him ?

(d) Will the Government kindly state what steps, if any, are taken by the Emigration Commissioner, if an Emigration Agent fails to enlist the prescribed number of emigrants ?

Mr. J. W. Bhore : (a) The information will be collected and supplied to the Honourable Member in due course.

(b) and (c). Yes.

(d) The Government of India have no information on the subject.

Mr. Gaya Prasad Singh : With regard to (a) I want the information to be laid on the table of the House.

Mr. J. W. Bhore : Very well, I will do so.

**Mr. Gaya Prasad Singh :** With regard to (b) and (c) will the Government kindly inquire and obtain the information asked for by me, and if not, why not ?

**Mr. J. W. Bhore :** I will endeavour to obtain the information.

INSPECTION REMARKS OF VISITORS TO THE EMIGRATION DEPOT, BENARES.

1374. **\*Mr. Gaya Prasad Singh :** Will the Government be pleased to lay on the table, copies of inspection remarks of visitors who inspected the Emigration Depot, Benares, under rule 20 of the Emigration Rules ?

NUMBER OF LABOURERS RECRUITED BY THE BENARES EMIGRATION DEPOT.

1375. **\*Mr. Gaya Prasad Singh :** Will the Government be pleased to lay on the table a statement showing the number of labourers recruited by the Benares Emigration Depot, as well as the number of married and unmarried females and males ?

**Mr. J. W. Bhore :** The information will be collected and supplied to the Honourable Member.

**Mr. Gaya Prasad Singh :** I want it laid on the table.

**Mr. J. W. Bhore :** Very well, if the Honourable Member prefers it, I shall do so.

EMIGRATION AGENTS IN MAURITIUS.

1376. **\*Mr. Gaya Prasad Singh :** (a) Has the Governor General in Council appointed any persons to be agents in Mauritius under section 7 of the Emigration Act (Act VII of 1922), for the purpose of safeguarding the interests of emigrants in Mauritius ?

(b) If so what are the names, pay, and antecedents of such agents ?

**Mr. J. W. Bhore :** The matter is under consideration.

**Mr. Gaya Prasad Singh :** How long is that matter likely to remain under consideration, Sir ?

**Mr. J. W. Bhore :** I hope we shall be in a position to make a statement at no very distant date.

**Mr. Gaya Prasad Singh :** That is only a paraphrase of the former answer ; I want a time stated.

**Mr. J. W. Bhore :** I am afraid I cannot give the Honourable Member any specific time.

PENDING LEGISLATION PREJUDICALLY AFFECTING THE POLITICAL RIGHTS OF INDIANS IN MAURITIUS.

1377. **\*Mr. Gaya Prasad Singh :** (a) Are the Government aware of any impending legislation in Mauritius, prejudicially affecting the political rights of Indians there ?

(b) If the answer be in affirmative, what steps have been taken in the matter ?

**Mr. J. W. Bhore :** The reply is in the negative.

ALLEGED MALPRACTICES OF LABOUR RECRUITERS.

1378. **\*Mr. Gaya Prasad Singh :** (a) Has the attention of the Government been drawn to the " Servant " newspaper of the 10th April,



1924, in which an account has appeared regarding the way in which a number of poor people were hoaxed and brought to Calcutta for being sent to Mauritius under false pretext ?

(b) Are the statements made therein substantially correct ; if so, what steps have been taken to bring the alleged offenders to book, and to prevent a recurrence of such incidents ?

**Mr. J. W. Bhore :** (a) Yes.

(b) The Government have made inquiries from the Government of Bengal on the subject and their report is awaited.

**Mr. Gaya Prasad Singh :** May I take it that the Government will be pleased to lay that report before the Assembly after they have received it ?

**Mr. J. W. Bhore :** I shall be prepared to let the Honourable Member have a copy of the report if he so wishes it—or rather the gist of the report.

#### ALLEGED MALPRACTICES OF LABOUR RECRUITERS.

1379. **\*Mr. Gaya Prasad Singh :** (a) Has the attention of the Government been drawn to a communication headed “ Benares and emigration,” which appeared in the “ Servant ” newspaper, dated the 25th October, 1923 ?

(b) Will the Government be pleased to make a statement regarding the recurrence mentioned in the said paper ?

(c) Is it a fact that a Brahman boy named Chotay Lal was enlisted as a recruit under false pretext, and was kept in confinement against his will in October 1923 at Benares ; but he was subsequently released at the intervention of Dr. Manilal, Bar-at-Law ?

(d) Is it a fact that a complaint was lodged on behalf of the boy Chotay Lal at Chetgunj Police Station in Benares, but that no action was taken by the Police in the matter ?

**Mr. J. W. Bhore :** If the Honourable Member will be good enough to send me the cutting from the newspaper referred to by him I shall endeavour to obtain the information asked for.

**Mr. Gaya Prasad Singh :** Is not the “ Servant ” newspaper subscribed for by the Government of India ?

**Mr. J. W. Bhore :** The Honourable Member is referring to a cutting in a newspaper so long ago as last October, and I regret to say I have not been able to lay my hands upon that cutting.

**Pandit Shamlal Nehru :** Are there no copies kept in the Publicity Department ? What is this highly paid Department meant for ?

**Mr. J. W. Bhore :** I cannot give the Honourable gentleman any reply to that question.

**Mr. Gaya Prasad Singh :** Will the Honourable Member make a reference and find out whether a file of the “ Servant ” newspaper is kept in the Publicity Department or not ?

**Mr. J. W. Bhore :** That question does not arise.

**Mr. Gaya Prasad Singh :** It is for the Chairman to decide that and not for the Honourable Member.

EUROPEANS, ANGLO-INDIANS AND INDIANS EMPLOYED ON SALARIES OF  
RS. 100 AND OVER ON CERTAIN RAILWAYS.

1380. \*Mr. M. K. Acharya : How many Indians, Anglo-Indians and Europeans, respectively, were employed during the year 1922-23 on a salary of Rs. 100 per month and more in the various departments of the N. W. R., E. I. R., G. I. P. R., M. S. M. R. and S. I. R. ?

Mr. C. D. M. Hindley : The Government have published such information as they have in the appendix to the Budget Memorandum to which the Honourable Member is referred.

ALLEGATIONS AGAINST THE ADMINISTRATION OF THE OUDH AND ROHILKHAND  
RAILWAY.

1381. \*Mr. M. K. Acharya : (a) Has the attention of the Railway Board been drawn to the many serious allegations made against the administration of the O. and R. Railway, in the issues of the "Weekly Mazdoor," especially in those of the 26th March, 16th April, 23rd April, 30th April and 7th May ? (b) What action does the Board propose to take to investigate into the truth of those allegations ?

Mr. C. D. M. Hindley : (a) and (b). Government have seen the papers referred to but do not know to which of the articles therein the Honourable Member refers. If, however, his inquiry is with reference to the alleged fraud in the stores, the case is at present *sub judice* and Government cannot make any statement in the matter.

RIVAL UNIONS ON THE OUDH AND ROHILKHAND RAILWAY.

1382. \*Mr. M. K. Acharya : Is it true that Mr. Burton of the Loco. Department of the O. and R. Railway has been endeavouring to start a Railway Union of his own in rivalry to the older O. and R. Railway Union already recognised by Government ?

Mr. C. D. M. Hindley : Government have no detailed information on the subject. They think it probable that the Administration is attempting to establish District Committees with the object of promoting a better understanding between the Administration and Staff and that the Railway Union objects to what it thinks may form a rival organisation.

The Government see no good reason why the Union should object.

Mr. Chaman Lal : Is it a fact that the Railway Board have refused to recognise this Union ?

Mr. C. D. M. Hindley : I understand the Agent of the Railway has withdrawn his recognition from the Oudh and Rohilkhand Railway Union.

Mr. Chaman Lal : Will the Honourable Member give his reasons for such action ?

Mr. C. D. M. Hindley : I do not think that it is necessary for me to give reasons why the Agent has done this, but I would like to take the opportunity of informing the House that the Agent came to this decision, I believe, in view of the fact that the official organ of the Union was engaged in a series of very scurrilous and malicious attacks on some of the officers of the Railway. The Agent was of opinion that this attitude of the Union and of the official organ of the Union was

subversive of discipline on the railway and with the approval of Government the Agent has withdrawn his recognition from the Union.

**Maulvi Muhammad Yakub :** Sir, are the Government aware that a large number of the employees on the Oudh and Rohilkhand Railway are prepared to go on strike on account of the Agent's action about the Union because he has withdrawn his recognition of the Union ?

**Mr. C. D. M. Hindley :** I should not like to engage in any such prophecy.

**Maulvi Muhammad Yakub :** Have the Government of India or the Honourable Member received any telegram from the employees of the Oudh and Rohilkhand Railway on this subject ?

**Mr. C. D. M. Hindley :** I am not aware exactly how many telegrams we have received. I think we have received some.

**Pandit Shamlal Nehru :** Does the Honourable Member expect a strike ?

**Mr. C. D. M. Hindley :** That is a matter of opinion.

**Pandit Shamlal Nehru :** What is the Honourable Member's opinion ?

#### ALLEGED FRAUDS IN THE GOODS AND STORES DEPARTMENTS OF THE OUDH AND ROHILKHAND RAILWAY.

1383. **\*Mr. M. K. Acharya :** Is it a fact that in the Goods and Stores Departments of the O. and R. Railway, a great deal of fraud and misappropriation causing great wrongful loss to the Railway Company has been practised systematically for a long time ? What steps does the Railway Board propose to take to investigate the extent and causes of such abuses and prevent their recurrence in future ?

**Mr. C. D. M. Hindley :** The Honourable Member is referred to the reply just given to his question regarding allegations made against the administration of the Oudh and Rohilkhand Railway.

#### INTRODUCTION OF THE WATCH AND WARD STAFF ON RAILWAYS.

1384. **\*Mr. M. K. Acharya :** On how many Railways has the Watch and Ward Department been introduced ? What are the results of the working of this Department on the B. B. and C. I., the G. I. P., and the O. and R. Railway Companies ? What are the salaries of the Superintendents and Inspectors employed in this Department on these Railways ? Are there any differences in the salaries paid to these officers by the different Companies ? If so, what is the reason for such difference ?

**Mr. C. D. M. Hindley :** The reorganisation of the Watch and Ward Staff on the lines recommended by the Railway Police Committee, 1921, has now been taken in hand on the following six Railways :

Bengal Nagpur,  
Bombay, Baroda and Central India,  
Eastern Bengal,  
East Indian,  
Great Indian Peninsula, and  
Oudh and Rohilkhand.

The first step in each case has been to appoint a Superintendent to carry out the reorganisation. Other Railways have the matter under consideration, the Watch and Ward Staff for the present being under Traffic Officers. It is too early to judge of the precise effect of this change but it is noteworthy that the expenditure on claims on the Railways mentioned—which were the first to re-organise—has decreased, namely :

	1921-22.	1922-23.
	Rs.	Rs.
Bombay, Baroda and Central India Railway.	22,68,575	15,67,600
Great Indian Peninsula Railway ..	28,10,872	19,68,436

The reorganisation on the Oudh and Rohilkhand Railway has been only recently introduced and it is still too early to judge of the results.

The salaries of the Superintendents and Inspectors employed are as follows :

	B. B. & C. I. Ry.	G. I. P. Ry.	O. & R. Ry.
	Rs.	Rs.	Rs.
Superintendent	1,450	1,550	600—50—1,000
Deputy Superintendent	700-1,000	..	..
Inspectors	150-250	Information not available.	Ch. Inspector 250-10-350 Inspector 150-8-200

These rates were fixed with due regard to the importance of the charges.

UNIFORMS FOR THE TRAFFIC STAFF OF THE OUDH AND ROHILKHAND RAILWAY.

1385. \*Mr. M. K. Acharya : Is it a fact that the O. and R. Railway, while maintaining its own Stores Staff, yet indent its uniform for the Traffic Staff through the Stores Department of the N. W. Railway, and pay 7 per cent. commission to the latter Railway Company ?

Mr. C. D. M. Hindley : As the Oudh and Rohilkhand Railway have no clothing factory of their own, they obtain uniforms for their staff from the North-Western Railway clothing factory and pay a charge of 7 per cent. on the cost to cover freight and miscellaneous charges, in accordance with Rule 16 of the State Railway Open Line Code, Volume III.

INDIANS IN SUPERIOR APPOINTMENTS ON RAILWAYS.

1386. \*Mr. M. K. Acharya : (a) With reference to the statements contained in paragraph 55 of Chapter X of the Railway Administration Report for 1922-23 regarding the appointment of Indians in the higher grades of Railway service, will the Government be pleased to state the number of Indians that have been appointed as Officers in the various Railway administrations during the period between 1921—1924 in :

- (i) the Engineering and Stores departments,
- (ii) the Traffic department,
- (iii) and the Audit department.

(b) And how many of such Indian Officers are (1) Hindu, (2) Mahomedans, (3) Indian Christians, (4) Anglo-Indians ?

**Mr. C. D. M. Hindley :** (a) and (b). So far as State Railways are concerned the number of appointments made in the Engineering, Stores and Traffic Departments during the period 1921—24 were as follows :

	Hindus.	Muhdms.	Indian Christians.	Anglo- Indians.
(1) Engineering Department ..	25	2	..	12
(2) Stores Department ..	1	..	..	..
(3) Traffic Department ..	4	3	1	8

No similar information for Companies' lines is available.

The figures for the Audit Department of State Railways can not be given, as the Department is staffed from the Audit and Accounts Service of Government of India. It may, however, be mentioned that all appointments to the service in the years quoted were Indians.

#### TRAINING OF INDIANS FOR SUPERIOR AND SUBORDINATE APPOINTMENTS ON RAILWAYS.

1387. \***Mr. M. K. Acharya :** With reference to paragraph 56 of Chapter X of the Railway Administration Report for 1922-23, will the Government be pleased to state what action has been taken by the Railway Board on the Report submitted by Mr. H. L. Cole in 1922 on the question of training Indians both for superior and subordinate grades of all departments of Railway Administration ?

**Mr. C. D. M. Hindley :** I would refer the Honourable Member to the first portion of the reply given to Diwan Bahadur M. Ramachandra Rao's Question No. 1197 on the 4th instant.

#### REPORT OF THE INDIAN BAR COMMITTEE.

1388. \***Mr. M. K. Acharya :** Will the Government be pleased to state what action they propose to take on the report of the Indian Bar Committee and when they propose to take the same.

**The Honourable Sir Alexander Muddiman :** The Honourable Member is referred to the answers already given to Mr. Bhabendra Chandra Roy's unstarred Question No. 239 on the 27th May, 1924, and to Khan Bahadur Sarfaraz Hussain Khan's Question No. 1267 on the 5th June, 1924.

#### CHARGE OF CANTONMENT HOSPITALS

1389. \***Mr. Ismail Khan :** (a) Is it not a fact that a certain number of appointments of Medical Officers to hold charge of Cantonment Hospitals is reserved for each of the two branches of the Medical Service, namely, the I. M. S. and the R. A. M. C. ?

(b) In case a properly qualified officer (*i.e.*, one who has passed an examination in Urdu) is not available for a post reserved for one of these two branches, how is the vacancy filled up—whether by appointing a non-qualified officer of that particular branch, or by appointing a qualified officer from the other branch ?

**Mr. H. R. Pate :** (a) The charge of cantonment hospitals in each district is distributed equally between the two services mentioned.

(b) If a qualified officer of the appropriate service is not available, an unqualified officer of that service may be appointed, subject to his passing the language test within a period of 6 months.

**Lieut.-Col. H. A. J. Gidney :** Will the Honourable Member be so good as to make further inquiries ? From the information I have received I understand that a greater proportion of the appointments are held.....

**Pandit Shamlal Nehru :** Is that seeking information or giving it ?

**Mr. Chairman :** I have been waiting to find out whether the Honourable Member is putting any question.

**Lieut.-Col. H. A. J. Gidney :** I should have put the question if the Honourable Member did not needlessly interrupt me. I want to know whether the Honourable Member will be so kind as to make further inquiries as to whether the answer he has just now given is the state of affairs as it exists to-day.

**Mr. H. R. Pate :** If the Honourable Member is able to give me any example to suggest that my answer is in any way incorrect, I shall make inquiries.

TREATMENT OF PLAGUE PATIENTS IN CANTONMENTS.

1390. **\*Haji Wajihuddin :** (a) Will the Government be pleased to state whether the Government have issued any instructions that section 209, Cantonment Code, should be applied to residents of Cantonments who were attacked by chronic plague and who were being treated in their own houses and were physically unable to comply with the medical officers' orders issued under section 208 to attend the Cantonment Hospital and live in a segregation camp there ?

(b) Is it a fact that certain persons who are old residents of Meerut Cantonment and were unfortunate enough to fall ill of plague have on recovery been forbidden to re-enter all the Cantonments in British India as well as the municipal area of Meerut including certain adjoining villages, and if so, please state reasons and whether the Government propose to remove the restriction without delay ?

**Mr. H. R. Pate :** (a) and (b). The answer to both parts of the question is in the negative.

ELIMINATION OF HINDUSTANI MUSSALMANS FROM INDIAN INFANTRY REGIMENTS.

1391. **\*Haji Wajihuddin :** (1) Are the Government aware that the recent orders eliminating Hindustani Mussalms from Indian Infantry have caused great discontentment among them ? (2) Are Government prepared to consider the question of cancelling the orders ?

(3) Is it a fact that during the last 12 months Army orders have prevented the enrolment of Hindustani Mussalms of the United Provinces in certain regiments of the Indian Army and that in no circumstances are mustering out concessions admissible to Hindustani Mussalms on being discharged and that preference is being given to Kumaonees and if so, will Government please state :

- (a) reasons for this change,
- (b) population of Hindustani Mussalms in U. P.
- (c) population of Kumaonees other than Kumaonee Brahmins,
- (d) whether any representations have been made by Hindustani Mussalms and with what result,
- (e) whether the Officer Commanding 10-19th Hyderabad Regiment expressed any opinion about the Hindustani Muslim officers and men of his regiment and if so, whether Government will lay a copy of same on the table.

**Mr. H. R. Pate :** (1) Government are aware that a certain amount of discontent has resulted from the orders referred to by the Honourable Member.

(2) Government are not prepared to reconsider this decision, which was arrived at after very careful consideration.

(3) Yes. Mustering-out concessions have not been sanctioned, since it is the intention not that the Hindustani Mussalmans should be mustered out compulsorily, but that they should be allowed to serve on for pension, if they so desire. This is the procedure that has been followed in all other recent changes of class composition.

(a) The course was considered necessary in the interests of the service.

(b) For recruiting purposes all Mussalmans of the U. P. are classed as 'Hindustani Mussalmans', and according to the figures of the census report for 1921, the total number of Muhammadans in the U. P. is 6,724,967.

(c) According to the same census report, the figure for Kumaonese, other than Brahmin Kumaonese, is 1,005,193.

(d) Yes. The appeals received due consideration, but were rejected for the reason already given.

(e) A report on the subject was received from the Officer Commanding, 10|19th Hyderabad Regiment, but Government are not prepared to lay the report on the table.

#### PLATFORM TICKETS.

1392. \*Haji Wajihuddin : Will the Government be pleased to state on what principle certain railways on certain stations charge platform fees and why on varying scales from three pies to two annas and whether the Government propose to have the fee remitted and free admission allowed as in certain stations on E. I. R. ?

**Mr. C. D. M. Hindley :** Platform fees are usually levied at stations where it is considered that the unrestricted admission of the public to platforms would cause inconvenience and perhaps be dangerous both to the passengers and the railway staff. The amount of the fee and the stations at which it is levied are determined by the Railway Administrations with due regard to local conditions.

In the circumstances Government do not propose to take any action.

**Mr. K. G. Lohokare :** Are the fees justified by any rule or law under the Railway Act ?

**Mr. C. D. M. Hindley :** Yes, Sir. I am sorry I am not able to quote the rule or law.

#### OPENING OF THE PORT OF CALCUTTA TO PILGRIM TRAFFIC.

1393. \*Haji Wajihuddin : (a) Are the Government aware that during April and May 1924 there was a rush of outgoing Hedjaz pilgrims at Bombay, all the Musafirkhanas were packed with pilgrims waiting for pilgrim ships and the majority of them were residents of Bengal Province.

(b) Are the Government prepared to consider urgently the question of opening the port of Calcutta to remove the inconvenience and the extra expense caused in sailing from Bombay regarding which the Legislative Assembly passed a Resolution some 3 years ago ?

**Mr. J. W. Bhore :** (a) No complaints have so far been received by the Government of India as to the rush of outgoing Hedjaz pilgrims at Bombay during April and May 1924.

(b) The question of opening the port of Calcutta to pilgrim traffic is under consideration.

MONTHLY STIPEND OF SULTAN MARIAM BEGUM.

1394. \*Maulvi Muhammad Yakub : (a) Will the Government be pleased to state if under a treaty between His Majesty the late Ghazi-Uddin Hyder Shah, the first King of Oudh and the British Government, dated the 17th August, 1825 (to be found in Aitchison's Treaties IV, Edition 1909, Volume I, Part II), among other stipendiaries was not Sultan Mariam Begum, wife of the said King entitled to a monthly stipend of Rs. 2,500 out of which she was entitled to will away one-third and the remaining two-thirds was to go to Karbala Moallah ?

(b) Is this amount of two-thirds of Rs. 2,500 being paid or was it ever paid to the High Priests and Mujawars of the Karbala, if not, how and under what authority is this money being spent ?

(c) Was this money ever refused by the High Priests of Karbala ?

(d) If the money is not spent at Karbala why was it not allotted to the legal heirs of the said lady Sultan Mariam Begum ?

(e) Has the attention of the Government been drawn to Article 4 of the said Treaty and what effect was, and is being given to it by the Government ?

Mr. Denys Bray : (a) Yes.

(b) The amount is being and has been paid, half at Najaf Ashraf and half at Karbala Moallah, for the purpose of which it was originally intended.

(c) In the time at my disposal I have been unable to verify whether the money has ever been refused, but if it ever has been refused, it must have been temporary refusal only, for it is being and has been paid regularly.

(d) Does not arise.

(e) The Government of India are aware of the provisions of Article IV, and, so far as I have been able to ascertain, no representation has ever been received by them from the stipendiaries complaining that effect has not been given to those provisions.

RESERVED SALOONS FOR OFFICIALS.

1395. \*Maulvi Muhammad Yakub : Will the Government be pleased to state :

(a) the number of reserved saloons,

(b) the designation of the officers entitled to reserved saloons, and

(c) the sums of money spent yearly in mounting and overhauling these saloons on the Oudh and Rohilkhand Railway ?

Mr. C. D. M. Hindley : (a) and (b). The number of reserved saloons used by Railway officers of the Oudh and Rohilkhand Railway is 23, and a list of the officers, to whom these saloons are allotted, is laid on the table. In addition to these there are 19 small reserved carriages allotted for the use of junior officers and inspectors, which cannot be described as saloons, but have been converted for the use of these junior officers and upper subordinates from old coaching stock.

(c) The average annual cost during the last two years of maintenance and repairs to these saloons and reserved carriages was just under Rs. 16,000



which is approximately equal to the annual cost of maintaining a similar number of wagons.

*List of Reserved carriages on the Oudh and Rohilkhand Railway.*

No.	Bogie or four-wheeled.	To whom allotted.	REMARKS.
1	Bogie .. ..	Agent, Oudh and Rohilkhand Railway.	
2	Do. .. ..	Chief Engineer.	
3	Do. .. ..	Locomotive Superintendent.	
4	Do. .. ..	Traffic Manager.	
5	4-wheeler ..	District Locomotive Superintendent, Fyzabad.	
6	Do. .. ..	(1) Chief Auditor, (2) Controller of Stores, and (3) Principal Medical Officer.	
7	Do. .. ..	District Traffic Superintendent, Bareilly.	
8	Do. .. ..	Executive Engineer, Fyzabad.	
9	Do. .. ..	District Locomotive Superintendent, Moradabad.	
10	Do. .. ..	District Locomotive Superintendent, Lucknow.	
11	Bogie .. ..	Senior Government Inspector of Railways.	
12	4-wheeler ..	District Traffic Superintendent, Lucknow.	
13	Do. .. ..	Inspection Car.	
14	Do. .. ..	Executive Engineer, Shahjahanpur.	
17	Do. .. ..	Superintendent, Government Railway Police, Lucknow.	
18	Do. .. ..	Executive Engineer, Moradabad.	
29	Do. .. ..	District Traffic Superintendent, Fyzabad.	
30	Do. .. ..	District Traffic Superintendent, Moradabad.	
31	Do. .. ..	Executive Engineer, Lucknow.	
34	Do. .. ..	Signal Engineer, Lucknow.	
36	Do. .. ..	Travelling Auditor of Accounts.	
44	Do. .. ..	Spare.	
45	Do. .. ..	District Traffic Superintendent, Head Office.	

**Mr. T. C. Goswami :** Is the list of officers entitled to saloons so very large ?

**Mr. C. D. M. Hindley :** I have said, Sir, that the number of saloons is 23.

**Mr. T. C. Goswami :** But the list of officers that you have laid on the table, is that very large ?

**Mr. C. D. M. Hindley :** I do not understand what the Honourable Member means by very large. The figure is 23.

**Mr. T. C. Goswami :** Thank you.

DEPUTY DIRECTOR OF ESTABLISHMENT, RAILWAYS.

1396. \*Maulvi Muhammad Yakub : (a) Has an appointment been made in the new post of the Deputy Director for Establishment of Railways ?

(b) What are the duties and the pay of this officer and what special qualifications are needed to perform the duties of the office ?

**Mr. C. D. M. Hindley :** (a) Yes.

(b) The Deputy Director of Establishment deals with proposals relating to the staff of the State and Company worked Railways which require the sanction of the Railway Board. The incumbent of the post draws his departmental pay *plus* the usual Rs. 250 allowance. The special qualifications needed are experience and an intimate knowledge of Railway rules and regulations.

CASE OF SUBRATI.

1397. \*Maulvi Muhammad Yakub : (a) Has the attention of Government been drawn to the case of one Subrati reported in the Weekly Mazdoor No. 1, No. 11, page 3, Column 2 ?

(b) Are the facts given in the report true ? If so, what action has the Government taken against Mr. Beck who snatched the certificate of Subrati ?

**Mr. C. D. M. Hindley :** The Government have not seen the report referred to and propose to leave it to the Agent to take such action if any as he deems fit.

**Maulvi Muhammad Yakub :** Will the Government be pleased to see that article and inquire into the matter ?

**Mr. C. D. M. Hindley :** No, Sir, I think it is not a matter for Government to inquire into. The Agent is fully competent to deal with it.

**Maulvi Muhammad Yakub :** Will the Government be pleased to communicate this question to the Agent ?

**Mr. C. D. M. Hindley :** A copy of the question and my answer, Sir, will be communicated to the Agent.

ALLEGED ASSAULT BY MR. TUCKER UPON AN INDIAN CLERK.

1398. \*Maulvi Muhammad Yakub : Are the facts reported in the Weekly Mazdoor No. 1, No. 12, page 1 about the assault upon an Indian Clerk by one Mr. Tucker correct ? If so, what action was taken against the assailant ?

**Mr. C. D. M. Hindley :** Government have not received a copy of the paper referred to by the Honourable Member.

**Maulvi Muhammad Yakub :** Will the Government be pleased to get a copy of the paper and look into it ?

**Mr. C. D. M. Hindley :** If the paper is sent to the Government, we will look into the matter.

**Maulvi Muhammad Yakub :** May I send the paper to the Honourable Member ?

**Mr. C. D. M. Hindley :** The Honourable Member is perfectly at liberty to send it to me, Sir, my office is open.

#### INDIANS IN SUPERIOR APPOINTMENTS ON THE RAILWAYS.

1399. **\*Maulvi Muhammad Yakub :** (a) What is the total number of officers of superior grade on the Indian Railways and how many of them are Indians ?

(b) What is the total amount of salaries paid to the Europeans, Anglo-Indians and Indians respectively ?

**Mr. C. D. M. Hindley :** (a) and (b). Details will be found in the Railway Board's Classified List of establishment the latest copy of which is available in the Members' Library.

#### RETRENCHMENTS ON THE INDIAN RAILWAYS.

1400. **\*Maulvi Muhammad Yakub :** How many employees of the Indian Railways were removed from service during the last year, on account of retrenchment, and how many of them were Indians ?

**Mr. C. D. M. Hindley :** All available information on the subject is embodied in Annexures A and B of the Explanatory Memorandum of the Railway Budget for 1924-25, a copy of which was supplied to all Members of the Assembly.

#### ABOLITION OF RACIAL DISCRIMINATION ON STATE RAILWAYS.

1401. **\*Maulvi Muhammad Yakub :** Are there any racial discriminations as regards the pay, allowances, free passes, accommodation and educational grants contained in Note 2 to paragraph 330 of the State Railway open line, Col. No. II, if so, do the Government propose to abolish all such instructions ?

**Mr. C. D. M. Hindley :** I would refer the Honourable Member to the reply given on the 6th June, 1924, to a similar question, No. 1308, asked by Mr. N. M. Joshi.

#### INDIAN CHARGEMEN AND FOREMEN ON THE OUDH AND ROHILKHAND RAILWAY.

1402. **\*Maulvi Muhammad Yakub :** Is it a fact that there is not a single Indian chargeman or foreman on the Oudh and Rohilkhand Railway ?

(b) Was any Indian ever tried in the post or was any effort made to employ an Indian ?

**Mr. C. D. M. Hindley :** (a) It is a fact that there is at present no Indian Foreman on the Oudh and Rohilkhand Railway but it is not a fact that there is no Indian Chargeman. As regards Chargemen the Honourable Member's attention is invited to the reply given to a similar question asked by Mr. C. S. Ranga Iyar this session.

(b) No. Such appointments are obviously dependent on there being Indians available with the requisite qualifications.

CLEARANCE OF MATERIALS BELONGING TO THE OUDH AND ROHILKHAND RAILWAY, SOLD BY AUCTION TO CONTRACTORS.

1403. \*Maulvi Muhammad Yaqub : Is it a fact that materials purchased in auction by Contractors were allowed to remain in the stores yard of the Oudh and Rohilkhand Railway, Lucknow, for months and were despatched piecemeal ?

Mr. C. D. M. Hindley : Government have ascertained that there has been some delay in effecting clearance of materials which have been sold by auction owing to lack of supply of wagons and labour difficulties. The matter is under examination by the Agent.

DUAL APPOINTMENTS ON THE OUDH AND ROHILKHAND RAILWAY.

1404. \*Maulvi Muhammad Yakub : Is it a fact that one of the Oudh and Rohilkhand Railway Officers was allowed to hold a dual appointment as Goods Inspector, Lucknow, and as A. T. S. Claims ?

Mr. C. D. M. Hindley : Yes, some ten years ago, a Goods Inspector officiated for a time as an Assistant Traffic Superintendent in addition to his own duties.

DECREASE IN THE OUTPUT OF YARN AND WOVEN GOODS MANUFACTURED BY INDIAN MILLS.

1405. \*Khan Bahadur Sarfaraz Hussain Khan : (a) Is it a fact that the total quantity of yarn spun in Indian Mills during February 1924 amounted to 29 million lbs. and that of woven goods to 24 million lbs., as compared with 54 million, and 32 million lbs. respectively in the corresponding month of the previous year ?

(b) If so, will the Government please state the cause of the decrease ?

The Honourable Sir Bhupendra Nath Mitra : (a) Yes.

(b) The decrease have occurred solely in the Bombay mills and presumably were due to the strike which occurred there in February.

DECREASE IN THE EXPORT OF INDIAN YARN.

1406. \*Khan Bahadur Sarfaraz Hussain Khan : (a) Is it a fact that the exports of Indian yarn by sea from British India to foreign countries during the 11 months, April 1923 to February 1924, were 37 million lbs. as compared with 53 million, and 74 million lbs., in the corresponding periods of 1922-23 and 1921-22 respectively ?

(b) If so, will the Government please state the cause of the decrease ?

The Honourable Sir Charles Innes : (a) Yes.

(b) The decrease is entirely due to reduced exports of Indian yarn to China where in recent years there has been a large increase in the number and output of local spinning mills. The attention of the Honourable Member is drawn to page 16 of the Review of Trade for 1921-22 where the position was examined.

DECREASE IN THE EXCISE DUTY REALISED ON WOVEN GOODS.

1407. \*Khan Bahadur Sarfaraz Hussain Khan : (a) Is it a fact that the excise duty realised on woven goods in February 1924 amounted to about 10 lakhs and in the 11 months, April 1923 to February 1924, Rs. 5,411 lakhs, as compared with Rs. 19 lakhs, and 181 lakhs respectively, in the corresponding periods of 1922-23 ?

(b) If so, will the Government please state the cause of the decrease ?

**The Honourable Sir Basil Blckett :** (a) Yes, except that the excise duty realised on woven goods in the 11 months April 1923 to February 1924 amounting to about Rs. 1,50 lakhs and not Rs. 5,411 lakhs as stated by the Honourable Member.

(b) The probable cause of the decrease was the labour strikes that occurred in the Bombay Mills in January and February last.

#### RE-ORGANISATION OF THE ROYAL INDIAN MARINE.

1408. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state whether it is a fact that they are considering a scheme for the reorganisation of the Royal Indian Marine on a combatant basis ?

**Mr. H. R. Pate :** The answer is in the affirmative.

**Mr. K. G. Lohokare :** Is there any provision expected to be made for Indians in the superior service of the Royal Indian Marine ?

**Mr. H. R. Pate :** That matter, Sir, is under consideration.

#### MANUFACTURE OF SULPHUR, SULPHURIC ACID, ETC., IN INDIA.

1409. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

(a) If it is a fact that the whole of the Sulphur used in India is imported from abroad ?

(b) The average consumption of Sulphur in India ?

(c) The annual average quantity of Sulphuric acid manufactured in India ?

(d) The annual average quantity of Sulphate of Ammonia produced in India ?

(e) The annual average quantity of Sulphate of Ammonia exported from India ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b). The attention of the Honourable Member is invited to paragraphs 4, 9 and 10 of the Report of the Indian Tariff Board regarding the removal of the import duty on sulphur.

(c) and (d). No information is available.

(e) The Honourable Member is referred to the statistics of the Sea-borne Trade of British India.

#### EXCLUSION OF SADAR BAZAARS FROM CANTONMENT AREAS.

1410. **\*Haji S. A. K. Jeelani :** (a) Will the Government be pleased to state whether it is fact that a question has been under the consideration of the Government to exclude Sadar bazaars from Cantonment areas ?

(b) If so, will the Government be pleased to name the Cantonments in respect of which that decision is to apply, and when ?

**Mr. H. R. Pate :** (a) Yes. A communiqué was issued on the subject, a copy of which is laid on the table.

(b) No decision has yet been reached in respect of the Sadar Bazaar of any of the 4 cantonments mentioned in the communiqué.

SADAR BAZAAR SCHEME.

REMOVAL FROM CANTONMENT AREAS.

Delhi, the 22nd December.

The Government of India have for some time past been considering the question of separating the large Sadar Bazaars from the Cantonment areas in cases where these bazaars have outgrown military requirements, and where their exclusion from the rest of the Cantonment area is geographically and administratively feasible. After consultation with the Local Governments concerned, It has been provisionally decided to exclude the Sadar Bazaars from the Cantonments of St. Thomas's Mount, Kamptee, Amballa, and Mandalay. Detailed proposals for the excision and separate constitution of the Sadar Bazaar areas will be drawn up by Committees consisting of representatives of the Government of India and the Local Government concerned. The Committee dealing with Kamptee is already at work. The St. Thomas's Mount Committee will assemble on the 7th January, the Amballa Committee on the 15th January, and the Mandalay Committee will probably meet in February or March 1924. The reports of the Committee are to be submitted by the Local Governments for the orders of the Government of India.

ADMINISTRATION OF CANTONMENTS UNDER THE NEW CANTONMENT ACT.

1411. \*Haji S. A. K. Jeelani : (a) With reference to the administration of cantonments under the new Act, will the Government be pleased to state how many Cantonments are placed under the administration of a Board and how many under the Officer Commanding ?

(b) Will the Government be pleased to state on what principle they have divided Cantonments into two broad divisions, one to be administered by a Board and the other by the Officer Commanding, and to state when these Boards are to be formed ?

Mr. H. R. Pate : (a) 51 cantonments are to be placed under the administration of Boards and 43 under Officers Commanding Cantonments. The attention of the Honourable Member is invited to the reply given by me on the 5th June to part (a) of Mr. Hussanally's Question No. 1289.

(b) The total civil population and the financial resources of the Cantonments were the two main factors which influenced Government in determining the constitution of Cantonments.

The Boards are being formed by Local Governments, who have been requested to take steps to ensure that no avoidable delay occurs in establishing them.

SALE OF SURPLUS STOCKS OF WHISKY BY THE SUPPLY AND TRANSPORT DEPARTMENT, LAHORE.

1412. Mr. H. G. Cocke : (a) Are Government aware that the S. and T., Lahore are selling to the private consumer large quantities of whiskies ? (b) Is it a fact that this whisky was originally obtained by them free of customs duty, and that such sale amounts to depriving Government of revenue and detrimentally affects those who pay licenses to Government for the privilege of selling wines and spirits ?

Mr. H. R. Pate : (a) Yes.

(b) The whisky referred to by the Honourable Member consists of surplus Government stocks, represented by :

(i) purchases made in India on which full duty has already been paid ; and

- (ii) stocks obtained from the Director-General of Stores, London, on which no duty was paid. The bottles of this latter class bear distinctive Government labels.

Government have sanctioned the purchase by the military authority at Lahore of a license, the cost of which will be passed on to the consumer. The whisky, I may add, is being sold at a higher rate than that which the local trade were prepared to pay. The sales were ordered with the object of obviating the total loss which would otherwise have resulted from deterioration, breakages, and so on.

PAYMENT OF EXCISE OR LICENSE FEES BY THE ARMY CANTEN BOARD.

1413. **Mr. H. G. Cocke** : (a) Are excise fees leviable on the sale of alcoholic liquor in the North-West Frontier Province and other territories under the direct control of the Government of India, or is the sale of such liquor only permitted on payment of an annual license fee ?

(b) If the answer to (a) is in the affirmative, are excise or license fees paid to Government in respect of the operations of the Army Canteen Board ?

**The Honourable Sir Basil Blackett** : The information desired is not available. As soon as obtained it will be communicated to the Honourable Member.

ANNUAL PROFIT OR LOSS OF THE ARMY CANTEN BOARD.

1414. **Mr. H. G. Cocke** : Will Government be pleased to state the profit or loss made annually by the Army Canteen Board since its inception in India and state whether these figures are arrived at after debiting the Canteen Board with the salaries or wages of all employed by the Board, whether soldiers or civilians, with rent of buildings occupied by the Board, and with cost of transit ?

**Mr. H. R. Pate** : The audited figures for the Army Canteen Board (India) since its inception are as follows :

10 months up to the 31st July, 1922 :

	Rs. A. P.
Loss .. .. .	2,10,129 13 0

12 months ended 31st July, 1923 :

Loss .. .. .	1,67,609 11 11
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The estimated figure for the 8 months ended the 31st March, 1924, are—Profit Rs. 15,796-15-1.

The reply to the latter part of the question is in the affirmative.

**Pandit Shamlal Nehru** : May I know, Sir, if it is a fact that a large loan has been taken by the Canteen Board from the Imperial Bank of India on the surety of the Government of India ?

I also should like to know if there are any Indians employed as managers or district superintendents in the Canteen Board ?

**Mr. H. R. Pate** : There appear to be two questions. The answer to the first is in the affirmative. The answer to the second, I am afraid, I cannot give.

**Pandit Shamlal Nehru** : May I inquire why, Sir.

**Mr. Chairman** : So far as the second part of the question is concerned, it hardly arises out of the original question and answer.

RESTRICTIONS ON THE OPERATIONS OF THE ARMY CANTEN BOARD.

1415. **Mr. H. G. Cock** : (a) Is the Army Canteen Board allowed to supply any one who is not in Military employ ?

(b) And are its operations confined to the Frontier districts ?

(c) If the answer to (a) is in the affirmative, what steps do the Board take to see that the restriction is effective ?

**Mr. H. B. Pate** : (a) Yes ; only families and servants of officers and troops.

(b) No.

(c) Under the rules for the conduct of Garrison and Regimental Institutes, 1922, the classes named above are the only persons not in military employ who are permitted to purchase articles at any of the branches conducted by Army Canteen Board (India). Officers Commanding are responsible for carrying out these rules.

THE REFORMS INQUIRY COMMITTEE.

1416. **Mr. Harchandrai Vishindas** : (a) (i) Will Government be pleased to state if any non-officials have been appointed on the Committee for inquiring into the working of the Reforms ?

(ii) If so, will Government be pleased to state their names ?

(b) (i) Will Government be pleased to state what methods of inquiry this Committee has been instructed to adopt ?

(ii) Will it confine itself to calling for reports from Provincial Governments or extend its enquiries further ?

(iii) Is it within the scope of its inquiry to obtain non-official opinion also ?

(b) If the latter, will such opinion be furnished in writing only or be supplemented by oral examination ?

(c) Will the report as finally drawn up by the Committee be presented to the Indian Legislature for consideration and decision or do Government propose to arrive at their conclusions without such consideration ?

**The Honourable Sir Alexander Muddiman** : I have nothing to add to the information contained in the communiqués issued on the 16th and 23rd May, copies of which have already been placed on the table in reply to Mr. Rangaswami Iyengar's unstarred Question No. 271, dated the 27th May, 1924.

**Diwan Bahadur M. Ramachandra Rao** : May I ask the Honourable Member whether he would answer part (c) of this question ?

**The Honourable Sir Alexander Muddiman** : I think it is answered by the communiqué.

EXPULSIONS FROM INDIAN CANTONMENTS.

1417. **\*Lala Duni Chand** : (a) Are the Government aware that the public living in Indian Cantonments is greatly dissatisfied with the decision announced by the Government of India in its communiqué dated the 16th August 1922 in regard to the persons expelled from cantonments in India under section 216 of the Cantonment Code ?

(b) Have the Government noticed that the All-India Cantonment Conference held in April 1924 passed a resolution of non-confidence and protest in regard to this matter ?



(c) Will the Government be pleased to lay on the table of this House the papers relating to the cases of all persons expelled from Indian Cantonments ?

**Mr. H. R. Pate :** (a) The Government of India have no information to show that the position is as stated by the Honourable Member.

(b) Government have seen a copy of a Resolution which was passed by the all-India Conference in April 1924 in regard to this subject.

(c) For the reasons stated in the reply given on the 7th September, 1922, to part (c) of starred Question No. 229, Government are not prepared to comply with the Honourable Member's request.

APPOINTMENT OF EXECUTIVE OFFICERS UNDER THE NEW CANTONMENT SCHEME.

1418. \***Lala Duni Chand :** (a) Are Government aware that in the matter of appointment of forty-one Executive Officers under the new cantonment scheme, the claims of the Indian officers of the Indian Medical Department holding the Viceroy's Commission have been totally ignored, and this action of the Government has caused a good deal of dissatisfaction among them.

(b) Are Government prepared to consider this matter ?

**Mr. H. R. Pate :** (a) and (b). The claims of candidates from the Indian Medical Department, holding Viceroy's Commissions, whether on the active or retired list, received due consideration.

CASE OF MR. GIRDHARI LAL, SUB-RECORD CLERK, RAILWAY MAIL SERVICE, JULLUNDUR CITY.

1419. \***Lala Duni Chand :** (a) (i) Will the Government be pleased to state if one Mr. Girdhari Lal, Sub-Record Clerk, Railway Mail Service, Jullundur City, was prosecuted for embezzlement of Rs. 30-9-2, under section 409, I. P. C., and discharged on 18th November, 1922, after a finding by the Court that the prosecution evidence was unworthy of belief and that a part of the prosecution story was trumped up ?

(ii) Is it a fact that in consequence of the said charge, Mr. Girdhari Lal was kept under suspension for one year and seventeen days, out of which he spent thirteen days in the lock-up ?

(iii) Is it also a fact that after the order of discharge, he was reinstated on 13th January 1923 ?

(b) If the reply to part (a) be in the affirmative, will the Government be pleased to state if Mr. Girdhari Lal was entitled under Rule 53 (b), Chapter 8th, Fundamental Rules, made by the Secretary of State under section 96 (b) of the Government of India Act, to subsistence grant during the period of suspension and was further entitled under Rule 54 to his pay for the period of suspension after he was discharged, and if so, why is it that he has not been paid anything either as subsistence grant or as pay ?

(c) Is it also a fact that in spite of the judgment of the judicial court absolving him from all criminal liability, he has been ordered to refund Rs. 30-9-2, about which he was prosecuted ?

(d) Is it a fact that Rai Sahib L. Jiya Lal, Superintendent, the chief prosecution witness had himself been departmentally proceeded against and ordered to refund the sum of Rs. 30-9-2 ?

(e) Are Government prepared to consider the question of cancelling the orders under which Mr. Girdharilal's salary has been withheld and he has been required to refund Rs. 30-9-2 ?

**The Honourable Sir Bhupendra Nath Mitra :** The Honourable Member's attention is invited to the reply given by me on the 27th May, 1924, to unstarred Question No. 265, by Mr. Sadiq Hasan.

PROMOTION OF GUARDS ON THE NORTH-WESTERN RAILWAY.

1420. \***Lala Duni Chand :** (a) Will the Government be pleased to state if in the year 1921, every District Traffic Superintendent was asked by the Traffic Manager, North-Western Railway, Lahore, to submit the names of B Class guards with his recommendations to him in order to enable him to promote them to Class C. ?

(b) If the reply be in the affirmative will the Government be pleased to state if it is a fact that in a good many cases the names of most senior guards were withheld, and those of junior ones were sent up ?

(c) Is it a fact that the superseded guards made appeals and representations to which the following stereotyped replies were given : " It is regretted that the D. T. S. did not recommend him in the first instance " or " The list of all senior guards is in the office of the Traffic Manager, Lahore, and he has nothing to do " or " No vacancies exist " ?

(d) Are the Government prepared to make enquiries into this matter ?

**Mr. C. D. M. Hindley :** (a), (b), (c) and (d). Government have no information on the subject and do not propose to call for it in view of the fact that matters of this sort are within the competence of the local Railway authorities to deal with.

TRAINING OF INDIANS FOR THE ARTILLERY.

1421. \***Mr. Kumar Sankar Ray :** Has the attention of the Government been drawn to the recent statement of the Under Secretary of State for India made in the House of Commons that training is not being given to Indians in the Artillery Department at Sandhurst ? If so, do the Government contemplate affording such facilities to Indians ?

**Mr. H. R. Pate :** It is presumed the Honourable Member is referring to the reply which Mr. Richards is reported to have given to a question recently asked in Parliament by Mr. Snell regarding the admission of Indians to the Royal Military Academy, Woolwich. Government have seen Reuter's telegraphic report on this subject.

With regard to the second part of the Honourable Member's question, I would invite his attention to the reply given on the 8th March last to starred Question No. 636.

DISTINCTIONS IN RATES OF PAY DRAWN BY ANGLO-INDIANS, CHRISTIANS AND PARSIS, AND INDIANS ON THE NORTH-WESTERN RAILWAY.

1422. \***Mr. Harchandrai Vishindas :** (a) Is fact that there are separate scales of pay for the appointments of subordinate staff on the North-Western Railway, Traffic Department, of Anglo-Indians, Christians and Parsis on the one hand and other Indians on the other ? If so, why ?

(b) Is it a fact that Indians as distinguished from Anglo-Indians, Christians and Parsis are given less pay than Anglo-Indians, Christians

and Parsis ? If so, do Government contemplate to remove the said distinctions ?

**Mr. C. D. M. Hindley :** (a) and (b). No, it is not a fact.

PROMOTION OF VARIOUS CLASSES OF EMPLOYEES ON THE NORTH-WESTERN RAILWAY.

1423. **\*Mr. Harchandrai Vishindas :** (a) Is there a fixed number of years after which station masters, station clerks, such as, goods, parcel and train clerks, and guards of A Class, on the North-Western Railway are promoted to B Class and from B to C Class and from C to D Class ?

(b) In spite of the above graded system is it a fact that juniors are made to supersede seniors ? If so, what are the reasons.

(c) Can a guard or station subordinate on the same Railway who has drawn higher class pay for about 2 or 3 years, be reduced by being deprived of his higher grade despite efficient service ?

**Mr. C. D. M. Hindley :** (a) and (b). The reply is in the negative. Class to class promotions are made on the actual occurrence of vacancies and by selection in accordance to ability.

(c). Yes, when the number of such posts is reduced in Classification or abolished.

HOUSE-RENT ALLOWANCE FOR RELIEVING GOODS CLERK:

1424. **\*Mr. Harchandrai Vishindas :** Are relieving Goods Clerks not allowed house rent which is allowed to other station clerks such as Relieving Booking Clerks, Relieving Ticket Collectors, Relieving Train Clerks, Relieving Signallers and so on whose grade and pay and relieving allowance rates are the same ? If so, why ?

**Mr. C. D. M. Hindley :** No ; because it is not a condition of their service.

CLOSING OF GOODS AND PARCEL OFFICES ON INDIAN HOLIDAYS.

1425 **\*Mr. Harchandrai Vishindas :** Is it a fact that Goods and Parcel Officers are not allowed to be closed on Indian holidays though they are closed on Christian holidays such as Christmas, New Year's day and Good Friday ?

**Mr. C. D. M. Hindley :** These offices are closed on Christmas Day and Good Friday and not on New Year's Day. In the interests of the public it is not considered advisable to close them oftener.

• THE INDIA AND BURMA MILITARY AND MARINE RELIEF FUND.

1426. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

(a) If there is a fund called the India and Burma Military and Marine Relief Fund ?

(b) If so, what is its capitalised amount ?

**Mr. H. R. Pate :** (a) Yes.

(b) Rs. 7,46,000.

POST OFFICE DELAYS.

1427. **\*Khan Bahadur Sarfaraz Hussain Khan :** (a) Has the attention of Government been drawn to the letter published in the issue of the

*Statesman* of the 16th May 1924 page 4, under the heading "Post Office Delays" ?

(b) If so, will they please state :

(i) if the statement therein is correct ?

(ii) if correct, whether Government propose to issue necessary instructions to the authorities to remove the complaint ?

Mr. H. A. Sams : (a) Yes.

(b) (i). Yes.

(ii) Orders have now been issued introducing a direct bag between Chanda and Nagpur.

INCONVENIENCES TO RAILWAY PASSENGERS.

1428. \*Khan Bahadur Sarfaraz Hussain Khan : (a) Has the attention of Government been drawn to the letter published in the issue of the *Forward* of the 16th May, 1924, page 8, under the heading "Inconvenience of Railway Passengers" ?

(b) If so, is the statement therein correct ?

(c) If correct, do Government propose to issue necessary instructions to the authorities concerned to remove the complaint referred to ?

Mr. C. D. M. Hindley : (a) Yes.

(b) Government have no information.

(c) The matter has been brought to the notice of the Agent, Bengal Nagpur Railway.

CONSUMPTION OF STEEL IN INDIA.

1429. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state :

(a) the total quantity of steel and steel materials,

(b) the output by Indian manufactures,

consumed in India in the year 1922-23 under the heads in regard to which the Tariff Board has made recommendations for the purpose of imposing duty ?

The Honourable Sir Bhupendra Nath Mitra : (a) and (b). The Tariff Board have rightly only recommended protective duties on those articles of steel which are now being manufactured or are likely to be manufactured in India in the near future. It was most improbable that articles selected on that principle could correspond with existing heads in the Trade Returns. Therefore the information desired is not directly available.

The Tariff Board, in Annexure B to their Report (*see* pages 142 and 163), analyse most carefully all data available both of importation and protection. I have nothing to add to their presentation of these figures.

RULE OF PRIMOCENITURE OBTAINING IN THE CASE OF TENANCIES HELD BY CAVALRY GRANTEES IN THE LOWER JHELUM CANAL COLONY.

1430. \*Lala Duni Chand : (a) Are Government aware that the cavalry grantees with horse-breeding conditions in the Lower Jhelum Canal Colony

are extremely dissatisfied with the rule of primogeniture obtaining in case of their tenancies which deprives their younger sons of the right to inherit the tenancies and that representations have been made by them to the Government to abolish the rule of primogeniture ?

(b) Is it a fact that certain cases of murder of their fathers by the eldest sons and instances of cruel treatment by certain eldest sons towards the younger sons have been brought to the notice of the Government ?

(c) Is it a fact that the cavalry grants are long Military Service reward grants bestowed by the Government on Indian Soldiers in recognition of their life-long services and if so will the Government be pleased to state the reason for imposing horse-breeding conditions and the rule of primogeniture ?

(d) Is it a fact that the infantry grants are neither subject to the horse-breeding condition nor to the rule of primogeniture and, if so, why is there a different rule in case of cavalry grants ?

(e) Are the Government prepared to take early steps to remove the horse-breeding condition and to abolish the rule of primogeniture ?

**Mr. H. R. Pate :** (a) The Government of India are aware that a certain amount of dissatisfaction exists among the cavalry grantees for the reason stated. The question was raised in 1922 when it received most careful consideration. It was then decided that the colonists—including the cavalry grantees—who were allotted grants some 15 or 20 years ago on service terms which were undeniably generous, could not have their original contracts abrogated in their favour now.

I may mention that counter-petitions have been received from elder sons praying for the retention of the primogeniture clause.

(b) No such cases have come to the notice of the Government of India.

(c) A certain proportion of these grants, together with an additional square of land in each case, was allotted to deserving cavalry *ex-soldiers* on conditions which included the primogeniture clause. This condition was designed to prevent the partition of the grant and to enable the tenant to fulfil his obligations.

(d) Yes. The reason for the difference in the conditions has already been stated in reply to part (c) of the Honourable Member's question.

(e) The question has already been carefully considered, and it has been decided to retain the conditions on which the land grants were originally made.

#### REFORMS COMMITTEE.

1431. \*Maulvi Muhammad Yakub : Will the Government be pleased to state :

(a) If the report of the Reform Act Inquiry Committee will be published or even placed on the table of this House for the information of the Honourable Members of the House ?

- (b) Will the report of the Inquiry Committee be communicated to the Secretary of State for India and action taken on it after consulting the Home Government ?
- (c) By whom and for what purpose the report of the Inquiry Committee is to be considered ?
- (d) What will be the next step which the Government propose to take after the report of the Inquiry Committee is disposed of ?
- (e) Was the inquiry confined only to the defects of the Act so far as the working of the Government of India is concerned ? or was it extended to the working of the Provincial Governments as well ?
- (f) Were the Provincial Governments consulted and their opinions taken into consideration by the Inquiry Committee ?

**The Honourable Sir Alexander Muddiman :** I have no information to give the House on the subject raised in this question beyond that given in my replies to many connected questions.

CONSTRUCTION OF AN OVERBRIDGE FOR WHEELED TRAFFIC AT NAIHATI.

1432. \***Mr. T. C. Goswami :** (a) Are Government aware :

- (i) that the people living in Naihati (Eastern Bengal Railway) and its neighbourhood feel greatly inconvenienced for want of an 'overbridge' over the railway lines for wheeled traffic, there being no level crossing nor overbridge ?
- (ii) that the old level-crossing near Talpukur was closed in 1906 solely to meet the requirements, and in the interests, of the Railway, and that an overbridge for wheeled traffic was promised to the local Municipality in lieu of it ?
- (iii) that this has meant the cutting off of Naihati (which is enclosed between the river Hooghly and the railway lines) from the rural interior in the matter of food-supply and that the rural population have been cut off from the benefit of communication with the town, e.g., in the matter of medical help ?
- (iv) that repeated protests have been made by the Naihati Municipality in their official reports and in representations to the Magistrate of the 24-Parganas and the Railway authorities, against the indefinite delay in fulfilling the promise ?
- (v) that the " Railway fully recognises its obligation and that this bridge is a matter of urgent necessity " (letter of Agent No. 3174|D.|W.|4|9|23, dated 1st December 1923, to Magistrate) ?

(b) What steps are being taken by the Railway authorities to discharge the obligation they recognise ? Has the construction been begun or even planned ? Why has it taken nearly 18 years to merely consider the scheme ? When is the bridge likely to come into existence ?

(c) Do Government propose to expedite the construction of the bridge ?

**Mr. C. D. M. Hindley :** (a) (i). Yes, but it is incorrect to say that there are no level crossings, as there are three level crossings that serve Naihati, one at each end of the passenger yard, just over  $\frac{1}{2}$  a mile apart, and a third  $\frac{3}{4}$  mile north of the station known in 1905 as Kailas Das Road and now as Goalpara Road.

(ii) In 1905 the demand for an overbridge was recognised and the Eastern Bengal Railway Administration agreed to provide one.

(iii) Communication between Naihati and the interior is open by the level crossings mentioned in the answer to question (a) (i).

(iv) Yes.

(v) Yes.

(b) The construction of the bridge has not been taken in hand yet for various reasons ; the delay has been due first to the construction of a new goods yard which altered local conditions, and held up the scheme till 1912, next to the difficulty of obtaining girders during the war, lastly to the Municipal sewerage scheme, which has necessitated a reconsideration of the original proposals for the overbridge.

The final plans and estimate of the work have been prepared, but a difficulty has arisen about the incidence of the cost of the scheme and the actual construction will depend on the extent to which funds can be made available, when the incidence of cost is settled.

(c) The Agent will be asked to accelerate the submission of the project to the Railway Board.

#### INCOME-TAX ON THE TENTAGE ALLOWANCE OF MILITARY OFFICERS.

1433. \***Mr. W. S. J. Willson :** (a) Is it a fact that Military Officers "Tentage Allowance," which under the rules is not liable to Income Tax, has in many cases had a deduction made on that account ?

(b) Is it a fact that refunds of such deduction have been claimed by certain officers and that the Army Pay Department has ruled that recoveries could only be admitted for and during the financial year ending 31st March 1924 ?

(c) Are Government prepared to order that full refunds be made irrespective of date for all such deductions wrongfully made ?

**Mr. A. B. L. Tottenham :** Military Officers do not draw a separate Tentage Allowance. The question whether such an allowance should be considered to be merged in the rates of pay that they are at present drawing is not free from doubt. Officers have, however, been allowed a rebate of Income-tax on a portion of their pay regarded as representing "Tentage Allowance" when they were able to certify that the sum in question had actually been expended on the upkeep and transport of tents. The whole matter, including the form of certificate that should be required, is under the consideration of the Government, and the question whether retrospective effect should be given to any exemption that may be decided on will not be lost sight of.

STAFF SELECTION BOARD'S EXAMINATION.

1434. \*Lala Piyare Lal : (a) Is it a fact that the Staff Selection Board is going to hold an examination ? If so when and for what classes of the Secretariat work ?

(b) Do Government propose to throw open the examination of all classes (Lower and also the Upper division) to new men and for those already serving in the departments ?

(c) Do the Government propose to raise the standard of examination ?

The Honourable Sir Alexander Muddiman : (a) Yes : an open examination will be held by the Staff Selection Board about the end of the present month or early in July next in order to select a limited number of candidates as (a) stenographers and (b) typists and routine clerks.

(b) It is not proposed to hold any general examination for higher categories this year in view of the large number of qualified candidates who still remain unprovided for. But departmental candidates will be examined for purposes of their promotion.

(c) The question of the educational qualifications of candidates and the scope of the examination was considered by a Committee of this House, in July 1923. It will be seen from the communiqué issued by the Staff Selection Board on the 20th May, 1924, that the recommendations of the Committee are being given effect to.

STOPPAGE OF THE 20 DOWN DELHI EXPRESS AT PATAUNDA MAHABIR ROAD STATION.

1435. \*Lala Piyare Lal : Will the Government be pleased to state :

(a) Total amount of income B. B. and C. I. Railway had during the recent years annually on account of the pilgrims coming to visit Mahabir Temple at the station called Pataunda Mahabir Road on their main line ?

(b) Is it a fact that several Jains individually or on behalf of societies approached the B. B. and C. I. Railway authorities to stop 20 Down Delhi Express on that station always for the convenience of thousands of pilgrims who come there all the year round ?

(c) What are the objections the railway authorities have to doing so ?

Mr. C. D. M. Hindley : Inquiry has been made and the result will be communicated to the Honourable Member in due course.

LOSS OF PILGRIMS ON THE S. S. "FRANGESTAN."

1436. \*Mr. Abdul Haya : (a) Has the attention of the Government been drawn to the various reports published in newspapers regarding the loss of property by Musalman pilgrim passengers of *Frangestan* which was destroyed by fire on the high seas in April last ?

(b) Is it a fact that in this ill-fated voyage the pilgrims lost almost every thing with the exception of the clothes which they were wearing at the time of the disaster ?

(c) Will the Government please state if they have information as to how the luggage of the pilgrims was lost ? Is there any truth in the allegation that it was stolen by the Chinese crew ?



(d) Have the Government taken any steps to ascertain the true facts regarding the loss of pilgrims' property ; if not, do the Government now propose to institute an inquiry ?

(e) Was any relief granted by Government to the pilgrims after the disaster ?

**Mr. J. W. Bhole :** (a) and (b). The Government of India have seen some of the reports. They have no information apart from what has appeared in the Press.

(c) The Government of India are not aware that any luggage was stolen. Such of it as was lost was presumably destroyed by fire or had to be abandoned with the ship as it could not be removed.

(d) An inquiry into the loss of the *Frangestan* has already been made by the Government of Bombay and it is not proposed to institute another into the loss of pilgrims' effects.

(e) The Honourable Member is referred to part (c) of my reply to a question on the subject asked by Haji Wajihuddin on the 30th May, 1921.

#### EUROPEAN AND INDIAN PASSENGERS ON BOARD THE S. S. "FRANGESTAN".

1437. **\*Mr. Abdul Haye :** (1) Will the Government please state :

(a) the total number of European passengers that were on board the *Frangestan* ?

(b) the total number of Indian passengers ?

(c) the total number of Indian ladies ?

(d) the total number of Indian children ?

(e) the total number of Indian 1st and 2nd class passengers ?

(2) Is it a fact that the European passengers were transferred first to another vessel in preference to Indians including ladies ?

(3) Will the Government please state to what nationality the captain of the *Frangestan* belonged ?

**Mr. J. W. Bhole :** (1). (a) About 15.

(b) About 1,220.

(c) 248.

(d) 34.

(e) No information is available.

(2) European passengers were transferred in the first boat to another vessel but other boats followed in rapid succession.

(3) European.

#### FOOT BRIDGE BETWEEN PAREL STATION ON THE G. I. P. RAILWAY AND THE ELPHINSTONE ROAD STATION ON THE B. B. AND C. I. RAILWAY.

1438. **\*Mr. Jamnadas M. Mehta :** (a) Are Government aware that the Parel station of the G. I. P. Railway and the Elphinstone Road station of the B. B. and C. I. Railway are very close to each other ?

(b) Are Government aware that the quickest way of going from one station to the other is by crossing the Railway line ?

(c) Are Government aware that frequent accidents happen as a result of the public crossing the railway line for getting access to the stations mentioned ?

(d) Are Government aware that there has been a strong demand from the public of Bombay for a small foot-bridge between the two stations and that the Municipal Corporation of Bombay has backed the demand ?

(e) Do Government propose to instruct the Railway administrations concerned to build the suggested foot-bridge ?

**Mr. C. D. M. Hindley :** (a) Yes.

(b) No.

(c) Government have no information.

(d) No.

(e) It is understood that Dadar Station close to Parel has all facilities for the ready interchange of passengers between the two railways. These facilities are in course of being much improved. In the circumstances Government do not propose to take any action.

**Mr. Jamnadas M. Mehta :** Is the Honourable Member aware that the Dadar Station referred to by him is nearly one mile from the stations mentioned in this question. The facilities at Dadar can be of no convenience for the passing of passengers from one side to the other at Parel and Elphinstone Road Stations.

**Mr. C. D. M. Hindley :** The Honourable gentleman's local knowledge is possibly more accurate than mine. But Dadar is the proper station for the interchange of passengers between the two railways and not Parel. When there are two railway lines running side by side, it is obviously necessary for the railway administration to make one station the proper place for interchange. If passengers will disregard that and deliberately walk across the line at another station which is not intended, obviously there must be a certain amount of risk. But it is not up to the railway administration to provide interchange facilities at all the stations.

**ALLEGED ATTEMPT BY THE AUTHORITIES OF A CERTAIN RAILWAY TO PREJUDICE THE SUCCESS OF THE STATE MANAGEMENT OF THE LINE.**

1439. \***Mr. Jamnadas M. Mehta :** (a) Has the attention of Government been drawn to a statement appearing in the *Modern Review* of Calcutta for the current month under the title a " Rumoured Sinister Move " at page 637 to the effect that the authorities of a certain Railway Company the management of which is about to pass to the State are confidentially inducing some of their employees to go on three years' furlough on full pay with a view to prejudice the success of the State management of that line ?

(b) If the answer be in the affirmative will Government state the name of the Company and also the steps they have taken or propose to take to meet the situation should the alleged scheme materialize ?

**Mr. C. D. M. Hindley :** (a) and (b). Government have seen the statement in the " Modern Review " and so far as they are aware there is no truth whatever in the rumour referred to.

**Mr. Gaya Prasad Singh :** Will the Government be pleased to make an inquiry into the matter because I understand that there is only one

copy of the circular which is being sent round from station to station and the employees are asked to take long furloughs ?

**Mr. C. D. M. Hindley :** The question implies a very serious allegation against the railway administration concerned. I am perfectly certain that there is no reason for me to make any inquiry into this alleged sinister rumour.

**REDUCTION OF THE NUMBER OF SETS OF RAILWAY MAIL SERVICE STORES WORKING BETWEEN BOMBAY AND SHOLAPUR.**

1440. **\*Mr. Jamnadas M. Mehta :** (a) Is it a fact that the number of sets of R. M. S. Sorters attached to B-7 Section, working between Bombay and Sholapur, were reduced from six to five ?

(b) If so, will Government be pleased to give reasons for the reduction ?

(c) Will Government be pleased to say how they intend compensating the Sorters for night work exacted above the 30 hours standard per week ?

**Mr. H. A. Sams :** (a) Yes.

(b) With 6 sets the working hours per week were much below the prescribed limit of 30 hours a week.

(c) The present weekly working hours are 30 hours and 58 minutes. The excess is negligible in view of the fact that on the in-trip the work begins at 22-45 hours and ends at 9-27 hours enabling the sorters to take rest in the early part of the night.

**RECOVERY OF MUNICIPAL AND OTHER TAXES FROM CERTAIN CLASSES OF GOVERNMENT SERVANTS OCCUPYING FREE QUARTERS.**

2441. **\*Mr. Jamnadas M. Mehta :** (a) Will Government be pleased to define the term "Free Quarters" supplied to Postmasters ?

(b) Are Municipal and other taxes and Income Tax recovered on free quarters supplied to Employees of the Police, Medical, Salt and Customs, and Telegraph-Engineering Departments ?

(c) If the answer to the above be in the negative will Government be pleased to say why exception is made in the case of Post Office subordinates, and do Government propose to remove this distinction ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) By the term "Free quarters" is meant "Rent free quarters."

(b) and (c). The information asked for is being collected. A reply will be communicated to the Honourable Member as soon as possible.

**IMPROVEMENT OF THE CONDITIONS OF SERVICE IN THE RAILWAY MAIL SERVICE.**

1442. **\*Mr. Jamnadas M. Mehta :** Will Government be pleased to say what action has been taken to give effect to the recommendations of the Committee appointed under the Presidency of Rai Bahadur G. K. Raha, to consider the conditions of Service in the Railway Mail Service ?

**The Honourable Sir Bhupendra Nath Mitra :** The Honourable Member is referred to the reply given to unstarred Question No. 201, asked by Mr. K. C. Neogy on the 15th March, 1924.

2. All the recommendations have been under the further consideration of the Director-General, but a final decision has not yet been arrived at on all points.

**SPECIAL PROMOTION FOR FIELD SERVICE GRANTED TO POSTAL EMPLOYEES.**

1443. \*Mr. Jamnadas M. Mehta : (a) Will Government be pleased to say if orders contained in Government of India Commerce Department Letter No. 218-D of 20th November 1919 regarding Special Promotion for Field Service have been cancelled ?

(b) Will Government state whether it is a fact that one Mr. Chavda was given a special promotion for field service in spite of the orders referred to and whether the same concession was refused to another Official Mr. Warden of the Surat Division ? and if so why ?

The Honourable Sir Bhupendra Nath Mitra : (a) The orders referred to are still in force.

(b) The special promotion granted to Mr. Chavda was not given in consideration of Field Service. It was given as a reward for exceptional services as Sub-Postmaster of Kuwait Civil Post Office. Mr. Warden, who had been given special promotion twice for services in the Field before the issue of the orders referred to was refused further special promotion on a subsequent occasion in accordance with those orders.

**TRANSMISSION OF MESSAGES FROM BARODA TO SAYAJIGANJ via AHMEDABAD.**

1444. \*Mr. Jamnadas M. Mehta : (a) Is it a fact that transmission of messages from Baroda to Sayajiganj is done through the transit Telegraph Office at Ahmedabad ? (b) Is it a fact that Baroda and Sayajiganj offices are separated by a distance of only a mile or so ? (c) Is it a fact that the distance between Baroda and Ahmedabad is 80 miles ? (d) Will Government explain the reason for following such circumlocutory methods ?

Mr. H. A. Sams : (a) No.

(b) Yes.

(c) Yes.

(d) Does not arise.

Mr. Chairman : I understand that the Honourable Member (Mr. Chaman Lal) has given private notice of a certain question to the Honourable Member for Railways. I call upon the Honourable Member to put that question.

Mr. Chaman Lal : Sir, the notice given by me was very short and I request you to allow me to put that question to-morrow.

Mr. Chairman : I have no objection.

Mr. C. D. M. Hindley : May I, Sir, make a statement. I received this notice as the House sat this morning. I am sorry I am unable to give complete replies to the question which Mr. Chaman Lal has put to me. I will endeavour to give full replies to him if the question is put to-morrow.

## MOTION FOR ADJOURNMENT.

**Mr. Chairman :** I have received notice of a motion from Mr. B. Das, for the adjournment of the business of the Assembly to discuss a definite matter of urgent public importance. The Honourable Member has framed his motion in the shape of a Resolution which I will read out :

“ That this Assembly records its sense of disappointment and express its indignation at the judgment of Mr. Justice McCardie in the O'Dwyer libel suit against Sir Sankaran Nair in which His Lordship exonerates the conduct of Sir Michael O'Dwyer and General Dyer for their part in the Punjab tragedy, for which the latter was punished by the Secretary of State for India.”

I desire to point out that under clause (v) of Rule 12 a motion for adjournment must not deal with a matter on which a Resolution could not be moved. Under Rule 23 no Resolution can be moved in regard to any matter which is under adjudication by a court of law having jurisdiction in any part of His Majesty's Dominions. The judgment referred to in this motion is an appealable decision, and therefore should not be made the subject of discussion in this House. Apart from this, under Standing Order 29 an Honourable Member must not in his speech reflect upon the conduct of any Court of Law in the exercise of its judicial functions. The Parliamentary practice in this matter is very definite, and no motion can be moved in the House of Commons reflecting on the conduct of the judges of the superior courts of the United Kingdom.

A motion for the purpose of expressing indignation at a judgment, which this motion seeks to do, is never permitted in the House of Commons.

I would further point out that the primary object of a motion for adjournment is to draw the attention of Government to a matter of urgent public importance, so as to influence the decision of Government in an urgent matter in regard to which a Resolution with proper notice would perhaps be too late. But the matter under consideration does not primarily relate to the Governor General in Council, and so far as I am aware, there is hardly anything which the Governor General in Council may be expected to do in this matter. For all these reasons I rule this motion out of order.

**Mr. Bhubanananda Das (Orissa Division : Non-Muhammadan) :** Sir, with your permission, I will ask one question. The Judge has found fault with the decision of the Secretary of State for India and the Government of India, who punished General Dyer. Sir Sankaran Nair may appeal against the judgment, but the Secretary of State cannot appeal against the judgment that has been issued. That was not a matter of reference before Mr. Justice McCardie. We do not want the Punjab tragedies and Punjab horrors to agitate the minds of the people of India ; again, so we want this matter to be discussed before this House so that the people in England can know that the Judge had no business and no jurisdiction to refer in his judgment to the Secretary of State and the Government of India, who are the sovereign powers in India.

**Mr. Chairman :** I find the Honourable Member is discussing the judgment of Mr. Justice McCardie, and that is exactly why I ruled his motion out of order.

**Mr. Charan Lal (West Punjab : Non-Muhammadan) :** There is only one point I want to make clear. You said the matter is *sub judice*

and it cannot be discussed here. Are you quite certain the matter has been sent up for appeal ?

**Mr. Chairman :** It is an appealable judgment, as I have said, and that is not the only ground on which I have ruled this motion out of order.

**Pandit Shamlal Nehru (Meerut Division : Non-Muhammadan Rural) :** On a point of law ?

**Mr. Chairman :** The Chairman is not expected to decide points of law.

**Pandit Shamlal Nehru :** On a point of order, Sir.

**Mr. Chairman :** Order, order.

### PETITIONS RELATING TO THE INDIAN PENAL CODE (AMENDMENT) BILL.

#### (AMENDMENT OF SECTION 375.)

**Secretary of the Assembly :** Sir, under Standing Order 78, I have to report that three petitions have been received relating to the Bill further to amend the Indian Penal Code (Amendment of section 375) which was introduced in the Legislative Assembly by Dr. H. S. Gour. These petitions have been presented by :

- (1) Pandit Jadab Nath Kabyatirtha, and others.
- (2) Babu Mahendra Nath Bagchi, and others.
- (3) Babu Chandra Mohan Taluqdar, and others.

### RESOLUTION RE THE LEE COMMISSION'S REPORT.

**Sir P. S. Sivaswamy Aiyer (Madras : Nominated Non-Official) :** Sir, the Resolution which stands in my name runs as follows :

" This Assembly recommends to the Governor General in Council that he will be pleased to convey to the Secretary of State the opinion of this House :

- (1) that it is impossible for this House during this session to devote to the Lee Commission Report which was published on the 27th of May, the attention that it requires for a careful and thorough examination of its proposals in all their aspects and bearings and that for this purpose it is absolutely necessary to afford further time to this House till the September session ;
- (2) that the interval of three months asked for by the House for the consideration of the many important issues involved will neither cause any hardship to the services which will obtain any financial relief that may be eventually decided upon with effect from the 1st of April 1924, nor affect public interests by impeding recruitment for the services during the interval which may proceed on the existing lines ;
- (3) that any attempt to give effect to the recommendations of the Commission without giving adequate time to this House and the country to form an opinion upon proposals of a far-reaching character with their inevitable repercussions on other departments and services is bound to be resented as exhibiting a supreme disregard of Indian public opinion and to provoke feelings of widespread discontent."

**Pandit Shamlal Nehru (Meerut Division : Non-Muhammadan Rural) :** On a point of order, Sir. May I know if a Member is in order in moving a Resolution when there is no fresh President appointed by His Excellency the Viceroy ?

**The Chairman :** The Honourable Member assumes that there is no President. I can assure the Honourable Member that there is a President of the Legislative Assembly.

**Pandit Shamlal Nehru :** Can the President leave the station and go on private business in a law court ?

**Mr. Chairman :** The statement for which the Honourable Member has made himself responsible is not a matter for this House to consider.

**Sir P. S. Sivaswamy Aiyer :** Sir, the request contained in my Resolution is, on the face of it, extremely reasonable. I hope that before I sit down I shall be able to persuade the Government to accede to this request. The Honourable the Leader of the House made a statement a few days ago to this House, and in that statement he emphasized the anxiety of the Government of India and of the Secretary of State to deal with the recommendations of the Lee Commission's Report with the least possible delay. Sir, I can well understand this anxiety of the Government of India and the Secretary of State to deal with this matter with as little delay as possible. The Honourable the Home Member also took care to point out that neither the Government of India nor this House could possibly bind the Secretary of State in regard to this matter. We are too painfully aware of our limitations and also of the limitations under which the Government of India are themselves labouring. We cannot forget them. Sir, I am aware of the circumstances under which this Report comes up for consideration before the Government of India and the Secretary of State. We are all aware that the superior civil services have been crying for the last few years for financial relief. Naturally, the insistence of the services upon their demands led the Secretary of State to move for the appointment of this Commission, and the Commission having made their recommendations, the authorities in England are anxious to deal with them with the least possible delay ; but the issues involved in this Report are of a most important character. The recommendations have very far-reaching consequences and they affect the progress and well-being of the country. They involve very grave commitments in the matter of expenditure. It is only right that this House should be allowed an opportunity to consider the recommendations fully and frame its proposals. In July last the then Home Member assured us that an opportunity would be given to this House to consider the Report of the Royal Commission. The opportunity that is now available to us in this session is certainly not the opportunity that was contemplated or that will satisfy us. An opportunity means an adequate opportunity for the consideration of the various issues involved. Now in this case the Report was published on the 27th of May. We have had other preoccupations. We were informed that this session was convened for the special purpose of considering the Steel Industry (Protection) Bill and only that. No doubt it was added that some minor Bills might be brought forward by the Government. Now the Report is not an easy document to digest and comprehend. I am afraid that many of the Members of this House have not had sufficient time to study and digest the Report and grasp the exact significance of all the recommendations and their effect. I may even venture to doubt whether the Honourable Members of the Government themselves are satisfied that they have been able to read the Report, digest it and consider it in all its aspects, as I am sure they would have to do before they submit their proposals to the

Secretary of State. The Report comes to us under peculiar circumstances. It is a document of remarkable brevity considering the issues involved. The conclusions are not all fully supported by reasons. In fact, the reasons which led the Commissioners to draft a report of this character are obvious. The necessity of submitting their Report within a very short time was probably among the reasons which induced them to refrain from setting out all their reasons in support of their conclusions; and this drawback, which is such a remarkable feature of the Report, is referred to in the minute of Mr. Petrie who confesses that it was not possible for the Commission to set forth all their reasons in support of their recommendations. Another handicap under which we labour in considering this Report is the failure to publish the evidence on which it is based. It may be that the reasons which actuated the Commissioners who recommended that the evidence should not be published have some force, but in the absence of materials, the information, the data, on which the Commissioners came to their conclusions, we labour under a serious disadvantage in considering their recommendations and making up our minds with regard to their proposals. The Honourable the Home Member laid very considerable stress on the unanimity and the interdependence of the recommendations. That the recommendations are interdependent is obvious. It also goes without saying that the recommendations are unanimous, and I do not wish to belittle such weight as may be due to the fact that the recommendations are the unanimous proposals of the members of the Commission. At the same time I do not think that the unanimity of the Commissioners absolves the Legislature from the duty of an independent examination of their proposals. The leading organ of the European Services in this country calls this document a sort of treaty—a treaty between the Services and the Indian politicians. To that description I must strongly demur. We repudiate the description altogether.

Now, Sir, in asking for time I should like to point out the numerous difficulties which surround the subjects dealt with in these recommendations. I should like to point out clearly how it is impossible to come to any conclusion in this session and how absolutely necessary it is that we should have reasonable time for the study of the Report and for a careful examination not merely of the particular recommendations but of all their implications and consequences. And is it not necessary to consult the Local Government on these recommendations before the Secretary of State comes to a decision? I presume that as a matter of course they will be consulted, but even the Local Governments cannot be expected to have their recommendations ready for submission by this time. They will also require time to consider the proposals and is it too much to say that even the provincial Legislatures are interested in this matter and have a right to be consulted about these various recommendations? The necessity for consulting the Local Governments, the necessity for giving some voice to the provincial Legislatures which are interested in the matter of the transferred services as well as other matters, the necessity for giving us further time—all point to the expediency of acceding to our Resolution.

I will now refer, Sir, very briefly to some of the leading recommendations in this Report for the purpose of pointing out that it is not possible to assume that there can be no honest or reasonable difference of opinion or that these questions admit only of one reasonable solution. Now, let us take first the question which appeals most to the services themselves. I refer to the question of the financial relief which the members of the



[Sir P. S. Sivaswamy Aiyer.]

Services have been claiming. I am not one of those who hold that the claims of the services in this behalf to some amount of financial relief do not deserve consideration, but there may be a reasonable difference of opinion with regard to the question of how much relief they are entitled to. Then again *prima facie* the burden that is imposed upon the finances of this country by the proposals of the Lee Commission is a heavy one. It amounts at the outset to about 96 lakhs odd, and it is expected to reach the figure of 1 crore and 25 lakhs. Last year the Finance Minister was at his wit's end to balance the Budget and he was obliged to have recourse to additional taxation of a very unpopular sort. This time he has been able to balance the Budget, thanks to a windfall. The revenues of this country are proverbially inelastic. We had to appoint only two years ago a Retrenchment Committee for the purpose of suggesting measures of economy in the administration of the Central Government. These measures which were suggested by the Retrenchment Committee have and are being carried out, and before we come to affirm that our financial position is thoroughly satisfactory or that we can depend upon an assured surplus in the future, we are invited to consider proposals for imposing an additional burden of about a crore. Now let me remark here that this estimate of a crore is at best only approximate. There are several items in the relief which is proposed to be granted which have not been properly evaluated as admitted in the report of the Commission. For instance, take the question of the family pension fund. What amount of burden the Government will have to bear and what amount of contribution the members will have to make we do not know. It is quite possible that the fund is made up entirely of contributions by the members themselves, but I am not aware of the facts. Then again take the question of amenities in the way of medical relief. There again it has not been properly worked out. It is hardly necessary for me to refer you to chapter and verse to support my statement that some of the items of relief which are recommended by this Commission have not been properly evaluated. The calculation that is to be found in the Report is at best a rough calculation.

Now let alone the approximate character of the calculations or the fact that they are only rough calculations. We have to consider the bearing of these recommendations upon the other services and the other departments. We are all aware and the Government equally so that any demand by one department and any concession made to one department has an inevitable tendency to react upon other departments. In fact the demand is infectious, if I may be pardoned for the use of that expression. It spreads sympathetically to all the services and the departments, not to speak of the other departments and the other services. It is enough for me to refer to one. I see before me already the grim spectre of the military department casting a portentous shadow before us. Mr. Richards, the Under Secretary of State, informed the House of Commons a few days ago that the Indian military rates of pay were being considered and that the allowances of married officers in the army were being considered and that they hoped to arrive at some conclusion sooner or later. The Honourable Sir Basil Blackett informed my friend Diwan Bahadur Ramachandra Rao a few days ago that the cost of the superior civil services had risen within the last ten years by a crore. I have some misgiving that it was an under-estimate. However, I am willing to take

it at that. I remember to have seen larger figures of the increase of the cost of the civil services. He also informed my friend that the cost of the military services during the last ten years had gone up by 5 crores if my recollection of his reply is accurate. Now, we must remember this fact, that the strength of the establishment of the superior civil services is very much smaller than the strength of the establishment of commissioned officers in the army. The total strength of the superior civil officers is something like 4,270 and odd. In the army it comes to 7,000. We may therefore expect that, if this demand is followed up by a similar demand on behalf of the army, we shall be let in for nearly double, if not five times, the amount of expenditure. I do not know whether my apprehension that it will be five times is likely to be correct or not. However, these are matters of detail into which it is unnecessary for me to enter, which the Finance Minister may be left to solve at his leisure ; but one thing is clear. If the cost of the increase in the various items of pay, allowances, amenities and so on amounts to a crore, the cost in the case of the military services is likely to be about double. Then again remember another fact, that in the case of the civil services there is a distant prospect of diminution of the burden as the process of Indianisation begins to make itself felt, but how much more distant is that prospect with regard to the military services. Now, if you remember the bearing of these recommendations upon the other departments and upon the other services, it suggests the necessity for a very cautious and a careful examination of the whole subject, not a hasty commitment to the conclusions recommended by the Lee Commission.

In connection with this question of pay and allowances, let me in passing refer to one recommendation and that is in regard to the remittance privileges. I was under the impression that these remittance privileges were proposed to be granted in view of the necessity of officers having to remit money for the maintenance of their wives and children at home or for their education ; but, when you examine the recommendations, you find that it contains no condition whatever, no qualifications, no restrictions. The qualifications and restrictions are to be found in the case of Indian officers of the superior services who may be entitled to overseas pay and who may happen to have their wives or children staying in Europe. In their case it is made a condition, but in the case of the European officers there is no such condition or qualification proposed. Apart from any question of the burden of this remittance privilege, there is this further aspect of an invidious distinction which has not hitherto been drawn between the European and the Indian officers.

Then again take the question of commutation of pensions. It is proposed to be raised from one-third to one-half. It may be that the system of commutation of pensions has much to commend it, but surely there ought to be some limit, and are we sure that the proportion which under the existing rules is one-third, which if I remember aright was raised from one-fourth to one-third, is not adequate and why it is necessary to raise the proportion to one-half ? It will have the effect of adding considerably to the liabilities of the State.

Then, Sir, with regard to the other concessions, you cannot prevent them from being applied for by other services as well. Take for example the house-rent question. You cannot possibly grant further relief in the matter of house-rent to one service and refuse to grant it to another

[Sir P. S. Sivaswamy Aiyer.]

service. They more or less always labour under the same conditions. I do not say that the fact of the grievance being fairly widespread is an argument against the recognition of the grievance. It shows that it is necessary to proceed with some amount of circumspection. Now, with regard to all these various measures of financial relief, if the recruitment of the services could have been so manipulated that the aggregate burden on the exchequer would not be increased, it might have gone some way to mitigate the objection of the country to the proposed addition. But I am afraid that this method of mitigation has not been adequately explored.

Coming now, Sir, to the organization and recruitment of the services, these are questions which cannot possibly be separated from the other questions contained in the Report. I may acknowledge here that in the matter of the provincialization of the services which are now all-India services, some advance has been made. I may also acknowledge that in the matter of the Indianization of the all-India services some advance has been made in the proportion. But the advance that has been recommended has not been such as to satisfy the expectations of the country. Now, we find that among the reserved services there are the Forest Service and the Engineering Service Irrigation Branch proposed to be reserved. So far as the Forest Service is concerned, in the provinces of Burma and Bombay it is not reserved. So far as the Public Works Department is concerned, the Roads and Building Branch has been transferred in several provinces, but the Irrigation Branch has still been reserved, because it is said that any mismanagement of irrigation works may end in serious calamity, may end in the failure of crops and may cause a widespread calamity. But may I point out, that having regard to our experience in the south, there is no reason to entertain any such apprehensions. Taking the Forest Department, I am not aware that the conservancy of forests in the Native States of Mysore and Travancore is not up to the mark. In those states the Department is managed by Indian officers, and I should hesitate to accept the position that the Forest Department involves responsibilities of such an onerous character that we do not possess Indian talent in sufficient measure to serve the needs of that Department. Then take the Irrigation Branch of the Public Works Department. Speaking from my experience of the working of the Irrigation Department in Madras, the districts in which the irrigation services have been manned or in which the irrigation of the district has been looked after by Indian engineers have been quite happy and contented. I may even go the length of saying that the Indian engineers have been specially conspicuous for the success with which they have been able to manage the maintenance, and not merely the maintenance but also the construction of irrigation works. Some of the recent irrigation works on a large scale which have been constructed in Madras have been constructed by Indian engineers, and it is an object lesson not to be thrown away that one of the finest feats of irrigation engineering in the south is one which has been carried out by the Mysore Darbar for the purpose of damming up the waters of the Cauvery. It is an irrigation work of the first magnitude. It might not perhaps compare with the Sukkur Barrage, but it will occupy a very respectable place among the chief irrigation works of India. The Kanambady reservoir was an irrigation work which was designed and constructed by Indian agency entirely. We have no apprehensions whatever that either the

construction or the maintenance of irrigation works will suffer if entrusted to Indian agency. Far from that, the maintenance of irrigation works by Indian engineers will be far more of a success, as they are officers in closer touch with the people and possess a better understanding of their wants. However, it is not necessary for me to expatiate further upon this point. I mention it only to show that with regard to the further reservation, the continued reservation, of Forests and the Irrigation Branch of the Engineering Department, difference of opinion is reasonably possible and is legitimate.

Now, Sir, there are all sorts of inquiries in the air, inquiries as to the manner in which the reforms have worked, and so on. Is it unreasonable to say that the possible extension of the area of transferred subjects is not beyond the sphere of practical politics? Even if we do not have any Royal Commission appointed, additions to the list of transferred subjects can be effected under the Government of India Act, and without asking the House to commit itself to any special opinion upon this subject, I would only point out to the House and the Government that the extension of the list of transferred subjects is not outside the region of practical politics; and if any such transfer should take place, that is a factor which will have an influence upon the decision of some of these questions. But however that may be, when I now plead only for further time for the consideration of this question, all these various factors which I have mentioned may be reasonably expected to induce the Government to grant our request.

I should like to make only one or two remarks about one or two of the other services. Take now the security services. It is a common ground between me and the Lee Commission that it is desirable in the field of the security services to reach an equality of strength between the Indian and the European elements in the cadre as early as possible. They contemplate such an equality at the end of 15 years in the case of the Civil Service and at the end of 25 years in the case of the Police. Is it not possible to think otherwise? May we not reasonably contend that a shorter period should be fixed for the attainment of this equality? Supposing I wish to attain equality between the two elements of the cadre, I might suggest a period of 10 years. If equality is to be reached, say, in a period of 10 years, it can only be by the stoppage of English recruitment. However, even if you think that there are objections of an insuperable character at the present moment having regard to the existing constitutional position to the complete stoppage of recruitment, which I think may be safely carried out in view of the fact that it will take 10 years more to attain equality, supposing you cut down the English recruitment to 20 per cent., even then it will take 12 years to attain equality. These are circumstances which may lead possibly to different conclusions and these are matters the consideration of which cannot be altogether put off; and it is all the more necessary therefore that we should have ample time to examine the subject carefully and come to considered conclusions.

There is one service, Sir, to which I have not yet adverted, and that is the medical service. The recommendations of the Lee Commission in this respect offer an easy target for criticism. In so far as they recommend the separation of the civil medical service from the military, I am at one with them, but in so far as they recommend a unified Royal Army Medical Corps for the purpose of looking after the needs of the British

[Sir P. S. Sivaswamy Aiyer.]

units and the Indian units, I must protest with all the earnestness I can command. We do not wish to have the health and care of our troops committed to the Royal Army Corps and to be dependent upon that service; not that I am suggesting any reflection upon the capacity or ability or skill of the Royal Army Medical Corps but there are serious disadvantages involved in that course. In the first place, the Royal Army Medical Corps would not be subject to the Government of India but would be subject to the control of the War Office and the Imperial Government, and the Indian Government will have very little voice with regard to that Corps. In the next place, the Royal Army Medical Corps has always admitted only persons of pure British blood and has never admitted Indians. We do not want to pay for a corps from which our own countrymen will be excluded or which will not be subject to the control of the Government of India. There is another factor yet. The Royal Army Medical Corps, as now constituted in India, is for the purpose of providing for the health of the British troops. I look forward to a gradual and a steady diminution in the number of British troops and it necessarily involves a gradual diminution in the strength of the medical personnel required in regard to the British troops. I should therefore have the strongest possible objection to forming a unified medical corps to be called the Royal Army Medical Corps and dependent not upon the Government of India but upon the control of an outside authority. The recommendations of the Lee Commission are based upon what I may perhaps presume to call an antiquated document, Lieut.-General Burtchaell's Report. At the rate at which the world is moving a document of 1919 may fairly be regarded as antiquated. There was a burning question and Lieut.-General Burtchaell framed a Report after the Verney-Lovett Report. But subsequent to that, we had another Report by the Esher Committee which went into the whole subject, very elaborately examined all the various alternative proposals and came to conclusions. Not that I am in agreement with the conclusions of the Esher Committee. I welcome the recommendations of the Lee Commission in so far as they advocate a civil medical service but the proposal to form a unified Royal Army Medical Corps is one which, to my mind, is open to the gravest possible objection.

Now, I pass on, Sir, to one proposal of the Lee Commission which has my unqualified approbation and that is about the appointment of the Public Services Commission. Now, these questions which are dealt with by this Report are all so complicated, so intricate, so interdependent, that they require a much larger allowance of time than we have had for their consideration. It may be said that there are questions of an urgent character which cannot afford to wait for three months, but my Resolution meets that contingency. I suggest that, if there are urgent questions of recruitment during this interval of three months, you may proceed to recruit on the existing lines. That is a fair and a reasonable offer. I do not ask you to stop all recruitment during this period of 3 months and cause any plausible inconvenience or injury to public interests. In the matter again of relief of individuals, if you find that there are cases of urgency where some relief has to be granted, speaking for myself, I have no objection to your granting relief, provided that you do not commit yourself to any decision upon the question of principle or policy involved and provided you recognise that any allowance or sum that may be paid to an individual officer must be capable of readjustment in the event of a contrary

decision. If you do not have to make any payment now by way of immediate relief and if you consider that it would be a hardship to officers concerned to have the relief for which they have been claiming and which now seems to be in sight postponed, I have no objection to its being granted with retrospective effect from the 1st April 1924 as recommended by the Lee Commission. I make these offers because, I think, they are only fair and I think that they obviate the necessity for any decision upon any question of principle or policy. If you can do these two things, if you can grant retrospective relief, if you can make the appointments which may be required during this interval of three months, I fail to see how public interests can possibly suffer or how individual officers can suffer any hardship in the event of my proposal being accepted. I submit, Sir, that the request that we have made is extremely reasonable and I hope that the Government will see their way not merely to granting this request of ours but also to supporting the request and sending the Resolution of this House to the Secretary of State with their own strong recommendation for the purpose of postponing a decision on these matters to the end of September. Let me only add this that any attempt to rush into a decision on such important questions cannot fail to produce the impression that the services have been exercising their influence upon the Government of India and the Secretary of State. Any impression of that kind is certainly not calculated to promote their popularity or to make our deliberations more cordial than they are at the present moment.

With these words I move my Resolution.

**Mr. Chairman :** Resolution moved :

“ This Assembly recommends to the Governor General in Council that he will be pleased to convey to the Secretary of State the opinion of this House :

- (1) that it is impossible for this House during this session to devote to the Lee Commission Report which was published on the 27th of May, the attention that it requires for a careful and thorough examination of its proposals in all their aspects and bearings and that for this purpose it is absolutely necessary to afford further time to this House till the September session ;
- (2) that the interval of three months asked for by the House, for the consideration of the many important issues involved will neither cause any hardship to the services which will obtain any financial relief that may be eventually decided upon with effect from the 1st of April 1924, nor affect public interests by impending recruitment for the services during the interval which may proceed on the existing lines ;
- (3) that any attempt to give effect to the recommendations of the Commission without giving adequate time to this House and the country to form an opinion upon proposals of a far-reaching character with their inevitable repercussions on other departments and services is bound to be resented as exhibiting a supreme disregard of Indian public opinion and to provoke feelings of widespread discontent.”

**The Honourable Sir Alexander Muddiman** (Home Member) : Sir, if I rise early in this debate, it is because, I think, it is desirable that I should make clear the position of Government in regard to this Resolution as early as possible. Such a statement, moreover, may possibly save the time of the House. I propose to confine myself strictly to the terms of the Resolution which has been so ably moved by my friend opposite. He has made, I think, a considerable study of the Report as is easily seen from his speech, but the actual Resolution merely deals with the question that the Report should be brought before this House for the purpose of consideration. The Resolution asks that the proposals of the Lee Commission should be examined during the September session. The Honourable

[Sir Alexander Muddiman.]

Member argues that the interval will neither cause hardship to the services nor affect the public interest. He contends that any attempt to rush the Report of the Commission through this House would lead to wide discontent and would, in fact, amount to a breach of the various undertakings which have been given on this subject from time to time by my predecessor and by myself. Sir, it is most desirable that in a matter of this kind we should look at all the interests concerned. I was a little struck in the Honourable Member's speech by the amount of time he devoted to the services. The services are, of course, very important, but the recommendations of this Report do not merely confine themselves to the services. They are of a wider character. And I wish to emphasise that the urgency of the report rests on a three-fold basis. It rests on the progress towards provincialisation. It rests on the progress towards Indianization. And it rests on the well-being of the services. It does not rest on the one factor alone.

The Warrant of appointment issued by His Majesty when he appointed the Commission specifically directed the Commission to report "with as little delay" as possible. I wish to take this opportunity of acknowledging the great expedition with which the Lee Commission brought their labours to a unanimous conclusion. They assembled in India on the 4th of November 1923 and they finished their report on the 27th of March 1924, though it was not received in India till the 21st of May 1924. Their recommendations, as my Honourable friend has informed the House, are of the greatest importance and are of a far-reaching character. I accept this. Still, an early decision on their proposals is of importance—of great importance to those of the services which are waiting to know what is to be their future, of great importance to the Government of India who want to know their position in connection with the services and of great importance for the purpose of future recruitment. The latter will be seriously prejudiced as long as matters are left undecided. These are all important points. I will quote here what the Royal Commission themselves say on this point :

"We would also venture to urge that there should be as little delay as possible in considering and acting upon our proposals. We have striven to respond to the official request that we should treat our inquiry as a matter of urgency, and having done so we suggest that the position is one in which the principle of *bis dat qui cito dat* is of special application."

Here I should like to make it perfectly clear that this reference is not merely intended to apply to the relief of the services but to a rapid disposal of the other recommendations contained in the Report. So much Sir, for the urgency of dealing with the Report. But I have no intention of suggesting that when you are dealing with this report you should deal with it in a haphazard way, without due consideration and without due examination. I said once before that I have no desire to rush this House on an unwilling discussion of the Report which even we on this side have not examined in the way in which we ought to before coming to a final conclusion. In spite of the urgency of the Report, the Government of India and the Secretary of State are prepared, and have always been ready to give an opportunity to this House to express its views on the proposals before we arrive at conclusions. Such a promise, to my mind, would not be properly carried out by our attempting to rush the Report through in a session like this. As my Honourable friend said, this session was called for for a special purpose. It is a mere accident that the Report

happened to be published on the day the session started. We brought the Report to your notice as early as we could regardless of the consequences which such a course must bring upon ourselves. The session, moreover, has been one of a very arduous character and Honourable Members have frequently been detained in this House up to late hours and I may say Members on this side of the House too. Therefore, if the House is really anxious to discuss this Report on its merits, as my Honourable friend no doubt says, there will be no difficulty on this side to give an assurance that that opportunity should be given. But we cannot contemplate the possibility of this Report becoming, as my Honourable friend said, an antiquated document. An antiquated document, according to his definition, is a document which goes as far back as 1919. According to my definition it will be a document that does not go nearly so far back, and in any case we cannot possibly contemplate the possibility of the Lee Commission's Report getting into that position. Therefore the discussion must take place as early as is compatible with the considerations which my Honourable friend has so ably put before the House. We on this side are perfectly willing to give an adjournment to enable the Report to be discussed in a reasonable way after due examination. That, Sir, has been our position throughout. But the postponement should be on *bona fide* grounds. The House, when it meets us in September next, must be ready to discuss the Report on the merits. I will deal as frankly with the House as the Honourable Member has dealt with me. He asks I think that no decision should

1 P.M.

be arrived at on any question of principle or policy till the House had an opportunity for considering the Report. Sir, since I last addressed the House, I have had an opportunity of communicating with the Secretary of State and I have received instructions of a different character to those which I communicated to the House the other day. Honourable Members will remember that certain matters were reserved as urgent, and there was a fear in the minds of many Members in this House that on these matters orders would be passed behind their backs. Put in blunt language, that was the fear and that was the cause of some distrust. Well, I think I can disabuse their minds of that fear. I am prepared to give, on behalf of the Government of India and also of the Secretary of State, a pledge that no decision on any question of principle or policy shall be arrived at till this House has had an opportunity in the September session of examining the matter, on the understanding that the House passes a Resolution substantially in the terms of my Honourable friend's Resolution. I shall be willing to accept it, and I hope the House will be willing to accept it.

**Mr. A. Rangaswami Iyengar** (Tanjore *cum* Trichinopoly : Non-Muhammadan Rural) : Are those the Secretary of State's instructions ?

**The Honourable Sir Alexander Muddiman** : Those are the views of the Secretary of State and the Government of India.

**Mr. V. J. Patel** (Bombay City : Non-Muhammadan Urban) : That a Resolution should be passed in the terms in which Sir Sivaswamy has moved it ?

**Mr. K. Venkataramana Reddi** (Guntur *cum* Nellore : Non-Muhammadan Rural) : Has the Resolution been communicated to the Secretary of State ?

**The Honourable Sir Alexander Muddiman** : It would be rather difficult for him to pass orders if it had not. We have met you wherever



[Sir Alexander Muddiman.]

we can, both the Government of India, and the Secretary of State. We have decided to deal with the House perfectly frankly, and I put the case before you in the simplest manner I can. If the House accepts that view, ample opportunity will be allowed to the Indian Legislature to discuss the conclusions of the Report. There must be no suspicion however that we are wasting our time in the meantime. The Government of India and the Local Governments must proceed with the further examination that my Honourable friend referred to ; they must go through the Report and examine it in every way. There are many complicated issues in it. We cannot put this aside for a moment, we shall have to do all we can in the next three months, otherwise the delay of the interval would be of no value at all. It is of course true that the decision to grant relief to the services with effect from the 1st April goes some way to meet the immediate urgency of issuing orders. If Honourable Members think too much consideration has been laid on this point, I would like to remind them of the history of this case. The pay of the superior civil services in India was revised generally about the end of 1919 as the result of a Commission, which reported in 1915. The decision was arrived at in 1919, and that will fall within the Honourable Member's definition of an antiquated document. At that time, before the end of 1920, this policy had broken down. Towards the end of the year 1920 and in 1921, a very large number of memorials were received from members of the Superior services complaining of the inadequacy of their pay and pensions. Well, Sir, there was, and there is, a widespread feeling of discontent in the Services—that is undeniable and, however you recruit your services and whatever your form of Government, and whether you pay your services or do not pay them adequately, it is not wise to have discontented services. That I think the House will readily admit. I merely put this point to the House with the object of showing, that if relief is granted from April 1924, that relief will be to meet cases of grievance at least three years old at that date. Well, Sir, I do not know that I have much more to say on the point. I do not propose, nor do I think after the announcement I have made to the House, it is necessary or even in order for me to refer to any of the details of the Report. We take the Report as a whole ; we say we shall postpone discussion at your request, and we will take it up in September. Therefore, I do not propose to take up any of the points of the Report itself. I trust the House will think I have dealt quite frankly with it and that the statement I have made will shorten this discussion.

**Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions : Non-Muhammadan Rural) : I beg to move :

“ That for clauses (1) and (2) of the Resolution moved by Sir P. Sivaswamy Aiyer, the following two clauses be substituted :

(1) That the questions raised by the Report cannot be separated from the all-important question of self-government in accordance with the demand put forward by the Assembly in February last, to which no satisfactory response has so far been made, and that both the questions ought to be determined simultaneously ;

(2) That in any case, when the proposals contained in the Report are examined, they must be examined as a whole, and this cannot be done before September ’.

In supporting this amendment, I wish at the outset to thank the Honourable Sir Sivaswamy Aiyer for the excellent manner in which he has pleaded for the postponement of the debate on this Report. I also thank the Honourable the Home Member for the admirable manner in

which he has put forward the view of the Government and has agreed to meet the wishes of the House so far as they are expressed in Sir Sivaswamy Aiyer's Resolution. I am thankful that the Honourable the Home Member recognises the justice of the demand that this Report shall be considered at the proper time, and I thank him for it, but I submit, Sir, that I do not agree with him as regards the condition he has laid down. The Honourable the Home Member said that the Government were prepared to agree to the postponement of the discussion, to agree that they would not take any action in regard to any matter of principle or policy on the Report of the Lee Commission if the terms of the Resolution of Sir Sivaswamy Aiyer were accepted by this House (*Dr. H. S. Gour* : "Substantially accepted"), substantially accepted by this House. It is only there we seem to disagree, only somewhat, and I hope when I have laid my reasons before the House, the Honourable the Home Member, with his fairness, will see the wisdom of accepting the alteration I suggest. Now, Sir, so far as the reasons for postponing the consideration of the proposals are concerned, they have been so well put forward by Sir Sivaswamy Aiyer that I shall not take up the time of the House by dwelling on them. I want rather to dwell on the reason for incorporating what is my first clause of the amendment in this Resolution. There are two aspects of the Lee Commission's Report, one is relief to such members of the services as think they ought to have relief. The other is its effect upon (1) the finances of the country, and (2) upon the constitutional progress which most Members in this House have at heart. The Lee Commission's recommendations cannot but affect the constitutional progress which is just now under consideration, and it seems to me, Sir, that the recommendations of the Lee Commission have come in rather prematurely before the House and the Government. I need not dwell on the fact that when it was proposed to appoint the Lee Commission, the predecessor of this House recorded its protest against the proposal. The Commission was appointed against the protest of this House and there is a widespread opinion in the country, that the question of the recruitment, pay and prospects of the services is so intimately connected with the question of constitutional advance that the one ought not to be taken up until the other has been considered and satisfactorily settled. That opinion has unfortunately been ignored. The Commission has met, and what was claimed, what was rather described by the Honourable the Home Member as a virtue might be regarded as one of its demerits, namely, that while it met on the 4th of November in five or less than five months the Commission has dealt with 1,300 replies which were received to the questionnaire which was issued by it, has examined 411 witnesses, has considered the statements of all these witnesses and all these correspondents and came to conclusions. Sir Sivaswamy Aiyer has drawn attention to the fact that the conclusions of the Commission are expressed in very brief language. The reasons are often absent. I am not surprised that they are, because I venture to say—I regret to say it—that the Commission could not give sufficient time and attention to the very important questions which they had to deal with, that they have just put down the conclusions which they thought they should report to Government, and have not endeavoured to offer reasons for many of the conclusions which they formed. There is another drawback. In the case of no previous Royal Commission, so far as I am aware—at least, so far as India is concerned—has the evidence offered before the Commission been kept back from the public. With the Islington Commission Report 20 Volumes of evidence were published. On this important question, which will add a crore and a quarter to the burden

[Pandit Madan Mohan Malaviya.]

of the tax-payer, the Commission decided not to publish evidence. They have stated their reasons for not doing so in their Report, and I submit, Sir, that those reasons cannot satisfy anybody who looks into that Report. They say that many witnesses said that they would prefer to give evidence *in camera*, and they say that if they had insisted upon those witnesses giving evidence in public, the valuable evidence which they had to give would have been lost to the Commission and to the Government. They say out of 411 witnesses only 152 were willing to be heard in public. I submit that those witnesses who had not the courage to put forward the statements which they made upon a public question in public, but who wanted that their evidence should be taken *in camera* and should be put on the shelves of the India Office,—those witnesses are not entitled to claim that any utterance which they made, or any statement which they put forward before the Commission, should affect the judgment either of the Commission, of the Government or of the country. The right course for the Commission would have been to tell these amiable witnesses that they were not required to help the Commission with their evidence, that if they wanted their evidence to influence public decisions, which would mean an increase of burden on the general tax-payer, they must have the courage to state their opinions in public so that they might be scrutinised, examined, weighed, and either accepted or rejected. I think, Sir, the first thing the Secretary of State should be requested to do therefore is that he should publish the evidence of the 152 witnesses who agreed to give their evidence in public. That evidence should be available to the House and to the country. I do not say that the evidence which was recorded may not be valuable but we are not in a position to say that it is. There is no reason, absolutely no reason, placed before the public or the Government to justify the idea or to justify the belief that that evidence was really valuable, and I therefore submit that this is the second circumstance which is against the Report, and it supports the plea that the Report should be carefully considered in all its aspects. Now, Sir, this becomes the more important for another reason. The refusal to publish the evidence, the insistence on treating the evidence given *in camera* as confidential strengthens the view that the evidence which has been given would seriously affect the constitutional advance which we Indians at any rate have very much at heart. The question of the services and the question of the constitution of the Government which they are to serve are very closely intermixed. You cannot deal with the one in disregard of the other. Here we have this Report which seems to have been written in blissful ignorance of the circumstance that self-government, even progressive responsible Government, is the goal of British policy in India declared by the British House of Commons. So far as the Commission is concerned, one might imagine that they were not aware that that was a fact. They have gone on to deal with the question of how the superior, the central services, should be constituted and what arrangements should be made, what inclusions and exclusions should be made, in regard to the provincial services on the basis that things as they are will continue to exist almost till eternity. They have ignored the possibility of a further extension of the transferred subjects. They have ignored the possibility of any element of responsibility being introduced in the Central Government. They have ignored the possibility of autonomy being established in the Provinces, all the subjects which are to-day reserved subjects being transferred to the care of Ministers acting under the influence of the local

Legislature. Now, Sir, we know that the Government have already appointed a departmental committee to investigate the possibilities of advance within the four corners of the Act. I suppose no one here will dispute the proposition that has been asserted more than once, the view that has been put forth more than once, that within the four corners of the Act many if not all the subjects which are at present reserved under the Provincial Government can be transferred. Now if as is possible, these subjects are transferred, an entirely new basis will have to be provided for classifying the services. And if further there should be an element of responsibility introduced in the Central Government, the question will have to be reconsidered from that point of view. But one might say : " Well, suppose the proposed classification is accepted, where would be the difficulty in excluding the subjects which may be transferred in the future from the list and dealing with them on the basis of the present inclusions ? " The difficulty will be this—that the posts which are reserved will become obstacles in the way of further progress ; vested interests will be further strengthened, those who have a claim on the reserved posts in the services will raise an objection and will want to be further secured in their positions, will probably raise objections to a further development of constitutional Government in the Provinces. For these reasons it is obviously undesirable that the question of the services, of the further classification of the services, and the manner in which the recruitment should be made to these differently classified services, and the salaries which should be given to the members of these various services, and the other rules which have to be framed in regard to the services, should all stand for a while until the question of constitutional reform has been discussed and settled. It might be said that the question of constitutional reform might take a very long time to settle. I do not know, Sir, if that would be a correct view. At any rate, everybody should I hope agree that that is a view on which two opinions might be held. The Government of India have committed themselves to a departmental inquiry. A committee has been announced and is going to sit. That committee has to report early. The Secretary of State has said that this is a preliminary investigation and that it will not settle the matter. We are in the hope that when this preliminary inquiry is finished, as a result of the recommendations of this preliminary committee, there may be a further committee or commission appointed or a round-table conference convened to discuss what advance should be made in the direction of constitutional reform. We are in the hope that a real and substantial advance will be made both in the Provinces and in the Central Government. We therefore feel that the question of the further classification of the services and their emoluments should not be decided at this moment. This is prejudicing the case for constitutional reform. The view point of the Lee Commission is different. They have not looked at it from the point of view that the Government in India is going to be responsible Government. The basis of their recommendations is not that hereafter Indians are to rule and govern in their own country. The basis of the Lee Commission's Report still is how many Indians might be admitted into the services. The real basis ought to be how many Europeans will in future be necessary for the various departments of the Government. There is no desire on the part of us, Indians, that any existing member of the various services should suffer any injury or any loss. There is no desire that those who are already in service should not be treated with all the fairness which is due to them and to the tax-payer. But certainly there is a desire that the obligations of the

[Pandit Madan Mohan Malaviya.]

people should not be increased and that all future recruitments should be made on the basis that the Government is going to be conducted by Indians. The Preamble of the Act of 1919 has placed it distinctly in the forefront of the Act that the increasing association of Indians is an essential part of the policy of His Majesty's Government. You cannot think of achieving progressive responsible Government within any reasonable period of time if you will not make up your mind to stop further recruitment in the future in England. You must make up your mind that all future recruitment must be in India. That does not mean that we shall not invite and welcome the co-operation of our English fellow-subjects where we need it. We shall invite them. We have invited many in the past and we shall invite as many as we shall need in the future but we shall invite them as experts. We shall invite them as technical experts. We shall invite them to tide us over any preliminary period of any particular endeavour or venture. Short term engagements are not unknown to Europeans and Indians in this country, but we object to increasing the burden of the vested interests in the services because we have found that it has been used as an argument against the further expansion of Self-Government. I submit therefore that this question ought not to be determined until we know what is the next advance to be made in the Government of the country both in the Provinces and in the Central Government, and for that reason we feel that this Report should be held up until the Government have before them the Report on the question of constitutional reform, and that both should be considered simultaneously. I have submitted already that the delay will not mean any great injury to those who are interested in the Commission's proposals. The civil services of India are not among the contemptibly paid services of the world. The civil services of India are among the best paid services in the world. They have had recent emoluments added to them. As the Honourable the Home Member distinctly pointed out, it was in 1919-20 when they had their last large increase. Only three years have since elapsed, and within three years to expect another large increase to their emoluments should be a rare thing even in the history of the civil services in India. I submit, therefore, they can very well afford to wait. They ought to wait because the carrying out of the proposals will mean a very serious infliction of burden upon the tax-payer. For these reasons I wish that the House would adopt the first part of my amendment which merely aims at telling the Secretary of State and the Government of India that the questions are interdependent and that by deciding the question of the further classification of services, fresh difficulties will be thrown in the way of further advance in the direction of constitutional reform. We want that this opinion should be laid before His Majesty's Secretary of State and the Government of India. It may possibly lead them, not to give up the idea of dealing with the Lee Commission Report altogether, but to expedite the consideration of the question of constitutional advance which is very much oppressing the minds of us, Indians. It will be a very useful proposal to put forward before the Government from that point of view. It will point to them the necessity of satisfying the reasonable aspirations and demands of the people of this country before the Government should ask them to bear further burdens in the way of increases proposed by the Lee Commission.

As for the second clause, I do not wish to commit the House to the view which the Honourable Sir Sivaswamy Aiyer has expressed in the

second part of his Resolution. I want that the question as to the time from which relief may be given should be left open until the matter has been considered. I wish that the House should not commit itself on this point, considering the very brief information which it has and the very limited time it has got to consider the Report, involving an important proposition affecting the finances of the country. I propose that the second clause of my Honourable friend's Resolution should be omitted, and that in its place should be substituted :

“ That in any case when the proposals contained in the Report are examined they must be examined as a whole and this cannot be done before September.”

In the conclusion the Honourable the Home Member, Sir Sivaswamy Aiyer and I are agreed, namely, that the consideration of this Report should be postponed till September. The reasons which have been advanced by Sir Sivaswamy Aiyer and the Honourable the Home Member I have endorsed to a large extent. I want to make one important differentiation on which I have already dwelt at some length and I hope the House will see the reasonableness of my amendment and accept it.

**Mr. Chairman :** The question is :

“ That for clauses (1) and (2) of the original Resolution the following two clauses be substituted :

(1) That the questions raised by the Report cannot be separated from the all-important question of self-government in accordance with the demand put forward by the Assembly in February last, to which no satisfactory response has so far been made, and that both the questions ought to be determined simultaneously ;

(2) That in any case when the proposals contained in the Report are examined they must be examined as a whole and this cannot be done before September’.”

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Chairman in the Chair.

#### MESSAGE FROM THE COUNCIL OF STATE.

**Secretary of the Assembly :** The following Message has been received from the Secretary of the Council of State :

“ In accordance with Rule 36 (1) of the Indian Legislative Rules I am directed to inform you that the amendment made by the Legislative Assembly in the Bill to provide for the modification of certain provisions of the Indian Stamp Act, 1899, in their application to certain promissory notes and other instruments was taken into consideration by the Council of State at their meeting to-day, the 9th June, 1924, and that the Council have agreed to the amendment.”

#### RESOLUTION RE THE LEE COMMISSION'S REPORT.

**Mr. W. M. Hussanally (Sind : Muhammadan Rural) :** With your permission, Sir, I wish to put a question to the Honourable the Home Member whether he expects the Local Governments' reports upon the Lee Commission's Report before the next session, whether those reports of the Local Governments will be circulated to us before the matter comes up for debate here again, and whether the Provincial Governments have been instructed to consult their Legislatures as well ?

**The Honourable Sir Alexander Muddiman :** The Honourable Member asks me whether the Local Governments' reports will be received before next September. The answer to that is certainly in the affirmative. We expect them before September. The second part of the question, as to whether those reports would be circulated to the House before or after the Government of India look at them, I will take time to consider. The question whether Local Governments will consult their Legislature before making their reports is a matter that is raised by an amendment but which I have no objection to answering. The question whether Local Governments will consult their Legislatures is a question for the Local Governments themselves.

**Mr. A. Rangaswami Iyengar :** Sir, I desire to support the amendment moved by Pandit Madan Mohan Malaviya and do so, Sir, for the simple reason that in the face of the speech of the Honourable Home Member that amendment is quite relevant to the Resolution and ought to be accepted by the Government. The Honourable the Home Member, Sir, pointed out that the Lee Commission not only dealt with the grievances of the services but also with the far more important question of the provincialization and Indianization of the services. And in dealing with these questions, the Lee Commission definitely dealt with what was a political issue which has been inextricably bound up with the question of the progress of reforms in this country. The Lee Commission has based its proposals for the provincialization and the Indianization of the services on the framework of the Reform Act of 1919 and upon certain other assumptions which did not follow from the framework of the Reform Act. As I take it, according to their calculations, there are going to be three Statutory Commissions before we are going to have anything like responsible Government in this country. Therefore, if on that basis this House is to be asked to proceed to discuss the recommendations of that Commission I say, Sir, in the face of the Resolution to which this House stands committed, which was passed in February last, it is impossible that this House can consider the proposals of the Lee Commission on the basis of that scheme of reforms which, according to the Commission's assumptions, is likely to take 40 years more before we arrive at anything like responsible Government. We therefore have a right to say that the question of the grievances of the services, the question of provincialization of the services and the Indianization of the services should be examined and can only be examined by this House on the basis of the principles for which it has stood. Moreover, the Government have already appointed a Committee to examine the defects in the working of this reform scheme. I think, Sir, it is perfectly possible that this Committee would come to the conclusion that the defects in the working of the diarchic scheme are such that the basis upon which it is suggested by the Lee Commission that the services should be recognized, cannot be accepted ; and it is also quite possible that the recommendations which this Committee will make and the final proposals which His Majesty's Government may put forward in that connection, may be such as to disturb the framework upon which the Lee Commission's recommendations have been based. Therefore, I consider it perfectly germane to this question of the consideration of the Lee Commission's recommendations by this House that the Government should also examine those recommendations in the light not only of the Resolution which has been passed by this House and which, so far, as this Resolution rightly points out, has not received any adequate or satisfactory response, but it is also necessary for the Government to examine the

Lee Commission's recommendations in the light of the investigations that are now proceeding into the defects of the working of the very scheme upon which those recommendations are based.

Then again, Sir, I think that this necessarily raises other political issues upon which the Government have now decided to take much more time than it was prepared to do some days ago. I quite concede that the Honc Member has done the right thing and we are certainly thankful to him for it, in that he has taken steps necessary in this behalf with the Secretary of State to enable him to say that even in regard to the urgent matters which he mentioned to the House as being those upon which the Secretary of State wanted to take action, that even in those matters the Secretary of State has now agreed to put off taking action upon understanding which he says is involved in the Honourable Sir Sivaswamy Aiyer's Resolution. That understanding is intended to be conveyed in sub-clause (2). I say, Sir, that it is neither proper nor competent to this House to agree to that understanding or to give any undertaking in that behalf. The question whether the allowances that may hereafter be finally decided on will have to be given with retrospective effect or not, is a question of finance and expenditure upon which the Government cannot expect this House to be tied by anything which can be said to-day. Similarly, the question in regard to the passage allowances is not a mere question of allowances : it is a question that involves the perpetuation of the racial basis of the services in that the European services will in effect get an addition to their salaries which approximates to about 25 lakhs per annum. That, Sir, is sought to be put under a very dexterous plan beyond the pale of the vote of this House. And I say, Sir, that the proposal to make these passage allowances non-votable by treating them as part of salary.....

**The Honourable Sir Alexander Muddiman :** I am sorry to interrupt the Honourable Member, but I hope he does not suggest that I said any decision would be arrived at on passages. That is exactly what I did not say.

**Mr. A. Rangaswami Iyengar :** I am merely urging before the House, Sir, that the question involved in the grant or non-grant of passage allowances is a question of constitutional importance in that it seeks to make an item which is now votable into a non-votable item, and to that extent it takes away the liberties of this House in regard to taxation and expenditure. Similarly, Sir, in regard to the question of making the services in the three Departments mentioned in paragraph 16, as being appointments to be made by the Secretary of State and not by the Government of India, that also is a matter in which the proposal would mean that the House which now has the right to settle the pay and allowances of the officers in those Departments will be deprived of that right by their appointments being made by the Secretary of State and thereby being placed within the non-votable ban under section 67-B of the Government of India Act. That, again, Sir, is a retrogressive proposal. These two proposals, that in regard to passage allowance and that in regard to the appointments under the Customs and other departments being made by the Secretary of State, are proposals which in effect will take away powers at present possessed by the Legislature ; and, therefore, the question of reform, the question of the control of the Legislature over the services and the question of the



[Mr. A. Rangaswami Iyengar.]

grant necessary to carry on the Government through those services is one which the House will have to consider not only in connection with the Lee Commission's recommendations but also in connection with the further progress of reforms in this country.

Then, the question about the appointment of a Public Services Commission also, to my mind, involves the question of the constitutional position of the Legislatures in this country. As it is now proposed, the Public Services Commission that will be instituted will only act by delegation of the powers which are now vested in the Secretary of State for India. Our contention has been that this Public Services Commission should be the creature of the Indian Legislature and that the control of the Indian Legislature over the services should be complete, and, therefore, any Public Services Commission that is established in this country should not be merely one which is dependent for its existence and for its functions upon the sole authority of the Secretary of State. Then, similarly, in regard to the transferred services which are made over to the Provincial Governments. In the provincialisation of those services also, I consider, Sir, that a very important and vital constitutional question is involved. These services will be placed under the Provincial Governments. They will not, so far as we can now guess, have the advantage of an independent Public Services Commission until the Legislatures in the provinces proceed to enact the necessary legislation for that purpose; and in regard to them also, although that legislation will be available in respect of the future recruitment and control of the men so recruited to those services, it would not affect the position of those already in those departments, even though those departments are transferred. Therefore for 20 years, as the Lee Commission have computed, for 20 years the existing members in the services will obtain the benefit of the guarantee and the protection now afforded by the Reforms Scheme. If this is so, I cannot understand why for 20 years to come the Ministers in charge of the Transferred Departments should practically be powerless to control the services which are supposed to be responsible to them and for which they are supposed to be responsible to the Legislatures. I recognise that this transition has to be provided for. I recognise that any just rights of the services should not be taken away without justification. But I want this question should be examined in the light of the principles of responsible government upon which alone this provincialisation and Indianisation of the services should be based. It should not be based upon this most unsatisfactory Diarchic Reforms Scheme, into the working of which everybody is now agreed that there should be a re-examination. For these reasons, Sir, I think that, so far as the reasons we urge for postponement of this matter is concerned, it is the duty of the Government to consider these recommendations not merely on their own merits but also upon the bearing which they have on the constitutional development of this country and also upon the definite pronouncement which this House has already made in regard to the future constitution of India.

**Rai Bahadur Raj Narain** (Delhi : Nominated Non-Official) : Sir, I rise to support the Resolution so ably put by Sir Sivaswamy Aiyer. That there is absolute necessity for us to have time to consider the Lee Report in all its aspects has been fully stated by him. I may, however,

mention a few facts which, to my mind, strike me as being very important matters. The Lee Commission has not completely fixed the tests of efficiency for various services which the House may find it advisable to fix when it considers the matter. That is one thing which we cannot possibly do in the short time that we have at our disposal. Then, again, the question of Provincialisation and Indianisation of the services are questions which are vital and which require time to consider. There remain the questions of appointing authority of the services, controlling authority of the services and fixing of emoluments. These are questions, which, as pointed out by my Honourable friend, could not be determined by any individual Member of the Assembly in such a short time. On these considerations it was only right that the Government came forward and agreed to the suggestion that the consideration and discussion of the Lee Commission Report might be deferred till the September session. I heartily support that and thank the Government for having acceded to the Resolution. An amendment has been proposed to this by my very able friend, the Honourable Pandit Madan Mohan Malaviya, and we have to consider whether that amendment is a proper amendment at this time when we are really considering the postponement of the Lee Commission's Report. It seems to me a little inconsistent to suggest that we should postpone the consideration of the Lee Commission's Report and at the same time suggest that we shall consider it. This to my mind is the effect of the amendment suggested by the Honourable Member. According to Pandit Madan Mohan Malaviya, the consideration of the Lee Commission's Report ought to be postponed until Government have decided about the revision of the Government of India Act. How the two things are connected together is a little difficult for a man of less ability than the Panditjee himself to understand. Well, I, for one, admit that I cannot very well connect the two together. One or the other of these two objects can be in view. One is that by postponing this measure, we bring pressure upon the Government, we induce the Government to review and revise the Government of India Act sooner than they would otherwise do. We have been assured by the Honourable the Home Member that it shall be done as soon as possible, not the actual revision but the consideration, as to what can be done in that direction. Well, what other object can be served by the suggestion of the Panditjee I have not been able to understand. It may be that he wants to provide against the possibility of the September consideration of the Report and the decision then arrived at being taken as a plea for incorporating or retaining certain prejudicial provisions in the Government of India Act. When the revision of the Act is taken in hand my answer is simple. We can, when we are considering the Lee Commission's Report in September next, provide that any decision arrived at shall not prejudice any decision which the Government or this House might in the future make with reference to the revision of the Government of India Act. That would be the proper time to bring forward this suggestion and I humbly submit to this House to consider whether this suggestion is not premature at this stage of the proceedings. I therefore humbly but strongly support the Resolution moved by Sir Sivaswamy Aiyer, but I am afraid I cannot support the amendment moved by Pandit Madan Mohan Malaviya.

Mr. V. J. Patel : Sir, it is really somewhat difficult to understand what we are really discussing. (*A Voice* : "Louder, please.") I find

[Mr. V. J. Patel.]

it difficult to understand what exactly it is that we are discussing. It is common ground, it seems, between Sir Sivaswamy Aiyer and those who think with him, and the Honourable the Home Member and those who think with him, as also with Pandit Madan Mohan Malaviya and those who think with him, that this matter should not be discussed at this session. It appears, at any rate, to be the common ground between all parties that it should be discussed, if at all, in September. These two facts being clear, I really fail to understand what it is that we are fighting for. Whether this Resolution should be passed or that Resolution should be passed is the question that is before the House. But the result appears to me to be the same. Perhaps my friend the Home Member wants some price for the postponement and that price is indicated in part (2) of Sir Sivaswamy Aiyer's Resolution. Now, I put it to him—If that is so, is it fair? Should you treat the House in this way? You are agreed that this matter should not and could not be discussed in this session because neither the Home Member nor the Members of this House are prepared to discuss this Resolution on its merits. If the Home Member is not prepared, and if the non-official Members of this House are not prepared, then the only course is to postpone the discussion till September. Why should he seek a price for this postponement? Is it right? He wants to postpone the discussion because he has not studied the Report. He has admitted that other Government Members also are not quite prepared to go into the details of this Report. Members of this House are also not yet prepared for the discussion of the Report. If that is so, is it fair for him to ask this price for this postponement? Why not keep the matter over to the September session, leaving every party free to press its own views on that occasion.

I see there are three schools of thought. There is one school of thought which would like that this Report should be discussed on its merits apart from the question of constitutional advance. My friend, the Mover of this Resolution, seems to me to be of that opinion and there are perhaps some other non-official Members of that opinion. Perhaps the Government Members also would like it. I have not the slightest doubt that the Government Members hold the view that this matter should be treated on its own merits apart from the question of constitutional advance. This is one school.

There are others like my friend Pandit Madan Mohan Malaviya who feel that, though this matter in their opinion could not possibly be separated from the question of constitutional advance, if the Secretary of State does not accept their view and forces them to discuss the Report on its merits apart from the question of constitutional advance, then they say in the second paragraph of this amendment that "in any case" this matter should be postponed till September. Their whole point seems to be to convey to the Secretary of State the sense of this House that this is a matter which could not be separated from the question of constitutional advance and if the Secretary of State thinks otherwise, then they say they have no other alternative but to discuss it on its merits. Why should you prevent the Members of this Assembly from placing that view before the Secretary of State? It may be that the Secretary of State may be a reasonable man, not so unreasonable as you are. (Laughter). It is just likely that he might appreciate this view point. He might think that, as there is a large body of opinion in the Assembly

who feel that this is a matter which could not possibly be separated from the question of constitutional advance, he should therefore agree with them and have both the matters simultaneously examined. There is just a chance. Therefore all that Pandit Madan Mohan Malaviya and those who think with him want is this : " Give us an opportunity of making this representation to the Secretary of State, and if the Secretary of State does not agree with us, then of course we will fall back upon the second part of the amendment, namely, in any case this matter should be discussed in September." The question will of course be discussed then on its merits by those who take this view. That is the second school of thought.

There is yet a third school of thought. They think that this report should under no circumstances be considered on its merits apart from the question of constitutional reform. These two subjects in their opinion cannot possibly be separated. Even if the Secretary of State feels otherwise, decides otherwise, they are not going to have anything to do with this report. There is that school of thought also. You must remember that. They strongly feel that the manner in which this Report has come before this House for consideration is simply scandalous, to say the least of it. Members will recollect that the last Assembly, when the announcement for the appointment of this Commission was made, moved an adjournment of the House for the purpose of discussing the said announcement. They carried that motion for adjournment, thus marking their protest against the appointment of any Commission. Not only that, they went further. When the Government came forward with a demand for a grant of three lakhs of rupees for the expenditure of this Commission, the last Assembly again repeated their protest in spite of the entreaties of the Government Benches by refusing the demand for grant. I have gone through the proceedings on that occasion and I find that some very moderate Members of that Assembly had stated that, if in spite of their repeated protests the Commission was going to be thrust on this country, then the country was not going to co-operate with that Commission. Such was the manly stand that the last Assembly took. Now I put it to this House, this House which claims to be more representative than the last Assembly

3 P.M.

(*An Honourable Member* : " Question." ) : What attitude should they adopt on this question ? The question really is, when the last Assembly had more than once entered their protest against the appointment of the Commission, first, by passing a motion for adjournment, and, secondly, by refusing the demand for the grant, then is it right for this Assembly now even to think of considering this Report ? This is one ground on which, in the opinion of some Members of this Assembly, this Report should be thrown into the waste-paper basket. But there is another and stronger reason why this Report should not be considered at all by this Assembly. If this House desires to be taken seriously on the question of constitutional advance, then I say this Report should not be considered by them at all. Remember what we did in the Delhi session. We passed a Resolution asking for a round-table conference for drafting a scheme of self-government. We passed it by an overwhelming majority. Government did not respond to the satisfaction of the Assembly, and what attitude did this House then take ? (*Pandit Shamlal Nehru* : " They gave an official Committee." ) Yes, this House considered the

[Mr. V. J. Patel.]

announcement made by Sir Malcolm Hailey, the then Home Member, regarding the appointment of that Committee, and thought that the announcement was an insult to this House, with the result that this House decided to refuse demands for grants. (*The Honourable Sir Basil Blackett* : "They did not do it.") They refused four grants, and when further demands for grants were made they said, "Yes, you want to spend so much money on certain departments, all right, spend it, we have no objection"; but when you came with the Finance Bill, they said "No, thank you. We cannot pass the Finance Bill and thus supply funds to you. We did not promise you money, you asked our permission to spend and we said we had no objection; by all means spend. But we cannot give you the money. You have for the last 150 years drained the country and you might as well spend from that." The Finance Bill was rejected. Such was the manly, courageous stand which the Assembly took. I put it to this House. Are you now going to be consistent with that attitude which you took in February and March? If you want to be consistent, if you have any self-respect, the only course open to you is to refuse to consider the Report of the Lee Commission. I feel, however, that the Government must be congratulating themselves to find that the Assembly is by degrees going down and down and gradually giving up that fight which they began in the February and March meetings of the Assembly. (*Cries of "No, no."*) Facts are facts. This is my feeling from my experience of this session. I shall be glad to find that I am wrong. I submit that no Member who was a party to the rejection of the Budget could think of discussing this Report apart from the question of constitutional reforms. Self-respect and the dignity of the Assembly demand that this is the only right course for the Assembly to adopt. These are the three views which can well be discussed on their merits when the Report is taken up for consideration. Let us not commit any party to anything now. Let us leave each party free to express its own views at the proper time. Let Pandit Madan Mohan Malaviya be free to express his view and our friend (Sir P. S. Sivaswamy Aiyer) to press his view, and let those who think with me be free to press their views when the Report comes up for consideration. If you think you are committing any party to anything by passing any Resolution now, you are very much mistaken. Supposing this Resolution is passed, still I submit it will be open to Pandit Madan Mohan Malaviya in September to press his view and say, "No, this Report cannot be discussed now, make a representation to the Secretary of State first that this question should not be separated from the other question of constitutional advance, and if the Secretary of State ultimately comes to a contrary decision, I might agree to a discussion of the Report on its merits." If I am right in this view, then I ask, why not make a representation now so that, when in September the matter comes up for discussion, Pandit Madan Mohan Malaviya could not raise this question again? This course would facilitate the business of the House. As for the third school of thought, of course there is no remedy except Swaraj. It represents a view which will be pressed and pressed and pressed till Swaraj is obtained. Believe me you cannot get out of it; it will always be there. Even if it is in minority, it will be pressed so long as Swaraj is not obtained.

There is one other matter I would like to urge upon the attention of this House, and it is this. You may, if you decide, consider these

recommendations in September, but take it from me, that any vested interests created whether with or without the assent of this Assembly will not be safe. You have no right to create any further vested interests at this stage. At the earliest possible opportunity the country, which I venture to submit is not fully represented here, will repudiate any such vested interests. You are mistaken if you think you are merely concerned with the consent or assent of this Assembly. Remember that there is such a body as the Indian National Congress representing the country. Take note of it ; you may laugh at it ; you may disregard my warning (Laughter), but there it is. Before I sit down I should like to repeat that when all parties are agreed that this matter should not be taken up now, the best course is not to pass this Resolution or that Resolution ; but to allow the whole matter to go over to September when every point of view will be fully discussed and all the three schools of thought will have free scope. I think therefore the only solution of this *impasse*—if I may call it so—is for someone to move that the further discussion of this Resolution be adjourned till the September session.

**Mr. Chairman :** Does the Honourable Member move that proposition formally ?

**Mr. V. J. Patel :** I do not think I will move it.

**Mr. R. D. Bell (Bombay : Nominated Official) :** Sir, Mr. Patel in the earlier part of his speech has referred to a point on which I should like to make a few remarks. In referring to clause (2) of Sir Sivaswamy Aiyer's Resolution, he delicately mentioned the price which the Honourable the Home Member had consented to take in return for the Resolution. Pandit Madan Mohan Malaviya referred to the failure of the Commission to publish its evidence, and one can recognise now that there are certain disadvantages in that course. It is for this reason that I wish to put before the House a few facts. I rather feel that I am in the position of a shareholder in an Iron and Steel Company speaking on a Tariff Bill, but I can assure the House (*Mr. V. J. Patel* : " I hope you will not vote ") that my interest is a very small one and is locked up in a highly speculative concern entitled Appendix IV. I wish to deal specially with the case of the uncovenanted services and I wish to place some reservations on the remarks which I make. I can only speak of what I know, that is, the condition of these services in my own Province, the Presidency of Bombay. In dealing with these services I visualise the normal case—that of an officer who marries about the age of 30 and has a small family. There is an impression, sometimes, that before the War the members of these uncovenanted services were comparatively well off. On this point I should like to say that when I came to India in 1902 I found that a married member of these services in the Bombay Presidency had to live with very great regard to carefulness and economy. Not very long afterwards the need for revising the conditions of these services was recognised. In 1912 there was appointed the Public Services Commission. Before the Public Services Commission could report the War broke out and the War had for quite a long time a definite economic effect on the uncovenanted services. The cost of living in India, unlike the cost of living in England, rose very slowly until the very end of the War. In England, school fees, which are the main item in an officer's remittances, also rose very slowly. Then again there was a tendency, for the standard of life to fall from the careful and economic to the

[Mr. R. D. Bell.]

frugal, and, as everyone knows, sacrifices were willingly made in every direction. It was quite impossible in ordinary circumstances for an officer to take leave and there was no immediate necessity for him to save passage money.

**Mr. Chairman :** Order, order. I would request the Honourable Member not to go into details at this stage. He will realise that the issue before the House is rather a restricted one.

**Mr. R. D. Bell :** My point is this, Sir. The urgency of the case rests upon its merits. If the claims of these services are not well merited, then they are not urgent. I hope you will recognise my point Sir, and allow me to proceed. Well, Sir, I shall be as brief as possible in coming to the main point. There was a revision of pay in 1919, but the revision was made on the basis of a two-shilling rupee. With the fall in the exchange the condition of the services was entirely altered. Now it may be said that the services have had an increase of pay in 1919, and statistics may be given to show what has been the rise in the cost of living since the Public Services Commission reported. The main point is whether the pay of the uncovenanted services is sufficient,—whatever has been the increase in the costs of living and whatever increases of pay they have received—whether their pay is sufficient to maintain them in moderate comfort and free from financial anxieties. Well, Sir, last year I collected a large number of household budgets in the Presidency of Bombay and I should like to point out to the House that people who keep household budgets are generally very careful and economical people.....

**Mr. A. Rangaswami Iyengar :** Sir, are we now going into the family budgets of people in the different services ?

**Mr. Chairman :** I hope the Honourable Member will come to the point.

**Mr. R. D. Bell :** The result of that inquiry (and I can assure the House that in nearly every case not the average figure but the lowest figure was taken) was to show that in the Bombay Presidency in the uncovenanted services, such as the Police and Forest Services, if the pay were raised by 25 per cent. it would barely enable them to meet their expenses between the ages of 30 and 40 and would be quite insufficient to meet expenses after the age of 40.

**Seth Govind Dass (Central Provinces : Landholders) :** Sir, is the House allowed to go into the merits of the question ?

**Mr. R. D. Bell :** I am not dealing with the merits of the question.

**Dr. H. S. Gour (Central Provinces Hindi Divisions : Non-Muhammadan) :** Do I understand the Honourable Member to be speaking against the motion for postponement ?

**Mr. R. D. Bell :** I am speaking on the Resolution. If these facts are recognised, then the settlement of the case becomes an urgent matter ; and I understand it is the urgency of the matter which is now under consideration. I am speaking with special reference to clause (2) of Sir Sivaswamy Aiyer's Resolution. But I recognise, Sir, that the Report must be considered as a whole and, on behalf of the uncovenanted services, though I speak without any authorisation, I should like to

acknowledge the marked consideration which the Honourable the Mover of the Resolution has shown towards these services in framing it. I put it before the House entirely from the point of view of the services now in India and I suggest, Sir, that the existing employees of Government deserve the same treatment as the employees of any other prudent and Honourable employer may be expected to receive. The point is this—the administrative machine is a delicate one and it is to everyone's interest that it should run smoothly. Some parts of it have, within the last year or two, become heated, and what is wanted now is a little lubricating oil. It is no good, when lubricating oil is required, for people to throw handfuls of sand into the oil chamber. That is the point I wish to make—that some consideration must be shown between now and September to these services and that nothing should be done in the meantime to increase the somewhat high feeling that exists in the matter of their pay. As I said just now, what is wanted is oil, and if you put in sand instead, more heat will be engendered and, if I may use the expression, there will be a good deal of squeaking.

**Sir Purshotamdas Thakurdas** (Indian Merchants' Chamber : Indian Commerce) : Sir, I do not think I would like to follow the example of my Honourable friend from Bombay, Mr. Bell, in what he said regarding the various details in connection with the Report. I fully agree with my friend Mr. Patel that the House is practically unanimous that the Report should not be discussed now. The only question before the House is as to how we should adjourn—on the Resolution moved by Sir Sivaswamy Aiyer or on the amendment proposed by Pandit Madan Mohan Malaviya. Mr. Patel said that paragraph 2 of Sir Sivaswamy Aiyer's Resolution was the price that the Honourable the Home Member was taking from the House for this postponement. I really wonder if any Honourable Member of this House is prepared either to allege or to believe that that Resolution of Sir Sivaswamy Aiyer's was drafted by the Honourable the Leader of the House and was given to him to be put in as his Resolution. (*Mr. Devaki Prasad Sinha and another Honourable Member* : "Nobody suggested that.") If that is a thing which cannot even be conceived of by this House as is evidenced by two interruptions I have had from both sides of the House, the only other inference that remains is that Sir Sivaswamy Aiyer has offered to pay a price for the adjournment of this discussion from to-day to September. With the reputation that Sir Sivaswamy Aiyer has had in this House and before I say, Sir, with all the emphasis at my command that the idea that paragraph 2 of his Resolution is a price for the postponement may be safely put out of serious consideration at this stage. For, after all, what does paragraph 2 of Sir Sivaswamy Aiyer's Resolution contain ? It only repeats that in case Government decide, either on the recommendation of this House, or, overriding the recommendation of this House,—as is generally apprehended at this moment,—to give relief to the services on the lines indicated in the Lee Commission Report, Sir Sivaswamy Aiyer only indicates or wants it to be indicated to the Secretary of State that the Government will be in a position to do that as much after September next as now. Beyond that I fail to see where the question of any price in connection with paragraph 2 of Sir Sivaswamy Aiyer's Resolution comes in. If the majority of this House very strongly feel that paragraph 2 had better not be there, and with the elimination of that paragraph the House is likely to be unanimous on the other two parts of Sir Sivaswamy Aiyer's Resolution,



[Sir Purshotamdas Thakurdas.]

I do not know whether my Honourable friend will agree to omit that part which apparently is looked upon with some suspicion by some in this House. But, let me, Sir, put to the House the other side of the question. If paragraph 2 of Sir Sivaswamy Aiyer's Resolution as it is worded, it does not matter whether it is the Home Member's idea or whether it is my Honourable friend's, Sir Sivaswamy's, is a price, what is it that the amendment of my Honourable friend Pandit Malaviya wishes to indicate? That amendment, I feel, can well be styled as something novel in the other direction; for, that amendment, Sir, conveys a commitment of the opinion of this House, a commitment to which I feel that this House would not be justified in giving any endorsement. We have not discussed it and I take it that we are not to-day to be allowed to discuss that aspect of the question raised in paragraph 1 of the Honourable Pandit's amendment. If paragraph 2 of Sir Sivaswamy Aiyer's Resolution is a price, I say that paragraph 1 of the Honourable Pandit's amendment is also an effort to get a commitment from this Assembly to a certain line of action which ought to be left open for discussion in September next. But, after all, supposing that this amendment is not passed, there is nothing in Sir Sivaswamy's Resolution which will prevent this Assembly from passing a Resolution on the lines of paragraph 1 of the Honourable Pandit's amendment if the House so chose to do it in September next, after full and mature consideration. But I feel that on this question of the adjournment of the discussion of this subject at present the Honourable Pandit's amendment is out of place and it certainly is an effort at a sort of pre-indication of what may be coming, an indication which we have not yet had enough time to discuss on the floor of this House.

I will, Sir, mention one more point. What is indicated in paragraph 1 of the Honourable Pandit's amendment causes an interdependence between the subject matter of the Lee Commission Report and the question of further advance in the reforms for India. There is no doubt a great deal in the Lee Commission Report and in the whole subject touched upon in that Report which is interdependent upon further reforms for India. The Honourable the Home Member said that there were three main features of the Lee Commission Report. He put as No. 3 the last, the question of advance in pay and allowances for the services. I remember very well an Honourable Member from this side of the House interrupting him there and saying to the Honourable the Home Member that that was the most important part of it. If in the eyes of non-official members of this House or at least in the eyes of some leading Members of this House that is the most important part of the Lee Commission Report, namely, the question of further remuneration, increase of pay and allowances for the services, I take it that it should not be difficult for this House, irrespective of the question of reforms, to give a definite expression of their opinion in September next; for, either the services are adequately paid or they are not so paid; and in order to come to a definite conclusion on that point perhaps a little more time is all that is wanted in order that each one may make his own inquiries, may take his own time to study the whole question and make up his mind as to whether the services need further increase or not. I personally feel that side by side with that question, which I look upon as a very important one from the country's financial

point of view, the other two points mentioned by the Honourable the Home Member are also very important and it is those two points that cause so much interdependence upon the question of an advance in the reforms for India. The question of an increase in pay and allowance is not and cannot be connected with further reforms.

The Secretary of State, I am pleased to say, and I am sure the House must have noted it with satisfaction, has agreed not to take any action on any of the questions dealt with in the Lee Commission Report till September next.

**The Honourable Sir Alexander Muddiman :** Subject to the House passing a Resolution substantially in conformity with the present Resolution.

**Mr. V. J. Patel :** That is the price.

**Sir Purshotamdas Thakurdas :** I should like to know whether the Honourable Member attaches great importance to paragraph 2 of the Resolution.

**The Honourable Sir Alexander Muddiman :** I attach great importance to it.

**Seth Govind Das :** Does the Honourable Member move that part 2 of the Resolution should be deleted ?

**Sir Purshotamdas Thakurdas :** I do not think the question arises at this stage. The Honourable Member is rather in a hurry. I do not know whether there is any motive in the mind of the Secretary of State in agreeing to this postponement. Leaving aside for the moment the price which my Honourable friend here says the Secretary of State insists upon getting, I really wonder whether the Secretary of State can have any other motive in agreeing not to take any action on the Lee Commission Report till after next September when the Assembly has discussed it, except this. I would like to believe, and I do believe until I am convinced otherwise, that the Secretary of State is genuinely anxious to get a clear expression of opinion from this Assembly as to what the Assembly thinks on the merits of the case in regard to the Lee Commission Report. Ample time we will have to criticise either the methods or the want of fulness or the extreme shortness of the Lee Commission Report. The House can criticise to its heart's content the fact that the evidence has not been made available to us, a thing which, as far as I can remember, is without any precedent. On that we can say that we have been unable to form our opinion exactly in the same manner as the commissioners of that Royal Commission might have been able to form their opinion ; but in spite of all this, taking the facts as they are I would like to believe, and I sincerely believe, that the Secretary of State is anxious to get at the real genuine opinion of this Assembly on the merits of the case as it is put before us in the Report of the Royal Commission. Why should this Assembly not discuss that Report dispassionately without any other consideration but absolutely on the merits of the case as presented to us. Let us criticise it in every way possible. Let us say that we do not want any recruitment if we are convinced that way. I implore the House not to mix up with it any sort of pre-idea that we will not discuss this very important question, a question which has been a burning question for some years now, a question on which the non-official Indians and the Government

[Sir Purshotamdas Thakurdas.]

have had strong opinions. I implore the House that it will not commit itself to this amendment and will not condemn its judgment by saying that it will not discuss this question except as interdependent upon the question of advance of reforms for India.

For after all, Sir, the decision in that matter of advance in reforms is bound to take time. It may take six months or a year. I hope it will take less. In some quarters it is thought that it will take more than a year. If the House is convinced that the services are inadequately paid, may I ask the House if they are honestly and conscientiously prepared to say that the services should be starved for a period of a year or two years? If, on the other hand, the House are convinced that the services are adequately paid, even though reforms may be offered within the next fortnight, why should we vote any further allowances or any further pay? I therefore plead, in order that the opinion of this Assembly on the Lee Commission's Report may have the fullest weight, not only in India but everywhere else, I plead that no conditions shall be put at this stage on the full, impartial and dispassionate consideration of the Lee Commission's Report as it is presented to this House.

**The Honourable Sir Basil Blackett (Finance Member) :** Sir, I rather share the position of Mr. Patel in finding it difficult to understand what it is we are actually discussing. We are certainly not discussing the merits of the Report nor the grievances of the services nor are we discussing immediate constitutional advance. Mr. Patel described three schools of thought. I would suggest that the Assembly as a whole would prove itself more worthy to be called thoughtful if it did not attempt to pre-judge the Lee Commission's Report before it has read it. If Mr. Patel wants to spend the next three months in the main occupation of hurling this Report into the wastepaper basket, what is the good of the Secretary of State or the Government of India waiting until three months hence when he will again declare that he is still doing it? What we are discussing is a point on which we are all agreed, that none of us have had time to read the Report or study it sufficiently to discuss it. Mr. Patel who belongs to a school of thought that always looks for a price says that clause (2) of Sir Sivaswamy Aiyer's Resolution is the price which is being paid for the promise of the Secretary of State that he will not take action on this Report until next September. Now clause (2), as I read it, is practically merely a statement of fact. It is a statement of fact that it is the intention of the Secretary of State and the Government of India to give effect to any financial relief that may eventually be decided upon for the services as from the 1st of April 1924. Let me make myself clear. I should like to safeguard myself in this. I do not say that every single decision that may be taken on the Lee Commission's Report will be antedated to the 1st April 1924. But it is common ground that when and if it is decided to give relief of any kind in the form of financial relief to the services, that will, generally speaking, be antedated to the 1st of April 1924.

**Mr. Chaman Lal (West Punjab : Non-Muhammadan) :** I do not wish to interrupt the Honourable Member but may I ask him to make the point very clear whether it has already been decided that all increases granted shall have retrospective effect from the 1st April 1924?

**The Honourable Sir Basil Blackett :** So I understand Sir, yes. Not that this Report should have retrospective effect but that any financial relief that may be decided upon shall be antedated to the 1st of April. And I would ask the House to consider whether there is anything unreasonable in that.

**Pandit Shamlal Nehru :** May I ask why the poor military officer has been ignored ?

**The Honourable Sir Basil Blackett :** This was a Commission on the superior civil services. So far as I know the military is not a superior civil service. -

The amendment moved by the Honourable Pandit Madan Mohan Malaviya amounts to a statement that in the opinion of this House no kind of relief shall be given to the services nor any of the other questions raised in the Lee Commission's Report considered until such date—I have not got the exact words, but until Swaraj comes in by Fabian methods or otherwise. Well, that is a Fabian way of treating the Lee Commission's Report, and the Honourable the Home Member put in a plea earlier in the day not to turn this into an antiquated document before it is used. I would seriously ask the House to consider whether the result of passing the Honourable Pandit Madan Mohan Malaviya's amendment would be useful. It would be a direct statement to the Secretary of State, to the Government of India and to every one concerned that this House is not prepared to consider the Lee Report on its merits. It would be a statement to that effect before the Report has even been read. It would be a direct negative, and is it not obvious that the Secretary of State in saying that he is willing to leave over any decision on anything in this report until it has been discussed in September must ask that he shall not be met by a reply that in no circumstances will we consider the Report on its merits ? If the House says that, obviously there is nothing for the Government of India and the Secretary of State to do but to treat this manly action in the same way as they had to treat the manly action to which Mr. Patel was referring in the last session. But I am sure the House will not take that line and I ask them not to do so in their own interest and in the interests of India. We want this Report discussed on its merits. We want to know the opinion of all sections of the House and of the House as a whole, and we want to be sure that any action we take in accordance with the recommendations of the Report or in contravention of those recommendations is taken after careful and full consideration of the whole matter. If we leave it till September and then discuss the whole thing on merits, we shall be in a position to consider whether the relief in this direction is inadequate, whether Indianization in this particular service is adequate, whether the provincialization of another is desirable or not. The Report could then be discussed and India as a whole will surely benefit by having the opportunity for that dispassionate and—if I may use a word used the other day—colourless discussion which is desirable for this purpose. I would therefore appeal to the House not to stultify the whole matter by passing the Honourable Pandit's Resolution.

As regards the Resolution of Sir Sivaswamy Aiyer, it represents nothing more than a statement that it is desirable to postpone consideration of this matter until September, and that as a matter of fact the decision of the Secretary of State to give relief as from the 1st of

[Sir Basil Blackett.]

April, in so far as relief is given will cause that postponement to do no particular harm. If the House prefers on the suggestion of Mr. Patel to adjourn the debate without further discussion, not passing any Resolution, I am authorised by the Home Member to say that he would see no objection to that course, which comes to much the same thing.

**Mr. B. Venkatapatiraju** (Gunjam *cum* Vizagapatam : Non-Muhammadan Rural) : Sir, in accordance with the wishes of the Home Member I propose to move that further discussion be postponed till September of this year.

**Mr. Chairman** : The question is :

“ That further discussion of this Resolution be now adjourned.”

**Diwan Bahadur M. Ramachandra Rao** (Godavari *cum* Kistna : Non-Muhammadan Rural) : I wish to ask the Honourable the Home Member whether in the interval he would induce the Secretary of State to publish such portions of the evidence as he may consider necessary or advisable and have such evidence made available for the consideration of this House. I may say, Sir, that some of us who are in the profession of law are accustomed when criticising a judgment to have before us the evidence in support of the judgment. In connection with this Report we have been considerably handicapped for want of the material on which the series of opinions contained in this Report are based. I venture to suggest, Sir, that representations made by the various Service Associations, may be printed and made available to this House. I am aware, that the Commissioners have stated in the Report that 411 witnesses were examined of whom 151 gave their evidence in public and the remainder gave their evidence *in camera*, and for that reason the Commissioners declined to publish the evidence. But I venture to think that, whatever may be the opinion of the Commissioners, it is the unanimous wish of this House that the materials on which decisions have been come to by the Commission should be made available to this House. During the Delhi session I think it was my friend Sir Purshotamdas Thakurdas who asked a question that the material which was placed by the Government of India before this Commission in regard to the cost of living should be made available to this House, and Sir Malcolm Hailey then stated that that would be published along with this Report ; and now we have the decision of the Committee that the evidence should not be published. It seems to me, Sir, that the materials placed by the Government of India before the Lee Commission should also be made available to this House. Unless some such course is taken, the series of opinions contained in the Report cannot be sifted and we shall absolutely be in the dark when we come to discuss the report.

**The Honourable Sir Alexander Muddiman** : I am in a little difficulty, Sir, in regard to this matter. The Royal Commission, I take it, reported to His Majesty and I think when it has reported, it is *functus officio*. Is there any authority left to do anything in connection with the Commission when the Commission is *functus officio* ?

**Diwan Bahadur M. Ramachandra Rao** : All the materials are in the hands of the Secretary of State.

**The Honourable Sir Alexander Muddiman** : I will inquire into it. I will consider the matter. A great deal of evidence was given in secrecy.

It was evidence given by bankers, given by business men, about the salaries they pay to their employees. I do not think the Honourable Member suggests that the Secretary of State should publish the confidential statements. Then, the rest will be an imperfect record. You have not got the police diaries or the first information report. I will consider the point, and you will be proceeding on evidence of a later date as it were. But I hope the Honourable Member will realise that this is a matter on which I cannot give an answer off-hand.

**Diwan Bahadur M. Ramachandra Rao :** Here are a series of opinions as regards the cost of living, as regards the rate of Indianisation, and so on. We have absolutely no material on which we can examine all these statements. I know that when the Commission was sitting, some of the statements made by the witnesses before this Commission appeared in the newspapers. Various Service Associations have also made statements and some of these also appeared in the press. The Provincial Service Associations have made their representations; the Indian Civil Service Associations have made their representations and I take it also that the Local Governments have submitted their views. Under these circumstances.....

**The Honourable Sir Alexander Muddiman :** I will do my best to meet the Honourable Member, but it is not a thing in which I can be rushed without due consideration.

**Diwan Bahadur M. Ramachandra Rao :** I do not want to rush the Honourable Member. I only ask him to consider the difficulty in which we are placed.

**The Honourable Sir Alexander Muddiman :** I quite see that.

**Dr. H. S. Gour :** May I suggest to the Honourable the Home Member to consult the witnesses and associations who gave their evidence *in camera* before the Lee Commission, whether they have any objection to their memoranda being submitted to this House, and, if they have no objection, to make them available to the Members of this House, and that the evidence which was given in public may be printed and circulated, at any rate copies made available in the Library for the inspection of the Members of this House.

**The Honourable Sir Alexander Muddiman :** I am not prepared to ask the bankers and other people to disclose their secrets; that would be breach of professional conduct. As for the latter part of the Honourable Member's request, I will consider it.

**Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions : Non-Muhammadan Rural) :** Sir, the Honourable the Finance Member.....

**Mr. Chairman :** Is the Honourable Member making a submission on the motion now before the House that the discussion be now adjourned ?

**Mr. C. S. Ranga Iyer :** Yes. The Honourable the Finance Member stated that acceptance of Pandit Madan Mohan Malaviya's amendment would stultify the matter. After that we have before us the motion of Mr. Venkatapatiraju. I do not know if he has submitted this motion before this House with a view to save the matter from stultification. Sir, I should have liked to know how the matter would be stultified, but if that motion would save the stultification of the matter, it is quite another matter for the House to consider and adopt.

**Mr. Chairman :** The question is :

“ That further discussion of this Resolution be adjourned.”

The motion was adopted.

**Mr. Chairman :** I think all other Resolutions of which notices have been given automatically drop.

**Dr. H. S. Gour :** They do not drop. They are automatically adjourned with the discussion. They will all be taken up in September.

**Mr. Chairman :** May I know from the Leader of the House the nature of business to be set down for to-morrow ?

**Mr. M. S. Aney** (Berar Representative) : The amendments of which notices have been given stand over till the September session.

**Pandit Madan Mohan Malaviya :** I take it, Sir, that the whole discussion is adjourned.

**Mr. Chairman :** That is so.

**Pandit Madan Mohan Malaviya :** I am glad to think in that case it will give time to Sir Basil Blackett to understand my amendment better.

**Mr. Gaya Prasad Singh :** Meantime no action should be taken.

**The Honourable Sir Alexander Muddiman :** About the statement of business before this House, it is rather difficult to say anything now. I, however, understand from my Honourable friend that the Council of State have not yet passed the Tariff Bill. I, therefore, think it will be safer to adjourn to Wednesday.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 11th June, 1924.

# LEGISLATIVE ASSEMBLY

Wednesday, 11th June, 1924.

The Assembly met in the Assembly Chamber at ~~Eleven of the Clock~~,  
Mr. Chairman (Mr. K. C. Neogy) in the Chair.

## QUESTIONS AND ANSWERS.

### INTRODUCTION OF GOLD CURRENCY IN INDIA.

1445. \*Sardar V. N. Mutalik: Will Government be pleased to state whether in view of the experience gained during the past years, Government intend to effect any change in the Currency system and whether they intend to take any steps to introduce effective gold currency in India? Whether any commercial Associations have submitted any fresh memorials to Government on the question?

The Honourable Sir Basil Blackett: The Government have no fresh pronouncement to make on this subject at present. No memorials have been received except from the Indian Merchants' Chamber, Bombay, some months ago.

### GRIEVANCES OF THE ACCOUNTANTS OF THE PUBLIC WORKS DEPARTMENT, BOMBAY.

1446. \*Sardar V. N. Mutalik: Will Government be pleased to state:

- (a) whether they are aware that there is a great deal of dissatisfaction amongst the Accountants of the Public Works Department of the Bombay Presidency, on account of the unsatisfactory revision of their pay and whether that revision compares very unfavourably with the revision of the scale of pay, given by the Government of Bombay in the department?
- (b) whether it is a fact that most of the men in that service have submitted memorials to Government on this question of their grievances, and whether Government intend to take any steps to redress the grievances?
- (c) if so, when will the revision of their pay be effected?

The Honourable Sir Basil Blackett: I would invite the attention of the Honourable Member to the reply which I gave to the question asked by Mr. N. C. Kelkar on the same subject, on the 2nd June, 1924.

### LIABILITY OF INDIAN STATES TO PAY THE PROTECTIVE DUTIES IMPOSED BY THE STEEL INDUSTRY (PROTECTION) BILL.

1447. \*Sardar V. N. Mutalik: Will Government be pleased to state whether the products of Indian States will be liable to pay the protective duties that may be imposed by the Steel Industry (Protection) Bill?

( 2847 )



**The Honourable Sir Basil Blackett :** The Indian States will be in exactly the same position in regard to duties imposed under the Steel Protection Act as in regard to other Custom duties.

**Mr. Jamnadas M. Mehta :** Is it an Act now, Sir ?

**The Honourable Sir Basil Blackett :** It will be.

#### DISCHARGE OF EMPLOYEES BY THE EASTERN BENGAL RAILWAY.

1448. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state if they are aware that several employees of the Eastern Bengal Railway have recently been discharged and the reason given for such discharge was not reduction of establishment but such discharge was purported to be made ' as per terms of agreement ' ?

(b) If the reply to (a) be in the affirmative, will Government be pleased to state why the Eastern Bengal Railway authorities did not act in conformity with Rule (1) 298, Chapter IV of State Railway Open Line Code, Volume 2 ? Do Government propose to take any action in the matter ?

**Mr. C. D. M. Hindley :** (a) and (b). Government are not aware of the cases referred to; but from the description given by the Honourable Member the alleged action would appear to be in accordance with the rule to which he refers.

#### PAYMENT OF RELIEVING ALLOWANCES TO RELIEVING HANDS ON STATE RAILWAYS.

1449. **\*Mr. N. M. Joshi :** Are Government aware that till recently the prevailing practice on the State Railways was that Relieving hands were paid Relieving Allowance to meet their " Out Station " expenses when they were placed on relief-duty and that such allowances are now being disallowed by posting them temporarily and thus stopping payment of such allowances ?

**Mr. C. D. M. Hindley :** There has been no change in the rules in this respect. Relieving allowance is only intended to cover the case of men who are sent in temporary emergencies not exceeding 35 days. It is understood that there was some misunderstanding in regard to this rule on one line which has since been rectified.

#### GRIEVANCES OF THE SIGNALLERS OF THE LALMONIRHAT DISTRICT OF THE EASTERN BENGAL RAILWAY.

1450. **\*Mr. N. M. Joshi :** (a) Are Government aware that the Signallers of the Lalmonirhat District of the Eastern Bengal Railway petitioned to the authorities against the decision of the District Officers for converting their posts as Relieving Clerks and thereby depriving them of the privilege of the grade of Signallers although they are to work as such and also against the orders of termination of service if they fail to qualify in coaching and goods examination ?

(b) If the answers be in the affirmative, will Government be pleased to state if this condition was agreed upon at the time of their entering the service as Signallers and if this order is limited to one district of the Railway or over the entire system ?

**Mr. C. D. M. Hindley :** (a) and (b). Government have no information and cannot undertake to inquire into matters of this kind which are within the discretion of the Agent of the line to decide.

ISSUE OF ORDERS IN THE VERNACULAR BY RAILWAY AUTHORITIES.

1451. \*Mr. N. M. Joshi : (a) Are Government aware that the Railway authorities issue Rules and Regulations and orders in English and not in the vernaculars ?

(b) If the answer be in the affirmative, are Government prepared to take steps that in future any order passed by the Railway authorities be published in vernaculars as well, so that the subordinate staff may easily understand the orders.

Mr. C. D. M. Hindley : (a) and (b). Government are not in possession of exact information as to the varying procedure on different railways for enabling the staff to understand the rules and regulations which they have to observe but are making inquiries.

Khan Bahadur Sarfaraz Hussain Khan : By what time would the inquiry be finished ?

Mr. C. D. M. Hindley : I cannot say, Sir.

APPEALS OF THE EMPLOYEES OF THE EASTERN BENGAL RAILWAY.

1452. \*Mr. N. M. Joshi : Are Government aware that the Railway Board and the Eastern Bengal Railway authorities in many cases refuse to entertain appeals preferred by the employees simply remarking, "not prepared to interfere with the decision already made" and without assigning any reason in support of their action ? If so, why are no reasons assigned ?

Mr. C. D. M. Hindley : Government do not consider that there is necessarily any obligation on the officer to whom the appeal is preferred to state his reasons for rejecting the appeal in the circumstances referred to.

SICKNESS AMONG THE STAFF OF THE LALMONIRHAT DISTRICT OF THE EASTERN BENGAL RAILWAY.

1453. \*Mr. N. M. Joshi : Are Government aware that the staff of the Lalmonirhat District of the Eastern Bengal Railway are badly suffering from malaria, black fever and black water fever and that sickness amongst the staff is greater than in any other district of the Railway ? If so, will Government be pleased to state whether they intend to take any steps to improve the sanitary conditions of the stations ?

Mr. C. D. M. Hindley : The Lalmonirhat District of the Eastern Bengal Railway is partly situated in the Bengal Dooars where conditions are generally malarial. It is understood, however, that malaria among Railway employees is decreasing yearly and is less than among the surrounding population, while there have been only three cases of Kalazar and none of black water fever since the first of January, 1924.

At Raja-Bhat-Khawa where malaria is endemic, the Railway Administration has in hand the provision of sanitary improvements and special quarters, but otherwise the stations are generally sanitary. The railway has a well appointed hospital at Lalmonirhat and dispensaries at Cooch Behar and Jainti, and all stations are visited by the Travelling Medical and Sanitary staff of the railway. In the circumstances Government see no reason for taking any steps in the matter as the Railway Administration seems to be fully alive to the situation.

## LEAVE OF THE EASTERN BENGAL RAILWAY EMPLOYEES

1454. \*Mr. N. M. Joshi : Are Government aware that 75 per cent. of the staff of the Eastern Bengal Railway seldom get leave for want of relieving hands ? If so, do Government propose to increase the relieving establishment to facilitate leave to staff ?

Mr. C. D. M. Hindley : Government have no information which would lead them to suppose that any such difficulty exists or that the relieving staff is inadequate for the purpose for which it is intended.

## ADVERTISING OF VACANCIES ON THE EASTERN BENGAL RAILWAY.

1455. \*Mr. N. M. Joshi : Are Government aware that the vacancies in the Eastern Bengal Railway are neither advertised in the Weekly Gazette nor in any papers ?

Mr. C. D. M. Hindley : The Honourable Member has not specified to what vacancies he refers, but if subordinate appointments are intended the arrangements for filling them are matters for the Agent's discretion in which Government do not interfere.

## SALARIES OF INDIAN STATION MASTERS AND ASSISTANT STATION MASTERS ON THE EASTERN BENGAL RAILWAY.

1456. \*Mr. N. M. Joshi : Is it a fact that the maximum pay of 96 per cent. of Indian Station Masters and Assistant Station Masters on the Eastern Bengal Railway is Rs. 80 and Rs. 76, respectively, and that on these pays they have to retire ?

Mr. C. D. M. Hindley : No, the position is not as stated. It is true that in the case of 85 per cent. of the Station Masters the maximum pay is Rs. 80 but the balance can rise to special classes with a maximum of Rs. 400. Similarly, the pay of 92 per cent. of the Assistant Station Masters is limited to Rs. 76 per mensem but the remainder can rise to Rs. 100 per mensem and they are of course all eligible for promotion to Station Master.

## PROMOTIONS ON THE EASTERN BENGAL RAILWAY.

1457. \*Mr. N. M. Joshi : Will Government be pleased to state how many Indian Station Masters, Assistant Station Masters and Guards of the Eastern Bengal Railway have been promoted to the posts of Traffic Inspectors, Transportation Inspectors, Claims Inspectors and Assistant Traffic Superintendents ? If no such promotions have at all been made will Government be pleased to state the reason for the same ?

Mr. C. D. M. Hindley : The Government have no information but will make inquiries.

## EUROPEAN AND ANGLO-INDIAN STATION MASTERS AND ASSISTANT STATION MASTERS ON THE EASTERN BENGAL RAILWAY.

1458. \*Mr. N. M. Joshi : Is it a fact that European and Anglo-Indian Station Masters and Assistant Station Masters of the Eastern Bengal Railway are not required to pass telegraphy and to work as Signallers, Booking Clerks and Goods Clerks before they are posted as Station Masters and Assistant Station Masters of important Stations and they are mostly recruited from Guards ?

**Mr. C. D. M. Hindley :** Government have not got the information but are making inquiry.

EDUCATIONAL GRANTS TO EUROPEAN, ANGLO-INDIAN AND INDIAN RAILWAY EMPLOYEES.

1459. \***Mr. N. M. Joshi :** Will Government be pleased to state the amount given as educational aid to European and Anglo-Indian employees every year from 1917 to 1924 and the amount granted to the Indian employees for the same purpose ?

**Mr. C. D. M. Hindley :** The accounts do not separate up expenditure on education in the way mentioned.

ALLEGED CHARGES OF BRIBERY AND CORRUPTION AGAINST CERTAIN EMPLOYEES OF THE OFFICE OF THE DISTRICT TRAFFIC SUPERINTENDENT, KATIHAR, EASTERN BENGAL RAILWAY.

1460. \***Mr. N. M. Joshi :** (a) Are Government aware (1) that the Traffic Manager of the Eastern Bengal Railway held an inquiry on the 28th and 29th February, 1924, into a case of bribery and corruption against the chief clerk and menial establishment clerk of Katihar District Traffic Superintendent's Office ; (2) that the Traffic Manager being satisfied with the evidence adduced in that case by the complainant's witnesses stopped the promotion of the aforesaid menial establishment clerk and chief clerk, who is however still drawing the maximum of his grade and (3) that he has, while retaining the services of the accused in their former posts, transferred the complainant with his witnesses to other Districts ?

(b) If the answer to (a) be in the affirmative, will Government be pleased to state if they are prepared to give an exemplary punishment to all who are directly or indirectly concerned in this case ?

**Mr. C. D. M. Hindley :** Government have no information but have asked the Agent to let them know the facts.

CARD PASSES ISSUED TO VENDORS ON THE EASTERN BENGAL RAILWAY.

1461. \***Mr. N. M. Joshi :** Will Government be pleased to state the numbers and classes of card passes issued to the vendors of the Eastern Bengal Railway from 1920 to 1924 and the reason for so doing ?

**Mr. C. D. M. Hindley :** Inquiry is being made and the information will be communicated to the Honourable Member in due course.

LICENCE FEES OF FOOD VENDORS ON THE EASTERN BENGAL RAILWAY.

1462. \***Mr. N. M. Joshi :** Are Government aware that food vendors of the Eastern Bengal Railway had not to pay any licence fees to the Railway before the posting of Catering Superintendents of that Railway but now they have to pay heavily ?

**Mr. C. D. M. Hindley :** Inquiry is being made and the result will be communicated to the Honourable Member in due course.

ALLEGED PROFITEERING BY MESSRS SOMAR CHAND AND SONS, FOOD VENDORS ON THE EASTERN BENGAL RAILWAY.

1463. \***Mr. N. M. Joshi :** (a) Are Government aware (1) that several complaints appeared in the Indian Press against Somar Chand and Sons, food vendors of the Eastern Bengal Railway, for selling articles at higher

rate than the market rate in contravention of their terms of agreement ? and (2) that Somar Chand and Sons have been sub-letting at high charges certain stations making profit out of the same ?

(b) If so, what action has been taken to stop the above practice ?

**Mr. C. D. M. Hindley :** (a) and (b). Government have not seen the articles in the Indian Press to which the Honourable Member refers, but if he will furnish me with a reference to the particular newspapers in which they appeared or will make himself responsible for the matter of the complaints, the Agent's attention will be drawn to them.

PROVISION OF HINDU AND MUHAMMADAN REFRESHMENT ROOMS AT VICTORIA TERMINUS, BOMBAY.

1464. \***Mr. N. M. Joshi :** Will Government be pleased to state whether they are aware that there are no Hindu and Muhammadan refreshment rooms on the Victoria Terminus Station of the G. I. P. Railway ? If so, do Government propose to recommend to the Railway authorities to provide such refreshment rooms similar to those on the Delhi Station ?

**Mr. C. D. M. Hindley :** Government understand that there are no Hindu or Muhammadan refreshment rooms at Victoria Terminus Station, but they are not aware whether the provision of such rooms in the present station building is practicable or not. The matter will, however, be brought to the notice of the Agent, Great Indian Peninsula Railway.

OVERCROWDING OF NIGHT TRAINS LEAVING BOMBAY FOR NASIK AND POONA, RESPECTIVELY.

1465. \***Mr. N. M. Joshi :** Will Government be pleased to state whether they are aware of the extent of overcrowding in down trains leaving Bombay for Nasik and for Poona at night ? If so, will they publish statistics showing the extent of such overcrowding ?

**Mr. C. D. M. Hindley :** Government have no information on the subject, but inquiry is being made.

LEAVE AND PENSION OF MENIAL ESTABLISHMENT OF THE GOVERNMENT OF INDIA.

1466. \***Mr. N. M. Joshi :** (a) Will Government be pleased to state whether their attention has been drawn to the unsatisfactory conditions on which pension and leave are granted to their officers known as "menials" ?

(b) If not, will they be pleased to inquire into the matter and publish the result of the inquiry at an early date ?

**The Honourable Sir Alexander Muddiman :** The Government of India are at present considering the conditions of service of this class of servant employed by the Government of India and hope to issue orders thereon at an early date.

EXISTING STOCK OF ARTICLES ON WHICH PROTECTIVE DUTIES ARE PROPOSED TO BE LEVIED.

1467. \***Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to lay a statement on the table showing the quantity of existing stock in India of the articles, whether manufactured in the country or imported from abroad regarding which the Tariff Board has made recommendations for the imposition of duty ?

**The Honourable Sir Charles Innes :** The Government have no information as to existing stocks.

AVERAGE WEALTH OF THE POPULATION IN INDIA.

1468. \*Khan Bahadur Sarfaraz Hussain Khan : Will the Government be pleased to state if it is a fact that the average wealth of the population of India per head is about Rs. 180 ?

The Honourable Sir Basil Blackett : The Government of India are unable to accept this or any other unofficial estimate of the average wealth of the population of India as worthy of an official imprimatur. The attention of the Honourable Member is invited to the speeches delivered by Sir Narasimha Sarma and myself in the Council of State on the 4th February, 1924, in connection with a Resolution moved by the Honourable Mr. P. C. Sethna regarding an inquiry into the economic conditions of the people of India.

VACANCIES IN THE PROVINCIAL ENGINEERING SERVICE ON STATE RAILWAYS.

1469. \*Mr. K. C. Neogy : With reference to the Government of India Resolution in the Railway Department No. 611-E-20, dated the 4th April 1921, which lays down that "the State Railway Engineering Department will, in future, be organised in two services, viz. :

- (1) the Indian Service Engineers
- (2) the Provincial Engineering Service "

and that "during the first five years after the formation of the Provincial Service the Railway Board will promote to it selected members of the State Railway Upper Subordinate Establishment", will the Government be pleased to state the number of vacancies which occurred in the Provincial Engineering Service on the E. B. Railway, the O. R. Railway and the N. W. Railway, respectively, during the last 3 years, since the formation of that service, and how they have been filled up ?

Mr. C. D. M. Hindley : The Provincial (or Local) Engineering Service was formed with effect from 1st January 1921. The statement laid on the table shows the distribution of the cadre and the appointments made up to date to the three State railways.

INDIAN STATE RAILWAYS.

Provincial (or Local) Engineering Service.

Railways.	Sanctioned cadre to be worked to gradually as the number of Indian service Engineers falls.	APPOINTMENTS MADE TO DATE.			Total.
		From upper subordinate Establishment of Engineering Department.	From temporary Engineering Establishment.	From passed students of the Thomason Civil Engineering College, Roorkee.	
North Western ..	40	8	8	4	20
Eastern Bengal ..	15	2	2	..	4
(C. & R. ..	9	1	3	2	6
Total	64	11	13	6	30

#### ABOLITION OF THE APPOINTMENTS OF TEMPORARY ENGINEERS ON RAILWAYS.

1470. \***Mr. K. C. Neogy** : Will the Government be pleased to state what steps, if any, have been taken to facilitate the abolition of temporary Engineers as a class, as recommended by the Public Service Commission, in terms of the Government of India Resolution in the Railway Department No. 1407-E.-20, dated the 26th June, 1922 ?

**Mr. C. D. M. Hindley** : In accordance with the Resolution to which the Honourable Member refers 13 temporary Engineers have been brought into the Provincial Engineer Service. Of the remainder, the services of two have since been terminated and one is on leave preparatory to retirement. There are still 21 officers of this class in Railway service and the process of abolition must necessarily be gradual.

#### TEMPORARY ENGINEERS OF THE EASTERN BENGAL RAILWAY.

1471. \***Mr. K. C. Neogy** : Is it a fact that on the Eastern Bengal Railway, the Services of one Superannuated temporary Engineer were extended and one new temporary Engineer was appointed in contravention of the spirit of the Government of India Resolution of 4th April, 1921 and 26th June, 1922 ?

**Mr. C. D. M. Hindley** : The temporary Engineers referred to are presumably the special officer in charge of the Hardinge Bridge and the Executive Engineer in charge of officers' flats at Alipore. In each of these cases there were special reasons for retention and appointment. The former was retained though over the age limit because of his unique knowledge and experience of the river at Sara and the latter because of his special technical qualifications for the work for which required. The Resolutions referred to lay down general principles only which must occasionally be deviated from when the interests of special work require it.

#### APPOINTMENT AS FOREMEN OF ANGLO-INDIAN AND INDIAN APPRENTICES TRAINED AT KANCHRAPARA AND SAIDPUR.

1472. \***Mr. K. C. Neogy** : Will the Government be pleased to state the number of Anglo-Indian and Indian apprentices who received training during the last 10 years in the Loco shops at Kanchrapara and Saidpur as Mechanics, with a view to their eventual appointment as *Foremen*, and how many of them have been aken into the Railway service,—the number of Anglo-Indians and Indians, and the nature of the appointments offered to each class being shown separately ?

**Mr. C. D. M. Hindley** : Government have not got the information for ten years back and it will perhaps suffice for the Honourable Member's purpose if he is furnished with the figures relating to the time when the new scheme of training had been introduced.

In June 1922 there were in the Kanchrapara shops 25 European and Anglo-Indian and 41 Indian apprentices under training. There are no Locomotive apprentices at Saidpur. The last return for December 1923 gives the corresponding figures as 21 and 49. The period of training extends to six years and Government have no information in regard to the actual number of appointments made.

#### ABOLITION OF WHIPPING FOR CERTAIN CRIMINAL OFFENCES.

1473. \***Mr. K. C. Neogy** : (a) Have Government received the opinions of the local Governments on the question of abolition of the sentence of whipping for certain offences under the criminal law ?

(b) If so, what action do Government propose to take in the matter, and when ?

**The Honourable Sir Alexander Muddiman :** (a) Yes.

(b) The matter is under consideration.

**EXTENSION OF THE BENEFIT OF THE WORKMEN'S COMPENSATION ACT TO INDIAN SEAMEN.**

1474. \***Mr. K. C. Neogy :** (a) Have Government received any communication from the British Government on the question of extension of the benefit of the Indian Workmen's Compensation Act to Indian seamen employed on vessels registered in Great Britain ?

(b) If so, will Government be pleased to lay it on the table ?

**The Honourable Sir Bhupendra Nath Mitra :** The Honourable Member is referred to the answer given to Mr. K. Ahmed's Question No. 1357 on the same subject.

**PASSENGER TRAINS BETWEEN SONE EAST BANK AND DALTONGANJ ON THE EAST INDIAN RAILWAY.**

1475. \***Mr. Devaki Prasad Sinha :** (a) Are Government aware that the train service on the Daltonganj Branch of the East Indian Railway has been in a neglected condition for the last many years ?

(b) Are Government aware that although there is large traffic along this line and although there are large coal mines working and about to be worked near Daltonganj, there is not a single passenger train between Sone East Bank and Daltonganj ?

(c) Are Government aware that the only trains running along this line being "mixed" trains, passengers are put to great inconvenience and discomfort ?

(d) Are Government aware that although the distance between Sone East Bank and Daltonganj is only about 79 miles the period taken for a railway journey on one side only is more than five hours ?

(e) Are Government aware that in the first and second class compartments provided in the trains running along this branch line, there are no fans and the bath room taps are mostly out of repairs ?

(f) Are Government prepared to urge the East Indian Railway Company to take effective steps for the amelioration of the conditions of passenger traffic along this line ? If not, why not ?

(g) Are Government prepared to advise the East Indian Railway Company to run at least one passenger train instead of two mixed trains along this line ?

**Mr. C. D. M. Hindley :** (a) No.

(b) and (c). Government are aware that only mixed trains run on this Branch, but are not aware that passengers are inconvenienced thereby.

(d) Yes.

(e) Government have no information, but will draw the attention of the Agent to this point.

(f) and (g). The attention of the Agent will be drawn to this request.



**Mr. Devaki Prasad Sinha :** On what material do Government conclude that the passengers are not put to any inconvenience ?

**Mr. C. D. M. Hindley :** I assume, Sir, that the Railway has not received any widespread complaint in this matter.

**Mr. Devaki Prasad Sinha :** Are Government aware that the first and second class compartments on this branch train are always leaking during the rainy season ?

**Mr. C. D. M. Hindley :** I have already said that Government have no information on this point, but I will draw the attention of the Agent to it.

REFORMS INQUIRY REGARDING RELATIONS BETWEEN GOVERNORS AND MINISTERS IN THE PROVINCES, ETC.

1476. **\*Mr. Devaki Prasad Sinha :** (1) Will Government be pleased to state whether or not the Reforms Inquiry Committee presided over by Sir Alexander Muddiman examined, or is going to examine :

- (a) To what extent have Governors in practice resorted to jointly responsible ministers, and not merely ministers acting singly ;
- (b) What is the extent to which Governors have, in obedience to the Joint Select Committee and Parliament, encouraged the habit of joint deliberation between the two halves of their dyarchical Governments ;
- (c) Whether such joint deliberations whenever resorted to, have been extended to all the stages of the subjects under discussion or whether ministers were brought in at one stage or kept out at another ;
- (d) In how many instances have decisions reached as a result of joint deliberations been modified or rescinded by Governors acting only with their Executive Councils ;
- (e) What has been the nature of the relations between Governors and officers individually ; and
- (f) How far it is possible and feasible to extend franchise to workers and peasants ?

(2) Will Government be pleased to publish the replies received from Local Governments on each of these points ?

**The Honourable Sir Alexander Muddiman :** I have nothing to add to the many replies already given on this subject.

PROHIBITION OF THE EMPLOYMENT OF WOMEN AND CHILDREN IN MINES, ETC.

1477. **\*Mr. Devaki Prasad Sinha :** When do the Government of India contemplate introducing legislation for :

- (a) the prohibition of night employment of women in the mines,
- (b) removing women and children from mines altogether, and
- (c) for protecting and recognising Trade Unions ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) and (b). The attention of the Honourable Member is invited to section 29 (j) of the Indian Mines Act of 1923, under which the Governor General in Council is empowered to make regulations prohibiting the employment of women in

mines without fresh legislation. The question of the extent to which such employment should be prohibited is under consideration in consultation with Local Governments.

Under section 26 of the Indian Mines Act of 1923, the employment of children in a mine is prohibited.

(c) The question is under consideration.

**Mr. Devaki Prasad Sinha :** Sir, when will the consideration of the Government of India come to an end ?

**The Honourable Sir Bhupendra Nath Mitra :** The matter is being expedited as far as possible.

**Mr. Devaki Prasad Sinha :** Am I to understand that at the present time there is no rule or regulation prohibiting these three things mentioned in the question ?

**The Honourable Sir Bhupendra Nath Mitra :** The answer is in the affirmative.

**Mr. Devaki Prasad Sinha :** By what time do the Government of India propose to bring into force these rules and regulations, that is, to exercise the powers which are vested in them ?

**The Honourable Sir Bhupendra Nath Mitra :** I have already said that the Government of India are consulting Local Governments on the subject and as soon as they receive the Local Governments' replies the necessary action will be taken.

ALLEGED OVER-ASSESSMENT TO INCOME-TAX OF A MERCHANT OF SURAT BY THE INCOME-TAX OFFICER OF THAT PLACE.

1478. **\*Mr. Jamnadas M. Mehta :** (a) Will Government state whether there is now or was at any time recently an Income-tax Officer in Surat who was not educated even up to the Matric ?

(b) Is it a fact that the said officer called upon a certain merchant there last year to pay Rs. 89,000 (eighty-nine thousand) only by way of income-tax and super-tax ?

(c) Is it a fact that the merchant so called upon used to pay ordinarily about Rs. 700 (seven hundred) every year as income-tax ?

(d) Is it true that on appeal to the Assistant Commissioner N. D. the figure of Rs. 89,000 was reduced to Rs. 8,000 (eight thousand) only ?

(e) Are Government prepared to consider the advisability of giving legislative protection to the public against such over-assessment by Income-tax Officers ?

(f) Do Government propose to compensate the merchant concerned for the trouble, worry and cost [stated to be Rs. 5,000 (five thousand) only] to which he was put owing to over assessment by the Income-tax Officer of Surat ?

(g) Will Government be pleased to say whether they propose to take any steps to mark their sense of displeasure at the action of the Income-tax Officer concerned and if so what steps ?

**Mr. A. R. L. Tottenham :** (a) The Government have no information on the subject and do not propose to call for it. It is quite possible that an officer of proved capacity, though without academic qualifications,

might be promoted from a subordinate grade of the Income-tax Department to the post of Income-tax Officer. The Honourable Member is reminded that these appointments are subject to the approval of the Local Government.

(b), (c) and (d). The Government have been unable from the figures given to identify the case referred to. They would not be prepared to discuss the correctness of an original or appellate assessment on the floor of this House. Such matters are declared by Statute to be confidential. [Income-tax Act XI of 1922, section 54 (1).]

(e) The Government apprehend that no legislative enactment can render Income-tax Officers infallible. The Act contains effective provisions for the reduction of excessive assessments on appeal, as is evident from the circumstances alleged by the Honourable Member.

(f) and (g). Do not arise.

**Mr. Jamnadas M. Mehta :** Will Government not help Income-tax Officers to become as far as possible free from such mistakes ? The difference between Rs. 8,000 and Rs. 89,000 is something worth the attention even of this Government.

**Mr. A. R. L. Tottenham :** I have already stated that so far as Government are concerned, we are discussing a hypothetical question.

**Mr. Jamnadas M. Mehta :** This is a case that has happened and not a hypothetical one.

**Mr. T. C. Goswami :** Is it a fact that extortion is one of the necessary qualifications for promotion in the Income-tax Department ?

**Mr. Chairman :** Order, order. I cannot allow that question to be put.

**Mr. Jamnadas M. Mehta :** Will the Honourable Member kindly inquire into the case if I give the names confidentially ?

**Mr. A. R. L. Tottenham :** I would suggest that the proper authority to address is the Commissioner of Income-tax, Bombay.

**Mr. Jamnadas M. Mehta :** He has already upheld this particular individual. I have stated that in the question.

**Mr. A. R. L. Tottenham :** I was not aware of that. The Assistant Commissioner is mentioned in the question.

**Mr. Jamnadas M. Mehta :** It was reduced from Rs. 89,000 to Rs. 8,000. May I ask the Honourable Member which higher authority we should appeal to ?

**Mr. A. R. L. Tottenham :** I have stated that the proper authority to approach is the Commissioner, but if the Honourable Member prefers it, I shall be very glad to discuss this or any other question with the Honourable Member at any time.

**Mr. Devaki Prasad Sinha :** Is it a fact that in granting promotion to Income-tax Officers the amount which they have (*A Voice* : "Extorted.") enhanced—I will not say extorted—is taken into consideration ?

**Mr. A. R. L. Tottenham :** No, it is not a fact.

#### EXPENDITURE INCURRED ON THE DESIGN FOR A NEW TEN-RUPEE CURRENCY NOTE.

1479. **Mr. Jamnadas M. Mehta :** (a) Will Government be pleased to state whether a sum of about ten thousand rupees was spent by the

Currency Department during the year ending on the 30th March 1923 on getting a design of a new Rs. 10 (ten) Currency Note ?

(b) If the answer to the preceding question be in the affirmative will Government state how the design was obtained, *e.g.*, by advertisement ?

(c) Will Government state why no attempt was made to obtain such design in India ?

(d) Is Rs. 10,000 the usual fee for obtaining the design of a single note ?

**The Honourable Sir Basil Blackett :** (a) and (d). The answer to part (a) is in the affirmative, and that to part (d) in the negative. In the circumstances the expenditure was not excessive.

(b) and (c). The design was not obtained by advertisement. It was the result of the labours of several experts specially selected by reason of their experience of this particular kind of work. These labours and mutual consultations, which aimed mainly at enhancing security against counterfeiting, extended over more than four years. It would not have been possible to obtain a suitable design in India.

EXPENDITURE ON STORES FOR THE CURRENCY DEPARTMENT.

1480. \*Mr. Jannadas M. Mehta : Will Government be pleased to state whether it is fact that the High Commissioner for India spent a sum of nearly sixty lakhs of rupees on stores for the Currency Department alone during the year 1922-23 ? Will Government state the main heads under which this expenditure is classified ?

**The Honourable Sir Basil Blackett :** The answer to the first part is in the affirmative. The expenditure relates almost wholly to the cost of the supply of currency note forms. I may mention, however, that, with the discontinuance of the printing of the One-Rupee note in the current year, the expenditure will be considerably reduced. The provision in the current year's Budget is £214,000.

DISMISSAL OF KESAR SINGH, SORTER, RAILWAY MAIL SERVICE, " L " DIVISION.

1481. \*Mr. Chaman Lal : (a) Is it a fact that one Kesar Singh, Sorter, Railway Mail Service, " L " Division, was handed over to the Police in connection with the abstraction of the contents of an insured letter destined for Delhi ?

(b) Is it also a fact that the insured bag giving cover to the said insured letter changed hands four times unchallenged after being handled by Kesar Singh and before reaching Delhi, its destination, and that the said Kesar Singh was discharged by the Police as there was no case against him ?

(c) Is it also a fact that the private belongings of Kesar Singh were transferred to the Police by the investigating officer of the said service and were not returned to him even after his discharge ?

(d) Is it also a fact that after the failure of the police investigation the abstraction could not be brought home to Kesar Singh but that the Departmental Officer declared him to be the guilty person without any tangible proof and ordered his dismissal from service ?

(e) Do the Government propose to inquire into the matter ?

**The Honourable Sir Bhupendra Nath Mitra :** Government are not aware of the facts of the case. They understand that Kesar Singh has appealed to the Director-General.

**Mr. Chaman Lal :** Do I understand that the case is under consideration ?

**The Honourable Sir Bhupendra Nath Mitra :** It is at present under consideration of the Director-General.

GRANT OF SPECIAL PROMOTIONS FOR FIELD SERVICE TO MEMBERS OF  
THE POSTS AND TELEGRAPHS DEPARTMENT.

1482. **\*Mr. Chaman Lal :** (a) Will the Government be pleased to say whether towards the latter part of the year 1919 and the middle of the year 1920 they specially addressed the Director General, Posts and Telegraphs, forbidding the grant of special promotion to members of the Posts and Telegraphs Department for "Field Service" ?

(b) If the answer be in the affirmative, will the Government be pleased to say whether in spite of such orders, the Director General has given special promotion to any member of the Posts and Telegraphs for Field Service ?

(c) Will Government be pleased to state (1) the number of persons (a) gazetted, and (b) non-gazetted, so promoted between the dates of the Director General, Posts and Telegraphs, and (3) how the representations were received from the persons adversely affected by this action of the Director General, Posts and Telegraphs and (3) how the representations were disposed of ?

(d) Are there any representations at the present moment before the Government or the Director General ?

(e) Do the Government propose to consider the question of restoring these superseded persons to their proper position in their grades and of granting compensation to them for the pecuniary and other loss sustained by them ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) Yes. The Government orders of November 1919 were passed in connection with a particular appeal case and were not taken by the Director-General, Posts and Telegraphs, to be of general application. Special promotion was, therefore, continued to be given till May 1920 when it was stopped absolutely on receipt of Commerce Department's letter No. 2321, dated the 20th May, 1920, a copy of which is laid on the table.

(b) No special promotion penalising other officials was given after the issue of the orders of May 1920.

(c) (1<sup>h</sup>). As explained above, the system of giving special promotion continued till May 1920. The number of such promotions given between 20th November 1919 and end of May 1920 is (a) gazetted 1, (b) non-gazetted 92. (2) and (3) Information is not available. It is being collected and will be supplied to the Honourable Member as soon as it is ready.

(d) No.

(e) The Government of India do not propose to take any action in respect of the officials affected or to re-open the question.

*Copy of a letter No. 2321, dated the 20th May, 1920, from the Government of India, Department of Commerce, to the Director General of Posts and Telegraphs.*

I am directed to invite your attention to the orders conveyed by the Government of India in paragraph 2 of their letter No. 218-D., dated November 20th, 1919, and to request that, in future, field service should not be regarded as a ground for special promotion in the ordinary cadre of the Department in any grade of any of the Postal or Telegraph services. When it is necessary to recognise specially good work in the field some form of reward should be adopted which will not penalise other members of the staff about whose work no cause for dissatisfaction exists.

CIRCULATION OF TOUR PROGRAMMES OF HIGH OFFICIALS TO POST OFFICES.

1483. **\*Mr. Chaman Lal :** (1) Will the Government be pleased to state what useful purpose is served by the circulation of tour programmes of high officers to the Post Offices (a) at stations where sorting work is done by the R. M. S., (b) which do not make special bags or bundles for such officers, (c) and which are not supposed to alter destinations on articles addressed to such officers according to their programmes ?

(2) What useful purpose could be served by sending a copy of tour programmes of His Excellency the Governor, United Provinces, to the Postmasters of Karachi, Aden, Rangoon and Poona ?

**Mr. H. A. Sams :** (1) (a) to (c). None.

(2) None as regards Poona. But Karachi, Aden and Rangoon should each get a copy of the tour programme to ensure the correct and prompt disposal of any foreign mail articles received in those offices for His Excellency the Governor of the United Provinces.

**Mr. Chaman Lal :** Is His Excellency the Governor of the United Provinces considered to be a foreign article ?

**Mr. H. A. Sams :** I do not follow the question.

CASE OF LACHMAN DASS, CLERK, RAWAL PINDI POST OFFICE.

1484. **\*Mr. Chaman Lal :** (a) With reference to the reply to my starred Question No. 739 (last Delhi session) regarding rejection of medical certificates granted by Civil Surgeons, will the Government be pleased to state if it is a fact that a medical certificate granted by the Civil Surgeon, Rawal Pindi, to one Lachman Dass, clerk, Post Office, Rawal Pindi, was rejected by Mr. Williams ?

(b) If the reply to (a) be in the affirmative, will the Government be pleased to state whether Lachman Dass, clerk, Rawal Pindi, was dismissed on the plea of prolonged sickness and whether Government are prepared to consider his case ?

**The Honourable Sir Bhupendra Nath Mitra :** (a) Yes.

(b) Lachman Das was a Reserve clerk on probation. He was not dismissed but his services were dispensed with as on account of chronic ill-health he was considered unfit for permanent service in the Post Office. Government have not received any appeal from Lachman Das.

**Mr. Chaman Lal :** Will Government be prepared to consider the case if they receive an appeal ?

**The Honourable Sir Bhupendra Nath Mitra :** The answer is in the affirmative.

RETRENCHMENTS OF PERMANENT AND RESERVE POSTAL CLERKS.

1485. **\*Mr. Chaman Lal :** (a) Will the Government be pleased to state separately for each Postal Division and 1st Class Head Offices in

the Punjab Postal Circle the names (with length of service officiating and permanent) of permanent clerks and reserve clerks who were thrown out of employment in the years 1922-23 and 1923-24 ?

(b) Will the Government be pleased to state the Government authority under which permanent postal clerks could be turned out to effect retrenchment ?

(c) Is it a fact that retrenchments were ordered to be effected on occurrence of vacancies and not by depriving the postal clerks of their permanent job ?

Mr. H. A. Sams : Government have called for the requisite information. As soon as this has been received, the information will be communicated to the Honourable Member.

POSTMEN AND MENIALS EMPLOYED ON NIGHT DUTY IN THE POST OFFICES  
IN THE PUNJAB CIRCLE.

1486. \*Mr. Chaman Lal : Will the Government be pleased to state the number of postmen and menials with names of offices who are keeping night guard in the Post Offices in the Punjab Postal Circle, without payment of any remuneration and whether this practice of taking extra service without extra payment is contrary to the Government orders and intentions ?

The Honourable Sir Bhupendra Nath Mitra : The Honourable Member's attention is invited to the reply given by the Honourable Mr. A. C. Chatterjee on the 20th March, 1924, to Mr. Amar Nath Dutt's starred Question No. 923. Since then the Director General has issued further orders which will have the effect of discontinuing within a short period in all Postal Circles the practice of requiring postmen and menials to sleep at night near the cash chest in post offices without extra remuneration. In the circumstances, it is not proposed to collect the statistics asked for by the Honourable Member.

THE HYDERABAD SIND CANTONMENT FUND.

1487. \*Mr. W. M. Hussanally : (a) What are the sources of Revenue of the Hyderabad Sind Cantonment Fund ?

(b) What proportion thereof is contributed directly by the Military Department including the Military population and what by the Civil Population ?

(c) What was the balance in the Cantonment Fund when Act VI of 1923 came into force ?

(d) Has any sum out of this balance been spent upon supplying electricity to some private bungalows appropriated under the above Act. If so, what is that sum ?

(e) Is it a fact that all these bungalows or the majority of them are for private use of military officers.

(f) Have any funds out of Cantonment Funds been used for a similar purpose in any other Cantonment.

Mr. H. K. Pate : It is necessary to call for the information desired by the Honourable Member.

I will communicate it to him when it is received.

CANTONMENT SUPERINTENDENT AT HYDERABAD, SIND.

1488. \*Mr. W. M. Hussanally : (a) Is it a fact that the post of Cantonment Superintendent at Hyderabad Sind has all along been held by an Indian before the present incumbent ?

(b) What has been the pay of the Superintendent hitherto before the present incumbent joined ?

(c) What is the pay of the present incumbent ?

(d) Is it a fact that he is a European ?

(e) If so, what were the reasons for replacing an Indian by a European ?

(f) Is it a fact that his pay is defrayed from the Cantonment Fund ?

(g) Is it a fact that this gentleman also acted as an Honorary Special First Class Magistrate ?

Mr. H. B. Pate : The Government of India have no information but are inquiring. I will let the Honourable Member know the result as soon as possible.

COST OF TELEGRAMS RECOMMENDING THE CANTONMENT SUPERINTENDENT, HYDERABAD, SIND, FOR THE POST OF EXECUTIVE OFFICER.

1489. \*Mr. W. M. Hussanally : (a) Was the Hyderabad Cantonment Superintendent recommended by the local military authorities for the post of Executive Officer under the New Cantonment Act ?

(b) Were any telegrams despatched by the military authorities to the Army Department in connection with this recommendation ?

(c) What was the aggregate cost of these telegrams ?

(d) Is it a fact that one telegram cost Rs. 130. If not what was the largest sum spent on one telegram ?

(e) Is it a fact that all these telegrams were paid for from the Cantonment Fund ? If so, why ?

(f) Is the present Superintendent on Rs. 500 to continue when a full-time Executive Officer has been appointed ?

Mr. H. B. Pate : (a) No.

(b) No.

(c)

(d)

(e)

} These questions do not arise.

(f) The Government of India have no information, but are inquiring. The Honourable Member will be informed of the result.

LEVY OF PILGRIM DUES AT KAMARAN.

1490. \*Mr. W. M. Hussanally : (a) To whom does Kamaran now belong, or in whose possession is it and since when ?

(b) Is it a fact that the British Government levy Rs. 10 from steamer owners as port dues at Kamaran for each pilgrim going to Hedjaz ?

(c) If not how much is the amount levied if at all ?

(d) Is it a fact that this sum is included by the steamer owners in the fare they charge ?

Mr. J. W. Bhore : (a) Kamaran has been under the control of the British Government since 1915.



(b) and (c). Yes, from 1st May, 1922, for all pilgrims, excluding children under seven years and pilgrims conveyed by ships on which the number of pilgrims does not exceed 5 per cent. of the registered tonnage.

(d) As far as the Government of India are aware this is the case.

#### QUARANTINE AT KAMARAN.

1491. \*Mr. W. M. Hussanally : (a) Do the British Government impose a quarantine now at Kamaran from this year on all pilgrims arriving by sea ?

(b) If so for how long a duration and why ?

(c) Is it a fact that all pilgrims embarking from ports in India are very strictly medically examined at port of embarkation before they get on board ?

(d) Are they again medically examined at Aden and also at Jeddah ?

(e) What is the number of days pilgrims remain on board from an Indian port of embarkation to Kamaran ?

(f) How many days more from Kamaran to Jeddah ?

Mr. J. W. Bhore : (a) All pilgrim ships from the South, bound for the Hedjaz, are required to put in at the Kamaran quarantine station under Article 122 of the Paris International Sanitary Convention of 1912. It is not a new measure introduced this year.

(b) The duration of quarantine at Kamaran is regulated by Articles 123—125 of the Paris International Sanitary Convention of 1912 and may vary from a few hours in the case of a "healthy" or "suspected" ship to five days in the case of an "infected" ship.

(c) Yes.

(d) Yes.

(e) About ten to thirteen days.

(f) Two or three days.

#### ABOLITION OF QUARANTINE AT KAMARAN.

1492. \*Mr. W. M. Hussanally : (a) Is it a fact that formerly the quarantine at Kamaran was an imposition by Turkey ?

(b) Is it a fact that quarantine rules provide that ten days quarantine or segregation at sea is a sufficient quarantine for all purposes ?

(c) Do Government propose to recommend that the quarantine at Kamaran be abolished now as unnecessary ?

Mr. J. W. Bhore : (a) Prior to the occupation of Kamaran by the British forces in 1915, the quarantine station on the island was under the Constantinople Board of Health, an international body practically controlled by the Turkish Government.

(b) The answer is in the negative.

(c) The reply is in the negative.

#### DUES LEVIED ON PILGRIMS AT JEDDAH.

1493. \*Mr. W. M. Hussanally : (a) Is it a fact that steamer companies calculate their expenses at Kamaran and charges for detention at that camp during quarantine and include the same in the steamer fare ?

(b) Is it a fact that on arrival at Jeddah pilgrims are again made to pay Rs. 15 per head as port dues ?

(c) To whom is that sum paid ?

(d) For what purpose ?

**Mr. J. W. Bhowe :** (a) The Government of India have no information on the subject.

(b) The amount of quarantine and landing dues at Jeddah, to which the Honourable Member is presumably referring, varies from time to time. It is understood that this year the dues are charged at the rate of 16s. 1d. a head, payable in gold.

(c) To the Hedjaz Government.

(d) The Government of India have no information.

INTERMEDIATE COMPARTMENTS FOR MALES AND FEMALES ON THE EAST INDIAN RAILWAY.

1494. \***Khar Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

(a) whether they are aware that a circular has been issued by the East Indian Railway that female inter class compartments should be provided in close proximity to male inter class compartments ;

(b) whether they are also aware that female inter class compartments meant for Indian females are generally kept close to the inter class compartments reserved for Europeans, and not close to male inter class compartments not so reserved ;

(c) if they are aware of the above facts and the statements contained in (a) and (b) are correct, are Government prepared to issue necessary instructions to the Railway authorities concerned, so that female inter class compartments are provided in close proximity to the male inter class compartments not reserved for Europeans ?

**Mr. C. D. M. Hindley :** (a) and (b). Government have no information.

(c) Government understand this is the existing practice when the composition of the train permits but the matter will be brought to the notice of the Agent.

FACILITIES FOR THE COAL TRADE.

1495. \***Mr. W. S. J. Willson :** With reference to answer given to starred Question No. 872 on 17th March, 1924, will Government be pleased to state whether they have yet decided to appoint an impartial Board of Inquiry to inquire into facilities for the coal trade in regard to wagons, wagon allotments, tippers, charges and improvement of general facilities at ports of loading and discharge ?

**The Honourable Sir Charles Innes :** No decision has as yet been reached on that point. I hope to make an announcement on the subject.

SUBSCRIPTIONS BY CIVIL AND MILITARY OFFICERS TO THE DYER FUND.

1496. \***Mr. Gaya Prasad Singh :** (a) Is it a fact that instructions were issued by the Government in 1920, forbidding Civil and Military

officers in India from subscribing to the fund opened in appreciation of the action of General Dyer after the Jallianwalla Bagh shooting affair ?

(b) Will the Government be pleased to lay on the table a copy of instructions issued by them on the subject ?

(c) Will the Government kindly lay on the table a list of the officials, Civil and Military (if any) who may have subscribed to the Dyer Fund, before the instructions were issued ?

**The Honourable Sir Alexander Muddiman :** (a) Yes.

(b) The instructions were of a confidential character and I am not prepared to place them on the table.

(c) I am not in possession of the information.

#### EMPLOYMENT OF THE INDIAN ARMY OUTSIDE INDIA.

1497. \***Mr. Gaya Prasad Singh :** (a) Will the Government be pleased to state under what conditions the Indian Army is liable to serve outside the territorial limits of India ?

(b) Will the Government be pleased to place on the table a statement, showing when, and where, and what portion of the Indian Army was so employed, indicating the total amount of expenditure, and the amount (if any) which India had to bear on such occasions ?

**Mr. H. R. Pate :** (a) In regard to the employment of the Army in India outside the territorial limits of India, the policy of the Government of India is that which was enunciated in a Resolution adopted by this House on the 28th March, 1921. I would refer the Honourable Member to that Resolution and to the debate which preceded it.

(b) It is difficult to give a satisfactory answer to the first part of the question as the Honourable Member has set no limit to the period for which he desires the information. I would, however, invite his attention to the reply given on the 14th March, 1924, to Question No. 780, and I trust that the information there furnished will serve his purpose.

With regard to the second part, no expenditure is incurred by the Government of India on account of the Indian troops serving overseas, except that on account of certain consular escorts and the garrisons at Persian Gulf ports. Presumably the Honourable Member's question does not refer to expenditure of this nature, which is shared with His Majesty's Government under an arrangement which has been in force for many years.

#### RECRUITMENT FOR THE INDIAN MEDICAL SERVICE.

1498. \***Mr. Gaya Prasad Singh :** (a) Is it not a fact that the I. M. S. competitive examination has been stopped ? And if so, since when ?

(b) Will the Government be pleased to state the present method of recruiting I. M. S. officers ?

**Mr. H. R. Pate :** (a) The competitive examination for the Indian Medical Service has been held in abeyance since 1915.

(b) Officers are at present recruited by a Selection Board, which consists of the Director General, Indian Medical Service, the Director of Medical Services, and two Indian officers of the Indian Medical Service.

**Mr. Gaya Prasad Singh :** Is it not a fact that during the Great War many posts of Civil Surgeons were filled by members of the Provincial Medical Service and they did their duty to the entire satisfaction of the Government ?

**Mr. Chairman :** That question does not arise out of the principal question.

**Mr. Gaya Prasad Singh :** May I ask another question with your permission ? Will the Government be prepared to consider the question of throwing open a limited number of appointments of Civil Surgeons to the members of the Provincial Medical Service ?

**Mr. H. R. Pate :** I did not quite catch the question.

**Mr. Gaya Prasad Singh :** Will the Government be prepared to consider the question of throwing open a limited number of appointments of Civil Surgeons to selected members of the Provincial Medical Service ?

**Mr. H. R. Pate :** I do not think that question arises.

**Mr. Chairman :** I do not think that question arises out of the main question. Furthermore I do not suppose that this question has anything to do with the appointment of Civil Surgeons from among the members of the Provincial Medical Service.

PROMOTION OF POSTAL EMPLOYEES.

1499. **\*Mr. Amar Nath Dutt :** (a) With reference to my Question No. 512, put on the 26th February, 1924, and the reply given to that, that the six officers who were promoted to the selection grade of 175—225 were all senior men, will the Government be pleased to state how the seniority was determined as between the two classes of officials, namely, the Inspectors and Head Clerks of the Superintendents' offices on the one hand and Deputy Postmasters and the Sub-Postmasters on the other hand ?

(b) Is it a fact that amongst the officers of the latter class in the 145—170 grade there are officers drawing higher pay and having longer service than the Inspectors promoted as shown in the latest Bengal and Assam Circle Gradation List ?

(c) Were the Inspectors mentioned in reply senior in service and pay to Babu Satish Chandra Palit, Deputy Postmaster, Burdwan, on the date of their appointment as Inspectors ?

**Mr. H. A. Sams :** (a) The principle for determining the relative seniority of Inspectors and head clerks to Superintendents of Post Offices in the grade of Rs. 100—175 on the one hand and Deputy Postmasters and Sub-Postmasters in the selection grade of Rs. 145—170 on the other hand has been laid down in Director-General's No. A. X.-127, dated the 2nd December, 1922, viz. :

Inspectors and head clerks to Superintendents of Post Offices who attained this position *before the introduction of the revised scales of pay* will be ranked with the officials in the general line according to the dates of entry into their respective grades of Rs. 100—5—175 and Rs. 145—5—170. If the dates happen to be the same, seniority should be reckoned by the position held prior to the entry into those grades.

(b) Yes.

(c) No.

APPOINTMENT OF MR. LESAGE AS OFFICIATING POSTMASTER, BURDWAN.

1500. \*Mr. Amar Nath Dutt : Will the Government be pleased to state the reasons for appointing Mr. Lesage as officiating Postmaster, Burdwan, from the Calcutta General Post Office overlooking the claim of the officiating Postmaster, Babu Nithar Lal Ganguly, who is a senior officer outside the Calcutta General Post Office ?

Mr. H. A. Sams : Mr. Lesage, Assistant Postmaster, Calcutta, pay 250—350, has been appointed to officiate as Postmaster, Burdwan, on the same pay with the intention of confirming him in that appointment when it falls permanently vacant in July next. Vacancies in the Rs. 250—350 grade are filled according to selection and seniority by promotion from all officials in the Circle on the Rs. 175—225 grade, and as Babu Nithar Lal Ganguly is not the senior official of the Bengal and Assam Circle in the latter grade he has no claim to promotion to this post.

STOPPAGE OF PROMOTION OF CERTAIN POSTAL OFFICIALS OF THE BURDWAN DIVISION.

1501. \*Mr. Amar Nath Dutt : (a) Is it a fact that the Secretary and three other Members of the Burdwan Postal Association have been placed on the second efficiency bar list ? If so, was this due to the suggestions of the late Superintendent of Post Offices, Burdwan, Mr. B. B. Ganguly ?

(b) Was it brought to the notice of Government that Mr. B. B. Ganguly always assumed a hostile attitude towards the Burdwan Postal Association ?

(c) Do Government propose to inquire into the matter ?

Mr. H. A. Sams : (a) Certain officials of the Burdwan Division have had their promotion stopped at the 2nd efficiency bar as a result of their unsatisfactory records and not at the suggestion of Mr. Ganguly or of any other officer who has been in charge of the Burdwan Division.

(b) No.

(c) No.

INCREASED PUBLIC DEMAND FOR CURRENCY AND CREDIT.

1502. \*Baboo Runglal Jajodia : (a) Has the attention of the Government been drawn to the following statement in the issue of the *Capital* of the 15th May, 1924 :

“ It is understood that the Controller of Currency is engaged in active inquiries which it is hoped may issue in the formulation of a policy which will impose on trade and industries a lighter burden than they now carry not by inflation (which consists of issuing unwanted currency) but by permanent additions proportioned to public demand based wholly on expansion of trade and price fluctuations with which the present inelastic system is manifestly unfitted to cope.”

(b) Is the statement correct and will the Government be pleased to state what instructions have been given to the Controller of Currency, what inquiries are being or have been made, what is the result of the inquiries, whether, conducted by the Controller of Currency or any other officer, and what steps do the Government think of taking to meet the increased

public demand for currency and credit and to prevent the wide fluctuations in the Imperial Bank rate of Interest ?

(c) If no such inquiry has been or is being made are the Government considering the advisability of holding such inquiry immediately and taking necessary steps without delay ?

(d) Do the Government intend to take the Indian merchants into confidence in the matter without delaying a solution of the problem ?

**The Honourable Sir Basil Blackett :** (a) The reply is in the affirmative.

(b), (c) and (d). No definite instructions have been issued to the Controller of Currency but with my concurrence and indeed at my request he has been making inquiries with special reference to the working of last year's Act and to the experience of the last busy season. The matter is being carefully considered, but I am not in a position to say what further steps, if any, will be taken in the matter.

**EMPLOYMENT OF INDIANS IN THE BOMBAY, BARODA AND CENTRAL INDIA AND RAJPUTANA MALWA RAILWAYS.**

1503. \* **Rai Sahib M. Harbilas Sarda :** Will Government be pleased to give information on the following points regarding the affairs of the B. B. and C. I. and R. M. Railways :

- (a) What is the number of Indians in the officer grade on this Railway and state the number of those who are promoted from the subordinate rank and those who are directly appointed as officers, in the various departments, with their percentages ?
- (b) What is the number of Indian officers in the senior (District) rank, if any ?
- (c) What is the cause of there being no Indian officer in the Agency, Stores, Signal, Loco., Carriage and Wagon Departments on the combined system of these Railways ?
- (d) Is it true that the Anglo-Indian officers of purely Indian domicile and engaged in this country or promoted from subordinate rank are granted the overseas allowance while Indian officers, educated and engaged in England and with the same length of service, have been deprived of this and technical allowance ?
- (e) What is the financial effect of the differential treatment on the above two classes of officers as regards annual increment, acting allowance, provident fund, and travelling allowance ?
- (f) Is there any difference made in the above matters between the two classes of employees of the subordinate rank ? If not, why has different treatment been introduced in the superior rank ?
- (g) What are the differences, made in the matter of leave rules for the above two classes of employees ?
- (h) Are Government prepared to induce the present management of this combined system of railways which are State-owned, to remove the points of differences in treatment between different classes of employees and bring the rules in line with those in force on the State-managed Railways ?

Mr. C. D. M. Hindley : (a) and (b). The information in regard to the number of Indians in these appointments will be found in the Classified List of State Railway Establishment and Distribution Return of Establishment of all Railways of which there is a copy in the Library. The Government have no information in regard to the source of recruitment or the reason for deficiencies in the number of Indians so appointed.

(c) Government have no information.

(d) and (e). Officers who had drawn the consolidated rate of pay before the introduction of the revised scale now continue to draw the equivalent of overseas allowance. The allowance is for future entrants confined entirely to men of English domicile.

(f) There is no overseas or technical allowance in case of subordinates.

(g) So long as the company's rules for leave fall within the provisions of the Fundamental Rules, Government do not interfere in this matter.

(h) Government do not interfere in respect to details of rules and matters of management of Company's employees provided they do not infringe Fundamental Rules and orders laid down for the guidance of all Company's lines.

#### REFORMS INQUIRY COMMITTEE.

1504. \*Maulvi Muhammad Yakub : (a) Has the attention of the Government been drawn to a note in the *Simla Bulletin*, dated the 21st May, 1924, page 5, column 2, under the heading "Reforms Inquiry" ?

(b) Is the statement contained in the note correct and is the inquiry committee to be considered as only a preliminary to a Royal Commission coming in the winter ?

The Honourable Sir Alexander Muddiman : (a) Government have seen the note referred to.

(b) The statement in the note that the Government of India have received replies from some Local Governments to their letter regarding the working of the reforms is not correct. Government have no information regarding the alleged rumour that a Royal Commission regarding the working of the reforms is likely to be appointed during the winter.

#### INDIANS IN UPPER SUBORDINATE APPOINTMENTS ON THE RAILWAYS.

1505. \*Mr. K. C. Neogy : (a) Has the attention of Government been drawn to the statements made by Mr. H. L. Cole in paragraphs Nos. 3 to 6 of his report on the training of Railway officers and subordinates in India, in his attempt to explain the "present overwhelming preponderance of Europeans and Anglo-Indians in the Upper Subordinate appointments," particularly his observations that it is difficult to find Indians with the personal qualities that make efficient Chargemen and Foremen, and that having regard to the material at present available in the lower grades of the service, no responsible railway officer could recommend a very early change in this position ?

(b) Will Government be pleased to state :

(i) whether there is any principal Railway in India which has made any attempt to attract Indians to the Upper Subordinate appointments by offering facilities for training on terms of perfect equality with Anglo-Indians and Europeans ;

- (ii) whether any such Railway appoints Indians to the Upper Subordinate grades on an equal footing with Europeans and Anglo-Indians as regards scales of pay and other facilities ?

**Mr. C. D. M. Hindley :** (a) Yes, but the statement quoted requires to be read with the context in order to appreciate its proper meaning.

(b) (i) and (ii). There is no uniform practice for appointments to the Upper Subordinate grades as local conditions and the local supply of personnel varies in different parts of the country. Further different methods have to be applied for recruiting to the different departments. Speaking generally, appointments in the Upper Subordinate grades are made by selection from those who have worked their way through the lower ranks and have thus acquired the necessary qualities and experience.

It should, however, be mentioned that in the Engineering Department of State Railways all Upper Subordinates appointed from Roorkee and the Bengal Engineering College draw the same pay regardless of nationality. If, however, the Honourable Member is referring specially to workshops, as would seem to be implied by his mention of Chargemen and Foremen, it may be mentioned that some Local Governments are co-operating with the big railway administrations in the establishment of Mechanical Engineering Colleges with the idea of training Indians of a better educational standard for filling the Upper Subordinate appointments in highly organised workshops.

As regards the Traffic Department, I may mention as an instance of the kind of training to which the Honourable Member refers that the G. I. P. Railway are now about to introduce a scheme of training whereby selected Indian youths, who have satisfactorily passed through a course in mechanics at a technical institute or college, will be trained for ultimate promotion to the Upper Subordinate grades of the Transportation Department.

The solution of the whole problem, however, is to be found in providing better means of training for all the members of the subordinate staff, and the Railway Board are now carrying out an important initial stage in this process by establishing an adequately equipped training school at Chandausi.

EUROPEANS, ANGLO-INDIANS AND INDIANS EMPLOYED IN VARIOUS CAPACITIES ON THE PRINCIPAL RAILWAYS IN INDIA.

1506. \***Mr. K. C. Neogy :** Will Government be pleased to state for each of the principal Railways in India :

- (a) the present proportion of European or Anglo-Indian and Indian employees as (i) Drivers, Foremen and Chargemen in the Locomotive Department ; Carriage Inspectors and Electricians in the Carriage and Wagon Departments ; Signal Inspectors, Permanent Way Inspectors, and clerk of Works in the Engineering Department ; and Supervising Station Masters, Traffic Inspectors, Claims Inspectors, and Travelling Ticket Inspectors in the Traffic Department ; and
- (b) the different scales of pay open to these two classes of employees (European or Anglo-Indian and Indian) ? On what grounds is this distinction in scales of salary based ?



**Mr. C. D. M. Hindley :** (a) The collection of the information asked for would entail an inordinate amount of labour and expense and the Government do not propose to ask Railway Administrations to furnish it.

(b) I would invite the Honourable Member's attention to the reply given to a somewhat similar question, No. 1308, put by Mr. N. M. Joshi on the 6th June, 1924.

#### EMPLOYMENT OF INDIANS AS FOREMEN, CHARGEMEN, ETC., ON RAILWAYS.

1507. \***Mr. K. C. Neogy :** (a) Is it a fact that in certain Railways, some of the appointments, such as Foremen, Chargemen, Carriage Inspectors, Permanent Way Inspectors, etc., are practically closed to Indians ?

(b) Is it a fact that the North-Western Railway entertains only Europeans and Anglo-Indians as apprentices on training as Signal Inspectors ?

(c) Has the attention of Government been drawn to a notification published in the Bengal Nagpur Railway Gazette, dated the 26th May, 1923, by the Chief Mechanical Engineer inviting applications from Europeans and Anglo-Indians for apprenticeship in the Kharagpur Locomotive, Carriage and Wagon and Electric shops ?

**Mr. C. D. M. Hindley :** (a) There is nothing so far as Government are aware in the rules on State Railways which debar Indians from filling any of these appointments if fitted to do so. Moreover all Railway Administrations have been made aware of the policy of Government that Indians should be increasingly employed in all departments of railway working and the Government are confident that they will carry out this policy.

(b) No, it is not a fact. In December, 1923, there were under training three Europeans and Anglo-Indians and three Indians.

(c) I would draw the Honourable Member's attention to the reply to Question No. 28 asked by Babu Braja Sundar Das on the 2nd July, 1923.

#### ADMISSION OF INDIAN GRADUATES AS APPRENTICES TO THE EAST INDIAN RAILWAY WORKSHOPS AND LABORATORY AT JAMALPUR.

1508. \***Mr. K. C. Neogy :** (a) Is it a fact that in 1920, a number of Indian graduates were admitted as apprentices in the workshops and the laboratory of the E. I. Railway at Jamalpur ?

(b) If so, what were the terms on which they were taken in as apprentices, and for what period ? Was any assurance of future employment given to them ?

(c) How many of these persons have been provided with employment, in what capacities, and on what scales of pay ?

(d) Are similar graduate apprentices admitted at present by the East Indian Railway ? If so, for what appointments are they trained, and with what prospect of employment ?

(e) Are these apprentices required to prove their capacity for controlling labour? How many of them have been refused employment on account of their failure to prove such capacity; and how many European and Anglo-Indian apprentices have been refused employment for the same reason during the same period?

(f) What opportunity is given to the apprentices to control labour during their period of training; and what scrutiny is made into their capacity for controlling labour? Is such scrutiny made equally in the case of Europeans, Anglo-Indians and Indians?

(g) Is it a fact that on the occasion of the strike on the E. I. Railway in 1922, a number of these Indian apprentices were sent to Dinapore, Jhajha and other places to assist the Loco staff in the running of trains, and that their work on that occasion was commended by the Loco Superintendent?

**Mr. C. D. M. Hindley:** Government have not the information, but are making inquiries and will send a reply to the Honourable Member later.

**GRANT OF A STATE SCHOLARSHIP TO AN INDIAN GRADUATE LATELY EMPLOYED AS AN APPRENTICE IN THE JAMALPUR WORKSHOP OF THE EAST INDIAN RAILWAY.**

1509. \***Mr. K. C. Neogy:** Is it a fact that one of the Indian graduate apprentices of the E. I. Railway mentioned in the foregoing question, who was declared incompetent by the Railway authorities after his training, has been lately awarded a scholarship by the Government of India for the study of metallurgy in England?

**The Honourable Sir Bhpendra Nath Mitra:** A State scholarship for the study of metallurgy in England has been granted this year on the recommendation of a Selection Committee to a candidate who was lately employed as an apprentice in the Jamalpur workshop of the East Indian Railway. Government are not aware that he was declared incompetent by the Railway authorities. His certificates showed that he satisfactorily completed his term of apprenticeship and was discharged as there was no vacancy for him.

**EXPENDITURE ON RAILWAY SCHOOLS.**

1510. \***Mr. K. C. Neogy:** What is the amount of expenditure annually incurred by each of the principal Railways in aid of the education of the children of its employees; and how much per head of the European and Anglo-Indian employees does the total amount thus spent by a Railway on the education of their children, work out, and how much similarly in the case of its Indian employees?

**Mr. C. D. M. Hindley:** A statement showing the expenditure incurred by the principal Railways on education in 1922-23 is laid on the table.

The accounts do not separate the expenditure between Indians and other schools and it is not possible therefore to give the further information asked for.

Statement showing expenditure on Railway schools including contributions from Railway funds to other schools during 1923-25.

Railways.	Amount. Rs.
Assam Bengal .. .. .	10,610
Bengal Nagpur .. .. .	65,169
East Indian .. .. .	1,80,483
Great India Peninsula .. .. .	1,24,623
Bombay, Baroda and Central India .. .. .	67,012
Rohilkund and Kumaon .. .. .	2,873
Bengal and North-Western .. .. .	13,183
Burma .. .. .	9,726
South Indian .. .. .	27,975
Madras and Southern Mahratta .. .. .	72,006
North-Western .. .. .	1,81,822
Eastern Bengal .. .. .	10,219
Oudh and Rohilkhand .. .. .	61,801
Total .. .. .	<u>8,37,502</u>

ANNUAL STIPENDS GRANTED BY THE EASTERN BENGAL RAILWAY TO THE CHILDREN OF EUROPEAN, ANGLO-INDIAN AND INDIAN EMPLOYEES ATTENDING HILL SCHOOLS.

1511. \*Mr. K. C. Neogy : (a) What are the maximum and minimum amounts of annual stipend granted to a son of a European or Anglo-Indian employee as Hill School allowance by the E. B. Railway ?

(b) What are the corresponding amounts of allowance granted to sons of Indian employees in the same Railway ?

(c) Will Government be pleased to make a similar comparative statement about the maximum and minimum annual expenditure incurred on an individual boy, European or Anglo-Indian and Indian respectively, by each of the other principal Railways ?

(d) Under what head in the railway budget is the expenditure shown by the different Railways ?

Mr. C. D. M. Hindley : (a) and (b). Information in the form asked for is not available ; but I lay on the table a note showing the limits up to which the assistance is given by the Eastern Bengal Railway to its employees for the education of their children.

(c) The Government are not prepared to do this. Each Railway has its own special arrangements which are not comparable and the collection of the information from all lines would involve labour which the result would not justify.

(d) Working Expenses, Abstract G, Special Miscellaneous Expenditure.

Children of European and Anglo-Indian employees reading in—

- (1) Hill boarding schools.—Total amount of tuition fees billed for by the school authorities as passed by Agent minus 7½ per cent. of the employee's salary for one child, 12½ per cent. for two children and 15 per cent. for more than 2 children.
- (2) Grant-in-aid to Plains Schools.—Rs. 2 per child paid to the school authorities.
- (3) Lump sum monthly grants of Rs. 300, Rs. 200, Rs. 150 and Rs. 75, respectively, to the European Day Schools at Kanchrapara, Calcutta, Saidpur and Katihar.

Children of Indian employees—

- (1) Monthly grant-in-aid to schools in the plains.—Annas eight per child. In the case of High Schools at Bijpur (Kanchrapara) and Saidpur Re. 1 per child.

**UTILIZATION OF THE FINES FUND ON THE BENGAL NAGPUR RAILWAY FOR PROVIDING OUTFIT ALLOWANCES FOR CHILDREN OF EMPLOYEES ATTENDING HILL SCHOOLS.**

1512. \*Mr. K. C. Neogy : (a) Has the attention of Government been drawn to a notification under Standing Order No. 46 of the B. N. R., published in the B. N. R. Gazette, dated the 10th March 1923, to the effect that advances for the outfit of the children of the employees of the Railway attending hill schools would be given at the following rates, out of the Fines Fund :

Up to Rs. 120—for first entrance to a hill school.

Up to Rs. 80—for subsequent renewal of equipment ?

(b) Are similar advances for equipment allowed to the children of Indian employees ?

(c) Is it a fact that the bulk of the Fines Fund is contributed by the subordinate Indian employees of the railway ?

Mr. C. D. M. Hindley : (a), (b) and (c). Government have no information. The transactions of the Fine Fund on Companies' Railways are outside Government accounts and control and disbursements or advances therefore are made solely at Agents' discretion.

**INDIAN POPULATION IN HONG KONG.**

1513. \*Captain Ajab Khan : Reference the reply to starred question No. 194 on the 5th February 1924 re Indian population in the Crown Colony of Hong Kong, will the Government be pleased to state :

(a) In what Department of the Colony are Indians eligible for service and to what limits they can rise ?

(b) Has any Indian ever been promoted to a superior post (posts usually filled by members of the Colonial Civil Service) ?

(c) Are any Indians employed as shipguards on board the boats engaged in coastal and interior river trade in China and if so, how many Indians have lost their lives in fighting the pirates while on duty since 1919 ?

(d) Are the dependents of those, who lost their lives in fighting the pirates on board these ships, given any remuneration or pension by their employers ?

(e) Is there any recognized Indian representative in Hong-Kong who is consulted and has a voice in the local affairs or Legislature pertaining to Indian interests ?

(f) What is the strength of Hong-Kong Police force and the number of Indians in it ? What is the highest post to which an Indian can rise in the force ?

Mr. J. W. Bhore : The Government of India have no information, but will make inquiries.

**APPOINTMENT OF MUHAMMADANS TO THE INDIAN CIVIL SERVICE AND THE IMPERIAL POLICE.**

1514. \*Maulvi Muhammad Yaqub : (a) Are the Government aware that the Musalmans have failed to secure any post in the Indian Civil Service through the competitive examination since it was started in India ?

(b) Are the Government aware that only two Mussalman candidates, one in Bihar and one in the Punjab, have so far succeeded in the competitive examination of the Imperial Police Service since it was started in India ?

(c) Are the Government prepared to consider the question of reserving a certain fixed proportion of posts for Mussalmans in the services mentioned above to be competed for by the Mussalmans ?

**The Honourable Sir Alexander Muddiman :** (a) It is a fact that no Mussalman has obtained one of the appointments advertised as open to competition. But two Mussalmans have been nominated to appointments in the Indian Civil Service as a result of the examination.

(b) No. In the years 1922 and 1923 four Mussalmans gained appointments as the direct result of the competitive examination, two in the Punjab, one in Bihar and Orissa, and one in the North-West Frontier Province. This year's results are not complete.

(c) The existing system is devised to secure to some extent representation of the various provinces and communities and the Government of India have no present intention of modifying it in this respect.

PERMISSION TO SCHOLARS TO HAVE ACCESS TO CERTAIN GOVERNMENT OF INDIA RECORDS.

1515. \***Maulvi Muhammad Yaqub :** (a) Are the Government aware that a scholar of the Allahabad University, who wanted to conduct research work in History, was refused permission to have access to the Government of India records of the 18th century preserved at Calcutta ?

(b) Do the Government propose to issue orders that the records mentioned in part (a) be open for consultation by the scholars carrying on research work in historical and literary subjects ?

**Mr. J. W. Bhore :** (a) The scholar referred to has been allowed to have access to the records of the period mentioned, with the exception of certain records of a confidential nature which are not open to inspection by the public.

(b) Documents required for *bonâ fide* historical research are open to inspection by the public subject to the rules which have been framed for the purpose and have always been strictly enforced. Government are not prepared to agree to any relaxation of the rules in the present case.

**Maulvi Muhammad Yakub :** Was the scholar from Allahabad whose name is Ballacharya, M.A., allowed to inspect the non-confidential records ?

**Mr. J. W. Bhore :** That is my information.

**Maulvi Muhammad Yakub :** The information which I have received is to the contrary.

LITIGATION BETWEEN THE EAST INDIAN RAILWAY AND ONE HEMANTA KUMAR SARKAR.

1516. \***Mr. Amar Nath Dutt :** Is it a fact that the East Indian Railway is carrying on litigation with one Hemanta Kumar Sarkar and have been unsuccessful in the criminal courts in their attempt to oust him from the lands, leased to him ? Is there any objection to allow him to hold the lands till the same is not required for the use of the East Indian

Railway ? Do the Government intend to terminate the lease by further litigation ? If so, why ?

**Mr. C. D. M. Hindley :** Government have no information of the litigation mentioned or its result. The leasing of land which is not required immediately for railway purposes is within the discretion of Railway Administrations and Government do not propose to interfere.

**EXTENSION OF THE TARKESSAR BRANCH OF THE EAST INDIAN RAILWAY FROM TARKESSAR TO THE DAMODAR EMBANKMENT.**

1517. **\*Mr. Amar Nath Dutt :** Will the Government be pleased to state, whether there is any proposal, to extend the Tarkessar Branch of the East Indian Railway from Tarakessar to the Damodar embankment, a distance of 3 miles ? If not, do the Government intend to take up the proposal, after making necessary inquiry ?

**Mr. C. D. M. Hindley :** A petition from the local inhabitants praying for this extension was received some time back and forwarded to the local railway authorities for disposal. As Government have received no information either from the local or the railway authorities to show that the line is urgently needed, they do not at present contemplate any further action in the matter.

**GRIEVANCES OF THIRD CLASS PASSENGERS ON THE LOCAL HOWRAH TO BURDWAN SERVICE ON THE EAST INDIAN RAILWAY.**

1518. **\*Mr. Amar Nath Dutt :** (a) Has the attention of the Government of India been drawn to correspondence in the "Servant" of the 26th February 1924, complaining about the inconvenience of 3rd class passengers for want of urinals in the local trains between Howrah and Burdwan on the East Indian Railway ? Do the Government propose to take steps to remedy the defects ?

(b) Has the attention of the Government been drawn to the complaint in the same article, about the serious danger to which passengers are exposed in boarding trains in the Howrah-Burdwan chord line of the East Indian Railway for want of raised platforms and do the Government propose to remedy the defect ?

**Mr. C. D. M. Hindley :** (a) and (b). Government have not seen the correspondence referred to which does not appear to have been published in the issue of the paper quoted by the Honourable Member. In any case complaints of the nature mentioned in the Honourable Member's question are essentially matters which Government have no doubt that the Agent will discuss with his Local Advisory Committee when brought to his notice.

**Mr. Amar Nath Dutt :** Will the Honourable Member please receive from me a copy of the cutting, because I think the mistake arose in this way. Government might have seen the *dak* edition of the paper of that date.

**Mr. Chairman :** I cannot allow the Honourable Member to make a statement.

**Mr. C. D. M. Hindley :** May I make a suggestion ? It has been suggested to me that the date mentioned by the Honourable Member refers to a different edition of the paper to that which we have examined.

If that is so, and if the Honourable Member will hand the cutting to me, I will pass it on to the Agent of the East Indian Railway.

**Mr. Amar Nath Dutt** : Yes ; I am handing it over.

**COMPLAINTS *re* THE TIMINGS OF CERTAIN DOWN LOCAL TRAINS BETWEEN HOWRAH AND BURDWAN ON THE EAST INDIAN RAILWAY.**

1519. **\*Mr. Amar Nath Dutt** : Has the attention of the Government been drawn to the correspondence in the " Amrita Bazar Patrika " of the 20th January 1924, complaining about the timing of certain Down local trains between Howrah and Burdwan on the East Indian Railway, on Sundays ? Do the Government propose to have the timings changed to suit the convenience of the passengers ?

**Mr. C. D. M. Hindley** : Government have seen the correspondence referred to. They understand that questions of changes in time tables to suit local convenience are amongst the subjects on which the Agent consults his Local Advisory Committee who have knowledge of the local needs and conditions. They have no doubt that the Agent will have already had his attention drawn to the newspaper complaint referred to.

**REPEAL OF REPRESSIVE LEGISLATION.**

1520. **\*Mr. Amar Nath Dutt** : Will the Government be pleased to state, what steps, if any, have been taken, to repeal the Bengal Regulation III of 1818, the Criminal Law Amendment Act, and other Repressive Laws and Regulations, as recommended by this Assembly in its Resolution passed on the 20th of March, 1924 ?

**The Honourable Sir Alexander Muddiman** : The Governor General in Council has taken no action on the Resolution for the reasons explained by the Honourable Sir Malcolm Hailey in the course of the debate.

**STAFF COUNCILS ON THE GREAT INDIAN PENINSULA RAILWAY.**

1521. **\*Mr. N. M. Joshi** : (a) Will Government be pleased to state whether the Staff Councils on the lines of the Whitley Councils in England have been introduced on the Great Indian Peninsula Railway ? If so, when ? if not, why not ?

(b) If the answer to the earlier portion of (a) above be in the affirmative, will Government be pleased to place a copy of the constitution of the Staff Councils on the table or make it available to the Members of the Assembly ?

(c) Will Government also state whether these Staff Councils are elected or nominated bodies and how many of the nominated members on each Council are Indians, Anglo-Indians and Europeans respectively ?

**Mr. C. D. M. Hindley** : (a) The Railway Administration reported in January last that they were being introduced.

(b) and (c). The Agent is being asked for a copy of the constitution which will be placed in the Library.

**EUROPEAN, ANGLO-INDIAN AND INDIAN EMPLOYEES ON THE GREAT INDIAN PENINSULA RAILWAY.**

1522. **\*Mr. N. M. Joshi** : Will Government be pleased to state how many of the total number of the Great Indian Peninsula Railway employees are Indians, Anglo-Indians and Europeans respectively ?

**Mr. C. D. M. Hindley :** Government have no later figures than those already published in Annexures A and B of the Budget Memorandum for 1924-25, a copy of which was supplied to all Members of the Assembly.

**DISCHARGE OF MR. NURUN NABI, AN EMPLOYEE OF THE GREAT INDIAN PENINSULA RAILWAY.**

1523. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state whether it is a fact that Mr. Nurun Nabi, an employee of the Great Indian Peninsula Railway serving as a signaller at Agra, Belangunj, was given a notice of discharge on the 7th April 1924 without specifying any reason for the step ?

(b) If the answer to (a) be in the negative, will Government be pleased to inquire into the matter and state the result of their inquiry ?

**Mr. C. D. M. Hindley :** (a) and (b). This is a purely domestic matter with which the Company's officers are competent to deal and Government are not therefore prepared to interfere.

**EXCESS FARE EARNINGS OF TICKET COLLECTORS ON THE EASTERN BENGAL RAILWAY.**

1524. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state whether it is a fact that Mr. A. R. G. Lilly, District Traffic Superintendent of the Eastern Bengal Railway was pleased to pass the following order, No. E.G.-250, dated the 12th December 1923, on the Ticket Collectors of a certain section of that Railway ?

“ Station Masters are hereby advised that the excess fare earnings of the Ticket Collectors at their (sic.) ” are not as satisfactory as they should be.

A Register showing excess fare earnings of all Ticket Collectors on this district is maintained in this office and the earnings of each Ticket Collector is very minutely scrutinized personally by the undersigned.

It is specially noted that the earnings of the Ticket Collectors at Dinajpur and Rangpur are extremely unsatisfactory.

Experiments by changing Ticket Collectors at certain Stations have shown that the amount of excess fare could be considerably increased and the standard monthly earning of each Ticket Collector should be Rs. 100.

Every Ticket Collector should do his best to maintain this standard and those who will not be able to show satisfactory collections, will be taken off from the list of Ticket Collectors and reduced to Tally Clerks.

This is the final warning to the Ticket Collectors and the undersigned hopes to see an immediate improvement in the earnings of the Ticket Collectors.”

(b) If the answer be in the affirmative, will Government be pleased to state under what Act or rules such orders are permissible ? If not so permissible, what steps have Government so far taken or do they propose to take in the matter ?

**Mr. C. D. M. Hindley :** Government have no information but will make inquiries.



DUTIES OF POINTSMEN ON THE BENGAL AND NORTH WESTERN RAILWAY.

1525. \*Mr. N. M. Joshi : (a) Will Government be pleased to state whether it is a fact that the pointsmen on the Bengal and North Western Railway besides doing their usual duty in respect of the points committed to their care, have to look after shunting, keeping watch, handling and making of packages, collecting tickets, sorting collected tickets, etc. ? If so, why so many duties of different kinds have been entrusted to one class of servants ? If not, what are the duties that these pointsmen perform ?

(b) Will Government be further pleased to state the scales of pay that the pointsmen get ?

Mr. C. D. M. Hindley : Government have no information and the matters referred to relate to the internal administration of a Company's Railway in which Government do not interfere.

LIABILITY OF POINTSMEN ON THE BENGAL AND NORTH WESTERN RAILWAY IN CASES OF RUNNING TRAIN THEFTS.

1526. \*Mr. N. M. Joshi : Will Government be pleased to state whether it is a fact that in cases of " running train thefts " the Bengal and North Western Railway compels the pointsmen on duty to subscribe to the losses which the Company has to incur on account of suits for damages ? If so, under what law or rules are the pointsmen made to subscribe to these losses ?

Mr. C. D. M. Hindley : Government have ascertained that it is not a fact and the second part of the question therefore does not arise.

OFFICIAL RECOGNITION OF RAILWAY UNIONS OR ASSOCIATIONS.

1527. \*Mr. N. M. Joshi : (a) Will Government be pleased to place on the table or make available to the Members of the Assembly copies of Rules and Regulations which different Railways in India, both State-managed and Company-managed, may have prepared under which official recognition is given to the Railway Unions or Associations ?

Mr. C. D. M. Hindley : The Railway Board circulated to the State-managed and the Company-managed railways the rules drawn up in October 1921 by the Government of India for the grant of official recognition to Associations of Government employees. Those rules were not drawn up with a view to publication, but if any Honourable Member is particularly interested in the question, a copy of them will be supplied to him for his personal information by the Home Department. The Railway Administrations generally considered that these rules were suitable for application to associations of their own employees. Government have no information in regard to local orders which may have been issued as such matters are necessarily left to individual administrations to decide.

NAMES OF RAILWAYMEN'S UNIONS OR ASSOCIATIONS RECOGNISED BY THE AUTHORITIES OF THE INDIAN RAILWAYS.

1528. \*Mr. N. M. Joshi : (a) Will Government be pleased to place on the table or make available to Members, a statement giving therein the names of the Railwaymen's Unions or Associations which have been recognised by the authorities of the Indian Railways,

both State-managed and Company-managed, with the dates on which they were started, the total number of their membership, their present office-bearers and the conditions that the different Railway authorities may have imposed on them in order to give them recognition ?

(b) Will Government be also pleased to place on the table or make available to Members, another statement giving therein (i) the names of the Railwaymen's Unions or Associations which had approached the authorities of Indian Railways, both State-managed and Company-managed requesting the latter to give official recognition to them but which were refused such recognition and (ii) the reasons, in each case, on which such recognition was refused ?

**Mr. C. D. M. Hindley :** (a) A statement is laid on the table.

(b) Government have not the information. The question of recognising Associations of employes of Company Railways is necessarily left to individual Railway Administrations to decide.

*Statement showing the names of the Railwaymen's Unions or Associations which have been recognised by the Authorities of the Indian Railways.*

- (i) North-Western Railway Union.
- (ii) Eastern Bengal Railway Indian Employees Association.
- (iii) Bengal Nagpur Railway Indian Labour Union.
- (iv) Madras and Southern Mahratta Railway Traffic Superior Section Staff Union confined to Belgaum District.

Government have no information as to the membership, office-bearers, etc.

The recognition of the Oudh and Rohilkhand Railway Union has been withdrawn.

#### NON-RECOGNITION OF THE BENGAL AND NORTH WESTERN RAILWAYMEN'S ASSOCIATION.

1529. **\*Mr. N. M. Joshi :** Will Government be pleased to state whether it is a fact that the Bengal and North Western Railwaymen's Association had approached, through representations and interviews, the Agent of the Railway and the Chairman of its Board of Directors requesting them to give it formal and official recognition ? If so, was it granted and when ? If not, why not ?

**Mr. C. D. M. Hindley :** The matter is one within the competence of the Railway Administration to deal with. It is understood that the Administration have not recognised the Association.

#### FORMATION OF DISTRICT COMMITTEES ON THE BENGAL AND NORTH WESTERN RAILWAYS.

1530. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state whether it is a fact that the Agent of the B. and N. W. Railway informed the Honorary Secretary of the B. and N. W. Railwaymen's Association that he had arranged for the formation of District Committees on which all sections of the railway staff would be represented to investigate and report on all questions affecting the welfare of the staff ?

(b) If the answer to (a) be in the affirmative, will Government be pleased to state whether these District Committees have now come into existence ? If so, when ? If not, why not ?

(c) If the answer to the earlier part of (b) above be in the affirmative, will Government be pleased to lay a copy of the constitution of the District Committees on the table or make it available to the Members of the

Assembly ? Will they also state whether these Committees are nominated or elected bodies ?

**Mr. C. D. M. Hindley :** (a), (b) and (c). Government are aware that the Agent, Bengal and North-Western Railway, contemplates the formation of District Committees as a medium of communication between the Company and its staff. They have no information whether these Committees have actually been formed and their constitution and correspondence in connection therewith are matters of internal administration of a Company's Railway with which Government do not interfere.

IMPROVEMENT OF THE CONSTITUTION OF STAFF COUNCILS ON THE GREAT INDIAN PENINSULA RAILWAY.

1531. **\*Mr. N. M. Joshi :** Will Government be pleased to state whether the G. I. P. Railway Staff Union had made some suggestions for improving the constitution of the Staff Councils ? If so, did the G. I. P. Railway authorities take them into consideration ? If not, why not ?

**Mr. C. D. M. Hindley :** The Government have no information on the point.

GRANT OF COMPENSATORY ALLOWANCE TO THE OFFICERS AND SUBORDINATE STAFF OF THE GREAT INDIAN PENINSULA AND BOMBAY, BARODA AND CENTRAL INDIA RAILWAYS STATIONED IN BOMBAY.

1532. **\*Mr. N. M. Joshi :** Will Government be pleased to state whether the G. I. P. and B. B. and C. I. Railways propose to sanction the payment of special compensatory allowance in view of the high cost of living in Bombay to their officers and subordinate staff on the lines on which the Government of Bombay have recently sanctioned such allowance to their officers and subordinate staff ? If so, when ?

**Mr. C. D. M. Hindley :** Proposals to grant the officers of the two railways special compensatory allowance have been received and are under the consideration of the Government of India. In the meantime as a temporary measure for a period of six months an allowance on a lower scale than that proposed has been sanctioned by the Government with effect from 1st April, 1924.

The subordinate staff are already in receipt of special allowance.

REVISION OF THE LEAVE RULES ON THE GREAT INDIAN PENINSULA RAILWAY.

1533. **\*Mr. N. M. Joshi :** (a) Will Government be pleased to state whether it is a fact that, as stated in the G. I. P. Union Herald, the leave rules of the G. I. P. Railway staff have been revised under Standing Order No. 422 of the 14th March, 1924 ?

(b) Will they also be pleased to state whether it is a fact that in those leave rules, the racial distinctions, several times complained of by the Indian Staff, have been maintained and Indian subordinates are placed in the same category as Negroes ? If so, will Government be pleased to state why these distinctions are allowed ?

(c) Will Government be pleased to state why, under the new rules, sick leave on full pay is given to non-Indian staff from the beginning of the service and to the Indian Staff after twenty years' service, and why the Home Board does not give full effect to the leave rules which it can

sanction to Indian subordinate staff under the existing Fundamental Leave Rules whereas it has done so in the case of non-Indian Staff ?

**Mr. C. D. M. Hindley :** (a), (b) and (c). Government have seen the paper referred to by the Honourable Member. They do not interfere in respect to details of Company's rules so long as they fall within the Fundamental Rules sanctioned by Government.

**RESOLUTIONS OF THE WADI BUNDER BRANCH (BOMBAY) OF THE GREAT INDIAN PENINSULA STAFF UNION.**

1534. **\*Mr. N. M. Joshi :** Will Government be pleased to state whether their attention has been drawn to the Resolutions passed at the Annual General Meeting of the Wadi Bunder Branch (Bombay) of the G. I. P. Railway Staff Union which have appeared in the G. I. P. *Union Herald* on the 16th March 1924 ? If so, will they be pleased to state whether the Railway authorities have given, or propose shortly to give effect to any of their Resolutions ? If so, how ? If not, why not ?

**Mr. C. D. M. Hindley :** Government have seen the Resolutions. All of the matters referred to appear to be such as are within the competence of the Agent to deal with and Government are unable to say what action has been or will be taken in respect of them.

**Maulvi Muhammad Yakub :** May I put Question No. 1535, Sir, on behalf of Mr. Jinnah ?

**Mr. Chairman :** I find this question has already been replied\* to ?

**SUPERIOR APPOINTMENTS ON THE EAST INDIAN RAILWAY.**

1536. **\*Mr. T. C. Goswami :** (a) Is it a fact that on the East Indian Railway there are 5 appointments of Deputies to the General Traffic Manager on salaries of Rs. 1,850 to 2,000 per month, and that all these five posts are at present held by officers who were subordinates and promoted to the Superior Grade ; and is there any other Railway in India where subordinates have risen to such high administrative posts in this proportion ? How many, if any, of them are Indians ?

(b) Is it a fact that on the East Indian Railway, there are 15 appointments of District Traffic Superintendents, out of which 9 are at present held by officers who were "Subordinates" ? How many of them are Indians ?

(c) Is it a fact that, on the East Indian Railway, out of 43 appointments of Assistant Traffic Superintendents, more than half of the appointments are held by subordinates who have been promoted ; and is there any other Railway in India where subordinates have been permanently promoted to the Superior Grade in this proportion ? How many of those so promoted in the East Indian Railway are Indians ?

(d) Will Government be pleased to state what higher rates of salary than their substantive emoluments are usually given on the State Railways to "Subordinates" who are promoted and confirmed in the Superior Grade ?

(e) Is it a fact that promoted officers on the East Indian Railway have been confirmed on unusually high salaries during the last six years,

\* Vide reply to Question No. 1367.

superseding many officers who have been appointed directly to the Superior Grade, and who have already put in a number of years' service in the Supervising Grade.

**Mr. C. D. M. Hindley :** (a) Yes. There are five superior appointments under the General Traffic Manager, E. I. R., on salaries of Rs. 1,850—50—2,000 per mensem. Their designations are as follows :

Chief Superintendent, Traffic Manager, Coal Manager, Coaching Superintendent, Rates and Development Manager.

Government have no information as to whether they were promoted from subordinate ranks nor whether the proportion is greater or less than other Railways. None of them are Indians.

(b) and (c). The number of appointments and the Indians employed will be seen at pages 168-170 of the Railway Board Classified List of Staff, a copy of which is in the Members' Library.

(d) The usual rule on State Railways is for an officer on promotion to draw the pay in the time scale next above his substantive pay, with increments as they accrue.

(e) The Government have no information—the Board of Directors of the E. I. R. have full power to select and to fix the pay of their officers, within the sanctioned scales.

**Mr. T. C. Goswami :** Are not the Government of India in touch with the East Indian Railway, since it is going to become a State Railway, in the near future ?

**Mr. C. D. M. Hindley :** Of course we are in touch with the East Indian Railway.

#### LOCAL TRAFFIC SERVICE ON STATE RAILWAYS AND ON THE EAST INDIAN RAILWAY.

1537. **\*Mr. T. C. Goswami :** (a) Is it a fact that the Government of India have recently constituted, or propose to constitute, a " Local Traffic Service " on the State Railways, with effect from the 1st April 1922, which will take in all subordinates promoted from ranks to the Officers' grade and all fresh recruits to the Superior Service on and after 1st April, 1922.

(b) Has the East Indian Railway Administration also been asked to introduce the same scale ; and if so, are the State Railways' principles in this matter being strictly followed there (*i.e.*, in the East Indian Railway) ?

(c) Have the Railway Board, in the case of Traffic Officers of State Railways, ordered the degradation—or " relegation " as it is called—of any of the Assistant Traffic Superintendents confirmed in their appointments before 1st April 1922, to the Local Traffic Service ?

If not, are Government aware of the reason or reasons why such a course is in contemplation on the East Indian Railway ?

(d) Are the Government prepared to postpone the creation of the " Local Traffic Scale " until the Assembly has had time to consider its merits ?

**Mr. C. D. M. Hindley :** (a) Yes, with effect from 1st April, 1921, particulars regarding the service on State Railways will be found in the

Government of India Railway Department Resolution No. 370-E.21, dated 31st August, 1921, a copy of which is placed on the table.

(b) The East Indian Railway Company were furnished with a copy of the Resolution and the Company themselves proposed to introduce a Local Traffic Service on their system on the lines of that existing on State Railways.

(c) No officers have been relegated to the Local Traffic Service on State Railways so far. The East Indian Railway propose to relegate those Officers who lack the essential qualification of fitness to hold charge of a District in accordance with the principles of the service.

(d) As stated in (a) the Local Traffic Service has already been introduced.

*Copy of a Resolution by the Government of India, Railway Department (Railway Board), No. 370-E.21, dated the 31st August 1921.*

The Government of India have had under consideration the question of the constitution of a Local Traffic Service of Assistant Superintendents modelled on the lines of the new Provincial Engineering Service, and, with the sanction of His Majesty's Secretary of State for India, now authorise the introduction, with effect from the 1st April 1921, of :

- (1) the North Western Railway Traffic Service,
- (2) the Eastern Bengal Railway Traffic Service,
- (3) the Oudh and Rohilkhand Railway Traffic Service.

The following are the main features of the scheme :

The Superior Traffic Department of State Railways will, in future, consist of :

I.—The Superior Traffic Service, comprising :

- (i) Administrative Officers,
- (ii) District Traffic Superintendents,
- (iii) Assistant District Traffic Superintendents, and

II.—The Local Traffic Services named above, comprising :

- (i) Assistant Traffic Superintendents.

The Local Traffic Services will provide the greater number of the officers required for charges usually held by officers of lower rank than District Traffic Superintendent. The officers will be gazetted and designated Assistant Traffic Superintendents and will be recruited by the Railway Board, at their discretion, mainly from engineering and other technical colleges in India or by the promotion of selected subordinates. Further, any officers of the superior service who may have failed to show their fitness to hold a district charge but who are held to be efficient Assistant Traffic Superintendents will be offered appointments in this service, refusal on their part to join it necessitating their services being dispensed with. In connection with the organisation of the new service, the Railway Board will also, if necessary, appoint suitable candidates from other sources. Officers of the local services will not ordinarily be transferred from one State railway to another.

2. The Local Traffic Services will be non-pensionable and on a continuous time scale of pay of Rs. 250—20—750 with an efficiency bar at Rs. 550. The Railway Board will fix the initial pay to be drawn by recruits from any source.

3. Selected members of the Local Traffic Services will be eligible for advancement to the Superior Traffic Service and 20 per cent. of the number of superior posts open to the India recruited branch of the Superior Traffic Service will be allotted for this purpose. Officers thus promoted will be brought into the superior service on the rate of pay on the junior scale next above that which they were drawing in the local services and will count for seniority accordingly. While no restrictions are laid down regarding the age at which officers in the local services may be promoted to the Superior Traffic Service, ordinarily such promotion will have effect at an early period of their service.

4. The Agents of State Railways will be addressed separately in regard to the strength of the new local services, the revised traffic endre now to be sanctioned for each line, the initial salary to be drawn by officers selected for appointment to the local services, the period of training and probation of new recruits, and other cognate matters.

ORDERED that this Resolution be forwarded to the officers noted below, for information, and that it be published in the *Gazette of India*, for general information :

The Agent, North Western Railway.

The Agent, Eastern Bengal Railway.

The Agent, Oudh and Rohilkhand Railway.

Ordered also that this Resolution be communicated to the Accountants General, Railways and Central Revenues, and to the Chief Auditors, North Western, Eastern Bengal, and Oudh and Rohilkhand Railways.

By order,  
(Sd.) H. L. COLE,  
Secretary, Railway Board.

Mr. T. C. Goswami : Has it been introduced on all the State Railways ?

Mr. C. D. M. Hindley : Yes, Sir.

#### APPOINTMENT OF A RATES TRIBUNAL FOR RAILWAYS.

1538. \*Mr. K. C. Neogy : (a) Will Government please state what is the exact position at present in regard to proposal for the appointment of a Rates Tribunal for the Railways ?

(b) Will the proposed Tribunal be competent not only to deal with matters relating to railway rating but also to take cognizance of the case of undue preference in the matter of traffic facilities, as recommended by the Ackworth Committee in paragraph 158 of their Report ?

Mr. C. D. M. Hindley : The Honourable Member will find the answer to his questions on page 1529 of the Legislative Assembly Debates, Volume IV, No. 29, dated 12th March, 1924.

#### COUNTERVAILING DUTY ON SOUTH AFRICAN COAL.

1539. \*Mr. K. C. Neogy : (a) Will Government please state if the question of a countervailing duty on South African coal, as announced by the Honourable Commerce Member in the Assembly on the 15th March last, has already been referred to the Tariff Board ?

(b) If not, will Government state why such industries as Cement, Paper, Printers' Ink, Boots and Shoes have already been referred to the Tariff Board in preference to coal ?

(c) If the reply to (a) be in the negative, when do Government propose formally referring the question of countervailing duty on South African coal to the Tariff Board ?

Will the Board's term of reference include the question of a higher duty on foreign coal generally ?

The Honourable Sir Charles Innes : The reference to the Tariff Board has been held up because Government have been considering whether they should not appoint an expert Committee to consider the whole question of the handling, shipment and marking of export coal

at the Kidderpore docks. I may mention for the Honourable Member's information that the coal trade in the last three months has made considerable progress in recapturing the Bombay market. 46,000 tons of Bengal coal were carried by sea to Bombay in the first three months of 1924.

**ALLEGATIONS AGAINST THE COAL TRANSPORTATION OFFICER.**

1540. \*Mr. K. C. Neogy : (a) Has the attention of Government been drawn to a letter published in the Calcutta daily "Forward" of 13th May last over the signature of Mr. Kshitish Chandra Basu in which the correspondent makes several allegations against the Coal Transportation Officer particularly as regards the method of his interviewing callers and the disposal of business at his office ?

(b) (i) Is it a fact that letters and telegrams, from the trade and the public, even if repeated half-a-dozen times, are not attended to by the Coal Transportation Officer ? (ii) Is it a fact that inquiries made from Indian Mining Federation are not answered ? (iii) Is it a fact that files and letters are lost in the office ? (iv) Is it a fact that sanctions for wagons are more easily obtained through the agency of select representatives than by interviews and letters from the interested public ?

(c) Even if a part of the allegation referred to in (a), and (b) above are true, will the Government state what steps they propose taking in the matters ?

**Mr. C. D. M. Hindley :** (a) Yes.

(b) (i). It has been ascertained that there have been unavoidable delays in replies and in some cases requests that could not be complied with have been filed, but there have been no cases in which several reminders have been ignored.

(ii) This is not a fact. The Indian Mining Federation's inquiries, if not replied to by letter, have been replied to verbally to the Federation's representative on the Advisory Committee.

(iii) and (iv). No.

(c) Government understand that the allegations made in (a) and (b) are not true except in regard to (b) (i), which is partially true. This has now been remedied, and in the circumstances Government do not intend to take any action in the matter.

**ABOLITION OF THE COAL TRANSPORTATION OFFICE.**

1541. \*Mr. K. C. Neogy : Will Government state what has been their decision in regard to the question of abolition of the Coal Transportation Office, as it was proposed to be examined in reply to Question No. 22 at the Delhi Session of the Assembly on the 1st February last ?

**Mr. C. D. M. Hindley :** No decision has yet been arrived at in the matter.

**COAL MINES IN THE RANEGUNJ AND JHARIA COALFIELDS UNDER INDIAN AND EUROPEAN MANAGEMENT.**

1542. \*Mr. K. C. Neogy : (a) With reference to the reply to Question No. 502 put on the 25th February last are the Government prepared to revise their decision in the matter and furnish the statement asked for ?



**Mr. C. D. M. Hindley :** For the reason given in reply to Question No. 502 on 25th February last in the Assembly, Government are not prepared to furnish the statement asked for.

**EARNINGS OF THE EAST INDIAN RAILWAY FROM THE TRAFFIC OFFERED BY THE KATA AND DAMAGURIA SIDINGS.**

1543. **\*Mr. K. C. Neogy :** With reference to the reply to Question No. 23 asked on the 1st February last, will Government be pleased to state what is the earning of the E. I. Railway from the traffic offered by the two sidings referred to in the question ?

**Mr. C. D. M. Hindley :** Government have not got the information asked for and have ascertained that the earnings from coal traffic are not kept by individual sidings. In the circumstances they do not propose to call upon the Railway Administration to compile the information asked for by the Honourable Member which would involve, they understand, the sorting out of about 7 or 8 lakhs of coal declaration notes.

**TRAVELLING ALLOWANCES OF THE POSTMASTERS GENERAL IN INDIA DURING 1922-23 AND 1923-24.**

1544. **\*Mr. Chaman Lall :** (a) Will the Government be pleased to lay on the table a statement showing separately the amounts of T. A. earned by each of the 7 Postmasters General in India (excluding Burma) during the year 1922-23 and 1923-24 and (b) give reasons if the amount of the T. A. earned by any particular Postmaster General was abnormally high ?

**Mr. H. A. Sams :** (a) A statement containing the information is laid on the table.

(b) The amount of travelling allowance earned by no Postmaster-General was abnormal, having regard to the variation in the size of, and in the rates of travelling allowance admissible in, the different Postal Circles.

*Statement showing travelling allowances earned by 7 Postmasters-General in India during 1922-23 and 1923-24.*

	1922-23.		1923-24.	
	Rs.	A. P.	Rs.	A. P.
P. M. G., Bengal and Assam ..	1,929	6 3	1,449	1 16
" Bihar and Orissa ..	1,847	7 6	1,722	13 0
" Bombay ..	2,449	15 0	675	11 0
" Central Circle ..	2,186	9 9	1,746	7 0
" Madras ..	1,442	13 0	2,395	4 0
" Punjab and N. W. P. ..	3,586	7 0	2,698	2 0
" United Provinces ..	2,516	7 0	1,676	7 0

**RECOVERIES FROM POSTAL OFFICIALS ON ACCOUNT OF LOSS OF INSURED ARTICLES DURING 1923-24.**

1545. **\*Mr. Chaman Lall :** Will the Government be pleased to state (a) the number of cases in the Punjab Circle in which recoveries on account of insured and ordinary articles of the letter and parcel mails lost during the course of transmission by post were made or ordered to be made from the Investigating Officers, i.e., from Inspectors, Superintendents, Post Offices, and 1st Class Postmasters who had not the direct handling of

such articles, (b) what was the total amount recovered or ordered to be recovered in this manner, and (c) under what rule of the Post Office such recoveries were made or ordered to be made ?

**Mr. H. A. Sams :** The Honourable Member has not specified the period for which he requires the information. Presuming, however, that his question relates to the year 1923-24 the particulars are as follows :

- (a) 3.
- (b) Rs. 936-11-0.
- (c) Rule 415 of the Post Office Manual, Volume II.

PROVISION OF CANTEENS FOR INDIAN TROOPS.

1546. **\*Mr. S. K. Datta :** Will Government state whether it is a fact that a system of regimental canteens has been established to serve Indian Army units ? If so, will Government state whether these canteens are " wet " or dry " ? If the former, will Government state :

- (a) The kind of alcoholic liquors stocked in these canteens for consumption by Indian soldiers ?
- (b) Are " wet " canteens attached to both " active " battalions and " training " battalions ?
- (c) Will Government give the reasons for the establishment of these canteens as also the length of the period they have been so established ?
- (d) Have any protests against their establishment been received ?
- (e) Are Government prepared to consider the question of closing down the " wet " canteens ?

**Mr. H. E. Pate :** The Provision of canteens for Indian troops is a matter which is left to the discretion of Officers Commanding and detailed information as to the number and character of these canteens is, therefore, not available.

In Waziristan, however, a few canteens have been opened by the Army Canteen Board (India) for the service of Indian troops, and the information which follows relates only to canteens in Waziristan. Only one of these canteens is " wet."

- (a) Beer is the only alcoholic liquor sold at this canteen.
- (b) There are no such canteens serving training battalions.
- (c) The canteens were opened in order to gain experience of the wants of Indian units during war. The canteens were established on the 1st May 1924.
- (d) No protests have been received.
- (e) Government are not prepared to close down the " wet " canteen.

ISSUE OF OPIUM DURING THE WAR TO INDIAN PERSONNEL ON ACTIVE SERVICE.

1547. **\*Mr. S. K. Datta :** (a) Are Government aware that during the late War opium was issued by the Supply and Transport to certain Indian personnel when on active service ?

- (b) If so, will Government state under what conditions was this done ?
- (c) Will Government place the instructions permitting this practice on the table of the House ?

(d) Will Government state whether these instructions are still in force, and, if so, is Government prepared to abolish them ?

**Mr. H. R. Pate :** (a) Yes.

(b) It was supplied as a ration on payment, to opium eaters only, at the rate of 20 grains a man per day.

(c) and (d). The issue of opium on the scale mentioned is provided for in the "Supply and Transport Manual (War)." These instructions are still in force, but the Manual is to be revised shortly, and the question will then be examined whether the issue of opium as a ration article on payment should be continued or not.

#### ILLITERACY IN THE INDIAN ARMY.

1548. **\*Mr. S. K. Datta :** Will Government state :

(a) The number of illiterates in the Indian Army ?

(b) The proportion of these to the total number enlisted ?

(c) What steps are being taken to reduce illiteracy ?

**Mr. H. R. Pate :** (a) and (b). It is not possible to state the exact number of illiterate persons in the Indian Army. I may mention however that, on the 1st April 1924, the approximate total strength of all Indian ranks of the Indian Army was 130,000 (including Gurkhas, Transborder Pathans, and men of the Burma Frontier Tribes) and of these, 50,000 were in possession of at least the 3rd standard Certificate of Education, that is, 38.8 per cent.

(c) Every soldier attends Educational Training parades. A trained soldier, unless specially excused, carries out his four hours' educational training a week. In addition to this, voluntary classes are usually arranged for men working for certificates and for promotion examinations. A recruit carries out one hour's educational training a day, exclusive of time devoted to religious instruction, physical training and games.

In addition, there is the Indian Army School of Education at Belgaum for the training of Indian officers and non-commissioned officers as Instructors.

#### EDUCATIONAL FACILITIES FOR INDIAN UNITS IN THE ARMY.

1549. **\*Mr. S. K. Datta :** (a) Will Government state what educational facilities are provided for Indian Units in the Army ?

(b) If classes are held, under whose supervision is instruction given ?

(c) What is the nature of the instruction ?

(d) From what classes are the teachers recruited and what are their educational qualifications ?

(e) Are Indian units provided with libraries ; if so, how are they conducted ?

(f) Will Government furnish members of the Assembly interested with detailed information regarding existing Educational Schemes for the Indian Army ?

**Mr. H. R. Pate :** (a) The attention of the Honourable Member is invited to the reply just given to part (c) of his previous question.

(b) The classes are supervised by Squadron, Battery and Company Commanders, as well as by the officers and non-commissioned officers who

have been trained at the Indian Army School of Education. Officers of the Army Educational Corps are attached to Commands, District and Brigade Areas and carry out inspection duties. These Command Inspectors are assisted by senior Indian Officers who have been trained at the Indian Army School of Education.

(c) The following subjects are taught :

- (1) Reading and writing in the man's own vernacular script.
- (2) Simple Urdu in the Roman script.
- (3) Mathematics.
- (4) *Esprit de corps* and regimental history.
- (5) Elementary hygiene and sanitation.
- (6) Elementary anatomy and physiology.
- (7) Geography and Map reading.
- (8) History.
- (9) Citizenship.
- (10) Theory of Agriculture.
- (11) English.

In addition, a recruit undergoes a thoroughly scientific course of physical training, which includes exercises designed to quicken the brain. Religious instruction is given by the religious teachers who are borne on the strength of the Units.

(d) It is the duty of all officers and non-commissioned officers to instruct their men. In addition, specially trained selected officers and non-commissioned officers are trained as Instructors at the School of Education. It is hoped that eventually every company or equivalent unit will have a non-commissioned officer instructor, and every regiment or battalion, a British and an Indian officer as supervisor, all of whom will have qualified at a School of Education.

Instructors will, in future, be drawn from the classes enlisted in the unit.

(e) Indian units are not provided with libraries. A sum of as. 12 per man per annum is, however, provided for the purchase of books required for educational training.

(f) The existing educational schemes for the Indian Army are under revision. A "Manual of Educational Training for the Indian Army" is in preparation and will, it is hoped, be published before the end of the year. It will be available to the general public on payment.

**EMPLOYMENT OF MR. KIRKPATRICK, LATE DEPUTY CONSERVATOR OF FORESTS, AS LABOUR INSPECTOR AT JAMSHEDPUR.**

1559. \*Khan Bahadur Sarfaraz Hussain Khan : Will Government please state :

- (a) If it is a fact that Mr. Kirkpatrick is employed as Labour Inspector at Jamshedpur ?
- (b) Whether before his appointment as such, he was a Deputy Conservator of Forests in the Imperial Service ?
- (c) If so, what was his pay as Deputy Conservator of Forests and what is his pay in the service of the Tata Company ?
- (d) What was the length of his service under the Government ?

(e) Whether he is drawing a pension, and if he is drawing a pension, what is the amount of his pension ?

**Mr. J. W. Bhoré :** (a) Government have no information.

(b) Mr. Kirkpatrick was a Deputy Conservator of Forests in the Indian Forest Service.

(c) Rs. 900 a month while he was in Government service. Government have no information as to his pay under the Tata Company.

(d) 13 years and about 4 months.

(e) He is in receipt of a compassionate allowance of Rs. 100 a month.

**TOURS OF INSPECTION OF THE POSTMASTER GENERAL, PUNJAB POSTAL CIRCLE.**

1551. **\*Mr. Chaman Lal :** (a) Will the Government be pleased to state the period of halts at each Head and Sub-Office by the Postmaster General, Punjab Postal Circle, in the years 1922-23, 1923-24 ?

(b) Will the Government be pleased to state the number of days allowed for the inspection of (a) a Head Office, (b) Superintendent's Office by a Postmaster General ?

(c) Will the Government be pleased to state the stations where the Postmaster General, Punjab Postal Circle, halted during the years 1922-23 and 1923-24, but carried on no inspections ?

(d) Will the Government be pleased to state stations where the Postmaster General, Punjab Postal Circle, stayed for a period longer than required for inspection purposes, during the years 1922-23, 1923-24 ?

(e) Will the Government be pleased to state the name of Sub-Offices with the period of halt at each such station where the Postmaster General, Punjab Postal Circle stayed for a period over that prescribed for the inspection of Sub-Offices ?

(f) Will the Government be pleased to state the object of visits to the following Sub-Post Offices by the Postmaster General, Punjab Postal Circle, during 1922-23 and 1923-24 :

1. Kasauli. 2. Islamabad. 3. Nowshera. 4. Madhopur. 5. Solon.
6. Panipat.

(g) Will the Government be pleased to state the total stay of the Postmaster General, Punjab Postal Circle, at his Head Quarters at Lahore, during the year 1922-23 and 1923-24 ?

**Mr. H. A. Sams :** (a) A statement containing the information is laid on the table.

(b) No period is fixed in either case.

(c) None. The Postmaster-General halted at Madhopur to inspect the Pathankot post office, a distance of 6 miles from Madhopur, as there is no suitable accommodation at Pathankot itself.

(d) and (e). None.

(f) Kasauli  
Islamabad  
Nowshera  
Panipat  
Madhopur  
Solon

} For inspection and inquiry.

} For inspection of Pathankot.  
For inspection.

(g) 52 days in 1922-23 ; and 32 days in 1923-24.

*Statement showing halts at each Head and Sub-office by Postmaster-General, Punjab and North-West Frontier, in 1922-23 and 1923-24.*

	1922-23.	1923-24.
<b>Head Offices—</b>		
Abbottabad .. .. .	.. days.	4 days.
Ambala .. .. .	10 "	15 "
Amritsar .. .. .	8 "	2 "
Delhi .. .. .	7 "	10 "
Dera Ismail Khan .. .. .	.. "	4 "
Dharamsala .. .. .	7 "	6 "
Gujranwala .. .. .	2 "	.. "
Gujrat .. .. .	2 "	.. "
Gurgaon .. .. .	3 "	.. "
Hissar .. .. .	.. "	4 "
Jhelum .. .. .	5 "	5 "
Jullundur .. .. .	9 "	3 "
Karnal .. .. .	4 "	1 "
Kohat .. .. .	6 "	.. "
Ludhiana .. .. .	3 "	3 "
Lyallpur .. .. .	.. "	4 "
Multan .. .. .	.. "	2 "
Patiala .. .. .	.. "	1 "
Peshawar .. .. .	2 "	8 "
Rawalpindi .. .. .	16 "	18 "
Sargoda .. .. .	.. "	9 "
Sialkot .. .. .	4 "	5 "
Srinagar .. .. .	8 "	11 "
<b>Sub-Offices—</b>		
Baghi .. .. .	3 "	.. "
Islamabad .. .. .	3 "	1 "
Kasauli .. .. .	4 "	1 "
Kotgarh .. .. .	3 "	.. "
Madhopur .. .. .	.. "	7 "
Murreo .. .. .	2 "	.. "
Narkeanda .. .. .	1 "	.. "
Nowshera .. .. .	7 "	.. "
Nurpur .. .. .	3 "	.. "
Panipat .. .. .	2 "	.. "
Rampur .. .. .	1 "	.. "
Solou .. .. .	3 "	.. "

**Mr. Chaman Lal :** I am sorry I did not quite catch the explanation as to the visit of the Postmaster General to Islamabad.

**Mr. H. A. Sams :** I did not hear the Honourable Member's question.

**Mr. Chaman Lal :** I wanted to know the reason which the Honourable Member gave with regard to the visit of the Postmaster-General to Islamabad.

**Mr. H. A. Sams :** His visit was for inspection and inquiry:

**TRAVELLING ALLOWANCES OF THE POSTMASTER GENERAL, PUNJAB POSTAL CIRCLE, DURING 1920-21, 1921-22, 1922-23 AND 1923-24.**

1552. **\*Mr. Chaman Lal :** (a) Will the Government be pleased to state month by month the Travelling allowance drawn by the Postmaster General, Punjab Postal Circle, during (a) 1920-21, 1921-22 and (b) 1922-23, 1923-24, and state reasons for abnormal difference, if any, between (a) and (b) ?

(b) Is it a fact that certain halts and Travelling allowance bills of the Postmaster General, Punjab Postal Circle for 1922-23, 1923-24

were objected to by the Accountant General, and if so will the Government be pleased to state particulars of objections and final settlement thereof ?

**Mr. H. A. Sams :** (a) A statement containing the required information is laid on the table. The difference between (a) and (b) is due to a change in personnel in March 1922. The new Postmaster-General had to tour extensively in 1922-23 in order to get a first hand knowledge of local conditions in his circle.

(b) The Deputy Accountant General, Posts and Telegraphs, Delhi, held under objection the travelling allowance drawn by the Postmaster-General for a journey from Delhi to Lahore in September 1922, but on an explanation being given subsequently withdrew his objection.

*Statement showing the travelling allowances drawn by the Postmaster-General, Punjab and North-West Frontier, during (a) 1920-21 and 1921-22, and (b) 1922-23 and 1923-24.*

	(a) 1920-21 and 1921-22.			(b) 1922-23 and 1923-24.		
	Rs.	A.	P.	Rs.	A.	P.
April .. ..	203	15	0	701	6	0
May .. ..	250	3	6	187	5	6
June .. ..	Nil.			323	9	6
July .. ..	214	9	6	182	2	0
August .. ..	373	13	6	Nil.		
September .. ..	341	0	0	542	13	0
October .. ..	508	1	6	635	5	0
November .. ..	749	7	9	794	13	0
December .. ..	549	9	0	468	2	0
January .. ..	704	2	9	1,285	3	0
February .. ..	534	0	6	1,008	4	0
March .. ..	349	8	6	175	10	0
Total .. ..	4,787	7	6	6,284	9	0

#### TRAINING OF POSTAL AND RAILWAY MAIL SERVICE PROBATIONERS.

1553. **\*Mr. Chaman Lal :** (a) Will the Government be pleased to state the period fixed by rules, for the training of Postal and R. M. S. probationers ?

(b) Will the Government be pleased to state the methods adopted by Postal and R. M. S. Departments for training of probationers in the various branches of work ?

(c) Will the Government be pleased to state whether books of reference are supplied to all probationers under training, and if not, why ?

(d) Is it a fact that each Head Post Office is generally supplied with only one copy each of Post Office Manuals, Volumes I, II, IV and V, and that such books can never be spared by Postmasters for probationers nor do they suffice for the probationers, under training ?

(e) Is it a fact that postal probationers (now reserve clerks) are generally appointed to work as clerks on their own pay before the expiry of their training period ?

**Mr. H. A. Sams :** (a) There is no fixed period of training for a candidate in postal work. For R. M. S. work the period of training is 4 months.

(b) For Postal work a candidate is trained by being placed in the various branches of a post office (other than the correspondence branch) in turn, so that he may learn the work by actually seeing how it is done, and the official in charge of the office is required to examine the candidate periodically and report on his progress. For R. M. S. work, a candidate is usually sent to a Training School and is also required to study the sorting list of the section or mail office to which he is attached, his progress being tested periodically.

(c) No. As the training is of an essentially practical character, the supply of separate sets of books to each candidate is not necessary.

(d) Yes. But Government have no reason to suppose that candidates have any difficulty in obtaining access to such books, should they desire to do so.

(e) Yes, but orders are about to issue under which candidates will be trained before they are appointed as reserve clerks.

**CASE OF ARJAN SINGH, CLERK, RAWALPINDI POST OFFICE.**

1554. \*Mr. Chaman Lal : (a) Are the Government aware of the case of one Arjan Singh, clerk, Rawalpindi Post Office, who was dismissed on the charge of making an allegedly false complaint against a European Postmaster stating that the latter had abused him ?

(b) Are the Government aware that the matter was inquired into by a European Deputy Postmaster General of the Punjab Postal Circle ?

(c) Are the Government aware that the finding of the European enquiring officer confirmed the complaint of the clerk Arjan Singh as true, and proved ?

(d) Is it a fact that the Director General on reconsideration of Arjan Singh's appeal has reinstated him to his post ?

(e) Is it a fact that the Director General has proved that strong language was used by the Postmaster against the clerk ?

(f) Is it a fact that Arjan Singh, clerk, has been punished in the same case in the shape of stoppage of his further promotion for two years and the treatment of his period out of employ as leave without pay, and that he has been required to pass an examination to prove his fitness for retention in the Department ?

(g) If the answer to (f) is in the affirmative, are the Government prepared to reconsider the case of Arjan Singh ?

**The Honourable Sir Bhupendra Nath Mitra :** The Government of India are not aware of the facts of this case, but are causing inquiries to be made.

**Mr. Chaman Lal :** May I ask the Honourable Member whether this case was not brought to the notice of the Government in the Delhi Session ?

**The Honourable Sir Bhupendra Nath Mitra :** The Honourable Member did ask a question, but as no appeal had been submitted to the Government of India through the proper channel, no action could be taken then.



Mr. Chaman Lal : May I ask if it is not a fact that this gentleman was reinstated ?

The Honourable Sir Bhupendra Nath Mitra : It is a fact that he has been reinstated.

Mr. Chaman Lal : May I ask whether he is aware of the fact that all facts relative to this case have been brought to the notice of Government ?

The Honourable Sir Bhupendra Nath Mitra : As I have said, the full facts have not been brought to the notice of Government, and for that reason Government have started an inquiry into the matter.

Mr. Chaman Lal : Will the Government take the matter into consideration at an early date ?

The Honourable Sir Bhupendra Nath Mitra : That is being done.

#### LOCATION OF THE NEW GENERAL POST OFFICE AT PESHAWAR.

1555. \*Mr. Chaman Lal : (a) Is it a fact that the Peshawar G. P. O. is proposed to be shifted to Jheel Road opposite the Edward College, Peshawar ?

(b) Is it a fact that the site chosen is at a distance of over a mile from the Sadar Bazar and of over two miles from the military lines and barracks ?

(c) Is it a fact that the land acquired by the Government, to build the new Post and Telegraph Offices, will cost nearly a lakh of rupees ?

(d) Is it a fact that the new Post and Telegraph Offices are proposed to be erected on the acquired land at a cost of about 2½ lakhs, and by demolishing the three bungalows already standing over it ?

(e) Will the Government be pleased to state the particular object for which the scheme of building a new G. P. O. at such a heavy cost to the State and on the particular site chosen has been undertaken ?

Mr. H. A. Sams : (a) Yes.

(b) From certain parts of the Sadar Bazar and of the Military lines the distance may be approximately as stated.

(c) The cost will be about Rs. 63,000.

(d) Yes.

(e) The new buildings are required to accommodate the Post and Telegraph Office at Peshawar. The existing Post Office building is inadequate and of a design which precludes the possibility of any successful modification or enlargement. The existing Telegraph Office building is in a dangerous condition, and if retained would require to be reconstructed.

The site chosen is close to the Railway Station and is conveniently situated, being almost equidistant from the commercial, civil and

military centres of Peshawar. Apart from its intrinsic merits it is also the only site of the required size available.

INVESTIGATION INTO THE CAUSES OF KALA-AZAR.

1556. **Mr. Ahmed Ali Khan** : Is it a fact as stated in the *Statesman* of the 15th May 1924, that Government are shortly going to appoint a Committee of medical experts to investigate the causes of the disease known as Kala-Azar and the best method of combating it ?

**Mr. J. W. Bhore** : The Commission has already been appointed and a communiqué regarding its composition and activities will be issued shortly.

PROHIBITION AGAINST GOVERNMENT SERVANTS REPRESENTING THEIR GRIEVANCES TO NON-OFFICIAL MEMBERS OF THE INDIAN LEGISLATURE.

1557. **\*Mr. W. M. Hussanally** : (a) Is it a fact that the Under Secretary of State announced in the House of Commons sometime back that it was no offence for any public servant to represent his grievances to non-official Members of the Indian Legislatures ?

(b) Have the Government of India and Local Governments issued circulars debarring their servants from laying their grievances before such Members ? If so, why ?

(c) Are Government prepared to consider the question of cancelling the circular in question and advising Local Governments to do the same ?

**The Honourable Sir Alexander Muddiman** : (a) The answer given to the question on the subject asked in the House of Commons was to the effect that the Secretary of State was not aware of any rule prohibiting any Government servant in India from bringing his grievances to the notice of non-official Members of the Legislatures, provided that in doing so he does not infringe rule 17 of the Government Servants' Conduct Rules.

(b) The Government of India have issued no orders which do not accord with the statement referred to above. They have no information as to what orders may have been issued by Local Governments.

(c) No.

**Mr. T. C. Goswami** : Will the Government be pleased to obtain information from the Local Governments on the subject ?

**The Honourable Sir Alexander Muddiman** : No, Sir.

THE LEE COMMISSION'S REPORT.

1558. **Mr. H. G. Cocke** : Will Government be pleased to state what procedure will be followed in considering and deciding upon the Report of the Royal Commission on the Public Services and when do they expect that orders will be issued on the Commission's recommendation ?

**The Honourable Sir Alexander Muddiman** : As explained in the debate last Monday, the Indian Legislature will be given full opportunity

of discussing the conclusions of the Report in the September session. Meantime the Government of India will proceed with their own examination of these questions and will obtain the views of Local Governments. It may be hoped that it will be possible to issue orders on the main recommendations soon after the conclusion of the September session.

#### CONTRACTS OF TELEGRAPHISTS.

1559. \*Mr. K. Rama Aiyangar : (a) Will the Government be pleased to lay on the table the terms of any contract on which telegraphists are recruited and trained ?

(b) Are there any Government or departmental orders that telegraphists ought not to be employed or transferred to the postal or the combined Postal and Telegraph Services ?

Mr. H. A. Sams : (a) There is no contract on which Telegraphists are recruited and trained. A copy of the prospectus of the Telegraph Branch of the Post and Telegraph Department and a copy of the declaration to be signed by a recruit on joining a training class, are laid on the table.

(b) No.

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#### POSTS AND TELEGRAPHS.

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##### *Pay and Prospects in the Traffic, Electrical and Engineering Establishments of the Telegraph Branch.*

The pay and prospects have now been greatly improved and the following prospectus is published in order to show intending candidates the career which this Department offers them.

2. The Signalling Establishment of the Traffic Branch comprises two Services ; General and Station. Men in the General Service are liable to transfer anywhere in India or Burma, whereas Telegraphists (whether men or women) in the Station Service are immune from transfer (except in the case of grave public emergency) outside the station to which their service is attached. All candidates must go through a course of training in a recognised Telegraph Training class and must pass a qualifying examination before appointment as Telegraphists. There are two kinds of training classes :

(1) Government Training classes.

(2) Training classes in certain approved schools.

Instruction in a Government Training class usually lasts for twelve months and candidates are accepted between the ages of 16 and 20 years. They receive, while under training, an allowance of Rs. 20 a month. The system of Training classes in approved schools is different. Candidates between the ages of 16 and 18 years, who elect for the Telegraph Service, are generally given a two years' course in Telegraphy which takes the place of certain subjects in their ordinary school curriculum. At the end of the course they have to pass a qualifying test. For every candidate passed out from an approved school training class and admitted into the Department as a General Service Telegraphist, a bonus of Rs. 100 is paid to the school and Rs. 60 to the candidate, and for each admitted as a Station Service Telegraphist, a bonus of Rs. 70 is paid to the school and Rs. 40 to the candidate. The qualifying test in signalling is 20 words a minute in all subjects except in punching and reading Wheatstone perforated tape, for which the minimum qualifying speed is 15 words a minute. Only boys or girls of good character and health and fair all-round education are accepted. Girls are recruited for the Station Service only.

3. Those candidates who pass the final tests must commence their service as telegraphists and the rates of pay are given in the following statement :

Year.	General Service (men).	STATION SERVICE	
		At CALCUTTA, RAN- GOON, BOMBAY, MADRAS AND KARA- CHI (" A " SER- VICE).	At ANY OTHER PLACE WHERE ADOPTED (" B " SER- VICE).
		Scale sanctioned for men and women alike.	Scale sanctioned for men and women alike.
	Rs.	Rs.	Rs.
1 .. ..	80	70	60
2 .. ..	85	75	65
3 .. ..	90	80	70
4 .. ..	95	85	75
5 .. ..	100	90	80
6 .. ..	110	95	85
7 .. ..	120	100	90
8 .. ..	130	105	95
9 .. ..	140	110	100
10 .. ..	150	115*	105*
11 .. ..	160	120	110
12 .. ..	170	125	115
13 .. ..	180	130	120
14 .. ..	190	135	125
15 .. ..	200*	140	130
16 .. ..	210	145	135
17 .. ..	220	150	140
18 .. ..	230	155	145
19 .. ..	240	160	150
20 .. ..	250	..	..

\* Indicates efficiency bar.

4. Telegraphists are eligible for promotion to the grade of Telegraph Master and thereafter to that of Deputy Superintendent in the Traffic establishment and for appointment as officers in the Superior Traffic Branch. They are also eligible for appointment to the Electrical and Engineering establishments, for which men are selected from the Traffic Establishment early in their service, and after undergoing a special course of training and passing specified examinations they are appointed Engineering Supervisors or Electrical Supervisors. The pay of the several grades in the Supervising Traffic and in the Electrical and Engineering establishments is given below, but is subject to revision in accordance with such rules and regulations as Government may issue from time to time.

#### TRAFFIC ESTABLISHMENTS.

(a) Pay of Telegraph Masters (553 appointments) :

(i) General Service (283 appointments)—Rs. 275 a month rising by annual increments of Rs. 10 to Rs. 325.

(ii) Station Service :

(a) ("A" Service—33 appointments)—in Calcutta, Bombay, Madras, Karachi and Rangoon—Rs. 200 a month rising by annual increments of Rs. 10 to Rs. 250.

(b) ("B" Service—37 appointments)—in Lahore and Agra or any other station where the Director General may decide to introduce the Service—Rs. 180 a month rising by annual increments of Rs. 10 to Rs. 230.

(b) Pay of Deputy Superintendents :

Deputy Superintendents, 2nd class (34 appointments)—Rs. 350—20—450.

Deputy Superintendents, 1st class (20 appointments)—Rs. 500—20—600.

(c) Pay of Officers in the Superior Traffic Branch :—

(i) Superior Traffic Branch, Second Division :—

36 officers .. .. Rs. 350—20—550—30—700.

(ii) Superior Traffic Branch, First Division :—

14 officers .. .. Rs. 800—60—1,400.

(iii) Deputy Director General, Telegraph Traffic—Rs. 1,750—100—2,150.

NOTE.—Officers of the Superior Traffic Branch are recruited as far as possible from the upper subordinate and subordinate staff.

#### ELECTRICAL ESTABLISHMENT.

(a) Pay of Electrical Supervisors (48 appointments)—Rs. 80—5—100—10—250—20—350.

(Scale pay of General Service Telegraphists of the Traffic establishment from Rs. 80 to Rs. 250, rising further by annual increments of Rs. 20 to Rs. 350. In addition Electrical Supervisors receive an allowance of Rs. 40 a month subject to the condition that the pay plus this allowance must not exceed Rs. 350.)

(b) Pay of Deputy Assistant Electricians :—

Deputy Assistant Electrician, 2nd class (9 appointments)—Rs. 350—20—450.

Deputy Assistant Electrician, 1st class (5 appointments)—Rs. 500—20—600.

(c) Pay of Assistant Electricians :

3 officers .. .. Rs. 350—20—550—30—700.

#### ENGINEERING ESTABLISHMENT.

(a) Pay of Engineering Supervisors, General and Telephones (109 appointments)—Rs. 80—5—100—10—250—20—350.

(Scale pay of General Service Telegraphists of the Traffic establishment from Rs. 80 to Rs. 250, rising further by annual increments of Rs. 20 to Rs. 350. In addition Engineering Supervisors receive an allowance of Rs. 40 a month subject to the condition that the pay plus this allowance must not exceed Rs. 350.)

(b) Pay of Deputy Assistant Engineers :—

Deputy Assistant Engineer, 2nd class  
(37 appointments) .. .. Rs. 350—20—450. .. ..

Deputy Assistant Engineer, 1st class  
(20 appointments) .. .. Rs. 500—20—600. .. ..

(c) Pay of Assistant Engineers :—

12 officers .. .. Rs. 350—20—550—30—700.

(d) Pay of the Superior Engineering establishment :

Year.	SENIOR SCALE.				JUNIOR SCALE.			
	Pay.	Technical allowance.	Over-seas allowance.	Total.	Pay.	Technical allowance.	Over-seas allowance.	Total.
	Ra.	Ra.	Ra.	Ra.	Ra.	Ra.	Ra.	Ra.
1st .. ..	..	..	..	..	300	75	150	525
2nd .. ..	..	..	..	..	350	75	150	575
3rd .. ..	..	..	..	..	400	75	150	625
4th .. ..	550	75	150	775	450	75	150	675
5th .. ..	550	75	150	775	450	75	150	675
6th .. ..	600	75	150	825	500	75	150	725
7th .. ..	650	75	150	875	550	75	150	775
8th .. ..	650	75	200	925	550	75	200	825
9th .. ..	700	75	200	975	600	75	200	875
10th .. ..	750	75	200	1,025	650	75	200	925
11th .. ..	800	75	200	1,075	700	75	200	975
12th .. ..	850	75	250	1,175	750	75	250	1,075
13th .. ..	900	75	250	1,225	800	75	250	1,125
14th .. ..	950	75	250	1,275	850	75	250	1,175
15th .. ..	950	75	250	1,275	900	75	250	1,225
16th .. ..	1,000	75	250	1,325	..	..	..	..
17th .. ..	1,050	75	250	1,375	..	..	..	..
18th .. ..	1,100	75	250	1,425	..	..	..	..
19th .. ..	1,150	75	250	1,475	..	..	..	..
20th .. ..	1,200	75	250	1,525	..	..	..	..
21st .. ..	1,290	75	250	1,525	..	..	..	..
22nd .. ..	1,250	75	250	1,575	..	..	..	..
23rd .. ..	1,250	75	250	1,575	..	..	..	..
24th and after ..	1,300	75	250	1,625	..	..	..	..

(i) The technical allowance is admissible to all officers recruited in Europe, whether Europeans or Indians. The overseas allowance will be admissible only to officers of non-Indian domicile, subject to the proviso that Indians recruited in England up to and including the year 1924 will receive this allowance. Both the allowances will be reckoned as pay for all purposes of the Civil Service Regulations.

(ii) Pay on the junior scale will be drawn by officers holding charges of less importance than a divisional charge but no such officer will be allowed to draw more than the pay of the 9th year of service on the junior scale unless he is reported to be fully qualified for the charge of a division. Pay on the senior scale will be drawn by the officers holding charges of not less importance than the charge of a division.

Directors	..	..	..	Rs. 1,750—100—2,150.
Chief Engineer	..	..	..	Rs. 2,750—125—3,000.

NOTE.—One-half of this Engineering Establishment is recruited from England, one-fourth from Indian Engineering Colleges and one-fourth by promotion from the grades of Assistant Engineers, Assistant Electricians and Upper Subordinates of the Engineering Establishment.

G. R. CLARKE,

*Director-General of Posts and Telegraphs.*

CALCUTTA ;

*The 8th September, 1921.*

### POSTS AND TELEGRAPHS.

*Declaration to be signed by Probationers on joining a Departmental Training Class.*

I hereby declare that it is my wish to enter the Station service of the Telegraph Department and that—  
General

(2) I thoroughly understand the rules regarding probationers contained in Chapter II of the Telegraph Manual, Volume II, as well as those herein laid down, and I agree to be bound by them and obey them or any additions or alterations to them which may, from time to time, be ordered by the Director-General.

(3) I have read the Telegraph Act, the Indian Official Secrets Act, and the Government Servants' Conduct Rules contained in Appendix No. 8 to the Telegraph Manual, Volume I, and clearly understand that I become liable to the provisions and penalties therein on joining the Training Class.

(4) I undertake to serve for at least three years in the Department after I pass out of the class.

(5) I elect for Station Service at.....place provided there is accommodation available there at the time of my appointment as a telegraphist, or else I shall be prepared to elect for another place where I can be accommodated.

(6) I am further aware—

(i) That probationers are liable to summary dismissal from the class for misbehaviour, such as drunkenness, insubordination or any other serious offence, and they are also liable to be punished for minor offences exactly in the same way as telegraphists are.

(ii) That probationers who fail to show sufficient progress in their studies, or are unpunctual or irregular in attendance, will be liable to removal from the class.

(iii) That any probationer may, with the sanction of the Postmaster-General, be called upon to assist in the work of a signal office when necessary without extra remuneration.

(iv) That probationers are not entitled to any leave with allowance during the period of their training, except casual leave for a few days (not as a rule exceeding three days nor as a rule more than once in the same month, nor exceeding fifteen days in the whole period of training) which may be granted by Instructors in charge of Training classes. If leave has to be taken on medical certificate, it will be without allowance.

(v) That all probationers must be clean and neatly dressed when attending the classes.

(vi) That the limits of Station service are as defined in paragraph 65 of the General Telegraph Manual, Volume II.

- (vii) That all probationers will be expected to pass out of the class within twelve months which is the maximum period for which allowance at Rs. 20 a month will be given.

.....  
Signature of probationer.

Place.....

Date.....19 .

.....  
Signature of witness.

- NOTE 1.—Clause (4) should be scored out in declarations signed by women probationers.  
 „ 2.—Clause (5) should be scored out in declarations signed by General Service probationers.  
 „ 3.—All corrections in the form should be initialled.

RENEWAL OF THE RAILWAY TRACK BETWEEN WALT AIR AND CALCUTTA.

1560. \*Mr. K. Rama Aiyangar : Will the Government be pleased to state what length of the railway line between Waltair and Calcutta has been renewed since the year 1918-19 and what length of that line is proposed to be renewed in the current year and at what cost ?

Mr. C. D. M. Hindley : The railway administration concerned has been asked to furnish the required information which will be conveyed to the Honourable Member on receipt.

REDUCTION OF MILITARY EXPENDITURE IN 1924-25.

1561. \*Mr. K. Rama Aiyangar : Will the Government be pleased to state if steps are being taken to reduce military expenditure in 1924-25 in the provision made in the Budget of 1924-25 under the various heads ? If so, how are the steps taken and under what heads ?

The Honourable Sir Basil Blackett : The Army estimates for 1924-25 embody all the reductions in military expenditure which it has, so far, been found possible to effect. At the same time no opportunity is being lost of carrying out such further retrenchments as may be found to be practicable, and by direction of the Governor General in Council the estimates are now being scrutinised by a Sub-Committee of the Executive Council.

RUSSIAN ROUBLE NOTES.

1562. \*Lala Hans Raj : (a) Is it a fact that in December 1919, His Excellency the Governor General in exercise of the powers conferred by section 72 of the Government of India Act 1915, was pleased to issue an Ordinance called the Rouble Ordinance 1919, whereby the possession of rouble notes was declared illegal and the holders thereof were forced either to export them to any place outside India or deposit them in a Government treasury or a Currency Office ?

(b) Are the Government aware of the fact that it being the winter season, the traders in general and the Panjabee traders of Yarkand especially could not travel to Yarkand to get the rouble notes encashed there in the brief period of six weeks and were thus forced to deposit them in the Government treasuries ?

(c) Will the Government be pleased to state the amount of rouble notes deposited in the Hoshiarpore (Punjab) Treasury in pursuance of the said Ordinance ?



(d) Is it also a fact that even when inquiries were solicited, the traders were not informed that it was open to them to withdraw the rouble notes from the Government Treasuries or Currency Offices either to export them or get them encashed outside India ?

(e) Is it a fact that when in September 1922, the said legislation expired the value of the rouble notes was reduced to nil ?

(f) Will the Government be pleased to state what steps, if any, does the Government intend to take to save Indian subjects from the losses incurred as a result of the above Ordinance ?

**The Honourable Sir Alexander Muddiman :** (a) The answer is in the affirmative.

(b) Government have no information on the point.

(c) The value of the notes deposited up to February 1920 was 4,467,552 roubles. Government have no later information.

(d) Government are not aware that the Ordinance was ambiguous, or that any traders found difficulty in obtaining information about the position in regard to the withdrawal of notes for export.

(e) I understand that the rouble note had no exchange value in India in September 1922.

(f) I invite the Honourable Member's attention to the reply which I gave to Mr. Hussanally's Question No. 1336 on the 6th June, 1924.

#### TEMPORARY PROMOTIONS IN THE OFFICES OF MILITARY CONTROLLERS OF ACCOUNTS.

1563. \***Mr. C. S. Ranga Iyer :** (1) Will the Government be pleased to state if the following cases have occurred in the Military Controller's Offices :

(a) Some clerks made permanent in the office of the Controller, Meerut on 1st April 1920 drew pay at Rs. 90 per mensem from the said date while the pay of clerks senior to them serving in other offices, specially late supply circle was fixed at an amount below Rs. 90 per mensem ?

(b) Clerks, who, having been on privilege leave or leave on medical certificate or employed in a more important section or in Controller's offices, where there was a large number of senior clerks and accountants, were not recipients of temporary promotions on 1st April 1920, as third grade accountants, are drawing less pay than their juniors in the same or other Controller's offices who happened to be supervisors on 1st April 1920, and in receipt of temporary promotions on that date ?

(2) If so, will Government state why the next below rule was not applied and do they propose to inquire into these cases ?

**The Honourable Sir Basil Blackett :** 1 (a). Clerks employed in each Controller's office are borne on a local roster of their own. The fact that a clerk of the office of the Controller, Meerut, drew pay at Rs. 90 on the 1st April 1920 does not give his seniors in other offices any claim for an enhanced rate of pay.

1 (b). The temporary promotions in question were intended to be granted locally to a limited number of junior clerks who had actually undertaken the duties of supervisors or other equally important duties,

and Government decided that these promotions should be viewed as special promotions for the purpose of the next below rule.

(2) Government do not propose to make further inquiries.

TEMPORARY PROMOTIONS IN THE OFFICES OF MILITARY CONTROLLERS OF ACCOUNTS.

1564. \*Mr. C. S. Ranga Iyer : Will the Government be pleased to state if this temporary promotion has been treated as special, in what respect it differed from other promotions made during the war, specially, temporary promotion of accountants to Deputy Assistant Controllers ?

The Honourable Sir Basil Blackett : Appointments of temporary Deputy Assistant Controllers were created during the war as necessity arose in each office. They were intended to deal with the increase of work caused by the war and the new system of accounts. These appointments were additions to the sanctioned complement of Deputy Assistant Controllers in the Military Accounts Department for an indefinite period and some appointments have, in fact, been in existence continuously for the last 8 years. The temporary promotion of accountants, on the other hand, was specifically sanctioned by Government only up to 31st March 1920. The sole object was to benefit deserving men, actually performing the duties of supervisors, in respect of their initial pay on 1st April 1920. The concession was extended up to 30th April 1920 as a very special case.

TEMPORARY CLERKS AND ACCOUNTANTS IN THE MILITARY ACCOUNTS DEPARTMENT.

1565. \*Mr. C. S. Ranga Iyer : Is it not a fact :

- (a) that temporary accountants, appointed under Finance Department letter of 1916 and passed accountants' test in 1919, had under paragraph 52 (c), Civil Audit Code prior claim towards absorption in permanent and sub-*protem* vacancies in accountants' grade (when their ultimate absorption in the accountants' grade was decided early in 1919 and assured, they having been allowed to appear at the S. A. S. examination in 1919) over fourth grade clerks who passed accountants' test in 1919 or previous to 1919 but held only sub-*protem* appointments in the 3rd grade till after the result of S. A. S. examination of 1919 was out ?
- (b) that war service of these temporary accountants and graduate and non-graduate clerks before 1st April 1920 do not count towards promotion or pension. If so, why has not this concession been extended to temporary clerks and accountants of Military Accounts Department ?

The Honourable Sir Basil Blackett : (a) No. The provisions of paragraph 52, Civil Audit Code, have not yet been made applicable to the Military Accounts Department and the question of revising the existing rules on the subject is now under consideration.

(b) The war service referred to does not count. These temporary accountants were originally engaged on certain specified conditions, and the fact that a sufficient number of suitable men came forward to take up these temporary appointments proves that the terms offered were liberal enough.

**Mr. C. S. Ranga Iyer :** Is it not a fact, Sir, that temporary service of military officers, including temporary I. M. S. Officers on consolidated rates of pay, count towards pay and pension ?

**The Honourable Sir Basil Blackett :** That is a question of which I should require notice.

**Mr. C. S. Ranga Iyer :** Was the condition of service of these temporary accountants similar to that of temporary I. M. S. Officers ?

**The Honourable Sir Basil Blackett :** That also I should require notice of.

**Mr. C. S. Ranga Iyer :** Were the terms of Finance Department letter of 1916 unalterable like the laws of the Medes, or did it lie in the hands of Government, when the ordinary conditions of equity and thoroughness demanded, to increase the efficiency of the Department, which was then at a very low level, as pointed out by the Inchcape Commission ?

**Mr. Chairman :** Is the Honourable Member making a speech ?

**The Honourable Sir Basil Blackett :** The Finance Department letter was a letter of the Government of India and not a letter of the Medes and Persians.

**Mr. C. S. Ranga Iyer :** Is it not a fact that the terms were interpreted very rigidly with a view to benefiting fourth grade clerks of the Department ?

**The Honourable Sir Basil Blackett :** I do not carry in my head the merits of the fourth grade clerks.

**Mr. C. S. Ranga Iyer :** Are these temporary services.....

**Mr. Chairman :** I am afraid I must ask the Honourable Member to reserve his speech for the September session.

**Mr. C. S. Ranga Iyer :** It is a supplementary question, Sir.

**The Honourable Sir Basil Blackett :** I should be very glad to answer these questions if I knew the answers.

#### STOPPAGE OF CONVEYANCE ALLOWANCE OF CLERKS AND ACCOUNTANTS ATTACHED TO UNITS AND FORMATIONS.

1566. **\*Mr. C. S. Ranga Iyer :** (a) Are the Government aware that the stoppage of conveyance allowance has given rise to much discontent among the clerks and accountants attached to Units and formations ?

(b) Why has this allowance been stopped ?

(c) Is it not a fact that all sorts of allowances including Syce and Forage allowance are still admissible to British personnel and officers until arrangements for suitable family accommodation near (at least within three miles) their offices or for suitable Government transport could be made for them ?

(d) Will the Government be pleased to state what steps they propose to take in the matter ?

**The Honourable Sir Basil Blackett :** (a), (b) and (d). I would refer the Honourable Member to the answer which I gave to paragraph 3 of question No. 1280 asked by Mr. N. C. Kelkar on the 5th June 1924.

(c) I do not know what is meant by the reference to 'all sorts of allowances'. A Syce and Forage allowance is granted to certain Military Officers, because their duties require them to maintain chargers and not in consideration of the distance between their residences and their offices.

**Mr. C. S. Ranga Iyer :** Will the Government be pleased to state if the medical officers at Dehra Dun have expressed the opinion that it would tell upon their health if they had to go to office on cycles after meals from a distance of over three miles ?

**The Honourable Sir Basil Blackett :** No, Sir, I do not think so.

**Mr. C. S. Ranga Iyer :** Are the Government aware that the root of discontent of these clerks and accountants is their inadequacy of pay in the absence of allowances ?

**The Honourable Sir Basil Blackett :** The desire for more pay is frequently a cause of discontent.

PROBATIONERS IN THE SUBORDINATE ACCOUNTS SERVICE.

1567. \***Mr. C. S. Ranga Iyer :** Will the Government be pleased to state :

(a) the number of young men, excluding those appointed during the year 1916-17, appointed by nomination as probationers in the S. A. S. since 1st April 1917 ?

(b) their educational qualifications ?

(c) how employed when selected ?

**The Honourable Sir Basil Blackett :** The required information is being collected and will be supplied to the Honourable Member in due course.

REVISION OF PAY OF THE SUBORDINATE STAFF OF THE MILITARY ACCOUNTS DEPARTMENT.

1568. \***Mr. C. S. Ranga Iyer :** Will the Government be pleased to state when the orders of the Secretary of State sanctioning the revised scale of establishment of clerks and accountants of the Military Accounts Department were received by the Government of India ? From what date was it sanctioned ?

**The Honourable Sir Basil Blackett :** The orders of the Secretary of State sanctioning the revision of pay of the subordinate staff of the Military Accounts Department with retrospective effect from 1st April 1920 were received by the Government of India on the 1st August 1921.

MEMORIAL RULES.

1569. \***Mr. C. S. Ranga Iyer :** (a) Is it not a fact that the head of an office or a department has powers to withhold memorials on certain grounds ?

(b) Will the Government communicate to the House the rules under which the head of an office or department has power to withhold memorials from those under him ?

(c) Will the Government say if they have an intention of modifying the rules so as to prevent the head of an office or a department from wrongly withholding such memorials ?

**The Honourable Sir Alexander Muddiman :** (a) The Governor General in Council is not primarily concerned with the powers of heads of offices or Departments under Local Governments to withhold memorials addressed

to Local Governments. Those powers are given by rules issued by Local Governments.

So far as memorials addressed to the Government of India are concerned, the powers to withhold are given primarily to Local Governments, but for the purposes of the rules in question, a Local Government includes a local Administration, the Commander-in-Chief in India, and, in certain cases, the head of a department directly under the Government of India, and Army, Divisional and Independent Brigade Commanders.

(b) A copy of the rules regarding the submission of petitions to the Government of India which are now in force will be supplied to the Honourable Member by the Home Department, if he so desires.

(c) The authorities empowered to withhold petitions are required by the rules to forward quarterly to the Government of India a list of the memorials withheld together with the reasons for withholding them. The Government of India consider that this provision is sufficient, and they have no intention of modifying the rules in respect of the power to withhold memorials.

#### ANNUAL INCREMENTAL SCALES OF CLERKS AND ACCOUNTANTS IN THE MILITARY AND CIVIL ACCOUNTS DEPARTMENTS.

1570. \*Mr. C. S. Ranga Iyer : Will the Government be pleased to state the difference between annual incremental scales of clerks (clerks passed S. A. S. examination but not provided in the accountants grade) and the accountants in the Military Accounts Department and the Civil Accounts Department ?

The Honourable Sir Basil Blackett : Clerks who pass the Subordinate Accounts Service Examination are eligible for a higher rate of annual increment, namely, Rs. 10 in the Civil Accounts Department and Rs. 5 in the Military Accounts Department. In the case of the latter Department, however, the maximum pay to which such clerks can rise is Rs. 20 higher than the ordinary maximum. The scale of pay of the Subordinate Accounts Service is Rs. 150—20—450 in the Civil Accounts Department (except in the Auditor General's Office, where it is Rs. 200—20—360—30—600) and in the Military Accounts Department Rs. 150—20—450—25—500.

#### PROMOTION BY THE MILITARY ACCOUNTANT GENERAL OF CLERKS TO THE GRADE OF ACCOUNTANTS.

1571. \*Mr. C. S. Ranga Iyer : (a) Will the Government be pleased to state if the Military Accountant General can promote a permanent clerk of his office to the sub-*protem* 3rd and even 2nd grade accountant subject to passing the S. A. S. examination in preference to clerks passed S. A. S. examination and retain him in that grade, if he fails on the examination, thus blocking promotions of clerks who passed the S. A. S. examination ? Is not a probationary accountant directly appointed in a sub-*protem* vacancy subject to passing the S. A. S. examination senior to that clerk, both passing the examination during the same year ?

(b) Can the Military Accountant General act contrary to general rules and principles laid down in the Civil Code in regard to appointment and promotion of clerks to accountants grade in the absence of any definite rules in the Military Accounts Code ? If so, where are those special rules laid down ?

**The Honourable Sir Basil Blackett :** (a) The reply to the first portion is in the negative, and the point referred to in the second portion does not arise.

(b) The present rules in regard to appointment and promotion of clerks to the Accountant's grade are contained in Appendix IV, Military Account Code, Provisional Issue, Reprint of 1923. The question of revising these rules in accordance with those contained in the Civil Audit Code is now under the consideration of Government.

**THE SOUTH INDIAN RAILWAY STRIKE.**

**Mr. Chaman Lal :** I beg to put the following question of which I have given private notice :

- (1) Is it a fact that the Podanur Railway strike has not been settled ?
- (2) Is it a fact that certain prominent gentlemen were prevented from addressing both railway workers and strikers ?
- (3) Is it a fact that the Agent has issued notices stating that the employees who do not join work by the 4th of June will be dismissed ?
- (4) Will Government be pleased to make a statement regarding the origin of the strike or the demands of the workers ?

**Mr. C. D. M. Hindley :** (1) According to the latest information received the strike of firemen has been satisfactorily settled. So far as the Podanur shops are concerned, the Agent reports that men discharged in consequence of the strike are offering themselves for re-employment.

(2) Government have seen newspaper reports to that effect but have no other information.

(3) The Agent reported on 4th instant that as a consequence of the strike of shop staff the Podanur shops had been closed and men who did not return to duty on 4th instant were treated as discharged.

(4) So far as firemen are concerned, the Agent's reports indicate that the trouble was due to objection to engines being run in certain limited services with single fireman. The trouble originated in Madura and Trichinopoly and ended there almost at once. The strikers elsewhere appear to have been sympathetic.

**MESSAGE FROM THE COUNCIL OF STATE.**

**Mr. Chairman :** The Secretary will now read a Message which has been received from the Council of State.

**Secretary of the Assembly :** The Message runs as follows :

" I am directed to inform you that the Council of State have, at their meeting of the 9th June, 1924, agreed without any amendments to the Bill to provide for the fostering and development of the steel industry in British India, which was passed by the Legislative Assembly on the 5th June, 1924."

PETITIONS RELATING TO THE INDIAN PENAL CODE (AMENDMENT) BILL.

(AMENDMENT OF SECTION 375.)

Secretary of the Assembly: Sir, under Standing Order No. 78, I have to report that three petitions have been received relating to the Bill further to amend the Indian Penal Code (Amendment of Section 375) which was introduced in the Legislative Assembly by Dr. H. S. Gour. The petitions have been presented by :

- (1) Sreenath Tarkaratna, and others.
- (2) Keshaba Nath Smritiratna, and others.
- (3) Upendranath Kanjilal, and others.

Mr. Chairman: This House now stands adjourned to a date to be notified hereafter.

The Assembly then adjourned *sine die*.

THE  
**LEGISLATIVE ASSEMBLY DEBATES**

**(Official Report)**

**Volume IV, Part IV**

*(27th May to 11th June 1924)*

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**FIRST SESSION**  
OF THE  
**SECOND LEGISLATIVE ASSEMBLY, 1924**



SIMLA  
GOVERNMENT OF INDIA PRESS  
1924



# Legislative Assembly.

## *The President :*

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THE HONOURABLE SIR CHIMANLAL HARILAL SETALVAD, K.C.I.E. (*Acting*).

## *Deputy President :*

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MR. M. A. JINNAH, M.L.A.

MR. K. C. NEOGY, M.L.A.

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MR. G. H. SPENCE, I.C.S.

## *Marshal :*

CAPTAIN SURAJ SINGH, BAHADUR, I.O.M.

## *Committee on Public Petitions :*

DIWAN BAHADUR T. RANGACHARIAR, M.L.A., *Chairman of the Committee.*

COLONEL SIR HENRY STANYON, KT., C.I.E., V.D., M.L.A.

HAJI WAJHUDDIN, M.L.A.

RAJA RAGHUNANDAN PRASAD SINGH, M.L.A.

MR. HARCHANDRAI VISHINDAS, C.I.E., M.L.A.

## CONTENTS.

### VOLUME IV, PART IV—27th May to 11th June 1924.

	PAGES.
<b>Tuesday, 27th May, 1924—</b>	
Members Sworn .. .. .	2231
Expressions of Condolence and Congratulations .. ..	2231-35
Questions and Answers .. .. .	2236-50
Unstarred Questions and Answers .. .. .	2250-75
Statements laid on the Table .. .. .	2276
Statement <i>re</i> the Report of the Royal Commission on the Superior Services in India .. .. .	2277-81
Governor General's Assent to Bills .. .. .	2281
The Steel Industry (Protection) Bill—Introduced and referred to Select Committee .. .. .	2281-2353
Election of a Member to the Committee on Public Accounts ..	2353
<b>Friday, 30th May, 1924—</b>	
Questions and Answers .. .. .	2355-93
Motion for Adjournment—Lee Commission's Report .. ..	2394-97
The Steel Industry (Protection) Bill—Presentation of the Report of the Select Committee .. .. .	2397-2401
Bills passed by the Council of State—Laid on the Table ..	2401
Reply to the Greetings of the Assembly to the Members of the Labour Party .. .. .	2402
Meeting of the Public Accounts Committee .. .. .	2402
<b>Monday, 2nd June, 1924—</b>	
Questions and Answers .. .. .	2403-44
Election of Pandit Shamlal Nehru to the Committee on Public Accounts .. .. .	2444
The Steel Industry (Protection) Bill—Motion to circulate negatived. Motion to consider adopted. Consideration of Bill— <i>contd.</i> .. .. .	2444-2524
<b>Wednesday, 4th June, 1924—</b>	
Questions and Answers .. .. .	2525-56
Unstarred Questions and Answers .. .. .	2559-61
Petitions relating to the Indian Penal Code (Amendment) Bill (Amendment of section 375) .. .. .	2561-62
The Steel Industry (Protection) Bill—Consideration of Bill— <i>contd.</i> .. .. .	2562-2621
<b>Thursday, 5th June, 1924—</b>	
Questions and Answers .. .. .	2623-57
Report of the Royal Commission on the Superior Services in India .. .. .	2657-61
The Steel Industry (Protection) Bill—Considered and passed as amended .. .. .	2661-2732

CONTENTS—*contd.*

	PAGES.
<b>Friday, 6th June, 1924—</b>	
Questions and Answers .. .. .	2733-63
Meetings of the Standing Finance Committee and of the Committee on the Separation of Railway Finances ..	2763
The Indian (Specified Instruments) Stamp Bill—Considered and passed as amended .. .. .	2763-64
The Indian Soldiers Litigation (Amendment) Bill—Considered and passed .. .. .	2764-65
Resolution <i>re</i> the Removal of the Import Duty on Sulphur—Adopted .. .. .	2765-69
The Indian Penal Code (Amendment) Bill (Amendment of section 375)—Motion to circulate the Report of the Select Committee with the Bill, as amended by the Select Committee, adopted .. .. .	2769
Appointment of Diwan Bahadur M. Ramachandra Rao to the panel of Chairmen .. .. .	2769
<b>Monday, 9th June, 1924—</b>	
Questions and Answers .. .. .	2771-2811
Motion for Adjournment—Ruled out of order .. ..	2812-13
Petitions relating to the Indian Penal Code (Amendment) Bill (Amendment of section 375) .. .. .	2813
Resolution <i>re</i> the Lee Commission's Report—Further discussion adjourned .. .. .	2813-46
Message from the Council of State .. .. .	2829
<b>Wednesday, 11th June, 1924—</b>	
Questions and Answers .. .. .	2847-2909
The South Indian Railway Strike .. .. .	2909
Message from the Council of State .. .. .	2909
Petitions relating to the Indian Penal Code (Amendment) Bill (Amendment of section 375) .. .. .	2910

# INDEX

TO

## THE LEGISLATIVE ASSEMBLY DEBATES.

### Volume IV, Part IV.

#### A

##### ABDUL HAYE, MR.—

- Question *re* European and Indian passengers on board the S. S. "Frangestan". 2803.
- Question *re* loss of property of pilgrims on the S. S. "Frangestan". 2807-08.
- Question *re* proposed Ludhiana-Kalka Railway *via* Samrala and Bopar. 2431.
- Question *re* seizure by the Police of certain manuscripts belonging to Maulana Abul Kalam Azad. 2431.

##### ABUL KALAM AZAD—MAULANA—

- Question *re* seizure by the police of certain manuscripts belonging to ——. 2431.

##### ABUL KASEM, MAJLUNT—

- Steel Industry (Protection) Bill—  
Discussion *re* admissibility or otherwise of certain amendments before the —— was referred to Select Committee: 2302.
- Consideration of ——  
Clause 2. 2514-15, 2517.

##### ACCOUNTANT(S)—

- Question *re* annual incremental scales of clerks and —— in the Military and Civil Accounts Departments. 2908.
- Question *re* direct recruitment of —— in the Military Accounts Department. 2212-43.
- Question *re* grievances of the —— of the Public Works Department, Bombay. 2847.
- Question *re* promotion by the Military Accountant General of clerks to the grade of ——. 2908-09.
- Question *re* stoppage of conveyance allowances of clerks and —— attached to units and formations. 2906-07.
- Question *re* temporary clerks and —— in the Military Accounts Department. 2905-06.

##### ACCOUNTANTS, DIVISIONAL—

- Question *re* revision of pay and allowances of —— of the Bombay Presidency. 2441-42.

## ACHARYA, Mr. M. K.—

Lee Commission's Report. 2659.

Motion for Adjournment to consider the Lee Commission's Report. 2394.

Question *re* allegations against the administration of the Oudh and Rohilkhand Railway. 2785.

Question *re* alleged frauds in the Goods and Stores Departments of the Oudh and Rohilkhand Railway. 2786.

Question *re* case of Mr. Naidu, Station-master, Oudh and Rohilkhand Railway. 2556.

Question *re* Europeans, Anglo-Indians and Indians employed on salaries of Rs. 100 and over on certain Railways. 2785.

Question *re* Indians in superior appointments on Railways. 2787-88.

Question *re* introduction of the watch and ward staff on Railways. 2786-87.

Question *re* report of the Indian Bar Committee. 2788.

Question *re* rival unions on the Oudh and Rohilkhand Railway. 2785-86.

Question *re* training of Indians for superior and subordinate appointments on Railways. 2788.

Question *re* uniforms for the traffic staff of the Oudh and Rohilkhand Railway. 2787.

## Steel Industry (Protection) Bill—

Consideration of—

Clause 2. 2490-92, 2505.

Clause 3. 2586-88.

Schedule. 2682.

## ADJOURNMENT—

Motion for — to consider the Lee Commission's Report. 2394.

Motion for — to record the Assembly's sense of disappointment and to express its indignation at the judgment of Mr. Justice McCardie in the O'Dwyer libel suit against Sir Sankaran Nair. 2812-13.

## ADMINISTRATION REPORT(S)—

See under "Report(s)".

## ADVERTISEMENT(S)—

Question *re* earnings from — on telegraph forms and envelopes. 2272.

## ADVISORY COMMITTEE(S)—

Question *re* constitution of — along with the establishment of the Seamen's Recruitment Bureau at Calcutta. 2771.

## ADVISORY COUNCIL(S), LOCAL—

Question *re* — on Railways. 2357.

## AGITATION—

Question *re* participation by retired Government servants and retired Army Officers in political propaganda or —. 2356.

## AGRICULTURE, COMMISSION ON—

See under "Commission on Agriculture".

## AGRICULTURIST(S), INDIAN—

Question *re* indebtedness of —. 2273.

## AHMAD ALI KHAN, Mr.—

Question *re* abolition of the posts of Resident in Waziristan and Political Agent for Wana. 2742.

Question *re* acquisition of paper and pulp plant for the Forest Research Institute, Dehra Dun. 2741-42.

**AHMAD ALI KHAN, MR.—*contd.***

- Question *re* discharge of Chowkidars and Sergeants by the E. I. Railway. 2742-43.  
 Question *re* expenditure on the Indian Law Reports Committee, 1922. 2741.  
 Question *re* investigation into the causes of Kala-Azar. 2597.  
 Question *re* School of Mining and Geology and Chemical Research Institute, Dhanbad. 2742.

**AHMED, MR. K.—**

- Question (Supplementary) *re* abolition of Boards of Revenue. 2374.  
 Question (Supplementary) *re* alleged canvassing of Members of Parliament by Sir Malcolm Hailey. 2384-85.  
 Question *re* constitution of advisory committees along with the establishment of the Seamen's Recruitment Bureau at Calcutta. 2771.  
 Question (Supplementary) *re* consultation with the Workers' Organisations in India regarding subjects to be discussed by the International Labour Conferences. 2736.  
 Question (Supplementary) *re* dismissal of employees of the Audit Office of the Bengal and North-Western Railway. 2242.  
 Question *re* inclusion of Indian seamen in the Workmen's Compensation Act, 1923. 2771-72.  
 Question *re* Indian Law Reports Committee. 2431-32.  
 Question (Supplementary) *re* Local Advisory Committees for Railways. 2441.  
 Question *re* percentage of votes polled at the general elections for the Legislative Assembly in 1920 and 1923, respectively. 2374.  
 Question (Supplementary) *re* pilgrims to the Hedjaz. 2357-58.  
 Question (Supplementary) *re* quarters at Longwood Hotel, Simla. 2368.  
 Question *re* recommendations of the Seamen's Recruitment Committee. 2760-61.  
 Question (Supplementary) *re* reduction of Railway fares. 2356-57.  
 Question (Supplementary) *re* rent of quarters at Longwood Hotel, Simla. 2366, 2367.  
 Question *re* reports relating to the recruitment of seamen. 2761-63.  
 Question *re* representations regarding the recommendations of the Seamen's Recruitment Committee. 2771.  
 Question *re* Seamen's Recruitment Bureau at Calcutta. 2771.  
 Question (Supplementary) *re* State *vs.* Company management of Railways. 2417.  
 Steel Industry (Protection) Bill—  
 Motion to circulate. 2461.  
 Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2471, 2473, 2484.

**AHMEDABAD—**

- Question *re* transmission of messages from Baroda to Sayajiganj *via* ——. 2511.

**AIYANGAR, MR. C. DURAISWAMI—**

- Indian (Specified Instruments) Stamp Bill—  
 Consideration of—  
 Clause 2. 2764.  
 Question *re* alleged assault by British soldiers on Mr. R. K. Sidhva of Karachi. 2544.

**AIYANGAR, MR. C. DURAISWAMI—contd.**

- Question *re* dismissal of Mr. Subba Rao, a Government telegraphist. 2425.  
 Question (Supplementary) *re* grant of passports to the proposed members of the Khilafat Delegation to Turkey, etc. 2430.  
 Question (Supplementary) *re* jail reform. 2533.  
 Question *re* opium policy of the Government of India. 2531-32.  
 Question *re* prohibition of the wearing of *khaddar* by Government servants, etc. 2426.  
 Question (Supplementary) *re* rent of quarters at Longwood Hotel, Simla. 2365.  
 Question (Supplementary) *re* working hours of subordinates employed in railway goods-sheds. 2550.  
**Steel Industry (Protection) Bill—**  
 Discussion *re* admissibility or otherwise of certain amendments before the — was referred to Select Committee. 2299-2300.  
 Consideration of—  
 Clause 2. 2486-89, 2493-96, 2500, 2506-07.  
 Clause 3. 2562-63, 2573 and 2581-84.  
 Clause 6. 2679.  
 Preamble. 2710-12, 2713-14.

**AIYANGAR, MR. K. RAMA—**

- Question *re* contracts of telegraphists. 2898-2903.  
 Question *re* reduction of military expenditure in 1924-25. 2903.  
 Question *re* renewal of the railway track between Waltair and Calcutta. 2903.  
 Resolution *re* removal of the import duty on sulphur. 2766-67, 2768.  
**Steel Industry (Protection) Bill—**  
 Consideration of —.  
 Clause 2. 2496, 2501-03, 2507.  
 Motion to pass. 2730-31.

**AIYAR, SIR P. S. SIVASWAMY—**

- Expression of condolence at the death of Sir Ashutosh Mukharji. 2233-34.  
 Resolution *re* Lee Commission's Report. 2813, 2814-21.  
**Steel Industry (Protection) Bill—**  
 Discussion *re* admissibility or otherwise of certain amendments before the — was referred to Select Committee. 2302-03.  
 Consideration of—  
 Clause 3. 2578-80, 2580-81.  
 Schedule. 2697.  
 Motion to pass. 2726-27.

**AJAB KHAN, GADGAD—**

- Question *re* Indian population in Hong Kong. 2875.

**AKBAR ALI—**

- Question *re* case of —, time-keeper, Kour station on the Kalabagh railway. 2263.

**ALIPORE CONSPIRACY CASE—**

- Question *re* arrest after acquittal of persons involved in the —. 2437.

**ALLIANCE BANK, INQUIRY COMMITTEE—**

- See under "Committee".

**ALL-INDIA CIVIL SERVICE—**

Question *re* increase of expenditure on the military service and the ——. 2386.

**ALLOWANCE(S)—**

Question *re* — paid to tribal chiefs in the North-West Frontier Province. 2360-61.

Question *re* compensatory — to postmen and postal menials employed on the Frontier. 2560.

Question *re* grant of compensatory — to the officers and subordinate staff of the G. I. P. and B., B. and C. I. Railways stationed in Bombay. 2882.

Question *re* house-rent — of European, Anglo-Indian and Indian railway employees. 2535.

Question *re* house-rent — of relieving goods clerks. 2802.

Question *re* income-tax on the tentage — of military officers. 2806.

Question *re* pay and — of the two Architects of the Central Buildings, New Delhi. 2628-29.

Question *re* payment of relieving — to relieving hands on State Railways. 2848.

Question *re* stoppage of — of clerks and accountants attached to Units and Formations. 2906-07.

**AMBALA CITY—**

Question *re* undesirable surroundings of the — Post Office. 2529.

**AMENDMENT—**

Question *re* proposed — of the Government of India Act, 1919. 2532-33.

**AMERICA, UNITED STATES OF—**

Question *re* facilities for third class passenger traffic on railway in —. 2419-20.

Questions *re* naturalisation of Indians in the —. 2652-53, 2740-41.

**AMERICAN(S)—**

Question *re* number of — and South Africans in India and amount of property held by them in this country, etc. 2774.

**ANGLO-INDIAN(S)—**

Question *re* admission of European, — and Indian students to the Railway Technical Institute, United Provinces. 2250.

Question *re* distinctions in rates of pay drawn by —, Christians, Parsis and Indians on the N. W. Railway. 2801-02.

Question *re* European, — and Indian apprentices in the O. and R. Railway Workshops at Lucknow. 2249-50.

Question *re* European, — and Indian employees on the G. I. P. Railway. 2878-79.

Question *re* Europeans, — and Indians employed in various capacities in the principal railways in India. 2871-72.

Question *re* Europeans, — and Indians employed on salaries of Rs. 100 and over on certain Railways. 2785.

Question *re* Europeans, — and Indians holding superior posts on Railways. 2536.

**ANNEY, Mr. M. S.—**

Resolution *re* Lee Commission's Report. 2846.

**ANNUAL INCREMENTAL SCALES—**

Question *re* — of clerks and accountants in the Military and Civil Accounts Departments. 2908.



**APPEAL(S)—**

Question *re* — of the employees of the E. B. Railway. 2849.

**APPOINTMENT(S)—**

Question *re* dual — on the O. and R. Railway. 2795.

Question *re* Indians in superior — on the Railways. 2787-88 and 2791.

Question *re* Indians in upper subordinate — on Railways. 2870-71.

Question *re* rules relating to the power of making — to, and promotions in, offices under the Crown in India. 2265-66.

Question *re* superior — on the East Indian Railway. 2883-84.

Question *re* training of Indians for superior and subordinate — on Railways. 2788.

**APPRENTICE(S)—**

Question *re* admission of Indian graduates as — to the E. I. Railway Workshops and Laboratory at Jamalpur. 2872-73.

Question *re* appointment as foreman of Anglo-Indian and Indian — trained at Kanchrapara and Saidpur. 2854.

Question *re* European, Anglo-Indian and Indian — in the O. and R. Railway Workshops at Lucknow. 2249-50.

Question *re* grant of a State scholarship to an Indian graduate lately employed as an — in the Jamalpur Workshop of the E. I. Railway. 2873.

Question *re* recruitment of Indian — for Ordnance Factories. 2420.

**ARCHITECT(S)—**

Question *re* pay and allowances of the two — of the Central Buildings, New Delhi. 2628-29.

**ARJAN SINGH—**

Question *re* case of —, clerk, Rawalpindi Post Office. 2395-96.

**ARMY—**

Question *re* educational facilities for Indian units in the —. 2890-91.

**ARMY, BRITISH—**

Question *re* reduction in the rates of pay of officers of the —. 2752-53.

**ARMY CANTEEN BOARD—**

Question *re* annual profit or loss of the —. 2798.

Question *re* payment of excise or license fees by the —. 2798.

Question *re* restrictions on the operations of the —. 2799.

**ARMY, INDIAN—**

Question *re* illiteracy in the —. 2890.

**ARMY IN INDIA—**

Question *re* sources of supply of beef for the —. 2656-57.

**ARMY OFFICERS, RETIRED—**

Question *re* participation by retired Government servants and — in political propaganda or agitation. 2256.

**ARMY REMOUNT DEPARTMENT—**

Question *re* pay of veterinary assistants of the — and of the Army Veterinary Corps. 2254-56.

**ARMY VETERINARY CORPS—**

Question *re* pay of veterinary assistants of the Army Remount Department and of the —. 2254-56.

**ARREST(S)—**

Question *re* — in connection with the Khilafat procession at Peshawar on the 16th November, 1923. 2259.

Question *re* — under Bengal Regulation III of 1818. 2422-24.

**ARTILLERY—**

Question *re* training of Indians for the —. 2801.

**ASJADULLAH, MAULVI MIYAN—**

Expressions of condolence at the death of —. 2231-35.

**ASSAULT(S)—**

Question *re* alleged — by Mr. Tucker upon an Indian clerk. 2793-94.

Questions *re* alleged — by soldiers on Mr. R. K. Sidhva at Karachi Cantonment Station. 2424, 2426, 2544 and 2645.

Question *re* alleged — by soldiers on a Parsi passenger at the Karachi Cantonment Railway Station. 2533-34.

Question *re* — on Indian railway passengers by Europeans. 2654.

**ASSEMBLY—**

Question *re* action taken on non-official Resolutions passed by the — during last session. 2260-62.

Question *re* percentage of votes polled at the general elections for the Legislative — in 1920 and 1923, respectively. 2373-74.

Reply to the greetings of the — to the Members of the Labour Party. 2402.

**ASSENT TO BILLS—**

*See* under "Governor General".

**ASSESSMENT—**

Question *re* alleged over — to income-tax of a merchant of Surat by the Income-tax Officer of that place. 2857-58.

**ASSISTANT STATION MASTER(S)—**

Question *re* European and Anglo-Indian Station masters and — on the Eastern Bengal Railway. 2850-51.

Question *re* quarters for Indian — in the Katihar District. 2643.

Question *re* salaries of Indian station masters and — on the Eastern Bengal Railway. 2850.

**ASSOCIATION(S)—**

Question *re* non-recognition of the Bengal and North-Western Railwaymen's —. 2881.

Question *re* official recognition of Railway Unions or —. 2880.

**AUCTION—**

Question *re* clearance of materials belonging to the O. and R. Railway, sold by — to contractors. 2795.

**AUDIT OFFICE—**

Question *re* dismissal of employees of the — of the Bengal and North-Western Railway. 2241-42.

**"AWAKENING OF ASIA, THE"—**

Question *re* proscription of Mr. H. M. Hyndman's book "——". 2428.

## B

## BAGGAGE, LOSS OF—

Question *re* — of Indian pilgrims to the Hedjaz by fire on the S.S. "Frangestan". 2358.

## BANNU—

Question *re* limitation of the period of retention of postal officials at post offices beyond —, Kohat and Dera Ismail Khan. 2560.

## BAR COMMITTEE—

*See* under "Committee(s)".

## BARABANKI—

Question *re* dismissal of Mr. S. V. Naidu, late Station Master of —. 2627.

## BARODA—

Question *re* transmission of messages from — to Sayajiganj via Ahmedabad. 2811.

## BEDAR BAKHT—

Question *re* pension of one —. 2436.

## BEEF—

Question *re* sources of supply of — for the Army in India. 2656-57.

## BELL, Mr. R. D.—

Resolution *re* Lee Commission's Report. 2837-39.

Steel Industry (Protection) Bill—

Consideration of—

Clause 3. 2584-86.

## BENARES—

Question *re* emigration agents employed by the Emigration Depôt at —. 2782-83.

Question *re* emigration depôt at —. 2781-82.

Question *re* inspection remarks of visitors to the Emigration Depôt, —. 2783.

Question *re* number of labourers recruited by the Emigration Depôt, —. 2783.

Question *re* vernacular notification published by the Emigration Commissioner, —. 2782.

## BENGAL AND NORTH-WESTERN RAILWAY—

Question *re* contract with the —. 2385-86.

Question *re* dismissal of employees of the Audit Office of the —. 2241-42.

Question *re* duties of pointsmen on the —. 2880.

Question *re* erection of sheds for third class passengers at Sonepur and Samastipur Railway stations on the —. 2364.

Question *re* formation of District Committees on the —. 2881-82.

Question *re* insufficiently screened latrines at stations on the East Indian Railway and the —. 2375.

Question *re* latrines on the — stations. 2236.

Question *re* liability of pointsmen on the — in cases of running train thefts. 2880.

*See* under "Association".

## BENGAL-NAGPUR RAILWAY—

Question *re* overcrowding and unpunctuality of trains on the Howrah-Machada section of the —. 2374.

**BENGAL-NAGPUR RAILWAY—contd.**

Question *re* utilization of the Fines Fund on the — for providing outfit allowances for children of employees attending Hill schools. 2875.

**BENGAL REGULATION III OF 1818—**

Question *re* arrests under. 2422-24.

**BEZWADA—**

Questions *re* dismissal of Mr. N. Subba Rao, telegraphist, —. 2407-11.  
2632-34.

**BHORE, MR. J. W.—**

Oath of Office. 2231.

**BHUSAVAL—**

Question *re* transfer of office of the Superintendent, Railway Mail Service, from — to Poona. 2557.

**BIHAR—**

Question *re* floods in —. 2426-28.

**BIHAR AND ORISSA—**

Question *re* floods in —. 2383-84.

**BILL(S)—**

ASSENT OF THE GOVERNOR GENERAL TO —. 2281.

— passed by the Council of State (laid on the table). 2401.

**INDIAN PENAL CODE (AMENDMENT) (AMENDMENT OF SECTION 375)—**

Motion to circulate report of Select Committee. 2769.

Adopted. 2769.

Petitions relating to the —. 2561-63, 2813, 2910.

**INDIAN SOLDIERS LITIGATION (AMENDMENT)—**

— passed by the Council of State (laid on the table). 2401.

Motion to consider, as passed by the Council of State. 2764.

Adopted. 2764.

Motion to pass, as passed by the Council of State. 2764.

Adopted. 2765.

**INDIAN (SPECIFIED INSTRUMENTS) STAMP—**

— passed by the Council of State (laid on the table). 2401.

Motion to consider, as passed by the Council of State. 2763.

Adopted. 2763.

Consideration. 2764.

Motion to pass, as amended. 2764.

Adopted. 2764.

Message from the Council of State agreeing to the amendment made by the Legislative Assembly in the —. 2829.

**STEEL INDUSTRY, (PROTECTION)—**

Introduced. 2281.

Motion to consider. 2292.

Motion to refer to Select Committee. 2314.

Motion to refer to Select Committee adopted. 2352.

Constitution of the Select Committee. 2353.

Presentation of the Report of the Select Committee. 2397.

Motion to consider Select Committee's Report. 2397.

Postponement of the discussion of the Select Committee's Report. 2401.

Motion to circulate. 2444.

**BILL(S)—contd.****STEEL INDUSTRY (PROTECTION)—contd.**

Negatived. 2469.

Motion to consider, as amended by Select Committee, adopted. 2470.

Proposal by Mr. D. P. Sinha that Members interested in the Tata Company should not be allowed to take any part in the debate. 2470.

Consideration of —. 2485-2524, 2562-2621 and 2661-2725.

Motion to pass. 2726.

Adopted. 2731.

Message from the Council of State regarding the passing by that Chamber without any amendments of the —. 2909.

**BLACKETT, THE HONOURABLE SIR BASIL—****Indian (Specified Instruments) Stamp Bill—**

Consideration of—

Clause 2. 2764.

Motion for election of a member to the Public Accounts Committee to fill the vacancy caused by the resignation of his seat on the Assembly by Mr. K. C. Roy. 2353.

Resolution *re* Lee Commission's Report. 2842-44.

**Steel Industry (Protection) Bill—**

Motion to refer to Select Committee. 2326 & 2327-31.

Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2480-81.

Consideration of—

Clause 1. 2705-07.

Clause 2. 2497-99, 2507, 2511-12.

Clause 3. 2599-2602, 2608.

Clause 5 (re-numbered clause 6). 2668-69.

Preamble. 2718.

**BLUE-BOOKS—**

Question *re* cost of free supply of — and Administration Reports relating to Central subjects to Members of the Indian Legislature. 2654.

Question *re* sale of Government of India — at the headquarters of all provincial Governments. 2654-55.

**BOARDS OF REVENUE—**

Question *re* abolition of —. 2374.

**BOLPUR—**

Question *re* residence of a German scholar at —. 2237-38.

**BOMBAY—**

Question *re* acquisition of land by the B., B. and C. I. Railway for extension of their terminal station in —. 2746.

Question *re* grant of compensatory allowance to the officers and subordinate staff of the G. I. P. and B., B. and C. I. Railways stationed in —. 2882.

Question *re* grievances of the accountants of the Public Works Department, —. 2847.

Question *re* letters of the — Humanitarian League, dated the 30th January and 10th March, 1924. 2236.

Question *re* overcrowding of night trains leaving — for Nasik and Poona, respectively. 2852.

Question *re* reduction of the number of sets of R. M. S. sorters working between — and Sholapur. 2810.

Question *re* treatment of Professor Herzfeld, a German scholar, at —. 2238.

**BOMBAY, BARODA AND CENTRAL INDIA RAILWAY—**

Question *re* acquisition of land by the — for extension of their terminal station in Bombay. 2746.

Question *re* contract for printing work for the —. 2252.

Question *re* conversion of the G. I. P. Railway and the — into State Railways. 2750.

Question *re* employment of Indians on the — and the R. M. Railway. 2869-70.

Question *re* footbridge between Parel station on the G. I. P. Railway and the Elphinstone Road station on the —. 2808-09.

Question *re* grant of compensatory allowance to the officers and subordinate staff of the G. I. P. Railway, and — stationed in Bombay. 2882.

Question *re* stoppage of the 20-Down Delhi Express at Pataunda Mahabir Road station on the —. 2807.

**BOOK DEPOTS—**

Question *re* discontinuance of the sale of Government of India publications at the provincial Government —. 2438-39.

**BOOKING DIFFICULTIES—**

Question *re* — at Jharia station, etc. 2436-37.

**BOVINE CATTLE—**

*See* under "Cattle".

**BOYCOTT—**

Question *re* — of foreign made cloth. 2781.

**BRAY, MR. DENYS—**

Oath of Office. 2231.

**BRIBERY AND CORRUPTION—**

Question *re* alleged charges of — against certain employees of the office of the District Traffic Superintendent, Katihar, E. B. Railway. 2851.

**BRITISH CABINET—**

Question *re* Committee appointed by the — to consider Indian affairs. 2543.

**BRITISH CONSUL—**

Question *re* duties of the — at Jeddah towards Indian pilgrims to the Hedjaz, etc. 2362.

**BRITISH EMPIRE EXHIBITION—**

*See* under "Exhibition(s)".

**BRITISH GUIANA—**

Question *re* casualties among Indians in the riot in —. 2412-13

Question *re* franchise for Indians in —. 2775.

Question *re* Indian Members of the — Legislature. 2776.

Question *re* shooting of Indians in —. 2775.

**BURDWAN—**

Question *re* appointment of Mr. Lesage as Officiating Postmaster, — 2868.

Question *re* complaints regarding the timings of certain down local trains between Howrah and — on the E. I. Railway. 2878.

Question *re* grievances of third class passengers on the local Howrah to — service on the E. I. Railway. 2877-78.

**BURDWAN DIVISION—**

Question *re* stoppage of promotion of certain postal officials of the — 2368.

**BURMESE CANDIDATES—**

Question *re* — for the last I. C. S. examination held in India. 2361.

**C****CABLE(S)—**

Question *re* expenditure on — exchanged between the Government of India and the India Office. 2363.

**CALCUTTA—**

Question *re* opening of the port of — to pilgrim traffic. 2790-91.

Question *re* removal of the railway track between Waltair and —. 2903.

**CANTEEN(S)—**

Question *re* provision of — for Indian troops. 2889.

**CANTEEN BOARD—**

*See* under "Army Canteen Board."

**CANTONMENT(S)—**

Question *re* administration of — under the new Cantonment Act. 2797.

Question *re* appointment of Executive Officers under the new — scheme. 2800.

Question *re* appointment of Indians as sub-divisional officers in — occupied by Indian troops. 2268-69.

Question *re* exclusion of sadar bazaars from — areas. 2796-97.

Question *re* expulsions from Indian —. 2799-2800.

Question *re* grant of the franchise in —. 2650-51.

Question *re* treatment of plague patients in —. 2789.

**CANTONMENT ACT—**

Question *re* administration of Cantonments under the new —. 2797.

Question *re* appointment of executive officers under the new —. 2405.

**CANTONMENT AREA(S)—**

*See* under "Cantonment(s)".

**CANTONMENT HOSPITAL(S)—**

*See* under "Hospital(s)".

**CANTONMENT SUPERINTENDENT(S)—**

Question *re* —, Hyderabad, Sind. 2863.

Question *re* cost of telegrams recommending the —, Hyderabad, Sind, for the post of Executive Officer. 2863.

**CANTONMENTS DEPARTMENT—**

Question *re* appointments of Indians and Europeans to the —. 2257-58.

**CANVASSING—**

Questions *re* alleged — of Members of Parliament by the Honourable Sir Malcolm Hailey. 2384-85, 2651-52.

**CASH CERTIFICATES—**

Question *re* holding of postal securities and — in the names of two persons. 2555-56.

**CATTLE—**

Question *re* total number of bovine ——— slaughtered in military slaughter houses. 2657.

**CAVALRY GRANTEES—**

Question *re* rule of primogeniture obtaining in the case of tenancies held by ——— in the Lower Jhelum Canal Colony. 2803-04.

**CAWNPORE—**

Question *re* shooting of mill hands at ———. 2392-93.

**CAWNPORE CONSPIRACY CASE—**

Question *re* fees of Mr. Ross Alston, barrister for the prosecution, in the ———. 2627.

**CENTRAL LEGISLATURE—**

*See* under "Legislature(s)".

**CENTRAL SUBJECT(S)—**

Question *re* cost of free supply of Blue-books and Administration Reports relating to ——— to Members of the Indian Legislature. 2654.

**CHAIRMAN(MEN)—**

Appointment of Diwan Bahadur M. Ramachandra Rao to the Panel of ———. 2769.

Ruling by Mr. ——— that the Motion for Adjournment for the purpose of expressing indignation at the judgment of Mr. Justice McCardie in the O'Dwyer libel suit against Sir Sankaran Nair is out of order. 2812.

**CHAMAN LAL, Mr.—**

Asks, in view of Mr. President's ruling that no motion to impose a tax can be made except on the recommendation of the Crown, what would be the position if the Select Committee on the Steel Industry (Protection) Bill came in with certain recommendations, say, nationalization, and embodied those recommendations in the Bill itself and presented that Bill to the House. 2297.

Lee Commission's Report. 2659.

Motion for Adjournment for the purpose of expressing indignation at the judgment of Mr. Justice McCardie in the O'Dwyer libel suit against Sir Sankaran Nair. 2812-13.

Question *re* additional expenditure incurred by the introduction of the time scale in the Military Accounts Department. 2372-73.

Question *re* adequate staff for post office and B. M. S. sections. 2559-60.

Question *re* alleged interception of correspondence of Members of the Legislative Assembly. 2772.

Question *re* alleged shadowing of Members of the Legislative Assembly by the police. 2772.

Question *re* case of Arjan Singh, clerk, Rawalpindi Post Office. 2895-96.

Question *re* case of Dr. Jiwan Lal, late sub-assistant surgeon. 2531.

Question *re* case of Lachman Dass, clerk, Rawalpindi Post Office. 2861.

Question (Supplementary) *re* casualties among Indians in the riot in British Guiana. 2413.

Question *re* circulation of tour programmes of high officials to post offices. 2861.

Question *re* compensatory allowances to postmen and postal menials employed on the Frontier. 2560.

Question (Supplementary) *re* delay in payment of monthly wages to employees in organised factories. 2737.



CHAMAN LAL, MA.—*contd.*

- Question (Supplementary) *re* discussion of the reports of the Lee Commission. 2247.
- Question *re* dismissal of Kessar Singh, sorter, R. M. S., 'L' Division. 2859-60.
- Question (Supplementary) *re* dismissal of Mr. Subba Rao, a telegraphist 2541, 2542.
- Question *re* franchise for Indians in British Guiana. 2775.
- Question *re* grant of special promotions for field service to members of the Posts and Telegraphs Department. 2860-61.
- Question *re* harassment of Members of the Legislative Assembly by ticket examiners at railway stations. 2773-74.
- Question *re* Indian Members of the British Guiana Legislature. 2776.
- Question *re* law relating to interception of the correspondence of private individuals. 2773.
- Question *re* limitation of the period of retention of postal officials at post offices beyond Bannu, Kohat and Dera Ismail Khan. 2560.
- Question *re* location of the new General Post Office at Peshawar. 2896-97.
- Question *re* number of Americans and South Africans in India and amount of property held by them in this country, etc. 2774.
- Question *re* pay of the lower grades of clerical establishment of the Military Accounts Department. 2371-72.
- Question *re* personnel of the Reforms Committee. 2774.
- Question *re* personnel of the Taxation Committee. 2776.
- Question *re* postmen and menials employed on night duty in the post offices in the Punjab Circle. 2862.
- Question (Supplementary) *re* present price of petrol in India and its price during the past five years. 2648.
- Question (Supplementary) *re* proposed amendment of the Government of India Act, 1919. 2533.
- Question *re* punishments inflicted on the staff of the Delhi Head Post Office from 1920 to 1924. 2559.
- Question (Supplementary) *re* recommendations of the Seamen's Recruitment Committee. 2761.
- Question *re* recoveries from postal officials on account of loss of insured articles during 1923-24. 2883-89.
- Question (Supplementary) *re* regulation of the payment of wages within a fixed period after they are due. 2738.
- Question (Supplementary) *re* reports relating to the recruitment of seamen. 2761, 2762.
- Question *re* representation regarding the pay of clerks of the lower grades of the Military Accounts Department. 2372.
- Question *re* retrenchment of permanent and reserved post clerks. 2861-62.
- Question (Supplementary) *re* rival unions on the O. and R. Railway. 2785.
- Question (Supplementary) *re* Russian Rouble Notes. 2750.
- Question *re* shooting of Indians in British Guiana. 2775.
- Question (Supplementary) *re* shooting of mill hands at Cawnpore. 2392-93.
- Question *re* South Indian Railway strike. 2909.
- Question *re* supersession in the office of the Post Master General, Punjab. 2558.
- Question *re* supersession of Post Masters and Inspectors in the Punjab Postal Circle. 2557-58.
- Question (Supplementary) *re* tenders for locomotives. 2638.

**CHAMAN LAL, Mr.—contd.**

Question *re* tours of inspection of the Post Master General, Punjab Postal Circle. 2892-93.

Question *re* training of Postal and Railway Mail Service probationers. 2894-95.

Question *re* travelling allowances of the Post Master General, Punjab Postal Circle, during 1920-21, 1921-22, 1922-23 and 1923-24. 2893-94.

Question *re* travelling allowances of the Post Masters General in India during 1922-23 and 1923-24. 2888.

Resolution *re* Lee Commission's Report. 2842.

**Steel Industry (Protection) Bill—**

Discussion *re* admissibility or otherwise of certain amendments before the — was referred to Select Committee. 2293, 2297.

Motion to refer to Select Committee. 2325, 2331-34, 2346 and 2350.

Motion to circulate. 2457, 2465.

Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2477-78, 2485.

Consideration of—

Clause 3. 2671.

Preamble. 2708-09, 2710, 2719 and 2723.

**CHARGE ALLOWANCE(S)—**

Question *re* — of European and Anglo-Indian station masters. 2535.

**CHARGEMEN—**

Question *re* admission of Indians to the posts of journeymen and — on the O. and R. Railway. 2250.

Question *re* — and journeymen in the O. and R. Railway Workshops at Lucknow. 2248-49.

Question *re* employment of Indians as foremen, —, etc., on railways. 2872.

Question *re* Indian — and foremen on the O. and R. Railway. 2794.

**CHEMICAL RESEARCH INSTITUTE—**

Question *re* School of Mining and Geology and —, Dhanbad. 2742.

**CHIEF JUSTICE(S)—**

Ineligibility of pleader-judges for appointment as permanent — of High Courts. 2760.

**CHIEF(S), TRIBAL—**

Question *re* allowance paid to — in the North-West Frontier Province. 2360-61.

**CHILDREN—**

Question *re* prohibition of the employment of women and — in mines, etc. 2856-57.

**CHOWKIDAR(S)—**

Question *re* discharge of — and sergeants by the E. I. Railway. 2742-43.

**CHRISTIAN(S)—**

Question *re* distinctions in rates of pay drawn by Anglo-Indians, —, Parsis and Indians on the N. W. Railway. 2801-02.

**CIVIL ACCOUNTS DEPARTMENT—**

Question *re* annual incremental scales of clerks and accountants in the Military Accounts Department and —. 2908.

## CLEMENTS ROBSON AND COMPANY, MESSRS.—

Question *re* contract with ——. 2412.

## CLERICAL ESTABLISHMENT—

Question *re* pay of the lower grades of — of the Military Accounts Department. 2371-72.

## CLERK(S)—

Question *re* alleged assault by Mr. Tucker upon an Indian ——. 2793-94.

Question *re* annual incremental scales of — and accountants in the Military and Civil Accounts Departments. 2908.

Question *re* house-rent allowance for relieving goods. ——. 2802.

Question *re* stoppage of conveyance allowance of — and accountants attached to units and Formations. 2906-07.

Question *re* strength of Inspectors and — in the Northern India Salt Department. 2239.

Question *re* temporary — and accountants in the Military Accounts Department. 2905-06.

## CLERKS, ASIATIC—

Question *re* allegations against — and Indian money-lenders in the report of the Commission on Agriculture appointed by the Zanzibar Government, 1922. 2414-15.

## CLIFTON RAILWAY CROSSING—

Question *re* proposed construction of an overbridge at the — at Karachi. 2429.

See under "Crossing(s)."

## CLOTH—

Question *re* boycott of foreign made —. 2781.

## COAL—

Question *re* countervailing duty on South African —. 2886-87.

Question *re* facilities for the — trade. 2865.

Question *re* wagon supply for —. 2241.

## COALFIELD(S)—

Question *re* coal mines in the Raneegunj and Jharia — under Indian and European management. 2887-88.

## COAL MINES—

Question *re* — in the Raneegunj and Jharia coalfields under Indian and European management. 2887-88.

## COAL TRANSPORTATION OFFICE—

Question *re* abolition of the —. 2887.

## COAL TRANSPORTATION OFFICER—

Question *re* allegations against the —. 2887.

## COCHRAN, MR. A.—

Oath of Office. 2231.

## COCKE, MR. H. G.—

Question *re* annual profit or loss of the Army Canteen Board. 2798.

Question *re* Lee Commission's Report. 2897-98.

Question *re* payment of excise or license fees by the Army Canteen Board. 2798.

Question *re* restrictions on the operations of the Army Canteen Board. 2799.

**COCKE, Mr. H. G.—contd.**

Question *re* sale of surplus stocks of whisky by the Supply and Transport Department, Lahore. 2797-98.

Steel Industry (Protection) Bill—

Consideration of—

Clause 2. 2511.

Clause 5. 2576-77.

**COMMERCIAL INTELLIGENCE DEPARTMENT—**

Question *re* duties and salaries of the gazetted officers of the ——. 2361-62.

**COMMISSION(S)—**

Question *re* discussion of the reports of the Frontier Committee, the Bar Committee and the Lee ——. 2246-47.

Question *re* expenditure on the Lee ——. 2271.

Question *re* publication of the Report of the Lee ——. 2246.

**COMMISSION ON AGRICULTURE—**

Question *re* allegations against Asiatic clerks and Indian money-lenders in the report of the —— appointed by the Zanzibar Government in 1922. 2414-15.

**COMMITTEE(S)—**

Meetings of the Standing Finance —— and of the —— on the separation of Railway Finances. 2763.

Question *re* appointment of an Indian Christian to the —— on the expansion of the Indian Territorial Force. 2655.

Question *re* —— appointed by the British Cabinet to consider Indian affairs. 2543.

Question *re* —— on constitutional reforms. 2542-43.

Question *re* —— on Indian Taxation, 2756-57, 2759.

Question *re* composition of the —— of enquiry into the working of the reforms. 2545.

Question *re* departmental —— on the working of the reforms. 2532.

Question *re* discussion of the reports of the Frontier ——, the Bar —— and the Lee Commission. 2246-47.

Question *re* expenditure on the Indian Law Reports ——, 1922. 2741.

Question *re* formation of District —— on the B. and N. W. Railway. 2881-82.

Question *re* opinions of the High Courts on the report of the Indian Bar ——. 2546.

Question *re* personnel of the Reforms ——. 2774.

Question *re* personnel of the Taxation ——. 2776.

Question *re* recommendations of the —— on Indian Students. 2389.

Question *re* recommendations of the Indian Bar ——. 2252, 2640.

Question *re* recommendations of the Seamen's Recruitment ——. 2760-61.

Questions *re* Reforms ——. 2804-05.

Questions *re* Reforms Inquiry ——. 2799, 2870.

Question *re* report of the Alliance Bank Inquiry ——. 2360.

Question *re* Reports of the Frontier —— and the Bar ——. 2246.

Question *re* reports of the Indian Bar ——. 2788.

Question *re* reports of the Railway Risk Notes Revision ——. 2744.

See under "Indian Law Reports Committee".

See under "Indian Mercantile Marine Committee".

See under "Reforms Inquiry Committee".

**COMMITTEE ON PUBLIC ACCOUNTS—**

Election of Pandit Shamlal Nehru to the ——. 2444.

## COMPANY-MANAGED RAILWAYS—

Question *re* enhanced powers of Agents of State Railways and Directors of  
— in regard to establishments. 2388.

## COMPENSATION—

Question *re* — paid to the families of Indian soldiers, sailors and labourers  
who died on active service during the war. 2370-71.

Question *re* — to military medical pupils refused enlistment in the Indian  
Medical Department, etc. 2266-67.

## COMPENSATION CLAIMS—

Question *re* — paid by various Railways for goods stolen, lost or damaged.  
2645-47.

## COMPENSATORY ALLOWANCE—

*See* under "Allowance(s)".

## COMPETITION, FOREIGN—

Question *re* — with the Indian steel industry. 2530.

## CONDOLENCE—

Expressions of — at the deaths of Mr. Satish Chandra Ghosh, Maulvi Miyan  
Asjadullah and Sir Ashutosh Mukharji. 2231-35.

## CONFERENCE—

Question *re* proceedings of the Imperial Economic — and report of the  
Honourable Sir Charles Innes in regard to his delegation to the same. 2256.

## CONGRATULATION(S)—

— to Mr. President, the Honourable Sir Alexander Muddiman and the  
Honourable Sir Bhupendra Nath Mitra. 2232, 2235.

## CONTRACT(S)—

Question *re* — for Government stores. 2746-47.

Question *re* — for printing work for the B., B. and C. I. Railway. 2252.

Question *re* — of telegraphists. 2898-2903.

Question *re* — with the Bengal and North-Western Railway. 2385-86.

Question *re* — with Messrs. Clements Robson and Company. 2412.

## CONTRACTOR(S)—

Question *re* clearance of materials belonging to the O. & R. Railway sold  
by auction to —. 2795.

## CONTRIBUTION(S)—

Question *re* — to institutions training candidates for the Indian Civil  
and Military Services. 2548-49.

## CONTROLLER OF MILITARY ACCOUNTS, POONA, OFFICE OF THE—

Question *re* claims of Mr. R. S. Muley, formerly a clerk in the —, to propor-  
tionate pension. 2443-44.

## CONVEYANCE ALLOWANCE—

*See* under "Allowance(s)".

## CORRESPONDENCE—

Question *re* alleged interception of — of Members of the Legislative As-  
sembly. 2772.

Question *re* law relating to the interception of the — of private individuals.  
2773.

## COTTON—

Question *re* price of jute, — and other goods purchased by Government.  
2248.

## COUNCIL OF STATE—

Bills passed by the — laid on the table. 2401. ....

Message from the —, agreeing to the amendment made by the Legislative  
Assembly in the Indian (Specified Instruments) Stamp Bill. 2329.

Message from the — *re* the passing by that Chamber, without any amend-  
ments, of the Steel Industry (Protection) Bill. 2369.

**CREMATION—**

Question *re* arrangements for — at Lalmonirhat on the Eastern Bengal Railway. 2643.

Question *re* disinterment and — of the bodies of Hindu and Sikh soldiers killed in the Great War. 2425.

**CROSSING(S)—**

Question *re* overbridge at the Clifton and the Devon Villa — at Karachi. 2537.

**CROWN IN INDIA, OFFICES UNDER THE—**

Question *re* rules the power of making appointments to, and promotions in, —, 2265-66.

**CURRENCY—**

Question *re* increased public demand for — and credit. 2868-69.

Question *re* introduction of gold — in India. 2847.

**CURRENCY DEPARTMENT—**

Question *re* expenditure on stores for the —. 2859.

**CURRENCY NOTE—**

Question *re* expenditure incurred on the design for a new ten-rupee —, 2858-59.

**D****"DAILY GAZETTE" SINDH—**

Question *re* letter in the —, *re* "Disenfranchised Europeans of Sindh". 2240-41.

**DALTONGANJ—**

Question *re* passenger trains between Sone East Bank and — on the E. I. Railway. 2855-56.

**DAMAGURIA—**

Question *re* earnings of the East Indian Railway from the traffic offered by the Kasta and — sidings. 2888.

**DAMODAR EMBANKMENT—**

Question *re* extension of the Tarkessar branch of the E. I. Railway from Tarkessar to the —. 2877.

**DAS Mr. BHUBANANANDA—**

Motion for Adjournment for the purpose of expressing indignation at the judgment of Mr. Justice McCardie in the O'Dwyer libel suit against Sir Sankaran Nair. 2812.

Question *re* acquisition of land by the B. B. and C. I. Railway for extension of their terminal station in Bombay. 2746.

Question *re* appointment of Indians as Deputy Agents on Railways. 2745.

Question (Supplementary) *re* Committee on Taxation. 2757.

Question (Supplementary) *re* consultation with the Workers Organisations in India regarding subjects to be discussed by the International Labour Conferences. 2736.

Question *re* contract for Government stores. 2746-47.

Question *re* foreign iron and steel purchased by Government Departments. 2749.

Question *re* Indians in the superior establishment of the Railway Department. 2744.

**DAS, MR. BHUBANANANDA—contd.**

Question *re* iron and steel of Indian and foreign origin purchased by State and guaranteed Railways, etc. 2748.

Question *re* overseas allowance to Indians recruited for the Imperial Services. 2745-46.

Question *re* purchase of Railway stores. 2747-48.

Question *re* rails and fish-plates of Indian and foreign origin purchased by the State and guaranteed Railways. 2743.

Question *re* recruitment of Indians for the staff of the Railway Board. 2745.

Question *re* Resolution regarding Rupee Tenders. 2746.

Steel Industry (Protection) Bill—

Consideration of—

Schedule. 2685.

**DATTA, DR. S. K.—**

Question *re* appointment of an Indian Christian to the Committee on the expansion of the Indian Territorial Force. 2655.

Question *re* educational facilities for Indian units in the Army. 2890-91.

Question *re* illiteracy in the Indian Army. 2890.

Question *re* India's representative at the Advisory Commission of the League of Nations dealing with the opium traffic. 2624.

Question *re* issue of opium during the War to Indian personnel on active service. 2839-90.

Question *re* provision of canteens for Indian Troops. 2889.

Question *re* residence of a German scholar at Bolpur. 2237-38.

Question *re* treatment of Professor Herzfeld, a German scholar, at Bombay. 2238.

Steel Industry (Protection) Bill—

Motion to circulate. 2444-47, 2450.

**DAVIES, MR. G. H. W.—**

Oath of Office. 2231.

**DEBT—**

Question *re* payment of — due to Jagat Seth to his descendants. 2650.

**DEHRA DUN—**

Question *re* expenditure on the Forest Research Institute, —. 2629-31.

**DELAY(S)—**

Question *re* post office —. 2802-03.

**DELHI EXPRESS, 20-DOWN—**

Question *re* stoppage of the — at Pataunda Mahabir Road Station on the B. B. and C. I. Railway. 2807.

**DEPUTY AGENT(S)—**

Question *re* appointment of Indians as — on Railways. 2745.

**DEPUTY COMMISSIONER(S)—**

Question *re* abolition of the post of —, Northern India Salt Department. 2239.

**DEPUTY DIRECTOR OF ESTABLISHMENT, RAILWAYS—**

Question *re* —. 2793.

**DERA ISMAIL KHAN—**

Question *re* limitation of the period of retention of postal officials at post offices beyond Eannu, Kohat and —. 2560.

**DEVON VILLA CROSSING—**

*See* under "Crossing(s)".

**DIHANBAD—**

Question *re* School of Mining and Geology, and Chemical Research Institute,  
—, 2742.

**DIAMOND HARBOUR—**

Question *re* proposed extension of the — branch of the E. B. Railway.  
2625.

**DIRECTOR(S)—**

Question *re* list of — and shareholders of the Tata Iron and Steel Com-  
pany, etc. 2640.

**DISINTERMENT—**

Question *re* — and cremation of the bodies of Hindu and Sikh soldiers  
killed in the Great War. 2425.

**DISMISSAL—**

Question *re* — of Kessar Singh, sorter, R.M.S., 'L' Division. 2859-60.

Question *re* — of Mr. Subba Rao, a telegraphist. 2540-42.

**DISTRICT COMMITTEE(S)—**

*See* under "Committee(s)".

**DISTRICT TRAFFIC SUPERINTENDENT(S)—**

Question *re* alleged charges of bribery and corruption against certain em-  
ployees of the Office of the —, Katihar, Eastern Bengal Railway. 2851.

Question *re* Indian District Engineers, Assistant Engineers and — on  
Indian railways. 2272-73.

**DOMICILED COMMUNITY—**

Statement (laid on the table) *re* position of the — in the British and Indian  
Army. 2276.

**DRIVERS—**

Question *re* guards and — on the North-Western Ry. 2533.

Question *re* salaries of European and Indian — on railways. 2534-35.

**DUAL COMMISSION—**

Question *re* — in the Indian Territorial Force. 2434-35.

**DUMASIA, Mr. N. M.—**

Question *re* ineligibility of pleader-judges for appointment as permanent  
Chief Justices of High Courts. 2763.

**Steel Industry (Protection) Bill—**

Motion to refer to Select Committee. 2341 and 2347.

**Consideration of—**

Clause 2. 2523-21.

Clause 3. 2603-06, 2618.

**DUNI CHAND LALA—**

Question *re* allegations against the station master of Kasur. 2527-29.

Question *re* appointment of Executive Officers under the new Cantonment  
scheme. 2800.

Question *re* appointments of Indians and Europeans to the Cantonments  
Departments. 2257-58.

Question *re* assessment to income-tax of Lala Sita Ram. 2256-57.

Question *re* case of Mr. Girdhari Lal, Sub-Record clerk, Railway Mail Ser-  
vice, Jullundhar City. 2800-01.



**DUNI CHAND, LALA—contd.**

- Question (Supplementary) *re* dismissal of Mr. Subba Rao, a telegraphist. 2542.
- Question *re* dissatisfaction with the income-tax administration in the Punjab. 2526-27.
- Question *re* expulsions from Indian Cantonments. 2799-2800.
- Question (Supplementary) *re* fitness of Indians for admission into the Indian Civil and Military Services. 2549.
- Question (Supplementary) *re* Jail Reform. 2539.
- Question *re* promotion of guards on the N. W. Railway. 2801.
- Question *re* rule of primogeniture obtaining in the case of tenancies held by cavalry grantees in the Lower Jhelum Canal Colony. 2803-04.
- Question *re* sale of nationalist newspapers at railway stations on the N. W. Railway. 2264
- Question *re* undesirable surroundings of the Ambala City Post Office. 2529.
- Steel Industry (Protection) Bill—  
 Consideration of—  
 Schedule. 2683-84.

**DUTT, MR. AMAR NATH—**

- Question *re* appointment of Mr. Lesage as Offg. Postmaster, Burdwan. 2868.
- Question *re* complaints regarding the timings of certain down local trains between Howrah and Burdwan on the E. I. Railway. 2878.
- Question (Supplementary) *re* dismissal of Mr. N. Subba Rao, telegraphist. Bezwada. 2634.
- Question *re* extension of the Tarkessar branch of the E. I. Railway from Tarkessar to the Damodar embankment. 2877.
- Question *re* grievances of third class passengers on the local Howrah to Burdwan service on the E. I. Railway. 2877-78.
- Question *re* litigation between the E. I. Railway and one Hemanta Kumar Sarkar. 2876-77.
- Question *re* payment of debt due to Jagat Seth to his descendants. 2656.
- Question *re* promotion of postal employees. 2867.
- Question *re* repeal of repressive legislation. 2878.
- Question *re* sources of supply of beef for the Army in India. 2656-57.
- Question *re* stoppage of promotion of certain postal officials of the Burdwan Division. 2868.
- Question *re* total number of bovine cattle slaughtered in military slaughter houses. 2657.
- Steel Industry (Protection) Bill—  
 Consideration of—  
 Clause 1. 2708.  
 Clause 2. 2490, 2508, 2524.  
 Clause 3. 2671.

**DUTY (IES)—**

- Question *re* countervailing — on South African Coal. 2886-87.
- Question *re* effect of the enhanced — on motor cars. 2649-50.
- Question *re* existing stock of articles on which protective — are proposed to be levied. 2852.
- Question *re* liability of Indian States to pay the protective — imposed by the Steel Industry (Protection) Bill. 2847-48.
- Question *re* removal of the — on sulphur. 2526.
- Resolution *re* removal of the import — on sulphur. 2765-69.

**DYER FUND—**

- Question *re* subscriptions by civil and military officers to the —. 2865-66.

## E

## EARNINGS, STATEMENT OF—

Question *re* subraission of — beyond their lawful salaries by ticket collectors of the N. W. Railway, Karachi District. 2424-25.

## EAST AFRICA COMMISSION—

Question *re* —. 2544-45.

## EASTERN BENGAL RAILWAY—

Question *re* advertising of vacancies on the —. 2850.

Question *re* alleged charges of bribery and corruption against certain employees of the office of the District Traffic Superintendent, Katihar, —. 2851.

Question *re* alleged profiteering by Messrs. Somar Chand and Sons, food vendors on the —. 2851-52.

Question *re* annual stipends granted by the — to the children of European, Anglo-Indian and Indian employees attending hill schools. 2874.

Question *re* appeals of the employees of the —. 2849.

Question *re* arrangements for cremation at Lalmonirhat on the —. 2643.

Question *re* card passes issued to vendors on the —. 2851.

Question *re* difference in rates of starting pay of the menial staff of the — and N. W. Railway. 2642.

Question *re* discharge of employees by the —. 2848.

Question *re* European and Anglo-Indian station masters and assistant station masters on the —. 2850-51.

Question *re* excess fare earnings of ticket collectors on the —. 2879.

Question *re* grant of medical leave to the staff of the —. 2642-43.

Question *re* grievances of the signallers of the Lalmonirhat District of the —. 2848.

Question *re* leave of the — employees. 2850.

Question *re* licence fees of food vendors on the —. 2851.

Question *re* protractons on the —. 2850.

Question *re* proposed extension of the Diamond Harbour branch of the —. 2625.

Question *re* provision of latrines in quarters for the menial staff of the —. 2641.

Question *re* quarters of the station staff on the —. 2642.

Question *re* salaries of Indian station masters and assistant station masters on the —. 2850.

Question *re* sickness among the staff of the Lalmonirhat District of the —. 2849.

Question *re* temporary engineers of the —. 2854.

## EAST INDIAN RAILWAY—

Question *re* admission of Indian graduates as apprentices to the — Workshops and Laboratory at Jamalpur. 2872-73.

Question *re* case of Panna Lal Gopi, Assistant Station Master, Karbighwan, —. 2420-21.

Question *re* complaints regarding the timings of certain down local trains between Howrah and Burdwan on the —. 2878-79.

Question *re* complimentary passes issued to Indians and Europeans on the —. 2357.

Question *re* discharge of Chowkidars and Sergeants by the —. 2742-43.

Question *re* earnings of the — from the traffic offered by the Kasta and Damaguria sidings. 2888.

**EAST INDIAN RAILWAY—contd.**

- Question *re* extension of the Tarkessar branch of the — from Tarkessar to the Damodar embankment. 2877.
- Question *re* grant of a State scholarship to an Indian graduate lately employed as an apprentice in the Jamalpur Workshops of the —. 2873.
- Question *re* grievances of third class passengers on the local Howrah to Burdwan service on the —. 2877-78.
- Question *re* insufficiently screened latrines at stations on the — and the Bengal and North-Western Railway. 2375.
- Question *re* intermediate class compartments for males and females on the —. 2865.
- Question *re* litigation between the — and one Hemanta Kumar Sarkar. 2876-77.
- Question *re* local traffic service on State Railways and on the —. 2884-86.
- Question *re* passenger trains between Sone East Bank and Daltonganj on the —. 2855-56.
- Question *re* superior appointments on the —. 2883-84.

**EDUCATIONAL FACILITIES—**

- Question *re* — for Indian units in the Army. 2890-91.

**ELECTIONS, GENERAL—**

- Question *re* percentage of votes polled at the — for the Legislative Assembly in 1920 and 1923, respectively.—2373-74.

**ELPHINSTONE ROAD—**

- Question *re* foot bridge between Parel station on the Great Indian Peninsula Railway and the — station on the Bombay, Baroda and Central India Railway. 2808-09.

**EMIGRATION AGENT(S)—**

- Question *re* — employed by the Emigration Depôt at Benares. 2782-83.
- Question *re* — in Mauritius. 2783.

**EMIGRATION COMMISSIONER—**

- Question *re* vernacular notification published by the —, Benares. 2782.

**EMIGRATION DEPOT(S)—**

- Question *re* emigration agents employed by the — at Benares. 2782-83.
- Question *re* — at Benares. 2781-82.
- Question *re* inspection remarks by visitors to the —, Benares. 2783.
- Question *re* number of labourers recruited by the —, Benares. 2783.

**EMPIRE SCHOLARSHIPS—**

- Question *re* —. 2546.

**ENGINEER(S)—**

- Question *re* Indian District —, Assistant —, and District Traffic Superintendents on Indian railways. 2272-73.

**ENGINEER(S), TEMPORARY—**

- Question *re* abolition of the appointments of — on Railways. 2854.
- Question *re* — on the Eastern Bengal Railway. 2854.

**ESOCIET COMPANY—**

- Question *re* affairs of the —, etc. 2258-59.
- Question *re* recovery of money due to Government by the —. 2258.

**ESTABLISHMENTS, SUBORDINATE—**

- Question *re* introduction of a time scale of pay for the — of State Railways. 2641.

## EUROPEAN(S)—

- Question *re* admission of —, Anglo-Indian and Indian students to the Railway Technical Institute, United Provinces. 2250.
- Question *re* appointments of Indians and — to the Cantonments Department. 2257-58.
- Question *re* assaults on Indian railway passengers by —. 2654.
- Question *re* —, Anglo-Indian and Indian apprentices in the Oudh and Rohilkhand Railway Workshops at Lucknow. 2249-50.
- Question *re* —, Anglo-Indian and Indian employees on the Great Indian Peninsula Railway. 2878-79.
- Question *re* —, Anglo-Indians and Indians employed in various capacities on the principal railways in India. 2871-72.
- Question *re* —, Anglo-Indians and Indians employed on salaries of Rs. 100 and over on certain railways. 2785.
- Question *re* —, Anglo-Indians and Indians holding superior posts on railways. 2536.
- Question *re* — and Indian passengers on board the S. S. "Frangestan". 2808.

## EUROPEANS, DISENFRANCHISED—

- Question *re* letter in the "Daily Gazette", Sindh, *re* " — of Sindh". 2240-41.

## EXAMINATION(S)—

- Question *re* Staff Selection Boards —. 2807.

## EXCESS FARE EARNINGS—

- See* under "Ticket Collectors".

## EXCHANGE, RATE OF—

- Question *re* amendment of the — in the Indian Currency Act. 2744.

## EXCISE—

- Question *re* payment of — or license fees by the Army Canteen Board. 2798.

## EXCISE DUTY—

- Question *re* decrease in the — on woven goods. 2795-96.
- Question *re* exemption from payment of — on motor spirits granted to the Indian Product Co. and the Hartikool Oil Co. 2430.

## EXECUTIVE OFFICER(S)—

- Question *re* appointment of — under the new Cantonment scheme. 2800.
- Question *re* cost of telegrams recommending the Cantonment Superintendent, Hyderabad, Sind, for the post of —. 2863.

## EXHIBITION(S)—

- Question *re* expenditure on the British Empire —. 2273.

## EXPENDITURE—

- Question *re* additional — incurred by the introduction of the time scale in the Military Accounts Dept. 2372-73.
- Question *re* — incurred on the design for a new ten-rupee currency note. 2858-59.
- Question *re* — on the British Empire Exhibition. 2273.
- Question *re* — on the Lee Commission. 2271.
- Question *re* — on the lighting and buying of the Persian Gulf. 2383.
- Question *re* — on railway schools. 2873.
- Question *re* — on stores for the Currency Department. 2859.
- Question *re* increase of — on the Military and All-India Civil Services. 2386.

**EXPENDITURE, MILITARY—**

Question *re* reduction of — in 1924-25. 2903.

**EXPORT—**

Question *re* decrease in the — of Indian yarn. 2795.

**EXPORT TRADE—**

Question *re* domicile of steamship companies engaged in the — in iron, steel and coal from India. 2364.

**EXPULSION(S)—**

Question *re* — from Indian Cantonments. 2799-2800.

**F****FACTORY(IES)—**

Question *re* delay in payment of monthly wages to employees in organised —. 2737.

Question *re* maternity benefit in —, mines, etc. 2739.

**FAMINE TRUST FUND—**

See under "Indian People's Famine Trust Fund."

**FARE(S)—**

Question *re* third class passenger — on the South Indian Railway. 2733.

**FARIDPUR—**

Question *re* grievances of — railway passengers. 2640.

Question *re* shifting of the site of the railway station at —. 2640-41.

**FEE(S)—**

Question *re* payment of excise or license — by the Army Canteen Board. 2798.

**FEMALE PASSENGER(S)—**

Question *re* carriages for —. 2440.

**FENY RIVER GHAT—**

Question *re* railway siding at —. 2251-52.

**FIELD SERVICE—**

Question *re* grant of special promotions for — to members of the Posts and Telegraphs Deptt. 2860.

Question *re* special promotion for — granted to postal employees. 2811.

**FINANCE DEPARTMENT—**

Question *re* treatment of memorialists and petitioners by the —. 2623-24.

**FINANCIAL ADVISER(S)—**

Question *re* —. 2363.

**FINANCING—**

Question *re* — of the proposed Ishurdi-Pabna-Sadhganj Ry. 2251.

**FINE(S)—**

Question *re* system of — in organised industries. 2739.

**FINES FUND—**

Question *re* utilization of the — on the Bengal Nagpur Railway for providing outfit allowances for children of employees attending hill schools. 2875.

**FIRE-ARMS, LICENCES FOR—**

Statement (laid on the table) *re* —. 2276.

**FISH PLATE(S)—**

Question *re* rails and — of Indian and foreign origin purchased by the State and guaranteed Railways. 2748.

**FLEMING, Mr. E. G.—**

Steel Industry (Protection) Bill—

Consideration of —

Clause I. 2700-04, 2705, 2707.

**FLOOD(S)—**

Question *re* — in Bihar. 2426-28.

Question *re* — in Bihar and Orissa. 2383-84.

**FOOT BRIDGE—**

Question *re* — between Parel station on the G. I. P. Ry. and the Elphinstone Road station on the B., B. and C. I. Ry. 2808-09.

**FOREIGN COUNTRIES—**

Question *re* operating ratios of railways in —. 2417-19.

**FOREMEN—**

Question *re* appointment as — of Anglo-Indian and Indian apprentices trained at Kanchrapara and Saidpur. 2854.

Question *re* employment of Indians as —, chargemen, etc., on railways. 2872.

Question *re* Indian chargemen and — on the O. and R. Ry. 2794.

**FOREST COLLEGE—**

Question *re* duties of the President of the Forest Research Institute and of the Principal of the —. 2368-69.

**FOREST RESEARCH INSTITUTE—**

Question *re* acquisition of paper and pulp plant for the —, Dehra Dun. 2741-42.

Question *re* duties of the President of the — and of the Principal of the Forest College. 2368-69.

Question *re* expenditure on the —, Dehra Dun. 2629-31.

**"FORWARD"—**

Question *re* article in — regarding the grant of fresh reforms. 2411.

**FRANCHISE—**

Question *re* — for Indians in British Guiana. 2775.

Question *re* grant of the — in Cantonments. 2650-51.

**"FRANGESTAN," S. S.—**

Question *re* European and Indian passengers on board the —. 2808.

Question *re* loss of baggage of Indian pilgrims to the Hedjaz by fire on the —. 2358.

Question *re* loss of property of pilgrims on the —. 2807-08.

**FRAUD(S)—**

Question *re* alleged — in the Goods and Stores Depôts. of the O. and R. Ry. 2786.

**FRONTIER—**

Question *re* Mabsud raids on the —. 2414.

**FRONTIER COMMITTEE—**

*See* under "Committee(s)".

## G

## GANDHI, MAHATAMA—

Question *re* detention of telegraph messages relating to the release of ——. 2385.

## GARRISON ENGINEER(S)—

Question *re* strength of — and sub-divisional officers (Military and Civil). 2268.

## GAZETTED OFFICERS—

Question *re* duties and salaries of the — of the Commercial Intelligence Department. 2361-62.

## GERMAN SCHOLAR—

Question *re* residence of a — at Bolpur. 2237-38.

Question *re* treatment of Professor Herzfeld, a —, at Bombay. 2238.

## GHORPADI CAVALRY—

Question *re* dangers attendant on the location of the new target for the use of the —. 2437-38.

## GHOSE, MR. SATISH CHANDRA—

Expression of condolence at the death of —. 2231-35.

## GIDNEY, LIEUT.-COLONEL H. A. J.—

Question (Supplementary) *re* charge of Cantonment Hospitals. 2789.

Question *re* compensation to military medical pupils refused enlistment in the Indian Medical Department, etc. 2266-67.

## GIRDHARI LAL, MR.—

Question *re* case of —, Sub-Record Clerk, Railway Mail Service. 2267, 2800-01.

## GOLD CURRENCY—

Question *re* introduction of — in India. 2747.

## GOODS AND PARCEL OFFICES—

Question *re* closing of — on Indian holidays. 2802.

## GOODS CLERK(S)—

*See* under "Clerk(s)".

## GOODS-SHED(S)—

Question *re* working hours of subordinates employed in railway —. 2550.

## GOPI, PANNA LAL—

Question *re* case of —, late Assistant Station Master, Karbighwan, E. I. Ry. 2420-21.

## GOSWAMI, MR. T. C.—

Question *re* compensation paid to the families of Indian soldiers, sailors and labourers who died on active service during the war. 2370-71.

Question *re* construction of an overbridge for wheeled traffic at Naihati. 2805-06.

Question *re* dismissal of Mr. N. Subba Rao, telegraphist, Bezwada. 2632-34.

Question *re* encouragement of the manufacture of wagons and locomotives in India. 2638-39.

Question *re* expenditure on the Forest Research Institute, Dehra Dun. 2629-31.

Question (Supplementary) *re* extortion being a necessary qualification for promotion in the Income-tax Department. 2858.

GOSWAMI, Mr. T. C.—*contd.*

- Question *re* hours of work and holidays of the staff of the Rifle Factory and the Metal and Steel Factory at Ishapore. 2369-70.
- Question *re* inquiry into the working of the Government of India Act, 1919. 2639.
- Question *re* local traffic service on State Railways and on the E. I. Ry. 2684-86.
- Question *re* nominated official Members of the Central Legislature. 2631-32.
- Question *re* pay and allowances of the two Architects of the Central Buildings, New Delhi. 2628-29.
- Question (Supplementary) *re* prohibition against Government servants representing their grievances to non-official Members of the Indian Legislature. 2897.
- Question (Supplementary) *re* reserved saloons for officials. 2798.
- Question *re* statement *re* the two Judges who examined the cases of internees in Bengal. 2631.
- Question *re* superior appointments on the E. I. Ry. 2883-84.
- Question *re* tenders for locomotives. 2634-38.

## GOUR, Dr. H. S.—

- Congratulations to Mr. President, the Honourable Sir Alexander Muddiman and the Honourable Sir Bhupendra Nath Mitra. 2232.
- Expressions of condolence at the death of Mr. Satish Chandra Ghosh, Maulvi Miyan Asjadullah and Sir Ashutosh Mukbarji. 2231-32.
- Indian Penal Code (Amendment) Bill (Amendment of section 375) —  
Motion to circulate Select Committee's report. 2769.
- Lee Commission Report. 2279, 2280, 2659, 2660 & 2732.
- Motion for Adjournment to consider the Lee Commission's Report. 2395-96.
- Question *re* abolition of pay for officers of the Indian Territorial Force. 2435.
- Question (Supplementary) *re* composition of the committee of inquiry into the working of the reforms. 2545.
- Question *re* discussion of the reports of the Frontier Committee, the Bar Committee and the Lee Commission. 2246-47.
- Question *re* dual commissions in the Indian Territorial Force. 2434-35.
- Question (Supplementary) *re* Jail Reform. 2539.
- Question *re* pay of officers of the Indian Territorial Force holding Honorary King's Commissions. 2433-34.
- Question (Supplementary) *re* present price of petrol in Indian and its price during the past five years. 2648.
- Question *re* price of iron, steel and other products purchased by Government from the Tata Iron and Steel Company and from other firms. 2247-48.
- Question *re* price of jute, cotton and other goods purchased by Government. 2248.
- Question *re* publication of the Report of the Lee Commission. 2246.
- Question *re* rank and precedence of officers of the Indian Territorial Force. 2434.
- Question *re* report of the Indian Mercantile Marine Committee. 2433.
- Question (Supplementary) *re* report of the Lee Commission. 2554.
- Question *re* reports of the Frontier Committee and the Bar Committee. 2246.
- Question (Supplementary) *re* reports relating to the recruitment of seamen. 2762.
- Question (Supplementary) *re* State vs. Company management of Railways. 2417.
- Question (Supplementary) *re* tenders for locomotives. 2636, 2637 & 2638.
- Resolution *re* Lee Commission's Report. 2638, 2845, 2846.



**GOUR, DR. H. S.—*contd.*****Steel Industry (Protection) Bill—**

Motion to refer to Select Committee. 2334-36.

Motion to constitute the Select Committee. 2352.

Motion to circulate. 2450, 2451, 2454, 2457-59.

Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2479-80.

**Consideration of—**

Clause 3. 2570, 2621.

Schedule. 2683, 2684, 2690-92, 2693, 2694.

Preamble. 2721-22, 2723.

**GOVERNMENT(S)—**

Question *re* price of jute, cotton and other goods purchased by —, 2248.

**GOVERNMENT CENTRAL PRESS—**

Question *re* complaint regarding the —, 2413.

**GOVERNMENT OF INDIA—**

Question *re* expenditure on cables exchanged between the — and the India Office. 2363.

Question *re* leave and pension of the menial establishment of the —. 2852.

Question *re* opium policy of the —. 2531-32.

Question *re* sale of — Blue-books and the headquarters of all provincial Governments. 2654-55.

**GOVERNMENT OF INDIA ACT—**

Question *re* inquiry into the working of the —, 1919. 2639.

Question *re* proposed amendment of the —, 1919. 2532-33.

**GOVERNMENT OF INDIA, CIVIL AND MILITARY—**

Question *re* exercise of the Secretary of State's powers of superintendence, direction and control of the —, etc. 2253-54.

**GOVERNMENT OF INDIA PUBLICATION—**

Question *re* discontinuance of the sale of — at the Provincial Governments' Book Depôts. 2438-39.

**GOVERNMENTS, PROVINCIAL—**

Question *re* sale of Government of India Blue-books at the headquarters of all —, 2654-55.

Question *re* share of the — in the revenue from "Taxes on Income". 2240.

**GOVERNMENT SERVANT(S)—**

Question *re* prohibition against — representing their grievances to non-official Members of the Indian Legislature. 2897.

Question *re* prohibition of the wearing of *Khadidar* by —, etc. 2426.

Question *re* recovery of municipal and other taxes from certain classes of — occupying free quarters. 2810.

**GOVERNMENT SERVANTS, RETIRED—**

Question *re* participation by — and retired Army Officers in political propaganda or agitation. 2256.

**GOVERNMENT STORES—**

*See* under "Store(s)".

**GOVERNOR(S)—**

Question *re* reforms inquiry regarding relations between — and Ministers in the provinces, etc. 2856.

## GOVERNOR GENERAL—

Assent of the — to Bills. 2261.

Assent to the Indian Coinage (Amendment) Act, 1924, by the —. 2261.

Assent to the Indian Income-tax (Amendment) Act, 1924, by the —. 2281.

## GOVIND DAS, SETH—

Question *re* earnings from advertisements on telegraph forms and envelopes. 2272.

Question *re* expenditure on the British Empire Exhibition. 2273.

Question *re* expenditure on the Lee Commission. 2271.

Question *re* grievances of second class railway passengers. 2275.

Question *re* indebtedness of Indian Agriculturists. 2273.

Question *re* Indian District Engineers, Assistant Engineers and District Traffic Superintendents on Indian Railways. 2272-73.

Question *re* Indian technological students abroad. 2274-75.

Question *re* powers of Local Govts. to purchase locally manufactured stationery and stores. 2271-72.

Question *re* provision of facilities for technological studies in India. 2273-74.

Question *re* restaurant cars for Hindus on mail and express Trains. 2272.

Resolution *re* Lee Commission's Report. 2841.

Steel Industry (Protection) Bill—

Consideration of—

Clause 3. 2592.

## GRADUATE(S)—

Question *re* admission of Indian — as apprentices to the E. I. Railway Workshops and Laboratory at Jamalpur. 2872-73.

Question *re* grant of a State scholarship to an Indian — lately employed as an apprentice in the Jamalpur Workshop of the E. I. Railway. 2873.

## GRANT(S)—

Question *re* educational — to European, Anglo-Indian and Indian railway employees. 2851.

## GRATUITY—

Question *re* calculation of the period of re-employment in the Military Accounts Department during the war for pension or —. 2443, 2623.

## GREAT INDIAN PENINSULA RAILWAY—

Question *re* conversion of the — and the B., B. and C. I. Railway into State Railways. 2750.

Question *re* discharge of Mr. Nurun Nabi, an employee of the —. 2879.

Question *re* European, Anglo-Indian and Indian employees on the —. 2878-79.

Question *re* footbridge between Parel station on the — and the Elphinstone Road station on the B., B. and C. I. Railway. 2808-09.

Question *re* grant of compensatory allowances to the officers and subordinate staff of the — and B., B. and C. I. Railway stationed in Bombay. 2882.

Question *re* improvement of the constitution of Staff Councils on the —. 2882.

Question *re* leave of lower subordinate staff in the traffic and transport department of the —. 2552.

Question *re* resolutions of the Wadi Bunder branch (Bombay) of the — Staff Union. 2883.

Question *re* retrenchment recommended by Mr. Heseltine on the —. 2553.

Question *re* revision of the leave rules on the —. 2882-83.

Question *re* Staff Councils on the —. 2878.

Question *re* working hours of certain classes of employees on the —. 2552.

Question *re* working hours of the staff of the — at Wadi Bunder. 2550-51.

## GREETING(S)—

Reply to the — of the Assembly to the Members of the Labour Party. 2402.

## GRIEVANCE(S)—

Question *re* — of Faridpur railway passengers. 2640.

Question *re* — of third class passengers on the local Howrah to Buriwan service on the E. I. Railway. 2877-78.

Question *re* prohibition against Govt. servants representing their — to non-official Members of the Indian Legislature. 2897.

## GUARD(S)—

Question *re* — and drivers on the North Western Railway. 2533.

Question *re* promotion of — on the North Western Railway. 2801.

## GULAB SINGH, SARDAR—

Question *re* Indians holding permanent gazetted appointments in certain departments of State and Company Managed Railways. 2556.

Question *re* Indians holding permanent gazetted appointments in the Indian Military Works Department. 2556.

Question *re* Indians in the Indian Army Reserve of Officers. 2557.

Question *re* percentage of Indian medical officers in Indian Station Hospitals. 2557.

## GUNDUK—

Question *re* levy of toll at the bridge over the — between Hajipur and Sonapur. 2386.

## H

## HAILEY, THE HONOURABLE SIR MALCOLM—

Question *re* alleged canvassing of Members of Parliament by —. 2384-85, 2651-52.

## HAJ SEASON—

Question *re* number of pilgrims during the last —. 2362-63.

## HAJIPUR—

*See* under "Gunduk."

## HANS RAJ, LALA—

Question (Supplementary) *re* dismissal of Mr. N. Subba Rao, telegraphist, Bezwada. 2634.

Question (Supplementary) *re* rent of quarters at Longwood Hotel, Simla. 2365.

Question *re* Russian rouble notes. 2903-04.

## HARTIKOOL OIL COMPANY—

Question *re* exemption from payment of excise duty on motor spirits granted to the Indian Products Co. and the —. 2430.

## HASRAT MOHANI, MAULANA—

Question *re* Resolution relating to the release of —. 2244-45.

## HAWKERS—

Question *re* license fees received by railway companies from —, refreshment room keepers and hotel keepers. 2440.

## HEAD POSTMASTERS—

Question *re* number of — and Superintendents of post offices charge-sheeted in the Punjab in 1921-22 and 1923-24. 2406.

**HEDJAZ—**

Question *re* duties of the British Consul at Jeddah towards Indian pilgrims to the —, etc. 2362.

Question *re* loss of baggage of Indian pilgrims to the — by fire on the S.S. "Frangestan". 2358.

Question *re* pilgrims to the —. 2357-58.

**HERZFELD, PROFESSOR—**

Question *re* treatment of —, a German scholar, at Bombay. 2238.

**HESELTINE, MR.—**

Question *re* retrenchment recommended by — on the G. I. P. Railway. 2553.

**HEZLETT, Mr. J.—**

Oath of Office. 2231.

**HIGH COURT(S)—**

Question *re* ineligibility of Pleader Judges for appointment as permanent Chief Justices of —. 2760.

Question *re* opinions of — on the report of the Indian Bar Committee. 2546.

**HILL SCHOOL(S)—**

*See under* "School(s)."

**HINDLEY, Mr. C. D. M.—**

Oath of Office. 2231.

**HINDU(S)—**

Question *re* restaurant cars for Hindus on mail and express Trains. 2272.

**HINDUSTANI MUSSALMAN(S)—**

*See under* "Mussalman(s)."

**HIRA SINGH, SARDAR BAHADUR CAPTAIN—**

Indian Soldiers Litigation (Amendment) Bill—

Motion to pass, as passed by the Council of State. 2764-65.

Steel Industry (Protection) Bill—

Consideration of—

Schedule. 2680-81.

**HOLIDAY(S)—**

Question *re* closing of goods and parcel offices on Indian —. 2802.

Question *re* hours of work and — of the staff of the Rifle Factory and Metal and Steel Factory at Ishapore. 2369-70.

**HOLME, Mr. H. E.—**

Question (Supplementary) *re* discovery of the Bolshevik revolutionary conspiracy. 2772.

**HONG KONG—**

Question *re* Indian population in —. 2875.

**HOSPITAL(S)—**

Question *re* charge of Cantonment —. 2788-89.

Question *re* employment of lady doctors or midwives in State Railway —. 2641.

Question *re* medical officers in charge of Cantonment —. 2243.

**HOTEL KEEPERS—**

Question *re* license fees received by railway companies from hawkers, refreshment room keepers and —. 2440.

L103LA

**HOURS OF WORK—**

Question *re* — and holidays of the staff of the Rifle Factory and the Metal and Steel Factory, Ishapore. 2369-70.

**HOUSE OF LORDS—**

Question *re* Lord Olivier's speech in the —.—2269-70.

**HOUSE RENT—**

Question *re* — allowance for relieving goods clerks. 2802.

Question *re* — allowances of European, Anglo-Indian and Indian railway employees. 2535.

**HOWRAH—**

Question *re* complaints against the — railway staff. 2374.

Question *re* complaints regarding the timings of certain down local trains between — and Burdwan on the E. I. Railway. 2878.

Question *re* grievances of third class passengers on the local — to Burdwan service on the E. I. Railway. 2877-78.

Question *re* overcrowding and unpunctuality of trains on the — Machada section of the Bengal-Nagpur Railway. 2374.

**HUDSON, Mr. W. F.—**

Oath of Office. 2231.

**HUMANITARIAN LEAGUE, BOMBAY—**

Question *re* letters of the — dated the 30th January and 10th March, 1924. 2236.

**HUSSANALLY, Mr. W. M.—**

Oath of Office. 2231.

Question *re* abolition of quarantine at Kamaran. 2864.

Question *re* alleged assault by soldiers on a Parsi passenger at the Karachi Cantonment railway station. 2533-34.

Question *re* Cantonment Superintendent at Hyderabad, Sind. 2863.

Question *re* charge allowances of European and Anglo-Indian station masters. 2535.

Question *re* compensation claims paid by various Railways for goods stolen, lost or damaged. 2645-47.

Question *re* conversion of the G. I. P. and B., B. and C. I. Railways into State Railways. 2750.

Question *re* cost of telegrams recommending the Cantonment Superintendent, Hyderabad, Sind, for the post of executive officer. 2863.

Question *re* dues levied on pilgrims at Jeddah. 2864-65.

Question *re* effect of the enhanced duty on motor cars. 2649-50.

Question *re* erection of sheds on the platforms at Kotri station. 2537-38.

Question *re* Europeans, Anglo-Indians and Indians holding superior posts on railways. 2536.

Question *re* grant of the franchise in Cantonments. 2650-51.

Question *re* house rent allowances of European, Anglo-Indian and Indian railway employees. 2535.

Question *re* Hyderabad Sind Cantonment Fund. 2862.

Question *re* Indians holding posts of higher grades on railways. 2536-37.

Question *re* levy of pilgrim dues at Kamaran. 2863-64.

Question *re* motor cars of European railway employees. 2535.

Question *re* overbridge at the Clifton and the Devon Villa crossings at Karachi. 2537.

Question *re* present price of petrol in India and its price during the past five years. 2647-48.

**HUSSANALLY, Mr. W. M.—contd.**

- Question *re* prevention of profiteering in petrol. 2648-49.  
 Question *re* prohibition against Govt. servants representing their grievances to non-official Members of the Indian Legislature. 2897.  
 Question *re* quarantine at Kamaran. 2864.  
 Question *re* racial distinctions on Indian railways between European and Indian employees. 2534.  
 Question *re* Reforms Inquiry Committee. 2751.  
 Question (Supplementary) *re* rent of quarters at Longwood Hotel, Simla. 2367.  
 Question *re* running of a late night train from Hyderabad to Karachi. 2538.  
 Question *re* Russain rouble notes. 2749-50.  
 Question *re* salaries of European and Indian drivers on railways. 2534-35.  
 Resolution *re* Lee Commission's Report. 2829.  
 Steel Industry (Protection) Bill—  
 Consideration of—  
 Clause 2. 2508, 2509-10.

**HYDERABAD—**

- Question *re* running of a night train from — to Karachi. 2538.

**HYDERABAD (SIND)—**

- Question *re* Cantonment Superintendent at —. 2863.  
 Question *re* cost of telegrams recommending the Cantonment Superintendent, —, for the post of executive officer. 2863.

**HYDERABAD SIND CANTONMENT FUND—**

- Question *re* the —. 2862.

**HYNDMAN, Mr. H. M. —**

- Question *re* proscription of —'s book "The Awakening of Asia." 2428.

**I****IMMIGRATION INTO INDIA ACT, 1924—**

- Question *re* rules under the —. 2439-40.

**IMPERIAL CONFERENCE(S)—**

- Question *re* representatives of India at the — and the meetings of the League of Nations. 2359-60.

**IMPERIAL ECONOMIC CONFERENCE—**

- See* under "Conference."

**IMPERIAL POLICE SERVICE—**

- Question *re* appointment of Muhammadans to the Indian Civil Service and the —.—2875-76.

**IMPERIAL SERVICE(S)—**

- Question *re* overseas allowance to Indians recruited for the —. 2745-46.

**INCOME-TAX—**

- Question *re* alleged over-assessment to — of a merchant of Surat by the Income-tax officer of that place. 2857-58.  
 Question *re* assessment to — of Lala Sita Ram. 2256-57.  
 Question *re* — on the tentage allowance of military officers. 2806.

**INCOME-TAX ADMINISTRATION—**

- Question *re* dissatisfaction with the — in the Punjab. 2526-27.

## INCOME-TAX OFFICER(S)—

Question *re* alleged over-assessment to income-tax of a merchant of Surat by the — of that place. 2857-58.

Question *re* recruitment of — in Madras. 2733-34.

## INCREMENT(S)—

Question *re* stoppage of — of Postal Inspectors in 1921-22. 2406.

## INDEBTEDNESS—

Question *re* — of Indian agriculturists. 2273.

## INDIA AND BURMA MILITARY AND MARINE RELIEF FUND, THE—

*See* under "Relief Fund."

## INDIA OFFICE—

Question *re* expenditure on cables exchanged between the Government of India and the —. 2363.

## INDIA, POPULATION OF—

Question *re* average wealth of the —. 2853.

## INDIAN(S)—

Question *re* admission of European, Anglo-Indian and — students to the Railway Technical Institute, United Provinces. 2250.

Question *re* admission of — to the posts of journeymen and chargemen on the O. and R. Railway. 2250.

Question *re* appointment of — as Deputy Agents on railways. 2745.

Question *re* appointment of — as sub-divisional officers in cantonments occupied by — troops. 2268-69.

Question *re* appointments of — and Europeans to the Cantonments Department. 2257-58.

Question *re* distinctions in rates of pay drawn by Anglo-Indians, Christians, Parsis and — on the N. W. Railway. 2801-02.

Question *re* employment of — on the B., B. and C. I. and the R. M. Railways. 2869-70.

Question *re* employment of — as foremen, chargemen, etc., on railways. 2872.

Question *re* European and — passengers on board the S.S. "Frangestan." 2808.

Question *re* European, Anglo-Indian and — apprentices in the O. and R. Railway Workshops at Lucknow. 2249-50.

Question *re* European, Anglo-Indian and — employees on the Great Indian Peninsula Railway. 2878-79.

Question *re* Europeans, Anglo-Indians and — employed in various capacities on the principal railways in India. 2871-72.

Question *re* Europeans, Anglo-Indians and — employed on salaries of Rs. 100 and over on certain railways. 2785.

Question *re* Europeans, Anglo-Indians and — holding superior posts on railways. 2536.

Question *re* franchise for — in British Guiana. 2775.

Question *re* impending legislation prejudicially affecting the political rights of — in Mauritius. 2783.

Question *re* — holding permanent gazetted appointments in certain departments of State and Company-managed Railways. 2556.

Question *re* — holding permanent gazetted appointments in the Indian Military Works department. 2556.

Question *re* — holding posts of higher grades on the railways. 2536-37.

**INDIAN(S)—contd.**

- Question *re* — in the higher grades of railway administrations. 2420.  
 Question *re* — in the Indian Army Reserve of Officers. 2557.  
 Question *re* — in superior appointments on railways. 2787-88 and 2794.  
 Question *re* — in the superior establishment of the Railway Department. 2744-45.  
 Question *re* overseas allowance to — recruited for the Imperial Services. 2745-46.  
 Question *re* recruitment of — for the staff of the Railway Board. 2745.  
 Question *re* shooting of — British Guiana. 2775.  
 Question *re* training of — for the Artillery. 2801.  
 Question *re* training of — for superior and subordinate appointments on railways. 2788.

**INDIAN AFFAIRS—**

- Question *re* Committee appointed by the British Cabinet to consider —, 2543.

**INDIAN ARMY—**

- Question *re* employment of the — outside India. 2866.  
 Question *re* jamadars, subedars and subedar majors in the fighting units and also in the Indian Medical Department of the —,—2546-48,

**INDIAN ARMY RESERVE OF OFFICERS—**

- Question *re* Indians in the —. 2557.

**INDIAN BAR COMMITTEE, THE—**

- See* under "Committee."

**INDIAN CHRISTIAN(S)—**

- Question *re* appointment of an — to the Committee on the expansion of the Indian Territorial Force. 2655.

**INDIAN CIVIL SERVICE—**

- Question *re* appointment of Muhammadans to the — and the Imperial Police Service. 2875-76.  
*See* under "Service."

**INDIAN CIVIL SERVICE EXAMINATION—**

- Question *re* Burmese candidates for the last — held in India. 2361.

**INDIAN COINAGE (AMENDMENT) ACT, 1924 (X OF 1924)—**

- Assent to the — by the Governor General. 2281.

**INDIAN CURRENCY ACT—**

- Question *re* amendment of the rate of exchange in the —. 2744.

**INDIAN INCOME-TAX (AMENDMENT) ACT, 1924 (XI OF 1924)—**

- Assent to the — by the Governor General. 2281.

**INDIAN INFANTRY REGIMENTS—**

- See* under "Regiment(s)."

**INDIAN LABOURERS—**

- Question *re* compensation paid to the families of — who died on active service during the war. 2370-71.

**INDIAN LAW REPORTS COMMITTEE—**

- Question *re* expenditure on the —, 1922. 2741.  
 Question *re* the —, 2431-32.



## INDIAN LEGISLATURE—

Question *re* prohibition against Govt. servants representing their grievances to non-official Members of the —. 2897.

## INDIAN MEDICAL DEPARTMENT—

Question *re* compensation to military medical pupils refused enlistment in the —. 2266-67.

Question *re* jamadars, subedars and subedar majors in the fighting units and also in the — of the Indian Army. 2546-48.

## INDIAN MEDICAL SERVICE—

Question *re* recruitment for the —. 2236, 2866-67.

## INDIAN MEDICAL SERVICE OFFICER(S)—

Question *re* — on temporary list admitted since the beginning of the Great War. 2548.

## INDIAN MERCANTILE MARINE COMMITTEE—

Question *re* report of the —. 2433.

## INDIAN MERCHANTS' CHAMBER—

Question *re* communication from the — regarding the Tariff Board's Report. 2414.

## INDIAN MILITARY SERVICES—

*See* under "Services."

## INDIAN PENAL CODE—

Question *re* repeal of section 492 of the — and of the Workmen's Breach of Contract Act, 1859. 2736.

## INDIAN PENAL CODE (AMENDMENT) BILL (AMENDMENT OF SECTION 375)—

*See* under "Bill(s)."

## INDIAN PEOPLE'S FAMINE TRUST FUND—

Question *re* the —. 2777-80.

## INDIAN PILGRIMS—

Question *re* duties of the British consul at Jeddah towards — to the Hedjaz, etc. 2362.

## INDIAN PRODUCTS CO., THE—

Question *re* exemption from payment of excise duty on motor spirits granted to the — and the Hartikool Oil Co. 2430.

## INDIAN SAILOR(S)—

Question *re* compensation paid to the families of — who died on active service during the war. 2370-71.

## INDIAN SETTLER(S)—

Question *re* percentage of — in Uganda and Tanganyika. 2360.

## INDIAN SOLDIERS—

Question *re* compensation paid to the families of — who died on active service during the war. 2370-71.

## INDIAN SOLDIERS LITIGATION (AMENDMENT) BILL—

*See* under "Bill(s)."

## INDIAN (SPECIFIED INSTRUMENTS) STAMP BILL—

*See* under "Bill(s)."

## INDIAN STAFF—

Question *re* improved type of quarters for the — of State Railways. 2642.

**INDIAN STAMP ACT—**

Question *re* validity of certain instruments executed under the ——. 2432-33.

**INDIAN STATE(S)—**

Question *re* liability of — to pay the protective duties imposed by the Steel Industry (Protection) Bill. 2847-48.

**INDIAN STUDENTS—**

Question *re* admission of — to the University Officers' Training Corps. 2388-89.

Question *re* recommendations of the Committee on ——. 2389.

**INDIAN TERRITORIAL FORCE—**

Question *re* abolition of pay for officers of the ——. 2435.

Question *re* dual commissions in the ——. 2434-35.

Question *re* pay of officers of the — holding Honorary King's Commissions. 2433-34.

Question *re* rank and precedence of officers of the ——. 2434.

**INDIAN UNITS—**

Question *re* educational facilities for — in the Army. 2890-91.

**INDIANISATION—**

Question *re* — of the Engineering Services. 2267-68.

**INDIANS AND BURMESE—**

Question *re* proposed substitution of the words — for "Natives of India and Burma" in Government publications. 2412.

**INDUSTRY(IES)—**

Question *re* system of fines in organised ——. 2739.

**INFANTRY REGIMENTS—**

*See* under "Regiments."

**INNES, THE HONOURABLE SIR CHARLES—**

Question *re* prog. of the Imperial Economic Conference and report of — in regard to his delegation to the same. 2256.

Resolution *re* the removal of the import duty on sulphur. 2765-66, 2767.

**Steel Industry (Protection) Bill—**

Preliminary remarks before the motion to consider. 2281-92.

Motion to consider. 2292.

Discussion *re* admissibility or otherwise of certain amendments before the — was referred to Select Committee. 2296, 2303 and 2304.

Motion to refer to Select Committee. 2348 and 2349-52.

Presentation of the Report of Select Committee. 2397.

Motion to consider Report of Select Committee. 2397.

Motion to circulate. 2449-50.

Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2471.

**Consideration of—**

Clause 2. 2492-93, 2494, 2504, 2505-06, 2510, 2515-16, 2518-19.

Clause 3. 2565, 2566, 2570-71, 2616-18, 2620, 2621, 2671.

Clause 5. (re-numbered clause 6). 2664, 2665.

Clause 5. 2677.

Clause 6. 2679.

Schedule. 2681-82, 2687-88, 2697-99.

Preamble. 2709, 2714-15, 2719, 2720, 2723-24.

Motion to pass. 2726.

## INSPECTION REMARKS—

Question *re* — of visitors to the Emigration Dépôt, Benares. 2783.

## INSPECTOR(S)—

Question *re* qualification of — of the Railway Mail Service. 2271.

Question *re* strength of — and clerks in the Northern India Salt Department. 2239.

Question *re* supersession of post masters and — in the Punjab Postal Circle. 2557-58.

## INSTITUTION(S)—

Question *re* contribution to — training candidates for the Indian Civil and Military Services. 2548-49.

## INSTRUMENTS—

Question *re* validity of certain — executed under the Indian Stamp Act. 2432-33.

## INSURANCE—

Question *re* amount of premia paid by certain Govt. Departments for fire, Marine and motor —. 2533.

Question *re* Postal — Fund. 2625.

Question *re* premia paid by Government during the last three years for fire and Marine —. 2744.

## INSURED ARTICLES—

Question *re* recoveries from postal officials in the Punjab for the loss of —, etc. 2406-07.

Question *re* recoveries from postal officials on account of the loss of — during 1923-24. 2888-89.

## INTERMEDIATE CLASS COMPARTMENTS—

Question *re* — for males and females on the E. I. Railway. 2865.

## INTERNATIONAL LABOUR CONFERENCE(S)—

Question *re* consultation with the Workers' Organisations in India regarding subjects to be discussed by the —. 2735.

## INTERNEE(S)—

Question *re* statement regarding the two Judges who examined the cases of — in Bengal. 2631.

## IRON—

Question *re* foreign — and steel purchased by Govt. Depts. 2749.

Question *re* — and steel of Indian and foreign origin purchased by State and guaranteed Railways. 2748.

## ISHAPORE—

Question *re* hours of work and holidays of the staff of the Rifle Factory and the Metal and Steel Factory at —. 2369-70.

## ISHURDI—

Question *re* construction of the proposed — -Pabna-Sadhuganj Railway. 2250-51.

Question *re* financing of the proposed — -Pabna-Sadhuganj Railway. 2251.

## ISMAIL KHAN, Mr.—

- Question *re* appointment of executive officers under the new Cantonment Act. 2405.  
 Question *re* charge of cantonment hospitals. 2788-89.  
 Question *re* medical officers in charge of cantonment hospitals. 2243.  
 Question *re* waiting room for Indians at Manmad Junction. 2405-06.

## IYENGAR, Mr. A. RANGASWAMI—

- Lee Commission's Report. 2279-80, 2659.  
 Motion for Adjournment to consider Lee Commission's Report. 2395.  
 Question *re* affairs of the Esociet Company, etc. 2258-59.  
 Question *re* amendments of the Indian Legislative Rules or other Statutory Rules. 2759-60.  
 Question (Supplementary) *re* arrests under Bengal Regulation III of 1818. 2423.  
 Question (Supplementary) *re* Committee on constitutional reforms. 2542.  
 Question *re* Committee on Indian Taxation. 2756-57, 2759.  
 Question *re* control exercised over Local Governments in respect of Land Revenue Settlement. 2753.  
 Question *re* control of the Secretary of State over Provincial Government's land revenue legislation. 2754.  
 Question (Supplementary) *re* discontinuance of the sale of Government of India publications at the Provincial Governments Book Depôts. 2439.  
 Question (Supplementary) *re* dismissal of Mr. Subba Rao, a telegraphist. 2265, 2540, 2541, 2633 and 2634.  
 Question *re* inquiry into the working of the Reforms. 2758.  
 Question *re* investigation into the working of the reforms. 2270-71.  
 Question *re* Krishnasagara Reservoir Project. 2754-56.  
 Question *re* land revenue policy. 2753-54.  
 Question *re* levy of taxation by executive action. 2757-58.  
 Question *re* Lord Olivier's speech in the House of Lords. 2269.  
 Question (Supplementary) *re* pay and allowances of the Architects of the Central Buildings, New Delhi. 2629.  
 Question (Supplementary) *re* proposed amendment of the Government of India Act, 1919. 2532.  
 Question *re* qualifications of Inspectors of the Railway Mail Service. 2271.  
 Question *re* recovery of money due to Government by the Esociet Company. 2258.  
 Question (Supplementary) *re* recruitment of Income-tax officers in Madras. 2734.  
 Question *re* reduction in the rates of pay of officers of the British Army. 2752-53.  
 Question (Supplementary) *re* Report of the Lee Commission. 2554.  
 Question *re* rules relating to the power of making appointments to, and promotions in, offices under the Crown in India. 2265-66.  
 Question (Supplementary) *re* rules under the Immigration into India Act, 1924. 2439.  
 Question (Supplementary) *re* second class passenger fares on the South Indian Railway. 2733.  
 Question (Supplementary) *re* State *vs.* Company management of Railways. 2417.  
 Question (Supplementary) *re* subjects in regard to which recourse is had to previous consultation with the Secretary of State for India instead of obtaining his previous sanction. 2392.

**IYENGAR, MR. A. RANGASWAMI—contd.**

Resolution *re* Lee Commission's Report. 2823, 2830-32, 2838.

**Steel Industry (Protection) Bill—**

Discussion *re* admissibility or otherwise of certain amendments before the  
— was referred to Select Committee. 2296, 2297.

**J****JAGAT SETH—**

Question *re* payment of debt due to — to his descendants. 2656.

**JAIL REFORM—**

Question *re* —. 2538-39.

**JAJODIA, BABOO RUNGLAL—**

Question *re* amendment of the rate of exchange in the Indian Currency Act.  
2744.

Question *re* increased public demand for currency and credit. 2868-69.

Question *re* premia paid by Government during the last three years for fire  
and marine insurance. 2744.

Question *re* report of the Railway Risk Notes Revision Committee. 2744.

Question *re* stringency in the money market. 2743-44.

**JAMADAR(S)—**

Question *re* — subedars and subedar majors in the fighting units and also  
in the Indian Medical Department of the Indian Army. 2546-48.

**JAMALPUR—**

Question *re* admission of Indian graduates as apprentices to the E. I. Railway  
Workshops and Laboratory at —. 2872-73.

Question *re* grant of a State scholarship to an Indian graduate lately em-  
ployed as an apprentice in the — Workshop of the E. I. Railway. 2873.

**JAMSHEDPUR—**

Question *re* employment of Mr. Kirkpatrick, late Dy. Conservator of Forests,  
as Labour Inspector at —. 2891-92.

**JEDDAH—**

Question *re* dues levied on pilgrims at —. 2864-65.

Question *re* duties of the British Consul at — towards Indian pilgrims to  
the Hedjaz, etc. 2362.

**JEELANI, HAJI, S. A. K.—**

Question *re* administration of Cantonments under the new Cantonment Act,  
2797.

Question *re* construction of waiting rooms at Kovur and Kavali railway  
stations on the Madras and Southern Mahratta Railway. 2253.

Question *re* double line railway project from Tambaram to Madras. 2733.

Question *re* exclusion of sadar bazaars from cantonment areas. 2796-97.

Question *re* proposal to reconstruct Nellore Railway station. 2252-53.

Question *re* recruitment of Income-tax officers in Madras. 2733-34.

Question *re* third class passenger fares on the South Indian Railway. 2733.

**JHARIA—**

Question *re* coal mines in the Raneegunj and — coalfields under Indian and  
European management. 2887-88.

**JHARIA STATION—**

Question *re* booking difficulties at —, etc. 2436-37.

**JHELM CANAL COLONY, LOWER—**

Question *re* rule of primogeniture obtaining in the case of tenancies held by cavalry grantees in the —, 2803-04.

**JINNAH, Mr. M. A.—**

Lee Commission's Report. 2279, 2281, 2660 and 2661.

Motion for Adjournment to consider the Lee Commission's Report. 2396.

Question *re* departmental Committee on the working of the reforms. 2532.

Question (Supplementary) *re* dismissal of Mr. Subba Rao, a telegraphist. 2541.

Question *re* naturalization of Indians in the United States of America. 2740-41.

Question *re* proposed amendment of the Government of India Act, 1919. 2532-33.

Question (Supplementary) *re* report of the Lee Commission. 2554, 2555.

Question (Supplementary) *re* Resolution relating to the release of Maulana Hasrat Mohani. 2245.

**Steel Industry (Protection) Bill—**

Discussion *re* admissibility or otherwise of certain amendments before the — was referred to Select Committee. 2295, 2296, 2297, 2299 and 2303.

Motion to refer to Select Committee. 2324, 2325-26, 2339 and 2348.

Motion to constitute the Select Committee. 2352.

Motion to circulate. 2450-52, 2453.

Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2473.

**Consideration of—**

Clause 2. 2496-97, 2506, 2507, 2513-14 and 2521-22.

Clause 3. 2568, 2572, 2596-98.

Clause 5. (re-numbered clause 6). 2665-66, 2670.

**JIWAN LAL, Dr.—**

Question *re* case of —, late sub-assistant surgeon. 2531.

**JOSHI, Mr. N. M.—**

Question *re* advertising of vacancies on the Eastern Bengal Railway. 2850.

Question *re* alleged charges of bribery and corruption against certain employees of the office of the District Traffic Superintendent, Katihar, E. B. Railway. 2851.

Question *re* alleged profiteering by Messrs. Somar Chand and Sons, food vendors on the E. B. Railway. 2851-52.

Question *re* appeals of the employees of the Eastern Bengal Railway. 2849.

Question *re* card passes issued to vendors on the E. B. Railway. 2851.

Question *re* consultation with the Workers Organisations in India regarding subjects to be discussed by the International Labour Conferences. 2735.

Question (Supplementary) *re* cost of free supply of Blue-books and Administration Reports relating to Central subjects to Members of the Indian Legislature. 2654.

Question *re* delay in payment of monthly wages to employees in organised factories. 2737.

Question *re* differential treatment of European, Anglo-Indian, and Indian employees on Railways. 2738.

Question *re* discharge of employees by the Eastern Bengal Railway. 2848.

Question *re* discharge of Mr. Nurun Nabi, an employee of the G. I. P. Ry. 2879.

JOSHI, Mr. N. M.—*contd.*

- Question (Supplementary) *re* discontinuance of the sale of Government of India publications at the Provincial Govts' Book Depôts. 2439.
- Question (Supplementary) *re* dismissal of employees of the Audit Office of the Bengal and North-Western Railway. 2242.
- Question *re* duties of pointsmen on the B. and N.-W. Ry. 2880.
- Question *re* educational grants to European, Anglo-Indian and Indian Railway Employees. 2851.
- Question *re* European and Anglo-Indian station masters and assistant station masters on the Eastern Bengal Railway. 2850-51.
- Question *re* European, Anglo-Indian and Indian employees on the G. I. P. Ry. 2878-79.
- Question *re* excess fare earnings of ticket collectors on the E. B. Ry. 2879.
- Question *re* formation of District Committees on the B. and N.-W. Ry. 2881-82.
- Question *re* grant of compensatory allowance to the officers and subordinate staff of the G. I. P. and B., B. and C. I. Rys. stationed in Bombay. 2882.
- Question *re* grievances of the signallers of the Lalmonirhat district of the E. B. Railway. 2848.
- Question *re* improvement of the constitution of Staff Councils on the G. I. P. Ry. 2882.
- Question *re* introduction of maternity benefits in industrial undertakings. 2738-39.
- Question *re* introduction of the shift system in mines and prohibition of the employment of women underground. 2736-37.
- Question *re* issue of orders in the vernacular by railway authorities. 2849.
- Question *re* labour representation on the Central and Local Legislatures. 2739-40.
- Question *re* leave and pension of the menial establishment of the Govt. of India. 2852.
- Question *re* leave of the Eastern Bengal Railway employees. 2850.
- Question *re* liability of pointsmen on the B. and N.-W. Ry. in cases of running train thefts. 2880.
- Question *re* licence fees of food vendors on the E. B. Ry. 2851.
- Question *re* Local Advisory Councils on railways. 2357.
- Question *re* maternity benefits in factories, mines, etc. 2739.
- Question *re* names of Railwaymen's Unions or Associations recognised by the authorities of the Indian Railways. 2880-81.
- Question *re* non-recognition of the B. and N.-W. Railwaymen's Association. 2881.
- Question *re* official recognition of Ry. Unions or Associations. 2880.
- Question *re* overcrowding of night trains leaving Bombay for Nashik and Poona, respectively. 2851.
- Question *re* payment of relieving allowances to relieving hands on State Railways. 2848.
- Question *re* promotions on the Eastern Bengal Railway. 2850.
- Question *re* provision of Hindu and Muhammadan refreshment rooms at Victoria Terminus, Bombay. 2852.
- Question *re* racial discrimination between employees on State Railways. 2738.
- Question *re* regulation of the payment of wages within a fixed period after they are due. 2737-38.
- Question (Supplementary) *re* rent of quarters at Longwood Hotel, Sainla. 2366.

**JOSHI, Mr. N. M.—concl'd.**

Question *re* repeal of section 492 of the Indian Penal Code and of the Workmen's Breach of Contract Act, 1859. 2736.

Question (Supplementary) *re* reports relating to the recruitment of seamen. 2762.

Question *re* resolutions of the Wadi Bunder Branch (Bombay) of the G. I. P. Ry. Staff Union. 2883.

Question *re* revision of the leave rules on the G. I. P. Ry. 2882-83.

Question (Supplementary) *re* rules under the Immigration into India Act, 1924. 2439, 2440.

Question *re* salaries of Indian station masters and assistant station masters on the Eastern Bengal Railway. 2850.

Question *re* sickness among the staff of the Lalmonirhat District of the Eastern Bengal Railway. 2849.

Question *re* Staff Councils on the G. I. P. Ry. 2878.

Question *re* system of fines in organised industries. 2739.

Question (Supplementary) *re* working hours of the staff of the G. I. P. Railway employed at Wadi Bunder. 2551.

**Steel Industry (Protection) Bill—**

Motion to refer to Select Committee. 2337-41 and 2345.

Motion to constitute the Select Committee. 2353.

Motion to circulate. 2451, 2457.

Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2472-73.

**Consideration of—**

Clause 3. 2565, 2568, 2570, 2591-02.

Motion to pass. 2729-30.

**JOURNEYMEN—**

Question *re* admission of Indians to the posts of — and chargemen on the O. and R. Ry. 2250.

Question *re* chargemen and — in the O. and R. Ry. Workshops at Lucknow. 2248-49.

**JUDGE(S)—**

Question *re* ineligibility of Pleader — for appointment as permanent Chief Justices of High Courts. 2760.

Question *re* — appointed to examine the cases of State prisoners in Bengal. 2407.

Question *re* statement regarding the two — who examined the cases of internees in Bengal. 2631.

**JULLUNDUR—**

Question *re* case of Mr. Giridhari Lal, Sub-Record Clerk, Ry. Mail Service, — City. 2800-01.

**JUTE—**

Question *re* price of —, cotton and other goods purchased by Govt. 2248.

**K****KALA-AZAR—**

Question *re* investigation into the causes of —. 2897.



**KALABAGH RAILWAY—**

Question *re* case of Akbar Ali, time-keeper, Kour station, on the ——. 2263.

**KAMARAN—**

Question *re* abolition of quarantine at ——. 2864.

Question *re* levy of pilgrim dues at ——. 2863-64.

Question *re* quarantine at ——. 2864.

**KANCHRAPARA—**

Question *re* appointment as foremen of Anglo-Indian and Indian apprentices trained at — and Saidpur. 2854.

**KARACHI—**

Question *re* alleged assault by soldiers on Mr. R. K. Sidhva at the — railway station. 2424-26.

Question *re* overbridge at the Clifton and the Devon Villa crossings at —, 2537.

Question *re* proposed construction of an overbridge at the Clifton railway crossing at —. 2429.

Question *re* running of a late night train from Hyderabad to —. 2538.

Question *re* submission of statement of earnings beyond their lawful salaries by ticket collectors of the N.-W. Railway, — district. 2424-25.

**KARACHI CANTONMENT—**

Question *re* alleged assault on a Parsi passenger at the — railway station. 2533-34.

**KARACHI CANTONMENT STATION—**

Question *re* alleged assault by soldiers on Mr. R. K. Sidhva at —. 2645.

Question *re* uncovered platforms at —. 2429.

**KARBIGHWAN—**

Question *re* case of Panna Lal Gopi, late Assistant Station Master, —, East Indian Railway. 2420-21.

**KARTAR SINGH, SARDAR—**

Question *re* pay of veterinary assistants of the Army Remount Deptt. and of the Army Veterinary Corps. 2254-56.

**KASTA—**

Question *re* earnings of the E. I. Railway from the traffic offered by the — and Damaguria sidings. 2888.

**KASUR—**

Question *re* allegations against the station master of —. 2527-29.

**KATHGHAR RAILWAY STATION—**

Question *re* construction of a platform at the —. 2628.

**KATI HAR—**

Question *re* alleged charges of bribery and corruption against certain employees of the office of the District Traffic Superintendent, —, E. B. Railway. 2851.

Question *re* quarters for Indian assistant station masters in the — district. 2643.

**KAVALI—**

Question *re* construction of waiting rooms at Kovur and — railway stations. 2253.

**KELKAR, MR. N. C.—**

- Question *re* calculation of period of re-employment in the Military Accounts Department during the War for pension or gratuity. 2443.
- Question *re* claim of Mr. S. R. Muley, formerly a clerk in the office of the Controller of Military Accounts, Poona, to proportionate pension. 2443-44.
- Question *re* dangers attendant on the location of the new target for the use of the Ghorpadi cavalry. 2437-38.
- Question *re* discontinuance of the sale of Govt. of India publications at the Provincial Govts'. Book Depôts. 2438-39.
- Question *re* license fees received by railway companies from hawkers, refreshment room keepers and hotel keepers. 2440.
- Question *re* Local Advisory Committees for railways. 2440-41.
- Question *re* maturing of Govt. postal endowment assurance policies. 2442.
- Question *re* production of medical certificates by the establishment of the office of the Controller of Military Accounts, Southern Command and Poona District, etc. 2643-44.
- Question *re* railway carriages for female passengers. 2440.
- Question *re* revision of the pay and allowances of divisional accountants of the Bombay Presidency. 2441-42.
- Question *re* rules under the Immigration into India Act, 1924. 2439-40.

**KENYA—**

- Question *re* levy of a poll tax in ——. 2545.

**KESAR SINGH—**

- Question *re* dismissal of —, sorter, R. M. S., 'L' Division. 2859-60.

**KHADDAR—**

- Question *re* prohibition of the wearing of — by Govt. servants, etc. 2426.

**KHILAFAT DELEGATION—**

- Question *re* correspondence relating to the ——. 2382-83.
- Question *re* grant of passports to the proposed members of the — to Turkey, etc. 2430-31.
- Question *re* refusal of passports to members of the — to certain Muslim countries. 2375-82.

**KHILAFAT PROCESSION—**

- Question *re* arrests in connection with the — at Peshawar on the 16th November 1923. 2259.

**KHOJA SHIA ISNA ASHRE COMMUNITY—**

- Question *re* petition of the —. 2359.

**KHYBER RAILWAY—**

- Question *re* cost of the —. 2360.

**KING'S COMMISSIONS, HONORARY—**

- Question *re* pay of officers of the Indian Territorial Force holding —. 2433-34.

**KIRKPATRICK, MR.—**

- Question *re* employment of —, late Deputy Conservator of Forests, as Labour Inspector at Jamshedpur. 2891-92.

**KOHAT—**

- Question *re* limitation of the period of retention of postal officials at post offices beyond Bannu, — and Dera Ismail Khan. 2560.

## KOTRI—

Question *re* erection of sheds on the platforms at — station. 2537-38.

Question *re* uncovered platforms at — Junction on the N.-W. Railway. 2429.

## KOUR—

Question *re* case of Akbar Ali, time-keeper, — station, on the Kalabagh Railway. 2263.

## KOVUR—

Question *re* construction of waiting rooms at — and Kavali railway stations. 2253.

## KRISHNASAGARA RESERVOIR PROJECT—

Question *re* the —. 2754-56.

## L

## LABOUR INSPECTOR—

Question *re* employment of Mr. Kirkpatrick, late Deputy Conservator of Forests, as — at Jamshedpur. 2891-92.

## LABOUR PARTY—

Reply to the greetings of the Assembly to the Members of the —. 2402.

## LABOUR RECRUITER(S)—

*See* under "Recruiter(s)."

## LABOUR REPRESENTATION—

Question *re* — on the Central and Local Legislatures. 2739-40.

## LABOURER(S)—

Question *re* number of — recruited by the Emigration Depot, Benares. 2783.

## LACHMAN DASS—

Question *re* case of —, clerk, Rawalpindi Post Office. 2861.

## LADY DOCTOR(S)—

Question *re* employment of — or midwives in State Railway hospitals. 2641.

## LAHORE—

Question *re* sale of surplus stocks whisky by the S. & T. Dept., —. 2797-98.

## LAJPUT RAI, LALA—

Question *re* proscription of —'s book "Young India". 2428.

## LAKSHMIR SINGH, SARDAR BAHADUR—

Question *re* supersession of —, Assistant Commissioner, Northern India Salt Department. 2238-39.

## LALMONIRHAT—

Question *re* arrangements for cremation at — on the E. B. Railway. 2643.

Question *re* grievances of the signallers of the — district of the Eastern Bengal Railway. 2848.

Question *re* sickness among the staff of the — district of the Eastern Bengal Railway. 2849.

## LAND, ACQUISITION OF—

Question *re* — by the B., B. and C. I. Railway for extension of their terminal station in Bombay. 2746.

**LAND REVENUE—**

Question *re* control of the Secretary of State over Provincial Governments' — legislation. 2754.

**LAND REVENUE POLICY—**

Question *re* —. 2753-54.

**LAND REVENUE SETTLEMENT—**

Question *re* control exercised over Local Govts. in respect of —. 2753.

**LATRINES—**

Question *re* insufficiently screened — at stations on the East Indian and the Bengal and North-Western Railways. 2375.

Question *re* — on the Bengal and North-Western Railway Stations. 2236.

Question *re* provision of — in quarters for the menial staff of the E. B. Railway.—2641.

**LEAGUE OF NATIONS—**

Question *re* India's representative at the Advisory Commission of the — dealing with the opium traffic. 2624.

Question *re* representatives of India at the Imperial Conferences and the meetings of the —. 2359-60.

**LEAVE—**

Question *re* — of the Eastern Bengal Railway employees. 2850.

Question *re* — and pension of the menial establishment of the Govt. of India. 2852.

**LEAVE RULE(S)—**

Question *re* revision of — on the G. I. P. Railway. 2882.

**LEE COMMISSION—**

Discussion *re* —'s Report. 2657-61, 2731-32.

Motion for adjournment to consider the —'s Report. 2394.

Publication of the Report of the —. 2640.

Question *re* expenditure on the —. 2271.

Question *re* —'s Report. 2897-98.

Question *re* Report of the —. 2553-55.

Resolution *re* —'s Report. 2813-29 and 2829-45.

**LEGISLATION—**

Question *re* control of the Secretary of State over Provincial Govts'. Land Revenue —. 2754.

Question *re* impending — prejudicially affecting the political rights of Indians in Mauritius. 2783.

Question *re* repeal of repressive —. 2878.

**LEGISLATIVE ASSEMBLY—**

Question *re* previous sanction of the Secretary of State to the introduction of legislation in the — and in Provincial Legislative Councils. 2393.

Question *re* strength of Parties in the —. 2776-77.

**LEGISLATIVE ASSEMBLY, MEMBERS OF THE—**

Question *re* alleged interception of correspondence of —. 2772.

Question *re* alleged shadowing of — by the police. 2772.

Question *re* harassment of — by ticket examiners at railway stations. 2773-74.

**LEGISLATIVE COUNCIL(S)—**

Question *re* previous sanction of the Secretary of State to the introduction of legislation in the Legislative Assembly and in Provincial —. 2393.

## LEGISLATIVE RULES—

*See* under "Rules."

## LEGISLATURE(S)—

Question *re* labour representation on the Central and Local ——. 2739-40.

## LEGISLATURE, BRITISH GUIANA—

Question *re* Indian Members of the ——. 2776.

## LEGISLATURE, CENTRAL—

Question *re* changes in statutory rules relating to the ——. 2653.

Question *re* nominated official Members of the ——. 2631-32.

## LEGISLATURE, INDIAN—

Question *re* cost of free supply of Blue-books and Administration Reports relating to Central subjects to Members of the ——. 2654.

## LESAGE, Mr.—

Question *re* appointment of — as Officiating Postmaster, Burdwan. 2868.

## LETTER(S)—

Question *re* indistinct postmarking of ——. 2253.

## LICENCE FEES—

Question *re* — of food vendors on the E. B. Railway. 2851.

Question *re* — received by railway companies from hawkers, refreshment room keepers and hotel keepers. 2440.

Question *re* payment of excise or — by the Army Canteen Board. 2798.

## LIGHTING AND BUOYING—

Question *re* expenditure on the — of the Persian Gulf. 2383.

## LITIGATION—

Question *re* — between the E. I. Railway and one Hemanta Kumar Sarkar. 2876-77.

## LITTLEHAILES, Mr. R.—

Oath of Office. 2231.

## LOCAL ADVISORY COMMITTEES—

Question *re* — for railways. 2440-41.

## LOCAL GOVERNMENT(S)—

Question *re* control exercised over — in respect of Land Revenue Settlement. 2753.

Question *re* powers of — to purchase locally manufactured stationery and stores. 2271.

## LOCAL LEGISLATURE(S)—

*See* under "Legislature(s)."

## LOCAL TRAFFIC SERVICE—

Question *re* — on State Railways and on the E. I. Railway. 2884-86.

## LOCOMOTIVE(S)—

Question *re* encouragement of the manufacture of wagons and — in India. 2638-39.

Question *re* tenders for —. 2634-38.

## LOHOKARE, Mr. K. G.—

Lee Commission's Report. 2660.

Question *re* calculation of the period of re-employment in the Military Accounts Department during the War as service towards gratuity or pension. 2623.

**LOHOKARE, Mr. K. G.—*contd.***

- Question *re* compilation of statistics relating to the condition of labour employed on Indian railways. 2553.
- Question *re* contributions to institutions training candidates for the Indian Civil and Military services. 2548-49.
- Question *re* direct recruitment of accountants in the Mil. Accounts Deptt. 2242-43.
- Question *re* holding of postal securities and cash certificates in the names of two persons. 2555-56.
- Question *re* I. M. S. officers on temporary list admitted since the beginning of the Great War. 2548.
- Question *re* jamadars, subedars and subedar-majors in the fighting units and also in the Indian Medical Department of the Indian Army. 2546-48.
- Question *re* leave of lower subordinate staff in the traffic and transport department of the G. I. P. Railway. 2552.
- Question *re* limitation of working hours of employees on Indian railways. 2552-53.
- Question (Supplementary) *re* provision for Indians in the superior service of the Royal Indian Marine. 2796.
- Question *re* recruitment of the Indian Medical Service. 2236-37.
- Question *re* report of the Lee Commission. 2553-55.
- Question *re* retrenchment recommended by Mr. Heseltine on the G. I. P. Railway. 2553.
- Question *re* treatment of memorialists and petitioners by the Finance Department. 2623-24.
- Question *re* working hours of certain classes of employees on the G. I. P. Railway. 2552.
- Question *re* working hours of the staff of the G. I. P. Railway employed at Wari Bunder. 2550-51.
- Question *re* working hours of subordinates employed in railway goods-sheds. 2550.
- Question *re* working hours of traffic Staff and transport staff on Indian Railways. 2549.
- Steel Industry (Protection) Bill—  
Motion to circulate. 2447-48.  
Consideration of—  
Clause 3. 2572, 2575-78, 2607.

**LONGWOOD HOTEL, SIMLA—**

- Question *re* quarters at ——. 2367-68.  
Question *re* rent of quarters at ——. 2365-67.

**LOWER JHELM CANAL COLONY—**

- Question *re* rule of primogeniture obtaining in the case of tenancies held by cavalry grantees in the ——. 2803-04.

**LUCKNOW—**

- Question *re* chargemen and journeymen in the O. and R. Railway Workshops at ——. 2248-49.
- Question *re* European, Anglo-Indian and Indian apprentices in the O. and R. Railway Workshops at ——. 2249-50.

**LUDHIANA-KALKA RAILWAY—**

- Question *re* proposed — via Samrala and Ropar. 2431.

## M

## MACHADA—

Question *re* overcrowding and unpunctuality of trains on the Howrah — section of the Bengal-Nagpur Railway. 2374.

## MADRAS—

Question *re* double line railway project from Tambaram to —. 2733.

Question *re* recruitment of Income-tax officers in —. 2733-34.

## MADRAS AND SOUTHERN MAHRATTA RAILWAY—

Question *re* construction of waiting rooms at Kovur and Kavali stations on the —. 2253.

Question *re* proposed remodelling of the Nidadavolu and Tadepalligudem stations on the —. 2404-05.

## MAHABIR ROAD—

Question *re* stoppage of the 20-Down Delhi Express at Pataunda — station on the B., B. and C. I. Railway. 2807.

## MAIL(S)—

Question *re* notice of loss or destruction of —. 2651.

## MAIL AND EXPRESS TRAIN(S)—

Question *re* restaurant cars for Hindus on —. 2272.

## MALAVIYA, PANDIT MADAN MOHAN—

Question (Supplementary) *re* tenders for locomotives. 2637.

Resolution *re* Lee Commission's Report. 2824-29.

## Steel Industry (Protection) Bill—

Discussion *re* admissibility or otherwise of certain amendments before the — was referred to Select Committee. 2298, 2300-01 and 2302.

Motion to refer to Select Committee. 2316-24.

Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2482-83, 2485.

## Consideration of—

Clause 2. 2503-04.

Clause 3. 2567, 2568-70, 2607-16.

Clause 5 (re-numbered clause 6). 2667-68.

Motion to pass. 2727-29.

## MALPRACTICE(S)—

Question *re* alleged — of labour recruiters. 2783-84.

## MANMAD JUNCTION—

Question *re* waiting room for Indians at —. 2405-06.

## MANUFACTURE—

Question *re* encouragement of the — of wagons and locomotives in India. 2638-39.

## MANUSCRIPTS—

Question *re* seizure by the police of certain — belonging to Maulana Abul Kalam Azad. 2431.

## MARIM BEGUM—

Question *re* monthly stipend of Sultan —. 2791.

## MATCH FACTORIES—

Question *re* establishment of — in India by the Swedish Match Co. 2426.

**MATERNITY BENEFIT(S)—**

- Question *re* introduction of — in industrial undertakings. 2738-39.  
 Question *re* — in factories, mines, etc. 2739.

**MAURITIUS—**

- Question *re* emigration agents in —. 2783.  
 Question *re* impending legislation prejudicially affecting the political rights of Indians in —. 2783.

**McCARDIE, MR. JUSTICE—**

- Motion for Adjournment for the purpose of expressing indignation at the judgment of — in the O'Dwyer libel suit against Sir Sankaran Nair. 2812-13.

**MECCA—**

- Question *re* purchase of return tickets by pilgrims for — by the S.S. "Suja". 2362.

**MEDICAL ATTENDANCE—**

- Question *re* — for the staff of State Railways. 2641.

**MEDICAL CERTIFICATE(S)—**

- Question *re* production of — by the establishment of the office of the Controller of Military Accounts, Southern Command and Poona District, etc. 2643-44.

**MEDICAL LEAVE—**

- Question *re* grant of — to the staff of the E. B. Ry. 2642-43.

**MEDICAL OFFICER(S)—**

- Question *re* — in charge of Cantonment hospitals. 2243.  
 Question *re* percentage of Indian — in Indian Station hospitals. 2557.

**MEHTA, MR. JAMNADAS M.—**

- Lee Commission's Report. 2661.  
 Motion for Adjournment to consider the Lee Commission's Report. 2395.  
 Question (Supplementary) *re* acquisition of land by the B., B. and C. I. Railway for extension of their terminal station in Bombay. 2746.  
 Question (Supplementary) *re* alleged assault by soldiers on Mr. R. K. Sidhva at the Karachi Railway Station. 2426.  
 Question *re* alleged attempt by the authorities of a certain railway to prejudice the success of the State management of the line. 2809-10.  
 Question *re* alleged over-assessment to income-tax of a merchant of Surat by the Income-tax Officer of the place. 2857-58.  
 Question *re* amount of premia paid by certain Government Departments, etc., for fire, marine and motor insurances. 2533.  
 Question (Supplementary) *re* discussion of the reports of the Frontier Committee, the Bar Committee and the Lee Commission. 2247.  
 Question (Supplementary) *re* establishment of railway industries in India. 2403.  
 Question *re* expenditure incurred on the design for a new ten-rupee currency note. 2858-59.  
 Question *re* expenditure on stores for the Currency Department. 2859.  
 Question *re* foot bridge between Parel station on the G. I. P. Railway and the Elphinstone Road station on the B., B. and C. I. Railway. 2808-09.  
 Question *re* improvement of the conditions of service in the Railway Mail Service. 2810-11.  
 Question (Supplementary) *re* liability of Indian States to pay the protective duties imposed by the Steel Industry (Protection) Bill. 2848.



**MEHTA, Mr. JAMNADAS M.—contd.**

Question *re* recovery of municipal and other taxes from certain classes of Government servants occupying free quarters. 2810.

Question *re* reduction of the number of sets of R. M. S. sorters working between Bombay and Sholapur. 2810.

Question (Supplementary) *re* shadowing of Members of the Legislative Assembly. 2773.

Question *re* special promotion for field service granted to postal employees. 2811.

Question *re* transfer of the office of the Superintendent, Railway Mail Service, "B" Division, from Bhusaval to Poona. 2557.

Question *re* transmission of messages from Baroda to Sayajiganj *via* Ahmedabad. 2811.

Question (Supplementary) *re* waiting room for Indians at Marnad Junction. 2406.

**Steel Industry (Protection) Bill—**

Motion to constitute the Select Committee. 2352.

Motion to circulate. 2460, 2461-63.

Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2472.

**Consideration of—**

Clause 2. 1519, 2520-21, 2523.

Clause 3. 2594-96, 2672.

Clause 5 (re-numbered Clause 6). 2665.

Clause 5. 2675, 2676.

Preamble. 2715, 2716, 2722.

**MEMBER(S)—**

Question *re* cost of free supply of Blue-books and Administration Reports relating to Central subjects to — of the Indian Legislature. 2654.

**MEMBERS OF THE INDIAN LEGISLATURE, NON-OFFICIAL—**

Question *re* prohibition against Government servants representing their grievances to —. 2897.

**MEMBER(S), NOMINATED OFFICIAL—**

Question *re* — of the Central Legislature. 2631-32.

**MEMORIAL RULES—**

Question *re* —. 2907-08.

**MEMORIALIST(S)—**

Question *re* treatment of — and petitioners by the Finance Department. 2623-24.

**MEMIAL(S)—**

Question *re* postmen and — employed on night duty in the post offices in the Punjab Circle. 2862.

**MEMIAL ESTABLISHMENT—**

Question *re* leave and pension of the — of the Government of India. 2852.

**MEMIAL STAFF—**

Question *re* difference in rates of starting pay of the — of the E. B. and N.-W. Railways. 2642.

Question *re* provision of latrines in quarters for the — of the E. B. Railway. 2641.

## MESSAGE(S)—

— from the Council of State agreeing to the amendment made by the Legislative Assembly in the Indian (Specified Instruments) Stamp Bill. 2829.

— from the Council of State *re* the passing by the Chamber without any amendments of the Steel Industry (Protection) Bill. 2909.

Question *re* transmission of — from Baroda to Sayajiganj *via* Ahmedabad. 2811.

## METAL AND STEEL FACTORY—

Question *re* hours of work and holidays of the staff of the Rifle Factory and the — at Ishapore. 2369-70.

## MIDWIFE (VES)—

Question *re* employment of lady doctors or — in State Railway hospitals. 2641.

## MILITARY ACCOUNTANT GENERAL—

Question *re* promotion by the — of clerks to the grade of Accountants. 2908-09.

## MILITARY ACCOUNTS, CONTROLLER(S) OF—

Question *re* production of medical certificates by the establishment of the office of the —, Southern Command and Poona District, etc. 2643-44.

Question *re* temporary promotions in the offices of —. 2904-05.

## MILITARY ACCOUNTS DEPARTMENT—

Question *re* additional expenditure incurred by the introduction of the time scale in the —. 2372-73.

Question *re* annual incremental scales of clerks and accountants in the — and Civil Accounts Department. 2908.

Question *re* calculation of the period of re-employment in the — during the war for pension or gratuity. 2443, 2623.

Question *re* direct recruitment of accountants in the —. 2222-43.

Question *re* pay of the lower grades of clerical establishment of the —. 2371-72.

Question *re* representation regarding the pay of lower grades of clerks of the —. 2372.

Question *re* revision of pay of the subordinate staff of the —. 2907.

Question *re* temporary clerks and accountants in the —. 2905-06.

## MILITARY ENGINEERING SERVICE(S)—

Question *re* Indianization of the —. 2267-68.

Question *re* retrenchments in the —. 2269.

## MILITARY EXPENDITURE—

Question *re* reduction of — in 1924-25. 2903.

## MILITARY MEDICAL PUPILS—

Question *re* compensation to — refused enlistment in the Indian Medical Department, etc. 2266-67.

## MILITARY OFFICER(S)—

Question *re* income-tax on the tentage allowance of —. 2806.

## MILITARY SERVICE—

Question *re* increase of expenditure on the — and All-India Civil Service. 2386.

**MILITARY WORKS DEPARTMENT—**

Question *re* Indians holding permanent gazetted appointments in the Indian  
—, 2556.

**MILL HANDS—**

Question *re* shooting of — at Cawnpore. 2302-93.

**MILLS, INDIAN—**

Question *re* decrease in the output of yarn and woven goods manufactured  
by —, 2795.

**MINE(S)—**

Question *re* introduction of the shift system in — and prohibition of the  
employment of women underground. 2735-36.

Question *re* maternity benefits in factories, —, etc. 2739.

Question *re* prohibition of employment of women and children in —, etc.  
2856-57.

**MINING AND GEOLOGY, SCHOOL OF—**

Question *re* — and Chemical Research Institute, Dhanbad. 2742.

**MINISTER(S)—**

Question *re* Reforms inquiry regarding relations between Governors and  
— in the Provinces, etc. 2856.

**MISRA, PANDIT SHAMBHU DAYAL—**

Question (Supplementary) *re* reports relating to the recruitment of seamen.  
2762, 2763.

**MITRA, THE HONOURABLE SIR BHUPENDRA NATH—**

Congratulations to —, 2231-32.

Conveys thanks to the House for the congratulations offered to him. 2245.

Oath of Office. 2231.

Steel Industry (Protection) Bill—

Motion to circulate. 2463.

Consideration of—

Clause 3. 2590-91.

**MONCRIEFF SMITH, SIR HENRY—**

Resolution *re* the removal of the Import Duty on Sulphur. 2766.

Steel Industry (Protection) Bill—

Consideration of—

Clause 2. 2488.

Clause 5 (re-numbered clause 6). 2670.

Schedule. 2699.

**MONEY-LENDERS, INDIAN—**

Question *re* allegations against Asiatic ele- — in the report of the  
Commission on Agriculture appointed Government in  
1922.—2414-15.

**MONEY MARKET—**

Question *re* stringency in the —, 2743-44.

**MONTHLY WAGES, DELAY IN PAYMENT OF—**

*See* under "Wages."

**MORADABAD RAILWAY STATION—**

Question *re* Indian ladies' waiting room at the —, .

Question *re* unprotected passenger shed at the —, 2622.

**MOTION(S)—**

- for Adjournment to consider the Lee Commission's Report. 2394-97.
- for Adjournment to record the Assembly's sense of disappointment and to express its indignation at the judgment of Mr. Justice McCordie in the O'Dwyer libel suit against Sir Sankaran Nair. 2812-13.

**MOTOR CAR(S)—**

- Question *re* effect of the enhanced duty on ——. 2649-50.
- Question *re* — of European railway employees. 2535.
- Question *re* repair of — of railway officials. 2741.

**MOTOR SPIRITS—**

- Question *re* exemption from payment of excise duty on — granted to the Indian Products Co. and the Hartikool Oil Co. 2430.

**MUDDIMAN, THE HONOURABLE SIR ALEXANDER—**

- Congratulations to —. 2232.
- Congratulations to Mr. President. 2234.
- Conveys thanks to the House for the congratulations offered to him. 2234.
- Expressions of condolence on the deaths of Mr. Satish Chandra Ghosh, Maulvi Miyan Asjadullah and Sir Ashutosh Mukharji. 2234.
- Indian Soldiers Litigation (Amendment) Bill—
  - Motion to pass as passed by the Council of State. 2764, 2765.
- Lee Commission's Report. 2277, 2278, 2279, 2280, 2281, 2657, 2658, 2659, 2660, 2661, 2731 and 2732.
- Motion for Adjournment to consider the Lee Commission's Report. 2394-95.
- Oath of Office. 2231.
- Resolution *re* Lee Commission's Report. 2821-24, 2830, 2831, 2841, 2844, and 2845.
- Statement (laid on the Table) *re* licenses for firearms. 2276.
- Steel Industry (Protection) Bill—
  - Discussion *re* admissibility or otherwise of certain amendments before the — was referred to Select Committee. 2304.
  - Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2471, 2478.
  - Consideration of—
    - Clause 3. 2572.
    - Preamble. 2710.

**MUFASSIL—**

- Question *re* difference in rate of pay of postmen employed in the —, and in Presidency towns. 2245-46.

**MUHAMMADAN(S)—**

- Question *re* appointment of — to the Indian Civil Service and the Imperial Police Service. 2875-76.

**MUKHARJI, SIR ASHUTOSH—**

- Expression of condolence at the death of —. 2231-35.

**MULEY, MR. S. R.—**

- Question *re* claim of —, formerly a clerk in the office of the Controller of Military Accounts, Poona, to proportionate pension. 2443-44.

**MURTUZA SAHIB BAHADUR, MAULVI SAYAD—**

- Question *re* difference in rate of pay of postmen employed in the mufassil, and in Presidency towns. 2245-46.

**MURTUZA SAHIB BAHADUR, MAULVI SAYAD—contd.**

Question *re* Resolution relating to the release of Maulana Hasrat Mohani. 2244-45.

Question (Supplementary) *re* seizure by the police of certain manuscripts belonging to Maulana Abul Kalam Azad. 2431.

**MUSSALMAN(S)—**

Question *re* elimination of Hindustani — from Indian Infantry Regiments. 2789-90.

**MUTALIK, SARDAR V. N.—**

Question *re* contract for printing work for the B., B. and C. I. Railway. 2252.

Question *re* grievances of the accountants of the Public Works Department, Bombay. 2847.

Question *re* inquiry into the working of the Reforms. 2752.

Question *re* introduction of Gold Currency in India. 2847.

Question *re* liability of Indian States to pay the protective duties imposed by the Steel Industry (Protection) Bill. 2847-48.

Question *re* Reforms Inquiry Committee. 2752.

Steel Industry (Protection) Bill—

Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2472.

**N****NAIDU, MR. S. V.—**

Question *re* dismissal of —, late station master, Barabanki. 2556, 2627.

**NAIHATI—**

Question *re* construction of an overbridge for wheeled traffic at —. 2805-06.

**NARAIN DASS, MR.—**

Steel Industry (Protection) Bill—

Consideration of—

Clause 2. 2497.

**NASIK—**

Question *re* overcrowding of night trains leaving Bombay for — and Poona, respectively. 2852.

**“NATIVES OF INDIA AND BURMA”—**

Question *re* proposed substitution of the words “Indians and Burmese” for — in Government publications. 2412.

**NATURALISATION—**

Questions *re* — of Indians in the United States of America. 2652-53, 2740-41.

**NEHRU, PANDIT, MOTILAL—**

Question (Supplementary) *re* Report of the Lee Commission. 2555.

Steel Industry (Protection) Bill—

Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2475.

Consideration of—

Clause 2. 2522-23.

Clause 3. 2571-72, 2618-20.

Clause 5 (re-numbered clause 6). 2661-62, 2663-64 and 2666.

## NEHRU, PANDIT SHAMLAL—

- Election of — to the Committee on Public Accounts. 2444.  
 Congratulations to the Honourable Sir Alexander Muddiman. 2232.  
 Lee Commission's Report. 2661.  
 Question (Supplementary) *re* Army Canteen Board. 2798.  
 Question (Supplementary) *re* dismissal of Mr. Subba Rao, a telegraphist. 2541.  
 Question (Supplementary) *re* expenditure on the Forest Research Institute, Dehra Dun. 2631.  
 Question (Supplementary) *re* Jail Reform. 2539.  
 Question (Supplementary) *re* Publicity Department. 2784.  
 Question (Supplementary) *re* reports relating to the recruitment of seamen. 2762.  
 Question (Supplementary) *re* salaries of European and Indian drivers on railways. 2534.  
 Question (Supplementary) *re* shadowing of Members of the Legislative Assembly. 2774.  
 Question (Supplementary) *re* shooting of Indians in British Guiana. 2775.  
 Question (Supplementary) *re* strike on the O. and R. Railway. 2786.  
 Question (Supplementary) *re* working hours of traffic and transport staff on Indian railways. 2549.  
 Resolution *re* Lee Commission's Report. 2843.  
 Resolution *re* removal of the import duty on sulphur. 2767-68.  
 Steel Industry (Protection) Bill—  
 Motion to circulate. 2448-49, 2452.  
 Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2484.  
 Consideration of—  
 Clause 2. 2517, 2523.  
 Clause 5 (re-numbered clause 6). 2669.

## NELLORE—

- Question *re* proposal to reconstruct — railway station. 2252-53.

## NEOGY, MR. K. C.—

- Question *re* abolition of the appointments of temporary engineers on railways. 2854.  
 Question *re* abolition of the Coal Transportation Office. 2887.  
 Question *re* abolition of whipping for certain criminal offences. 2854-55.  
 Question *re* admission of Indian graduates as apprentices to the E. I. Railway Workshops and Laboratory at Jamalpur. 2872-73.  
 Question *re* allegations against the Coal Transportation Officer. 2887.  
 Question *re* annual stipends granted by the E. B. Railway to the children of European, Anglo-Indian and Indian employees attending high schools. 2874.  
 Question *re* appointment as foremen of Anglo-Indian and Indian apprentices trained at Kanchrapara and Saidpur. 2854.  
 Question *re* appointment of a Rates Tribunal for Railways. 2886.  
 Question (Supplementary) *re* arrest after acquittal of persons involved in the Alipore Conspiracy Case. 2437.  
 Question *re* arrests under Bengal Regulation III of 1818. 2422-24.  
 Question *re* coal mines in the Raneeganj and Jharia coalfields under Indian and European management. 2887-88.

NEOGY, Mr. R. C.—*contd.*

Question *re* construction of the proposed Ishurdi-Pabna-Sadhuganj Railway. 2250-51.

Question *re* countervailing duty on South African Coal. 2886-87.

Question *re* earnings of the E. I. Railway from the traffic offered by the Kasta and Damaguria sidings. 2888.

Question *re* employment of Indians as foremen, Chargemen, etc., on Railways. 2872.

Question *re* Europeans, Anglo-Indians and Indians employed in various capacities on the principal railways in India. 2871-72.

Question *re* expenditure on railway schools. 2873.

Question *re* extension of the benefit of the Workmen's Compensation Act to Indian seamen. 2855.

Question *re* financing of the proposed Ishurdi-Pabna-Sadhuganj Railway. 2251.

Question *re* grant of a State scholarship to an Indian graduate lately employed as an apprentice in the Jamalpur Workshops of the E. I. Railway. 2873.

Question *re* Indians in upper subordinate appointments on the railways. 2870-71.

Question *re* railway siding at Feny River Ghat. 2251-52.

Question *re* revenue and expenditure of each Province at the time of the introduction of the new financial arrangements, etc. 2560-61.

Question *re* share of the provincial Governments in the revenue from "Taxes on Income". 2240.

Question (Supplementary) *re* State vs. Company management of railways. 2416.

Question *re* temporary engineers of the E. B. Railway. 2854.

Question *re* utilization of the Fines Fund on the B. N. Railway for providing outfit allowances for children of employees attending hill schools. 2875.

Question *re* vacancies in the provincial engineering service on State Railways. 2853.

Steel Industry (Protection) Bill—

Motion to refer to Select Committee. 2314-16.

Motion to constitute the Select Committee. 2352-53.

## NEW DELHI—

Question *re* pay and allowances of the two Architects of the Central Buildings, —. 2628-29.

## NEWSPAPERS—

Question *re* sale of Nationalist — at railway stations on the N.-W. Railway. 2264.

## NIDADAVOLU—

Question *re* proposed remodelling of the — and Tadepalligudem stations on the M. and S. M. Railway. 2404-05.

## NIGHT DUTY—

Question *re* postmen and menials on — in the post offices in the Punjab Circle. 2862.

## NIGHT TRAIN—

Question *re* running of a late — from Hyderabad to Karachi. 2538.

## NORTH-WEST FRONTIER PROVINCE—

Question *re* allowances paid to the tribal chiefs in the —. 2360-61.

**NORTH-WESTERN RAILWAY—**

- Question *re* difference in rates of starting pay of the menial staff of the E. B. Railway and ——. 2642.
- Question *re* distinctions in rates of pay drawn by Anglo-Indians, Christians, Parsis and Indians on the ——. 2801-02.
- Question *re* guaris and drivers on the ——. 2533.
- Question *re* promotion of guards on the ——. 2801.
- Question *re* promotion of various classes of employees on the ——. 2802.
- Question *re* sale of nationalist newspapers at railway stations on the ——. 2264.
- Question *re* submission of statement of earnings beyond their lawful salaries by ticket collectors of the —, Karachi District. 2424-25.
- Question *re* Traffic Inspectors on the ——. 2263-64.
- Question *re* uncovered platforms at Kotri Junction on the ——. 2429.

**NOTIFICATION(S)—**

- Question *re* vernacular — published by the Emigration Commissioner, Benares. 2782.

**NURUN NABI, Mr.—**

- Question *re* discharge of —, employee of the G. I. P. Railway. 2879.

**O****OATH OF OFFICE—**

- Bhore, Mr. J. W. 2231.
- Bray, Mr. Denys. 2231.
- Cochran, Mr. A. 2231.
- Davies, Mr. G. H. W. 2231.
- Hezlett, Mr. J. 2231.
- Hindley, Mr. C. D. M. 2231.
- Hudson, Mr. W. F. 2231.
- Hussanally, Mr. W. M. 2231.
- Littlehales, Mr. R. 2231.
- Mitra, the Honourable Sir Bhupendra Nath. 2231.
- Muddiman, the Honourable Sir Alexander. 2231.
- Pate, Mr. H. R. 2231.
- President, Mr. (the Honourable Sir Chimanlal Setalvad). 2231.
- Sams, Mr. H. A. 2231.
- Sastri, Rao Bahadur C. V. Visvanatha. 2231.
- Sykes, Mr. E. F. 2231.
- Tottenham, Mr. A. R. L. 2231.
- Townsend, Mr. C. A. H. 2231.

**O'DWYER (SIR MICHAEL)—**

- Motion for Adjournment for the purpose of expressing indignation at the judgment of Mr. Justice McCardie in the — libel suit against Sir Sankaran Nair. 2812-13.

**OFFICER(S), EUROPEAN—**

- Question *re* — in the Survey of India. 2625-26.

**OFFICES, GOODS AND PARCEL—**

- Question *re* closing of — on Indian holidays. 2802.

**OFFICIAL(S)—**

- Question *re* reserved saloons for —. 2791-93.



## OLIVIER, LORD—

Question *re* —'s speech in the House of Lords. 2269-70.

## OPIUM—

Question *re* issue of — during the War to Indian personnel on active service. 2889-90.

## OPIUM POLICY—

Question *re* — of the Government of India. 2531-32.

## OPIUM TRAFFIC—

Question *re* India's representative at the Advisory Commission of the League of Nations dealing with the —. 2624.

## ORDNANCE FACTORIES—

Question *re* recruitment of Indian apprentices for —. 2420.

## OUDH AND ROHILKHAND RAILWAY—

Question *re* admission of Indians to the posts of journeymen and chargemen on the —. 2250.

Question *re* allegations against the administration of the —. 2785.

Question *re* alleged frauds in the Goods and Stores Departments of the —. 2786.

Question *re* case of Mr. S. V. Naidu, Station Master, —. 2550.

Question *re* chargemen and journeymen in the — Workshops at Lucknow. 2248-49.

Question *re* clearance of materials belonging to the — sold by auction to contractors. 2795.

Question *re* dual appointments on the —. 2794.

Question *re* European, Anglo-Indian and Indian apprentices in the — Workshops at Lucknow. 2249-50.

Question *re* Indian chargemen and foremen on the —. 2794.

Question *re* rival unions on the —. 2785-86.

Question *re* uniforms for the traffic staff of the —. 2787.

## OUTFIT ALLOWANCE(S)—

Question *re* utilization of the fines fund on the B. N. Railway for providing — for children of employees attending hill schools. 2875.

## OVERBRIDGE(S)—

Question *re* construction of an — for wheeled traffic at Naihati. 2805-06.

Question *re* — at the Clifton and the Devon Villa crossings at Karachi. 2537.

Question *re* proposed construction of an — at the Clifton railway crossing at Karachi. 2429.

## OVERSEAS ALLOWANCE(S)—

Question *re* — to Indiaans recruited for the Imperial Services. 2745-46.

## P

## PABNA—

Question *re* construction of the proposed Ishurdi — Sadhu ganj Railway. 2250-51.

Question *re* financing of the proposed Ishurdi — Sadhuganj Railway. 2251.

**PAL, Mr. BIPIN CHANDRA—**

Expressions of condolence at the deaths of Mr. Satish Chandra Ghosh, Maulvi Miyan Asjadullah and Sir Ashutosh Mukharji. 2233.

Question (Supplementary) *re* payment of debt due to Jagat Seth to his descendants. 2656.

Question *re* proposed extension of the Diamond Harbour branch of the E. B. Railway. 2625.

Question (Supplementary) *re* rent of quarters at Longwood Hotel, Simla. 2367.

Question *re* Tata Iron and Steel Company, Limited. 2355-56.

Steel Industry (Protection) Bill—

Consideration of—

Clause 3. 2506-07.

**PANEL OF CHAIRMEN—**

Appointment of Diwan Bahadur M. Ramachandra Rao to the ——. 2769.

**PAREL—**

Question *re* footbridge between — station on the G. I. P. Railway and the Elphinstone Road station on the B., B. and C. I. Railway. 2303-09.

**PARLIAMENT, MEMBERS OF—**

Questions *re* alleged canvassing of — by the Honourable Sir Malcolm Hailey. 2384-85, 2651-52.

**PARSI(S)—**

Question *re* distinctions in rates of pay drawn by Anglo-Indians, Christians, — and Indians on the N. W. Railway. 2801-02.

**PARTY (IES)—**

Question *re* strength of — in the Legislative Assembly. 2776-77.

**PASS (ES)—**

Question *re* card — issued to vendors on the E. B. Railway. 2851.

**PASS (ES), COMPLIMENTARY—**

Question *re* issued to Indians and Europeans on the East Indian Railway. 2357.

**PASSENGER(S)—**

Question *re* assaults on Indian railway — by Europeans. 2654.

Question *re* European and Indian — on board the S. S. "Frangestan" 2808.

Question *re* grievances of second class railway —. 2275.

Question *re* inconveniences to railway —. 2803.

**PASSENGER SHED—**

Question *re* unprotected — at the Moradabad railway station. 2628.

**PASSPORT(S)—**

Question *re* grant of — to the proposed members of the Khilafat Delegation to Turkey, etc. 2430-31.

Question *re* refusal of — to members of the Khilafat Delegation to certain Muslim countries. 2375-82.

**PATAUNDA—**

Question *re* stoppage of the 20-Down Delhi Express at — Mahabir Road station on the B., B. and C. I. Railway. 2807.

**PATE, Mr. H. R.—**

Oath of Office. 2231.

Statement (laid on the table) *re* position of members of the domiciled community in the British and Indian Army. 2276.

**PATEL, Mr. v. J.—**

- Lee Commission's Report. 2279, 2280 and 2732.  
 Motion for Adjournment to consider Lee Commission's Report. 2396.  
 Question (Supplementary) *re* dismissal of Mr. N. Subba Rao, telegraphist, Bezwada. 2633.  
 Question (Supplementary) *re* rent of quarters at Longwood Hotel, Simla. 2366.  
 Question (Supplementary) *re* report of the Lee Commission. 2554, 2555.  
 Question (Supplementary) *re* Resolution relating to the release of Maniama Hasrat Mohani. 2244.  
 Resolution *re* Lee Commission's Report. 2823, 2833-37.  
 Steel Industry (Protection) Bill—  
 Discussion *re* admissibility or otherwise of certain amendments before the — was referred to Select Committee. 2294, 2296 and 2301.  
 Motion to refer to Select Committee. 2344-48.  
 Motion to constitute the Select Committee. 2352.  
 Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2472.  
 Consideration of—  
 Clause 2. 2513, 2517-18.  
 Clause 3. 2565, 2566-67, 2573-75, 2591, 2592 and 2601.  
 Clause 5 (re-numbered clause 6.) 2662, 2663, 2665, 2667 and 2669.

**PAY—**

- Question *re* abolition of — for officers of the Indian Territorial Force. 2435.  
 Question *re* difference in rate of starting — of the menial staff of the E. B. and N. W. Railways. 2642.  
 Question *re* distinctions in rates of — drawn by Anglo-Indians, Christians, Parsis and Indians on the N. W. Railway. 2801-02.  
 Question *re* — and allowances of the two Architects of the Central Buildings, New Delhi. 2628-29.  
 Question *re* — of lower grades of clerical establishment of the Military Accounts Department. 2371-72.  
 Question *re* — of officers of the Indian Territorial Force holding Honorar King's Commissions. 2433-34.  
 Question *re* reduction in the rates of — of officers of the British Army. 2752-53.  
 Question *re* revision of — of the subordinate staff of the Military Accounts Department. 2907.

**PAY AND ALLOWANCES—**

- Question *re* revision of the — of divisional accountants of the Bombay Presidency. 2441-42.

**PAY, DIFFERENCE IN RATE OF—**

- Question *re* — of postmen employed in the mufassil and in Presidency towns. 2245-46.

**PAY, TIME SCALE OF—**

- Question *re* introduction of a — for the subordinate establishments of Stat Railways. 2641-42.

**PAYMENT OF WAGES, REGULATION OF THE—**

*See* under "Wages".

**PENINSULAR LOCOMOTIVE COMPANY, LIMITED—**

- Question *re* the —. 2530-31.

## PENSION—

Question *re* calculation of the period of re-employment in the Military Accounts Department during the war as service towards gratuity of—. 2443, 2623.

Question *re* claim of Mr. S. R. Muley, formerly a clerk in the office of the Controller of Military Accounts, Poona, to proportionate —. 2443.

Question *re* leave and — of the menial establishment of the Government of India. 2852.

Question *re* — of one Bedar Bakht. 2436.

## PERSIAN GULF—

Question *re* expenditure on the lighting and buoing of the—. 2383.

## PESHAWAR—

Question *re* arrests in connection with the Khilafat procession at — on the 16th November, 1923. 2259.

Question *re* location of the new General Post Office at —. 2896-97.

## PETITION(S)—

—relating to the Indian Penal Code (Amendment) Bill (Amendment of section 375). 2561-62, 2813, 2910.

Question *re* — of the Khoja Shia Isna Ashre community. 2359.

## PETITIONER(S)—

Question *re* treatment of memorialists and — by the Finance Department. 2623-24.

## PETROL—

Question *re* high price of — in India. 2435-36.

Question *re* present price of — in India and its price during the past five years. 2647-48.

Question *re* prevention of profiteering in —. 2648-49.

## PILGRIM(S)—

Question *re* dues levied on — at Jeddah. 2864-65.

Question *re* levy of — dues at Kamaran. 2863-64.

Question *re* loss of property of — on the S. S. "Frangestan". 2807-08.

Question *re* number of — during the last Haj season. 2362-63.

Question *re* opening of the port of Calcutta to — traffic. 2790-91.

Question *re* — to the Hedjaz. 2357-58.

Question *re* purchase of return tickets by — for Mecca by the S. S. "Suja". 2362.

## PILGRIM DUES—

Question *re* levy of — at Kamaran. 2863-64

## PILGRIM SHIP—

Question *re* sinking of a —. 2363.

## PILGRIM TRAFFIC—

See under "Pilgrim(s)".

## PIYARE LAL, LALA—

Question *re* Staff Selection Board's examination. 2807.

Question *re* stoppage of the 20-Down Delhi Express at Pataunda Mahabir Road station on the B., B. and C. I. Railway. 2807.

## PLAGUE—

Question *re* treatment of — patients in Cantonments. 2789.

L103LA

## PLATFORM(S)—

- Question *re* construction of a — at the Kathghar Railway station. 2628.  
 Question *re* erection of sheds on the — at Kotri station. 2537-38.  
 Question *re* — tickets. 2790.  
 Question *re* uncovered — at Karachi Cantonment station. 2429.  
 Question *re* uncovered — at Kotri Junction on the N. W. Railway. 2429.

## PLATFORM TICKET(S)—

*See* under "Ticket(s)".

## PLEADER-JUDGES—

*See* under "Judges".

## POINTSMAN(MEN)—

- Question *re* duties of — on the B. and N.-W. Railway. 2880.  
 Question *re* liability of — on the B. and N.-W. Railway in cases of running train thefts. 2880.

## POLICE—

- Question *re* alleged shadowing of Members of the Legislative Assembly by the —. 2772.

## POLITICAL AGENT FOR WAN—

- Question *re* abolition of the posts of Resident in Waziristan and —. 2742.

## POLITICAL PROPAGANDA—

- Question *re* participation by retired Government servants and retired Army Officers in — or agitation. 2256.

## POLL-TAX—

- Question *re* levy of a — in Kenya. 2545.

## POONA—

- Question *re* overcrowding of night trains leaving Bombay for Nasik and —, respectively. 2852.  
 Question *re* transfer of the office of the Superintendent, Railway Mail Service, "B" Division, from Bhusawal to —. 2557.

## PORT OF CALCUTTA—

*See* under "Calcutta."

## POSTAL CLERKS—

- Question *re* retrenchments of permanent and reserve —. 2861-62.

## POSTAL EMPLOYEE(S)—

- Question *re* minimum and maximum salaries of certain classes of —. 2259-60.  
 Question *re* promotion of —. 2867.  
 Question *re* special promotion for field service granted to —. 2811.

## POSTAL ENDOWMENT ASSURANCE POLICIES—

- Question *re* maturing of Government —. 2442-43.

## POSTAL INSPECTORS—

- Question *re* stoppage of increments of — in 1921-22. 2406.

## POSTAL INSURANCE FUND—

- Question *re* —. 2625.

## POSTAL MENIALS—

- Question *re* compensatory allowances to postmen and — employed on the Frontier. 2560.

**POSTAL OFFICIAL(S)—**

Question *re* limitation of the period of retention of — at post offices beyond Bannu, Kohat and Dera Ismail Khan. 2560.

Question *re* recoveries from — in the Punjab for loss of insured articles. etc. 2406-07.

Question *re* stoppage of promotion of certain — of the Burdwan Division. 2868.

**POSTAL SECURITIES—**

Question *re* holding of — and cash certificates in the names of two persons. 2555.

**POSTMARKING—**

Question *re* indistinct — of letters. 2253.

**POSTMASTER(S)—**

Question *re* appointment of Mr. Lesage as offg. —, Burdwan. 2868.

Question *re* supersession of — and Inspectors in the Punjab Postal Circle. 2557-58.

**POSTMASTER(S) GENERAL—**

Question *re* supersession in the office of the —, Punjab. 2528.

Question *re* tours of inspection of the —, Punjab Postal Circle. 2892-93.

Question *re* travelling allowances of the — in India during 1922-23 and 1923-24. 2888.

Question *re* travelling allowances of the —, Punjab Postal Circle, during 1920-21, 1921-22, 1922-23 and 1923-24. 2893-94.

**POSTMEN—**

Question *re* compensatory allowances to — and postal menials on the Frontier. 2560.

Question *re* difference in rate of pay of — employed in the mufassil, and in Presidency towns. 2245-46.

Question *re* — and menials employed on night duty in the post offices in the Punjab Circle. 2862.

**POST OFFICE(S)—**

Question *re* adequate staff for — and R. M. S. sections. 2559-60.

Question *re* case of Arjan Singh, clerk, Rawalpindi —. 2895-96.

Question *re* circulation of tour programmes of high officials to —. 2861.

Question *re* limitation of the period of retention of postal officials at — beyond Bannu, Kohat and Dera Ismail Khan. 2560.

Question *re* location of the new General — at Peshawar. 2896-97..

Question *re* postmen and menials employed on night duty in the — in the Punjab Circle. 2862.

Question *re* — delays. 2802-03.

Question *re* undesirable surroundings of the Ambala City —. 2529.

**POST OFFICE CASH CERTIFICATE—**

Question *re* realizations from the sale of —. 2413.

**POST OFFICE, DELHI—**

Question *re* punishments inflicted on the staff of the — from 1920-24. 2559.

**POSTS AND TELEGRAPHS DEPARTMENT—**

Question *re* grant of special promotion for field service to members of the —. 2860.

**PREMIUM(A)—**

Question *re* amount of — paid by certain Government Department for fire, marine and motor insurances. 2533.

**PREMIUM(A)—contd.**

Question *re* — paid by Government during the last three years for fire and marine insurance. 2744.

**PRESIDENCY TOWNS—**

Question *re* difference in rate of pay of postmen employe in the mufassil, and in —. 2245-46.

**PRESIDENT, Mr.—**

Congratulations to —. 2232, 2234.

Conveys thanks to the House for the congratulations offered to him. 2235.

Expressions of condolence at the deaths of Mr. Satish Chandra Ghosh, Maulvi Miyan Asjadullah, and Sir Ashutosh Mukharji. 2235.

Oath of Office. 2231.

Ruling by — that an amendment must be within the scope of the Bill and must not introduce a new or foreign subject into the Bill introduced for a particular purpose. 2293.

Ruling by — that every motion for grant of money from the public revenues and every motion for appropriation of public revenues or for creating a charge on such revenues can be made only on the sanction or recommendation of the Crown. 2293.

Ruling by — that he cannot uphold the objection of Mr. Devaki Prasad Sinha that Members interested in the Tata Company should not be allowed to take any part in the debate on the Steel Industry (Protection) Bill. 2485.

Ruling by — that if the Select Committee on the Steel Industry (Protection) Bill came in with certain recommendations, say, about nationalization, and embodied those recommendations in the Bill itself and presented that Bill to the House, the position would be that that part of the Select Committee's Report which introduced matter which, in the opinion of the Chair, was not relevant or admissible, would be ruled out. 2297.

Ruling by — that no motion to impose a tax can be made except on the recommendation of the Crown. 2293.

Ruling by — that the amount of a tax proposed on behalf of the Crown cannot be augmented without a recommendation of the Crown. 2293.

Ruling by — that the motion that the President do now leave the Chair is not in order. 2470.

**PRIMOGENITURE, RULE OF—**

Question *re* — obtaining in the case of tenancies held by cavalry grantees in the Lower Jhelum Canal Colony. 2803-04.

**PRINTING WORK—**

Question *re* contract for — for the B., B. and C. I. Railway. 2252.

**PROBATIONER(S)—**

Question *re* — in the Subordinate Accounts Service. 2907.

Question *re* training of postal and Railway Mail Service. 2894-95.

**PROFITEERING—**

Question *re* alleged —, by Messrs. Samar Chand and Sons, food vendors on the E. B. Railway. 2851-52.

Question *re* prevention of — in petrol. 2648-49.

**PROMOTION(S)—**

Question *re* grant of special — for field service to Members of the Posts and Telegraphs Department. 2860.

Question *re* — by the Military Accountant General of clerks to the grade of accountants. 2908-09.

Question *re* — of postal employers. 2867.

**PROMOTION(S)—*contd.***

- Question *re* — of various classes of employees on the N. W. Railway. 2802.  
 Question *re* — on the Eastern Bengal Railway. 2850.  
 Question *re* rules relating to the power of making appointments to, and —  
 in, offices under the Crown in India. 2265-66.  
 Question *re* special — for field service granted to postal employees. 2811.  
 Question *re* stoppage of — of certain postal officials of the Burdwan  
 Division. 2868.  
 Question *re* temporary — in the offices of Military Controllers of Accounts.  
 2904-05.

**PROVINCIAL ENGINEERING SERVICE—**

- Question *re* vacancies in the — on State Railways. 2853.

**PROVINCIAL GOVERNMENT(S)—**

- Question *re* control of the Secretary of State over —'s land revenue  
 legislation. 2754.

**PUBLIC ACCOUNTS COMMITTEE—**

- Announcement *re* meeting of the —. 2402.  
 Election of a member to the — to fill the vacancy caused by the resigna-  
 tion of his seat on the Assembly by Mr. K. C. Roy. 2353.  
 Election of Pandit Shamlal Nehru to the —. 2444.

**PUBLIC SERVICE COMMISSION—**

- Question *re* establishment of a — in India, etc. 2389-91.

**PUBLIC WORKS DEPARTMENT—**

- Question *re* grievances of the accountants of the —, Bombay. 2847.

**PUBLICATIONS—**

- See* under "Government of India Publications".

**PULP PLANT—**

- Question *re* acquisition of paper and — for the Forest Research Institute,  
 Dehra Dun. 2741-42.

**PUNISHMENT(S)—**

- Question *re* — inflicted on the staff of the Delhi Head Post Office from 1920  
 to 1924. 2559.

**PUNJAB—**

- Question *re* dissatisfaction with the income-tax administration in the —.  
 2526-27.

**PUNJAB POSTAL CIRCLE—**

- Question *re* supersession of postmasters and inspectors in the —. 2557-58.  
 Question *re* tours of inspection of the Postmaster General. 2892-93.  
 Question *re* travelling allowance of the Postmaster General, —, during  
 1920-21, 1921-22, 1922-23 and 1923-24. 2893-94.

**PURSHOTAMDAS THAKURDAS, SIR—**

- Question *re* allegation against Asiatic clerks and Indian money-lenders in  
 the report of the Commission on Agriculture appointed by the Zanzibar  
 Government in 1922. 2414-15.  
 Question (Supplementary) *re* Colonel Gidney's threat to the Government of  
 India in connection with the sentence of flogging for some Anglo-Indians.  
 2655.  
 Question *re* facilities for third class passenger traffic on railways in the  
 United States of America. 2419-20.  
 Question (Supplementary) *re* holding of postal securities and cash certificates  
 in the names of two persons. 2556.



PURSHOTAMDAS THAKURDAS, SIR—*contd.*

- Question *re* Indians in the higher grades of railway administrations. 2420.  
 Question (Supplementary) *re* naturalisation of Indians in foreign countries. 2653.  
 Question *re* operating ratios of railways in foreign countries. 2417-19.  
 Question *re* recruitment of Indian apprentices for Ordnance factories. 2420.  
 Question *re* removal of the duty on sulphur. 2526.  
 Question *re* State *versus* Company management of Railways. 2415-17.  
 Resolution *re* Lee Commission's Report. 2839-42.  
 Steel Industry (Protection) Bill—  
 Motion to consider. 2308-14.  
 Motion to circulate. 2465-67.  
 Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2476-77, 2485.  
 Consideration of—  
 Schedule. 2688-89.

## Q

## QUARANTINE—

- Question *re* abolition of — at Kamaran. 2864.  
 Question *re* — at Kamaran. 2864.

## QUARTER(S)—

- Question *re* improved type of — for the Indian Staff on State Railways. 2642.  
 Question *re* — for Indian assistant station masters in the Katihar district. 2643.  
 Question *re* — of the station staff on the E. B. Railway. 2642.  
 Question *re* recovery of municipal or other taxes from certain classes of Government servants occupying free —. 2810.  
 Question *re* rent of — at Longwood Hotel, Simla. 2365-67.

## R

## RACIAL DISCRIMINATION—

- Question *re* abolition of — on State Railways. 2794.  
 Question *re* — between employees on State Railways. 2738.

## RACIAL DISTINCTION—

- Question *re* — on Indian Railways between European and Indian employees. 2534.

## RAID(S)—

- Question *re* Mahsud — on the Frontier. 2414.

## RAILS—

- Question *re* — and fish-plates of Indian and foreign origin purchased by the State and Guaranteed Railways. 2748.

## RAILWAY(S)—

- Question *re* abolition of racial discrimination on State —. 2794.  
 Question *re* abolition of the appointments of temporary engineers on —. 2854.  
 Question *re* alleged attempt by the authorities of a certain — to prejudice the success of the State management of the line. 2809-10.

RAILWAY(S)—*contd.*

- Question *re* appointment of a Rates Tribunal for ——. 2386.  
 Question *re* appointment of Indians as Deputy Agents on ——. 2745.  
 Question *re* compensation claims paid by various — for goods stolen, lost or damaged. 2645-47.  
 Question *re* compilation of statistics relating to the condition of labour employed on Indian ——. 2553.  
 Question *re* employment of Indians as foremen, chargemen, etc., on ——. 2250-51.  
 Question *re* Deputy Director of Establishment ——. 2793.  
 Question *re* differential treatment of European, Anglo-Indian and Indian employees on ——. 2738.  
 Question *re* employment of Indians as foremen, chagement, etc., on ——. 2872.  
 Question *re* Europeans, Anglo-Indians and Indians employed in various capacities on the principal — in India. 2871-72.  
 Question *re* Europeans, Anglo-Indians and Indians employed on salaries of Rs. 100 and over on certain ——. 2785.  
 Question *re* Europeans, Anglo-Indians and Indians holding superior posts on ——. 2536.  
 Question *re* facilities for third class passenger traffic on — in the United States of America. 2419-20.  
 Question *re* financing of the proposed Ishurdi-Pabna-Sadnaganj ——. 2251.  
 Question *re* improved type of quarters for the Indian staff of State ——. 2642.  
 Question *re* inconveniences to — passengers. 2803.  
 Question *re* Indian District Engineers, Assistant Engineers and District Traffic Superintendents on Indian ——. 2272-73.  
 Question *re* Indians holding permanent gazetted appointments in certain departments of State and Company-managed ——. 2556.  
 Question *re* Indians holding posts of higher grades on the ——. 2536-37.  
 Questions *re* Indians in superior appointments on ——. 2787-88, 2794.  
 Question *re* Indians in upper subordinate appointments on the ——. 2870-71.  
 Question *re* introduction of a time-scale of pay for the subordinate establishments of State ——. 2641-42.  
 Question *re* introduction of watch and ward staff on ——. 2786-87.  
 Question *re* iron and steel of Indian foreign origin purchased by State and guaranteed ——. 2748.  
 Question *re* limitation of the working hours of employees on Indian ——. 2552-53.  
 Question *re* local advisory councils on ——. 2357.  
 Question *re* medical attendance for the staff of State ——. 2641.  
 Question *re* names of Railwaymen's Unions or Associations recognised by the authorities of the Indian ——. 2880-81.  
 Question *re* net revenue realised from — in 1924. 2388.  
 Question *re* operating ratios of — in foreign countries. 2417-19.  
 Question *re* proposed construction of — between Raipur and Vizianagram and Sironcha and Rajahmundry. 2404.  
 Question *re* racial distinctions on Indian — between Europeans and Indian employees. 2534.  
 Question *re* rails and fish-plates of Indian and foreign origin purchased by the State and guaranteed ——. 2748.  
 Question *re* — siding at Feny river ghat. 2251-52.  
 Questions *re* retrenchments on Indian ——. 2387, 2794.  
 Question *re* salaries of European and Indian drivers on ——. 2534-35.

**RAILWAY(S)—contd.**

Question *re* training facilities for superior staff employed by State and Company managed —. 2525-26.

Question *re* training of Indians for superior and subordinate appointments on —. 2788.

Question *re* working hours of traffic and transport staff on Indian —. 2549.

**RAILWAY ADMINISTRATION—**

Question *re* Indians in the higher grades of —. 2420.

**RAILWAY AUTHORITIES—**

Question *re* issue of orders in the vernacular by —. 2843.

**RAILWAY BOARD—**

Question *re* recruitment of Indians for the staff of the —. 2745.

**RAILWAY CARRIAGE(S)—**

Question *re* — for female passengers. 2440.

**RAILWAY COMPANIES—**

Question *re* license fees received by — from hawkers, refreshment room keepers and hotel keepers. 2440.

**RAILWAY DEPARTMENT—**

Question *re* Indians in the superior establishment of the —. 2744-45.

**RAILWAY EMPLOYEE(S)—**

Question *re* educational grants to European, Anglo-Indian and Indian —. 2851.

**RAILWAY FARE(S)—**

Question *re* reduction of —. 2356-57.

**RAILWAY FINANCE(S)—**

Meetings of the Standing Finance Committee and of the Committee on the separation of —. 2763.

**RAILWAY INDUSTRIES—**

Question *re* establishment of — in India. 2403-04.

**RAILWAY MAIL SERVICE—**

Question *re* adequate staff for Post office and — sections. 2559-60.

Question *re* case of Mr. Girdhari Lal, Sub-Record clerk —. 2267, 2800-01.

Question *re* dismissal of Kesar Singh, Sorter, —, "L" Division. 2859-60.

Question *re* improvement of the conditions of service in the —. 2810-11.

Question *re* qualifications of Inspectors of the —. 2271.

Question *re* reduction of the number of sets of — sorters working between Bombay and Sholapur. 2810.

Question *re* training of postal and — probationers. 2894-95.

Question *re* transfer of the office of the Superintendent, — "B" Division, from Bhusawal to Poona. 2557.

**RAILWAY OFFICIALS—**

Question *re* repairs of motor cars of —. 2741.

**RAILWAY PASSENGER(S)—**

See under "Passenger(s)."

**RAILWAY PASSENGER, INDIAN—**

Question *re* alleged ill-treatment of an — by soldiers. 2529.

**RAILWAY PASSENGER(S), SECOND CLASS—**

Question *re* grievances of —. 2275.

## RAILWAY PROJECT—

Question *re* double line — from Tambaram to Madras. 2733.

## RAILWAY RISK NOTES—

See under "Railway Risk Notes Revision Committee."

## RAILWAY RISK NOTES REVISION COMMITTEE—

Question *re* report of the —. 2744.

## RAILWAY SCHOOLS—

See under "Schools."

## RAILWAY STAFF—

Question *re* complaints against the Howrah —. 2375.

## RAILWAY STATION(S)—

Question *re* harassment of Members of the Legislative Assembly by ticket examiners at —. 2773-74.

Question *re* proposal to reconstruct Nellore —. 2252-53.

Question *re* sale of nationalist newspapers at — on the North-Western Railway. 2264.

Question *re* shifting of the site of the — at Faridpur. 2640-41.

## RAILWAY STORES PURCHASE OF—

See under "Store(s)."

## RAILWAY TECHNICAL INSTITUTE—

Question *re* admission of European, Anglo-Indian and Indian students to the —, United Provinces. 2250.

## RAILWAY TRACK—

Question *re* renewal of the — between Waltair and Calcutta. 2903.

## RAILWAY UNION(S)—

See under "Union(s)."

## RAILWAYS MANAGEMENT OF—

Question *re* State vs. Company —. 2415-17.

## RAIPUR—

Question *re* proposed construction of railways between — and Vizianagram and Sironcha and Rajahmundry. 2404.

## RAJ NARAIN, RAI BAHADUR—

Resolution *re* Lee Commission's Report. 2832-33.

Steel Industry (Protection) Bill—

Motion to circulate. 2459, 2460, 2461.

## RAJAHMUNDY—

Question *re* proposed construction of railways between Raipur and Vizianagram and Sironcha and —. 2404.

## RAJPUTANA-MALWA RAILWAY—

Question *re* employment of Indians on the B., B. & C. I. Railway and the —. 2869-70.

## RAMACHANDRA RAO, DIWAN BAHADUR, M.—

Appointment of — to the Panel of Chairmen. 2769.

Lee Commission's Report. 2277-78, 2279, 2659, 2660, 2732.

Motion for Adjournment to consider the Lee Commission's Report. 2395, 2396.

Question *re* admission of Indian students to the University Officers' Training Corps. 2388-89.

L103LA

RAMACHANDRA RAO, DIWAN BAHADUR, M.—*contd.*

- Question *re* annual programme of the Tariff Board. 2403.
- Question *re* composition of the Committee of inquiry into the working of the reforms. 2545.
- Question (Supplementary) *re* dismissal of Mr. Subba Rao, a telegraphist. 2540.
- Question *re* East Africa Commission. 2544-45.
- Question *re* Empire scholarships. 2546.
- Question *re* enhanced powers of Agents of State Railways and Directors of Company-managed Railways in regard to establishments. 2388.
- Question *re* establishment of a Public Service Commission in India, etc. 2389-91.
- Question *re* establishment of Railway industries in India. 2403-04.
- Question *re* exercise of the Secretary of State's powers of superintendence, direction and control of the Civil and Military Government of India, etc. 2253-54.
- Question *re* increase of expenditure on the Military and All-India Civil Services. 2386.
- Question (Supplementary) *re* jail reform. 2539.
- Question (Supplementary) *re* Krishnasagara Reservoir Project. 2755-56.
- Question *re* levy of a poll-tax in Kenya. 2545.
- Question *re* net revenue realized from Railways in 1924. 2388.
- Question *re* opinions of the High Courts on the report of the Indian Bar Committee. 2546.
- Question *re* participation by retired Government servants and retired Army officers in political propaganda or agitation. 2256.
- Question *re* previous sanction of the Secretary of State to the introduction of legislation in the Assembly and in Provincial Legislative Councils. 2393.
- Question *re* proceedings of the Imperial Economic Conference and the report of the Honourable Sir Charles Innes in regard to his delegation to the same. 2256.
- Question *re* proposed construction of railways between Raipur and Vizianagram and Sironcha and Rajahmundry. 2404.
- Question *re* proposed remodelling the Nidadavolu and Tadepalligudem stations on the M. and S. M. Railway. 2404-05.
- Question *re* recommendations of the Committee on Indian students. 2389.
- Question (Supplementary) *re* Reforms Inquiry Committee. 2751.
- Question (Supplementary) *re* report of the Reforms Inquiry Committee. 2799.
- Question *re* retrenchments on Indian Railways. 2387.
- Question *re* rules governing the award of technical scholarships for study abroad. 2387.
- Question *re* shooting of mill hands at Cawnpore. 2392-93.
- Question (Supplementary) *re* State vs. Company management of Railways. 2416.
- Question *re* subjects in regard to which recourse is had to previous consultation with the Secretary of State for India instead of obtaining his previous sanction. 2391-92.
- Question *re* training facilities for superior staff employed by State and Company-managed Railways. 2525-26.
- Resolution *re* Lee Commission's Report. 2844-45.
- Steel Industry (Protection) Bill—
- Discussion *re* admissibility or otherwise of certain amendments before the — was referred to Select Committee. 2299.
- Motion to circulate. 2463-65.

**RAMACHANDRA RAO, DIWAN BAHADUR, M.—contd.**

Consideration of—

Clause 2. 2503, 2505, 2506.

Clause 3. 2592-94.

**RANEEGUNJ—**Question *re* coal mines in the — and Jharia coalfields under Indian and European management. 2887-88.**RANGA IYER, MR. C. S.—**Question *re* abolition of the post of Deputy Commissioner, Northern India Salt Department. 2239.Question *re* admission of European, Anglo-Indian and Indian students to the Railway Technical Institute, United Provinces. 2250.Question *re* admission of Indians to the posts of journeymen and chargemen on the Oudh and Rohilkhand Railway. 2250.Question *re* annual incremental scales of clerks and accountants in the Military and Civil Accounts Deptts. 2908.Question *re* chargemen and journeymen in the Oudh and Rohilkhand Railway Workshops at Lucknow. 2248-49.Question *re* European, Anglo-Indian and Indian Apprentices in the O. & R. Railway Workshops at Lucknow. 2249-50.Question *re* Memorial Rules. 2907-08.Question *re* policy and standard of recruitment for the Northern India Salt Department. 2238.Question *re* probationers in the Subordinate Accounts Service. 2907.Question *re* promotion by the Military Accountant General of clerks to the grade of accountants. 2908-09.Question (Supplementary) *re* report of the Lee Commission. 2555.Question (Supplementary) *re* Resolution *re* the release of Maulana Hasrat Mohani. 2244-45.Question *re* revision of pay of the subordinate staff of the Military Accounts Department. 2907.Question *re* stoppage of conveyance allowance of clerks and accountants attached to units and formations. 2906-07.Question *re* strength of Inspectors and clerks in the Northern India Salt Department. 2239.Question *re* supersession of Sardar Bahadur Lakshmir Singh, Assistant Commissioner, Northern India Salt Department. 2238-39.Question *re* temporary clerks and accountants in the Military Accounts Department. 2905-06.Question *re* temporary promotions in the offices of Military Controllers of Accounts. 2904-05.Resolution *re* Lee Commission's Report. 2845.**Steel Industry (Protection) Bill—**Discussion *re* admissibility or otherwise of certain amendments before the — was referred to Select Committee. 2304.

Motion to refer to Select Committee. 2341-44.

Motion to circulate. 2456-57.

Consideration of—

Clause 3. 2580.

Preamble. 2714, 2716-18, 2719, 2720, 2721.

**RATES TRIBUNAL—**Question *re* appointment of a — for railways. 2886.

**RATIO(S), OPERATING—**

Question *re* — of railways in foreign countries. 2417-19.

**RAWALPINDI—**

Question *re* case of Arjan Singh, clerk, — Post Office. 2895-96.

Question *re* case of Lachman Dass, clerk, — Post Office. 2861.

**RAY, Mr. KUMAR SANKAR—**

Question *re* arrangements for cremation at Lalmonirhat on the E. B. Railway. 2643.

Question *re* difference in rates of starting pay of the menial staff of the E. B. & N. W. Railways. 2642.

Question *re* employment of lady doctors or midwives in State Railway hospitals. 2641.

Question *re* establishment of match factories in India by the Swedish Match Company. 2426.

Question *re* grant of medical leave to the staff of the E. B. Railway. 2642-43.

Question *re* improved type of quarters for the Indian staff of State Railways. 2642.

Question *re* introduction of a time-scale of pay for the subordinate establishments of State Railways. 2641-42.

Question *re* medical attendance for the staff of State Railways. 2641.

Question *re* provision of latrines in quarters for the menial staff of the E. B. Railway. 2641.

Question *re* quarters for Indian Assistant station masters in the Katihar district. 2643.

Question *re* quarters of the station staff on the E. B. Railway. 2642.

Question *re* shifting of the site of the railway station at Faridpur. 2640-41.

Question *re* training of Indians for the Artillery. 2801.

**Steel Industry (Protection) Bill—**

Consideration of—

Clause 2. 2523.

**RECORD(S)—**

Question *re* permission to scholars to have access to certain Government of India —. 2876.

**RECRUITER(S)—**

Question *re* alleged malpractices of labour —. 2783-84.

**RECRUITMENT(S)—**

Question *re* — for the Indian Medical Service. 2866-67.

**REDDI, Mr. K. VENKATARAMANA—**

Resolution *re* Lee Commission's Report. 2823.

**Steel Industry (Protection) Bill—**

Consideration of —

Clause 2. 2499.

Schedule. 2688.

**REFORM(S)—**

Question *re* article in the "Forward" regarding the grant of fresh —. 2411.

Question *re* Committee on constitutional —. 2542-43.

Question *re* composition of the Committee of inquiry into the working of the —. 2545.

Question *re* departmental committee on the working of the —. 2532.

**REFORM(S)—contd.**

- Question *re* inquiry into the working of the ——. 2752, 2758, 2644-45.  
 Question *re* investigation into the working of the ——. 2270-71.  
 Question *re* ——— Committee. 2804-05.  
 Questions *re* ——— Inquiry Committee. 2752, 2753, 2799, 2870.  
 Question *re* ——— inquiry regarding relations between Governors and Ministers in the Provinces, etc. 2856.

**REFORMS COMMITTEE—**

- Question *re* personnel of the ——. 2774.  
 See under "Committee(s)".

**REFORMS INQUIRY COMMITTEE—**

- Questions *re* ——. 2751, 2752.  
 See under "Committee(s)".

**REFRESHMENT ROOMS—**

- Question *re* provision of Hindu and Mubannadan ——— at Victoria Terminus, Bombay. 2852.

**REGIMENTS—**

- Question *re* elimination of Hindustani Mussahans from Indian infantry ———. 2789-90.

**RELIEF FUND—**

- Question *re* the India and Burma Military and Marine ———. 2802.

**RELIEVING HANDS—**

- Question *re* payment of relieving allowances to ——— on State Railways. 2848.

**REPORT(S)—**

- Discussion *re* Lee Commission's ———. 2657-61, 2731-32.  
 Publication of the ——— of the Lee Commission. 2640.  
 Question *re* communication from the Indian Merchants Chamber regarding the Tariff Board's ———. 2414.  
 Question *re* cost of free supply of Blue-books and Administration ——— relating to central subjects to Members of the Indian Legislature. 2654.  
 Question *re* discussion of the ——— of the Frontier Committee, the Bar Committee and the Lee Commission. 2246-47.  
 Question *re* Lee Commission's ———. 2897-98.  
 Question *re* publication of the ——— of the Lee Commission. 2246.  
 Question *re* ——— of the Alliance Bank Inquiry Committee. 2360.  
 Question *re* ——— of the Frontier Committee and the Bar Committee. 2246.  
 Question *re* ——— of the Indian Mercantile Marine Committee. 2433.  
 Question *re* ——— of the Railway Risk Notes Revision Committee. 2744.  
 Question *re* ——— relating to the recruitment of seamen. 2761-63.

**REPRESSIVE LEGISLATION—**

- See under "Legislation".

**RESIDENT IN WAZIRISTAN—**

- Question *re* abolition of the posts of ——— and Political Agent for Wana. 2742.

**RESOLUTION(S)—**

- Question *re* action taken on non-official ——— passed by the Assembly during last session. 2260-62.  
 Question *re* ——— regarding rupee tenders. 2746.



RESOLUTION(S)—*contd.*

- Question *re* — *re* the release of Maulana Hasrat Mohani. 2244-45.  
 — *re* Lee Commission's Report. 2813-29, 2829-46.  
 — *re* removal of the import duty on sulphur. 2765-69.

## RESTAURANT CAR(S)—

- Question *re* — for Hindus on mail and express trains. 2272.

## RETRENCHMENT(S)—

- Question *re* — in the Military Engineering Service. 2269.  
 Question *re* — of permanent and reserve postal clerks. 2861-62.  
 Questions *re* — on Indian Railways. 2337, 2794.  
 Question *re* — recommended by Mr. Heseltine on the G. I. P. Railway.  
 2553.

## RETURN TICKET(S)—

- See* under "Tickets, Return".

## REVENUE(S)

- Question *re* share of the Provincial Governments in the — from "Taxes on Income". 2240.

## REVENUE AND EXPENDITURE—

- Question *re* — of each province at the time of the introduction of the new financial arrangements, etc. 2560-61.

## RIFLE FACTORY—

- Question *re* hours of work and holidays of the staff of the — and the Metal and Steel Factory at Ishapore. 2369-70.

## RIOT(S)—

- Question *re* casualties among Indians in the — in British Guiana. 2412-13.

## ROSS ALSTON, Mr.—

- Question *re* fees of —, barrister for the prosecution, in the Cawnpore conspiracy case. 2627.

## ROUBLE NOTES—

- Question *re* Russian —. 2903-04.

## ROUBLE NOTES, RUSSIAN—

- Question *re* —. 2749-50.

## ROY, Mr. BHABENDRA CHANDRA—

- Question *re* dismissal of employees of the Audit Office of the Bengal and North Western Railway. 2241-42.  
 Question *re* letter in the "Daily Gazette", Sindh, *re* "Disenfranchised Europeans of Sindh". 2240-41.  
 Question *re* re commendations of the Indian Bar Committee. 2254.  
 Question *re* wagon supply for coal. 2241.

## ROY, Mr. K. C.—

- Election of a member to the Public Accounts Committee to fill the vacancy caused by the resignation of his seat on the Assembly by —. 2353.

## ROYAL INDIAN MARINE—

- Question *re* re-organisation of the —. 2796.

## RULE(S)—

- Question *re* amendments of the Indian Legislative — or other statutory —. 2759-60.  
 Question *re* changes in statutory — relating to the Central Legislature 2653.

RULE(S)—*contd.*

- Question *re* memorial —. 2907-08.  
 Question *re* — relating to the power of making appointments to, and promotions in, offices under the Crown in India. 2265-66.  
 Question *re* — under the Immigration into India Act, 1924. 2439-40.

## RULING(S)—

- by Mr. Chairman that the Motion for Adjournment for the purpose of expressing indignation at the judgment of Mr. Justice McCardie in the O'Dwyer libel suit against Sir Sankaran Nair is out of order. 2812.  
 — by Mr. President that an amendment must be within the scope of the Bill and must not introduce a new or foreign subject into the Bill introduced for a particular purpose. 2293.  
 — by Mr. President that every motion for grant of money from the public revenues and every motion for appropriation of public revenues or for creating a charge on such revenues can be made only on the sanction or recommendation of the Crown. 2293.  
 — by Mr. President that he cannot uphold the objection of Mr. D. P. Sinha that Members interested in the Tata Company should not be allowed to take any part in the debate on the Steel Industry (Protection) Bill. 2485.  
 — by Mr. President that no motion to impose a tax can be made except on the recommendation of the Crown. 2293.  
 — by Mr. President that the amount of a tax proposed on behalf of the Crown cannot be augmented without a recommendation of the Crown. 2293.  
 — by Mr. President that the motion that the President do now leave the Chair is not in order. 2470.

## RUNNING TRAIN THEFTS—

*See* under "Thefts".

## RUPEE TENDERS—

- Question *re* Resolution regarding —. 2746.

## RUSSIAN ROUBLE NOTES—

- Question *re* —. 2903-04.

## S

## SADAR BAZAAR(S)—

- Question *re* exclusion of — from Cantonment areas. 2796-97.

## SADHUGANJ—

- Question *re* construction of the proposed Ishurdi-Pabna — Railway. 2250-51.  
 Question *re* financing of the proposed Ishurdi-Pabna — Railway. 2251.

## SADIQ HASAN, Mr. S.—

- Question *re* action taken on non-official Resolutions passed by the Assembly during last session. 2260-62.  
 Question *re* appointment of Indians as sub-divisional officers in Cantonments occupied by Indian troops. 2268-69.  
 Question *re* arrests in connection with the Khilafat procession at Peshawar on the 16th November, 1923. 2259.  
 Question *re* case of Abkar Ali, time-keeper, Kour station, on the Kalabagh Railway. 2263.  
 Question *re* case of Mr. Girdhari Lal, Sub-Record clerk, Railway Mail Service. 2267.  
 Question *re* Indianisation of the Military Engineering Services. 2267-68.

**SADIQ HASAN, Mr. S.—contd.**

Question *re* minimum and maximum salaries of certain classes of postal employees. 2259-60.

Question *re* number of Head Postmasters and Superintendents of Post Offices charge-sheeted in the Punjab in 1921-22 and 1923-24. 2406.

Question *re* recoveries from postal officials in the Punjab for loss of insured articles, etc. 2406-07.

Question *re* retrenchments in the Military Engineering Service. 2269.

Question *re* stoppage of increments of Postal Inspectors in 1921-22. 2406.

Question *re* strength of garrison engineers and sub-divisional officers (Military and Civil). 2268.

Question *re* Traffic Inspectors on the N. W. Railway. 2263-64.

**SAIDPUR—**

Question *re* appointment, as foremen, of Anglo-Indian and Indian apprentices trained at Kanehrapara and —. 2854.

**SALARY (IES)—**

Question *re* minimum and maximum — of certain classes of postal employees. 2259-60.

Question *re* — of European and Indian drivers on railways. 2534-35.

Question *re* — of Indian station masters and assistant station masters on the E. B. Railway. 2850.

**SALOON(S)—**

Question *re* reserved — for officials. 2791-93.

**SALT DEPARTMENT, NORTHERN INDIA—**

Question *re* abolition of the post of Deputy Commissioner, —. 2239.

Question *re* policy and standard of recruitment for the —. 2238.

Question *re* strength of inspectors and clerks in the —. 2239.

Question *re* supersession of Sardar Bahadur Lakshmir Singh, Assistant Commissioner, —. 2238-39.

**SAMASTIPUR—**

Question *re* erection of sheds for third class passengers at Sonepur and — railway stations on the Bengal and North Western Railway. 2364.

**SAMS, Mr. H. A.—**

Oath of Office. 2231.

**SANKARAN NAIR, Sir—**

Motion for Adjournment for the purpose of expressing indignation at the judgment of Mr. Justice McCardie in the O'Dwyer libel suit against —. 2812-13.

**SARDA, RAI SAHIB M. HARBILAS—**

Question *re* employment of Indians on the B., B. and C. I. and Rajputana Malwa Railways. 2869-70.

**SARFARAZ HUSSAIN KHAN, KHAN BAHADUR—**

Question *re* alleged ill-treatment of an Indian railway passenger by soldiers. 2529.

Question *re* allowances paid to tribal chiefs in the North-West Frontier Province. 2360-61.

Question *re* annual requirements of Government and annual output of the Tata Iron and Steel Company of certain classes of steel products. 2529-30.

Question *re* arrest after acquittal of persons involved in the Alipore Conspiracy Case. 2437.

Question *re* article in "Forward" regarding the grant of fresh reforms 2411.

SARFARAZ HUSSAIN KHAN, KHAN BAHADUR—*contd.*—

- Question *re* average wealth of the population of India. 2853.  
 Question *re* booking difficulties at Jharia station, etc. 2436-37.  
 Question *re* Burmese candidates for the last I. C. S. examination held in India. 2361.  
 Question *re* casualties among Indians in the riot in British Guiana. 2412-13.  
 Question *re* communication from the Indian Merchants' Chamber regarding the Tariff Board's Report. 2414.  
 Question *re* complaints regarding the Government Central Press. 2413.  
 Question *re* consumption of steel in India. 2803.  
 Question *re* contract with Messrs. Clements Robson and Company. 2412.  
 Question *re* cost of the Khyber Railway. 2630.  
 Question *re* decrease in the excise duty on woven goods. 2795-96.  
 Question *re* decrease in the export of Indian yarn. 2795.  
 Question *re* decrease in the output of yarn and woven goods manufactured by Indian mills. 2795.  
 Question *re* domicile of steamship companies engaged in the export trade in iron, steel and coal from India. 2364.  
 Question *re* duties and salaries of the gazetted officers of the Commercial Intelligence Department. 2361-62.  
 Question *re* duties of the British Consul at Jeddah towards Indian pilgrims to the Hedjaz, etc. 2362.  
 Question *re* duties of the President of the Forest Research Institute and of the Principal of the Forest College. 2368-69.  
 Question *re* employment of Mr. Kirkpatrick, late Deputy Conservator of Forests, as Labour Inspector at Jamshedpur. 2891-92.  
 Question *re* erection of sheds for third class passengers at Sonepur and Samastipur railway stations on the Bengal and North Western Railway. 2364.  
 Question *re* existing stock of articles on which protective duties are proposed to be levied. 2852.  
 Question *re* expenditure on cables exchanged between the Government of India and the India Office. 2363.  
 Question *re* failure of the Rangoon Wireless Service. 2413-14.  
 Question *re* Financial Advisers. 2363.  
 Question *re* foreign competition with the Indian steel industry. 2530.  
 Question *re* grievances of Faridpur railway passengers. 2640.  
 Question *re* grievances of third class passengers. 2412.  
 Question *re* inconveniences to railway passengers. 2803.  
 Question *re* India and Burma Military and Marine Relief Fund. 2802.  
 Question *re* intermediate class compartments for males and females on the East Indian Railway. 2865.  
 Question (Supplementary) *re* issue of orders in the vernacular by railway authorities. 2849.  
 Question *re* list of Directors and Shareholders of the Tata Iron and Steel Company, etc. 2640.  
 Question *re* Mahsud raids on the Frontier. 2414.  
 Question *re* manufacture of sulphur, sulphuric acid, etc., in India. 2796.  
 Question *re* new Stores Purchase Rules. 2411-12.  
 Question *re* number of pilgrims during the last Haj season. 2362-63.  
 Question *re* overcrowding of trains. 2361.  
 Question *re* Peninsular Locomotive Company, Limited. 2530-31.  
 Question *re* pension of one Bedar Bakht. 2436.  
 Question *re* percentage of Indian settlers in Uganda and Tanganyika. 2360.

**SARFARAZ HUSSAIN KHAN, KHAN BAHADUR—concl'd.**

- Question *re* petition of the Khoja Shia Isna Ashre community. 2359.  
 Question *re* position of station superintendents *vis-a-vis* station masters. 2364.  
 Question *re* post office delays. 2802-03.  
 Question *re* proposed substitution of the words "Indians and Burmese" for "Natives of India and Burma" in Government publications. 2412.  
 Question *re* publication of the Lee Commission's Report. 2640.  
 Question *re* purchase of return tickets by pilgrims for Mecca by the S. S. "Suja". 2362.  
 Question *re* quarters at Longwood Hotel, Simla. 2367-68.  
 Question *re* realisations from the sale of Post Office Cash Certificates. 2413.  
 Question *re* recommendations of the Indian Bar Committee. 2640.  
 Question *re* rent of quarters at Longwood Hotel, Simla. 2365-67.  
 Question *re* re-organisation of the Royal Indian Marine. 2796.  
 Question *re* report of the Alliance Bank Inquiry Committee. 2360.  
 Question *re* representatives of India at the Imperial Conferences and the meetings of the League of Nations. 2359-60.  
 Question *re* sinking of a pilgrim ship. 2363.

**SARKAR, MR. HEMANTA KUMAR—**

- Question *re* litigation between the E. I. Railway and one ——. 2876-77.

**SASTRI, RAO BAHADUR C. V. VISVANATHA—**

- Oath of Office. 2231.

**SAYAJIGANJ—**

- Question *re* transmission of messages from Baroda to — via Ahmedabad. 2811.

**SCHOLAR(S)—**

- Question *re* permission to — to have access to certain Government of India records. 2876.

**SCHOLARSHIP(S)—**

- Question *re* grant of a State — to an Indian graduate lately employed as an apprentice in the Jamalpur Workshop of the East Indian Railway. 2873.

**SCHOLARSHIP(S), TECHNICAL—**

- Question *re* rules governing the award of — for study abroad. 2387.

**SCHOOL(S)—**

- Question *re* annual stipends granted by the E. B. Railway, to the children of European, Anglo-Indian and Indian employees attending hill ——. 2874.  
 Question *re* expenditure on railway ——. 2873.  
 Question *re* utilization of the Fines Fund on the B. N. Railway for providing outfit allowances for children of employees attending hill ——. 2875.

**SEAMEN—**

- Question *re* extension of the benefit of the Workmen's Compensation Act to Indian ——. 2855.  
 Question *re* recommendations of the —'s Recruitment Committee. 2760-61.  
 Question *re* reports relating to the recruitment of ——. 2761-63.

**SEAMEN, INDIAN—**

- Question *re* inclusion of — in the Workmen's Compensation Act, 1923. 2771-72.

**SEAMEN'S RECRUITMENT BUREAU—**

- Question *re* constitution of advisory committees along with the establishment of the — at Calcutta. 2771.  
 Question *re* — at Calcutta. 2771.

**SEAMEN'S RECRUITMENT COMMITTEE—**

Question *re* recommendations of the —. 2760-61.

Question *re* representations regarding the recommendations of the —. 2771.

**SECRETARY OF STATE—**

Question *re* control of the — over provincial Governments' land revenue legislation. 2754.

Question *re* exercise of the —'s powers of superintendence, direction and control of the civil and military government of India, etc. 2253-54.

Question *re* previous sanction of the — to the introduction of legislation in the Assembly and in provincial Legislative Councils. 2393.

Question *re* subjects in regard to which recourse is had to previous consultation with the — for India instead of obtaining his previous sanction. 2391-92.

**SEIGEANT(S)—**

Question *re* discharge of chowkidars and — by the E. I. Railway. 2742-43.

**SEVICE(S)—**

Question *re* contributions to institutions training candidates for the Indian Civil and Military —. 2548-49.

**SHADOWING—**

Question *re* alleged — of Members of the Legislative Assembly by the police, 2772.

**SHAFLI, THE HONOURABLE DR. MIAN SIR MUHAMMAD—**

Steel Industry (Protection) Bill—

Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2474-75.

**SHAREHOLDER(S)—**

Question *re* list of Directors and — of the Tata Iron and Steel Co., etc. 2640.

**SHED(S)—**

Question *re* erection of — for third class passengers to Sonapur and Samastipur railway stations on the Bengal and North-Western Railway. 2364.

Question *re* erection of — on the platforms at Kotai station. 2537-38.

**SHIFT SYSTEM—**

Question *re* introduction of the — in mines and prohibition of the employment of women underground. 2736.

**SHIP—**

*See* under "Pilgrim Ship".

**SHOLAPUR—**

Question *re* reduction of the number of sets of R. M. S. sorters working between Bombay and —. 2810.

**SHOOTING—**

Question *re* — of Indians in British Guiana. 2775.

**SICKNESS—**

Question *re* — among the staff of the Lalmonirhat district of the E. B. Railway. 2849.

**SIDHVA, MR. R. K.—**

Questions *re* alleged assault by soldiers on — at the Karachi railway station. 2424, 2426, 2544, 2645.

## SIDING(S)—

Question *re* railway — at Feny River Ghat. 2251-52.

## SIGNALLER(S)—

Question *re* grievances of the — of the Lalmonirhat district of the Eastern Bengal Railway. 2848.

## SINDH—

Question *re* letter in the "Daily Gazette", Sindh, *re* Disenfranchised Europeans of —". 2240-41.

## SINGH, MR. GAYA PRASAD—

Question *re* abolition of Boards of Revenue. 2374.

Question *re* alleged assault by soldiers on Mr. R. K. Sidhva at Karachi Cantonment station. 2645.

Question (Supplementary) *re* alleged attempt by the authorities of a certain railway to prejudice the success of the State management of the line. 2809-10.

Question *re* alleged canvassing of Members of Parliament by the Honourable Sir Malcolm Hailey. 2384-85.

Question *re* alleged malpractices of labour recruiters. 2783-84.

Question *re* boycott of foreign made cloth. 2781.

Question *re* case of Panna Lal Gopi, late assistant station master, Karbighwan, E. I. Railway. 2420-21.

Question *re* change in the Waziristan policy. 2333.

Question *re* complaints against the Howrah railway staff. 2374.

Question *re* contract with the Bengal and North Western Railway. 2385-86.

Question *re* correspondence relating to the Khilafat Delegation. 2382-83.

Question *re* detention of telegraph messages relating to the release of Mahatma Gandhi. 2385.

Question *re* dismissal of Mr. N. Subba Rao, telegraphist of Bezwada. 2407-11.

Question *re* emigration agents employed by the Emigration Depot at Benares. 2782-83.

Question *re* emigration agents in Mauritius. 2783.

Question *re* Emigration Depôt at Benares. 2781-82.

Question *re* employment of the Indian Army outside India. 2866.

Question (Supplementary) *re* erection of sheds for third class passengers at important railway stations on the Bengal and North Western Railway. 2365.

Question *re* expenditure on the lighting and buoys of the Persian Gulf. 2383.

Question *re* floods in Bihar. 2426-28.

Question *re* floods in Bihar and Orissa. 2383-84.

Question *re* impending legislation prejudicially affecting the political rights of Indians in Mauritius. 2783.

Question *re* Indian People's Famine Trust Fund. 2777-80.

Question *re* inquiry into the working of the reforms. 2644-45.

Question *re* inspection remarks of visitors to the Emigration Depôt, Benares. 2783.

Question *re* insufficiently screened latrines at stations on the East Indian and the Bengal and North-Western Railways. 2375.

Question *re* Judges appointed to examine the cases of State Prisoners in Bengal. 2407.

Question (Supplementary) *re* law relating to the interception of the correspondence of private individuals. 2773.

SINGH, MR. GAYA PRASAD—*contd.*

- Question *re* levy of toll at the bridge over the Gunduk between Hajipur and Sonepur. 2386.
- Question *re* number of labourers recruited by the Emigration Dépôt, Benares. 2783.
- Question *re* overcrowding and unpunctuality of trains on the Howrah-Machada section of the Bengal Nagpur Railway. 2374.
- Question *re* percentage of votes polled at the general elections for the Legislative Assembly in 1920 and 1923, respectively. 2373-74.
- Question *re* proscription of Lala Lajpat Rai's book "Young India." 2428.
- Question *re* proscription of Mr. H. M. Hyndman's book "The Awakening of Asia." 2428.
- Question *re* recruitment for the Indian Medical Service. 2866-67.
- Question *re* refusal of passports to members of the Khilafat Delegation to certain Muslim countries. 2375-82.
- Question (Supplementary) *re* Resolution relating to the release of Maulana Hasrat Mohani. 2245.
- Question (Supplementary) *re* shadowing of Members of the Legislative Assembly. 2774.
- Question (Supplementary) *re* shooting of Indians in British Guiana. 2775.
- Question (Supplementary) *re* State *vs.* Company management of Railways. 2416.
- Question *re* strength of parties in the Legislative Assembly. 2776.
- Question *re* subscriptions by civil and military officers to the Dyer Fund. 2865-66.
- Question *re* vernacular notification published by the Emigration Commissioner, Benares. 2782.
- Resolution *re* Lee Commission's Report. 2846.

## SINHA, MR. DEVAKI PRASAD—

- Expressions of condolence at the deaths of Maulvi Miyan Asjadullah and Sir Ashutosh Mukharji. 2235.
- Lee Commission's Report. 2659.
- Motion for Adjournment to consider the Lee Commission's Report. 2395.
- Question *re* alleged canvassing of Members of Parliament by the Honourable Sir Malcolm Hailey. 2651-52.
- Question *re* assaults on Indian railway passengers by Europeans. 2654.
- Question *re* changes in statutory rates relating to the Central Legislature. 2653.
- Question *re* Committee appointed by the British Cabinet to consider Indian affairs. 2543.
- Question *re* Committee on constitutional reforms. 2542-43.
- Question (Supplementary) *re* consultation with the Workers' Organisations in India regarding subjects to be discussed by the International Labour Conferences. 2735-2736.
- Question *re* cost of free supply of Blue-books and Administration Reports relating to Central subjects to Members of the Indian Legislature. 2654.
- Question (Supplementary) *re* discontinuance of the sale of Government of India publications at the provincial Govts.' Book Dépôts. 2438.
- Question *re* dismissal of Mr. Subba Rao, telegraphist. 2540-42.
- Question (Supplementary) *re* dismissal of Mr. Subba Rao, telegraphist, Bezvada. 2634.
- Question (Supplementary) *re* expenditure on the Forest Research Institute, Dehra Dun. 2631.
- Question (Supplementary) *re* floods in Bihar. 2428.



SINHA, MR. DEVKAI PRASAD—*contd.*

- Question (Supplementary) *re* granting of promotion to Income-tax officers. 2858.
- Question (Supplementary) *re* India's representative at the Advisory Commission of the League of Nations dealing with the opium traffic. 2624.
- Question (Supplementary) *re* inquiry into the working of the Government of India Act, 1919. 2639.
- Question *re* jail reform. 2538-39.
- Question (Supplementary) *re* labour representation on the Central and Local Legislatures. 2740.
- Question (Supplementary) *re* levy of a poll-tax in Kenya. 2545.
- Question (Supplementary) *re* levy of taxation by executive action. 2758.
- Question *re* naturalisation of Indians in the United States of America. 2652-53, 2741.
- Question (Supplementary) *re* nominated official Members of the Central Legislature. 2632.
- Question *re* passenger trains between Sone East Bank and Daltonganj on the East Indian Railway. 2855-56.
- Question *re* prohibition of the employment of women and children in mines, etc. 2856-57.
- Question (Supplementary) *re* prohibition of the wearing of *khaddar* by Government servants, etc. 2426.
- Question (Supplementary) *re* racial discretion between employees on State Railways. 2738.
- Question *re* reforms inquiry regarding relations between Governors and Ministers in the provinces, etc. 2856.
- Question (Supplementary) *re* rent of quarters at Longwood Hotel, Simla. 2265-2366, 2367.
- Question (Supplementary) *re* Resolution relating to the release of Maulana Hasrat Mohani. 2245.
- Question *re* sale of Government of India Blue-books at the headquarters of provincial Governments. 2654-55
- Question (Supplementary) *re* tenders for locomotives. 2637-2638.
- Question (Supplementary) *re* working hours of traffic and transport staff on Indian railways. 2549.
- Steel Industry (Protection) Bill—
- Motion to circulate. 2452-55, 2456, 2457, 2458, 2466.
- Proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2470, 2485.
- Proposal that the Honourable the President do now leave the Chair. 2470.
- Consideration of—
- Clause 2. 2500, 2501.
- Clause 3. 2573, 2588-90, 2592, 2598.
- Clause 6. 2677, 2678.
- Schedule. 2683, 2684-85, 2686-87.
- Preamble. 2724.

## SIRONJIA—

- Question *re* proposed construction of railways between Raipur and Vizianagram and — and Rajahmundry. 2404.

## SITA RAM, LALA—

- Question *re* assessment to income-tax of —. 2256-57.

## SLAUGHTER HOUSE(S), MILITARY—

Question *re* total number of bovine cattle slaughtered in —. 2657.

## SOLDIER(S)—

Question *re* alleged assault by British — on Mr. R. K. Sidhva of Karachi. 2424, 2426, 2544, 2645.

Question *re* alleged assault by — on a Parsi passenger at the Karachi Cantonment Railway station. 2533-34.

Question *re* alleged ill-treatment of an Indian railway passenger by —. 2529.

Question *re* disinterment and cremation of the bodies of Hindu and Sikh — killed in the Great War. 2425.

## SOMAR CHAND AND SONS, MESSRS.—

Question *re* alleged profiteering by —, food vendors on the E. B. Railway. 2851-52.

## SONE EAST BANK—

Question *re* passenger trains between — and Daltonganj on the E. I. Railway. 2855-56.

## SONEPUR—

Question *re* erection of sheds for third class passengers at — and Samastipur railway stations on the Bengal and North Western Railway. 2364.  
*See* under "Gunduk."

## SORTER(S)—

Question *re* reduction of the number of sets of R. M. S. — working between Bombay and Sholapur. 2810.

## SOUTH AFRICAN(S)—

Question *re* number of Americans and — in India and amount of property held by them in this country, etc. 2774.

## SOUTH AFRICAN COAL—

*See* under "Coal."

## SOUTH INDIAN RAILWAY—

Question *re* — strike. 2909.

Question *re* third class passenger fares on the —. 2733.

## SOUTHERN COMMAND AND POONA DISTRICT—

Question *re* production of medical certificates by the establishment of the office of the Controller of Military Accounts, —, etc. 2643-44

## STAFF—

Question *re* working hours of traffic and transport — on Indian railways. 2549.

## STAFF COUNCILS—

Question *re* improvement of the constitution of — on the G. I. P. Railway. 2882.

Question *re* — on the G. I. P. Railway. 2878.

## STAFF SELECTION BOARD—

Question *re* — 's examination. 2807.

## STANDING FINANCE COMMITTEE—

Meetings of the — and of the Committee on the separation of Railway Finances. 2763.

## STATE MANAGEMENT—

Question *re* alleged attempt by the authorities of a certain Railway to prejudice the success of the — of the line. 2809-10.

## STATE PRISONER(S)—

Question *re* Judges appointed to examine the cases of — in Bengal. 2407.

## STATE RAILWAY(S)—

Question *re* conversion of the G. I. P. and B., B. & C. I. Railways into —. 2750.

Question *re* enhanced powers of agents of — and Directors of Company-managed Railways in regard to establishments. 2388.

Question *re* local traffic service on — and on the E. I. Railway. 2884-86.

Question *re* payment of relieving allowances to relieving hands on —. 2848.

Question *re* racial discrimination between employees on —. 2738.

Question *re* vacancies in the Provincial Engineering Service on —. 2853.

*See* under "Railway(s)."

## STATE RAILWAY HOSPITALS—

*See* under "Hospital(s)."

## STATE SCHOLARSHIP—

*See* under "Scholarship."

## STATEMENT(S) (LAID ON THE TABLE)—

— *re* licenses for fire-arms. 2276.

— *re* position of members of the domiciled community in the British and Indian Army. 2276.

## STATION HOSPITAL(S)—

Question *re* percentage of Indian Medical Officers in India —. 2557.

## STATION MASTER(S)—

Question *re* allegations against the — of Kasur. 2527-29.

Question *re* charge allowance of European and Anglo-Indian —. 2535.

Question *re* European and Anglo-Indian — and Assistant — on the Eastern Bengal Railway. 2850-51.

Question *re* position of station superintendents *vis-a-vis* —. 2364.

Question *re* salaries of Indian — and Assistant — on the Eastern Bengal Railway. 2850.

## STATION STAFF—

Question *re* quarters of the — on the E. B. Railway. 2642.

## STATION SUPERINTENDENT(S)—

Question *re* position of — *vis-a-vis* station masters. 2364.

## STATIONERY—

Question *re* powers of Local Governments to purchase locally manufactured — and stores. 2271.

## STATISTICS—

Question *re* compilation of — relating to the condition of labour employed on Indian railways. 2553.

## STATUTORY RULES—

Question *re* amendments of the Indian Legislative Rules or other —. 2759-60.

*See* under "Rule(s)."

## STEAMSHIP COMPANIES—

Question *re* domicile of — engaged in the export trade in iron, steel and coal from India. 2364.

## STEEL—

Question *re* consumption of — in India. 2803.

Question *re* foreign iron and — purchased by Government Departments. 2749.

Question *re* iron and — of Indian and foreign origin purchased by State and guaranteed Railways, etc. 2748.

Question *re* price of iron, — and other products purchased by Government from the Tata Iron and — Company and from other firms. 2247-48.

## STEEL INDUSTRY—

Question *re* foreign competition with the Indian —. 2530.

## STEEL INDUSTRY (PROTECTION) BILL—

Question *re* liability of Indian States to pay the protective duties imposed by the —. 2847-48.

*See* under "Bill(s)."

## STEEL PRODUCTS—

Question *re* annual requirements of Government and annual output of the Tata Iron and Steel Company of certain classes of —. 2529-30.

## STIPEND(S)—

Question *re* annual — granted by the E. B. Railway to the children of European, Anglo-Indian and Indian employees attending hill schools. 2874.

Question *re* monthly — of Sultan Mariam Begum. 2791.

## STORE(S)—

Question *re* contract for Government —. 2746-47.

Question *re* expenditure on — for the Currency Department. 2859.

Question *re* powers of Local Governments to purchase locally manufactured stationery and —. 2271.

Question *re* purchase of railway —. 2747-48.

## STORES PURCHASE RULES—

Question *re* new —. 2411-12.

## STRIKE(S)—

Question *re* South Indian Railway. 2909.

## STUDENT(S)—

Question *re* admission of European, Anglo-Indian and Indian — to the Railway Technical Institute, United Provinces. 2250.

Question *re* Indian technological — abroad. 2274-75.

## SUBBA RAO, Mr.—

Question *re* dismissal of —, a telegraphist. 2265, 2407-11, 2425, 2540-42, 2632-34.

## SUB-DIVISIONAL OFFICER(S)—

Question *re* strength of garrison engineers and — (Military and Civil). 2268.

L103LA

**SUBEDAR(S)—**

Question *re* jamadars, — and subedar majors in the fighting units and also in the Indian Medical Department of the Indian Army. 2546-48.

**SUBEDAR MAJOR(S)—**

Question *re* jamadars, subedars and — in the fighting units and also in the Indian Medical Department of the Indian Army. 2546-48.

**SUBORDINATE ACCOUNTS SERVICE—**

Question *re* probationers in the —. 2907.

**SUBORDINATE STAFF—**

Question *re* leave of lower — in the traffic and transport department of the G. I. P. Railway. 2552.

**SUBRATI—**

Question *re* case of —. 2793.

**SUBSCRIPTION(S)—**

Question *re* — by civil and military officers to the Dyer Fund. 2965-66.

**"SUJA", S. S.—**

Question *re* purchase of return tickets by pilgrims for Mecca by the —. 2362.

**SULPHUR—**

Question *re* manufacture of —, sulphuric acid, etc., in India. 2796.

Question *re* removal of the duty on —. 2526.

Resolution *re* removal of the import duty on —. 2765-69.

**SULPHURIC ACID—**

Question *re* manufacture of sulphur, —, etc., in India. 2796.

**SUPERINTENDENT OF POST OFFICES—**

Question *re* number of head postmasters and — charge-sheeted in the Punjab in 1921-22 and 1923-24. 2406.

**SUPERIOR STAFF—**

Question *re* training facilities for — employed by State and Company-managed Railways. 2525-26.

**SUPERSESSION(S)—**

Question *re* — in the office of the Post Master General, Punjab. 2558.

**SUPPLY AND TRANSPORT DEPARTMENT—**

Question *re* sale of surplus stocks of whisky by the —, Lahore. 2797-98.

**SURAT—**

Question *re* alleged over-assessment to income-tax of a merchant of — by the Income-tax Officer of that place. 2857-58.

**SURPLUS STOCKS—**

Question *re* sale of — of whisky by the Supply and Transport Department, Lahore. 2797-98.

**SURVEY DEPARTMENT, MADRAS—**

Question *re* difference in terms of service of employees of the — and II class officers of the Survey of India. 2264-65.

**SURVEY OF INDIA—**

Question *re* difference in terms of service of employees of the Madras Survey Department and II class officers of the —. 2264-65.

Question *re* European officers in the —. 2625-26.

**SWEDISH MATCH COMPANY—**

Question *re* establishment of match factories in India by the —. 2426.

**SYAMACHARAN, Mr.—**

Question *re* latrines on the Bengal and North Western Railway stations. 2236.

Question *re* letters of the Bombay Humanitarian League, dated respectively, the 30th January and 10th March, 1924. 2236.

**SYKES, Mr. E. F.—**

Oath of Office. 2231.

**TADEPALLIGUDEM—**

Question *re* proposed remodelling of the Nidadavolu and — stations on the M. and S. M. Railway. 2404-05.

**TAMBARAM—**

Question *re* double line railway project from — to Madras. 2733.

**TANGANYIKA—**

Question *re* percentage of Indian Settlers in Uganda and —. 2360.

**TARGET—**

Question *re* dangers attendant on the location of the new — for the use of the Ghorpadi cavalry. 2437-38.

**TARIFF BOARD—**

Question *re* annual programme of the —. 2403.

Question *re* communications from the Indian Merchants Chamber regarding the —'s report. 2414.

**TARAKESSAR—**

Question *re* extension of the — branch of the E. I. Railway from — to the Damodar embankment. 2877.

**TATA IRON AND STEEL COMPANY, THE—**

Question *re* annual requirements of Government and annual output of — of certain classes of steel products. 2529-30.

Question *re* list of Directors and shareholders of —, etc. 2640.

Question *re* price of iron, steel and other products purchased by Government from — and from other firms. 2247-48.

Question *re* —. 2355-56.

**TAX(ES)—**

Question *re* recovery of municipal and other — from certain classes of Government servants occupying free quarters. 2810.

**T****TAXATION—**

Questions *re* Committee on Indian —. 2756-57, 2759.

Question *re* levy of — by executive action. 2757-58.

**TAXATION COMMITTEE—**

See under "Committee(s)."

**TAXES ON INCOME—**

Question *re* share of the Provincial Governments in the revenue from —. 2240.

**TECHNOLOGICAL STUDENTS, INDIAN—**

Question *re* Indian — abroad. 2274-75.

**TECHNOLOGICAL STUDIES—**

Question *re* provision of facilities for — in India. 2273-74.

**TELEGRAM(S)—**

Question *re* cost of — recommending the Cantonment Superintendent, Hyderabad, Sind, for the post of Executive Officer. 2863.

**TELEGRAPH FORMS AND ENVELOPES—**

Question *re* earnings from advertisements on —. 2272.

**TELEGRAPHIST(S)—**

Question *re* contracts of —. 2898-2903.

**TENANCY (IES)—**

Question *re* rule of primogeniture obtaining in the case of — held by cavalry grantees in the Lower Jhelum Canal Colony. 2803-04.

**TENDER(S)—**

Question *re* — for locomotives. 2634-38.

**TENTAGE ALLOWANCE—**

*See* under "Allowance(s)."

**TERMINAL STATION—**

Question *re* acquisition of land by the B. B. & C. I. Railway for extension of their — in Bombay. 2746.

**TERRITORIAL FORCE, INDIAN—**

Question *re* appointment of an Indian Christian to the Committee on the expansion of the —. 2655.

**THEFTS—**

Question *re* liability of pointsmen on the B. & N. W. Railway in cases of running train —. 2880.

**THIRD CLASS PASSENGER(S)—**

Question *re* erection of sheds for — at Sonepur and Samastipur railway stations on the Bengal and North-Western Railway. 2364.

Question *re* facilities for — traffic on railways in the United States of America. 2419-20.

Question *re* grievances of —. 2412.

Question *re* grievances of — on the local Howrah to Burdwan service on the East Indian Railway. 2877-78.

Question *re* — fares on the South Indian Railway. 2733.

**TICKET(S)—**

Question *re* platform —. 2790.

Question *re* purchase of return — by pilgrims for Mecca by the S. S. "Suja". 2362.

**TICKET COLLECTORS—**

Question *re* excess fare earnings of — on the Eastern Bengal Railway. 2879.

Question *re* submission of statements of earnings beyond their lawful salaries by — of the North-Western Railway, Karachi District. 2424-25.

**TICKET EXAMINER(S)—**

Question *re* harassment of Members of the Legislative Assembly by — at railway stations. 2773-74.

**TIME SCALE—**

Question *re* additional expenditure incurred by the introduction of the — in the Military Accounts Department. 2372-73.

**TOLL—**

Question *re* levy of — at the bridge over the Gunduk between Hajipur and Sonepur. 2386.

**TOTTENHAM, MR. A. R. L.—**

Oath of Office. 223L.

**TOUR(S)—**

Question *re* — of inspection of the Postmaster General, Punjab Postal Circle. 2892-93.

**TOUR PROGRAMMES—**

Question *re* circulation of — of high officials to post offices. 2861.

**TOWNSEND, MR. C. A. H.—**

Oath of Office. 2231.

**TRAFFIC INSPECTORS—**

Question *re* — on the North-Western Railway. 2263-64.

**TRAFFIC STAFF—**

Question *re* uniforms for the — of the O. & R. Railway. 2787.

**TRAIN(S)—**

Question *re* complaints regarding the timings of certain down local — between Howrah and Burdwan on the East Indian Railway. 2878.

Question *re* overcrowding of —. 236L.

Question *re* passenger — between Sone East Bank and Daltonganj on the East Indian Railway. 2855-56.

**TRAINING FACILITIES—**

Question *re* — for superior staff employed by State and Company-managed railways. 2525-26.

**TRAVELLING ALLOWANCE(S)—**

Question *re* — of the Postmaster General, Punjab Postal Circle, during 1920-21, 1921-22, 1922-23 and 1923-24. 2893-94.

Question *re* — of the Postmasters General in India during 1922-23 and 1923-24. 2888.

**TROOPS, INDIAN—**

Question *re* appointment of Indians as sub-divisional officers in Cantonments occupied by —. 2268-69.

Question *re* provision of canteens for —. 2889.

**TUCKER, MR.—**

Question *re* alleged assault by — upon an Indian clerk. 2793-94.

**U****UGANDA—**

Question *re* percentage of Indian settlers in — and Tanganyika. 2360.

**UJAGAR SINGH BEDI, BABA—**

Steel Industry (Protection) Bill—

Motion to circulate. 2452, 2458, 2459-60, 2464, 2467.

**UNIFORM(S)—**

Question *re* — for the traffic staff of the O. and R. Railway. 2787.

L103LA



## UNION(S)—

Question *re* names of Railwaymen's — or Associations recognised by the authorities of the Indian Railways. 2880-81.

Question *re* official recognition of Railway — or Associations. 2880.

Question *re* resolutions of the Wadi Bunder branch (Bombay) of the G. I. P. Railway Staff —. 2883.

Question *re* rival — on the O. and R. Railway. 2785-86.

## UNIT(S)—

Question *re* stoppage of conveyance allowance of clerks and accountants attached to — and formations. 2906-07.

## UNITED PROVINCES—

Question *re* admission of European, Anglo-Indian and Indian students to the Railway Technical Institute, —. 2250.

## UNITED STATES OF AMERICA—

Question *re* facilities for third class passenger traffic on railways in the —. 2419-20.

## UNIVERSITY OFFICERS' TRAINING CORPS—

Question *re* admission of Indian students to the —. 2388-89.

## UPPER SUBORDINATE APPOINTMENTS—

*See* under "Appointments."

## V

## VACANCY (IES)—

Question *re* advertising of — on the Eastern Bengal Railway. 2850.

## VENDOR(S)—

Question *re* alleged profiteering by Messrs. Somar Chand and Sons, food — on the E. B. Railway. 2851-52.

Question *re* card passes issued to — on the E. B. Railway. 2851.

Question *re* licence fees of food — on the E. B. Railway. 2851.

## VENKATAPATIRAJU, MR. B.—

Question (Supplementary) *re* facilities for third class passenger traffic on railways in the U. S. of America. 2420.

Resolution *re* Lee Commission's Report. 2844.

## VERNACULAR—

• Question *re* issue of orders in the — by Railway authorities. 2849.

## VETERINARY ASSISTANT(S)—

Question *re* pay of — of the Army Remount Department and of the Army Veterinary Corps. 2254-56.

## VICTORIA TERMINUS—

Question *re* provision of Hindu and Muhammadan refreshment rooms at —, Bombay. 2852.

## VISHINDAS, MR. HARCHANDRAI—

Question *re* alleged assault by soldiers on Mr. R. K. Sidhva at the Karachi Railway station. 2424, 2426.

Question *re* closing of goods and parcel offices on Indian holidays. 2802.

Question *re* disinterment and cremation of the bodies of Hindu and Sikh soldiers killed in the Great War. 2425.

VISHINDAS, MR. HARCHANDRAI—*contd.*

- Question *re* distinctions in rates of pay drawn by Anglo-Indians, Christians, Parsis and Indians on the N.-W. Railway. 2801-02.
- Question *re* exemption from payment of excise duty on motor spirits granted to the Indian Products Company and the Hartikool Oil Co. 2430.
- Question *re* grant of passports to the proposed members of the Khilafat Delegation to Turkey, etc. 2430-31.
- Question *re* guards and drivers on the N.-W. Railway. 2533.
- Question *re* high price of petrol in India. 2435-36.
- Question *re* house-rent allowance for relieving goods clerks. 2802.
- Question *re* promotion of various classes of employees on the N.-W. Railway. 2802.
- Question *re* proposed construction of an overbridge at the Clifton railway crossing at Karachi. 2429.
- Question *re* Reforms Inquiry Committee. 2799.
- Question *re* submission of statement of earnings beyond their lawful salaries by ticket collectors of the N.-W. Railway, Karachi District. 2424-25.
- Question *re* uncovered platforms at Karachi Cantonment station. 2429.
- Question *re* uncovered platforms at Kotri Junction on the N.-W. Railway. 2429.
- Steel Industry (Protection) Bill—  
Discussion *re* admissibility or otherwise of certain amendments before the — was referred to Select Committee. 2300.

## VIZIANAGRAM—

- Question *re* proposed construction of railways between Raipur and — and Sironcha and Rajahmundry. 2004.

## VOTES—

- Question *re* percentage of — polled at the general elections for the Legislative Assembly in 1920 and 1923, respectively. 2373-74.

## W

## WADI BUNDER—

- Question *re* resolutions of the — Branch (Bombay) of the Great Indian Peninsula Railway Staff Union. 2883.
- Question *re* working hours of the staff of the Great Indian Peninsula Railway at —. 2550-51.

## WAGE(S)—

- Question *re* delay in payment of monthly — to employees in organised factories. 2737.
- Question *re* regulation of the payment of — within a fixed period after they are due. 2737-38.

## WAGON(S)—

- Question *re* encouragement of the manufacture of — and locomotives in India. 2638-39.
- Question *re* — supply for coal. 2241.

## WAITING ROOM(S)—

- Question *re* construction of — at Kovur and Kavali railway stations. 2253.
- Question *re* Indian ladies' — at the Moradabad railway station. 2628.
- Question *re* — for Indians at Manmad Junction. 2405-06.

**WAJIHUDDIN, HAJI—**

- Question *re* complimentary passes issued to Indians and Europeans on the East Indian Railway. 2357.
- Question *re* elimination of Hindustani Mussalmans from Indian infantry regiments. 2789-90.
- Question (Supplementary) *re* grant of the franchise in Cantonments. 2651.
- Question *re* Local Advisory Councils on railways. 2357.
- Question *re* loss of luggage of Indian pilgrims to the Hedjaz by fire on the S.S. "Frangestan". 2358.
- Question *re* opening of the port of Calcutta to pilgrim traffic. 2790-91.
- Question *re* pilgrims to the Hedjaz. 2357-58.
- Question *re* platform tickets. 2790.
- Question *re* reduction of railway fares. 2356-57.
- Question *re* treatment of plague patients in Cantonments. 2789.

**WALTAIR—**

- Question *re* renewal of the railway track between — and Calcutta. 2903.

**WANA, POLITICAL AGENT FOR—**

- See* under "Political Agent for Wana."

**WAR—**

- Question *re* calculation of period of re-employment in the Military Accounts Department during the — for pension or gratuity. 2443.
- Question *re* compensation paid to the families of Indian soldiers, sailors and labourers who died on active service during the —. 2370-71.
- Question *re* disinterment and cremation of the bodies of Hindu and Sikh soldiers killed in the Great —. 2425.
- Question *re* issue of opium during the — to Indian personnel on active service. 2889-90.

**WATCH AND WARD STAFF—**

- Question *re* introduction of — on Railways. 2786-87.

**WAZIRISTAN POLICY—**

- Question *re* change in the —. 2383.

**WAZIRISTAN, RESIDENT IN—**

- See* under "Resident in Waziristan."

**WEALTH, AVERAGE—**

- Question *re* — of the population of India. 2853.

**WHIPPING—**

- Question *re* abolition of — for certain criminal offences. 2854-55.

**WHISKY—**

- Question *re* sale of surplus stocks of — by the Supply and Transport Department, Lahore. 2797-98.

**WILLSON, MR. W. S. J.—**

- Congratulations to Mr. President, the Honourable Sir Alexander Muddiman and the Honourable Sir Bhupendra Nath Mitra. 2235.
- Expressions of condolence at the deaths of Mr. Satish Chandra Ghosh, Maulvi Miyan Asjadullah and Sir Ashutosh Mukharji. 2234-35.
- Question (Supplementary) *re* effect of the enhanced duty on motor cars. 2650.
- Question *re* facilities for the coal trade. 2865.
- Question *re* income-tax on the tentage allowance of military officers. 2806.
- Question *re* indistinct postmarking of letters. 2253.

INDEX TO LEGISLATIVE ASSEMBLY DEBATES.

**WILLSON, MR. W. S. J.—*contd.***

Question (Supplementary) *re* Local Advisory Committees for railways. 2441.

• Question *re* notice of loss or destruction of mails. 2651.

Question *re* validity of certain clauses of instruments executed under the Indian Stamp Act. 2432-33.

Steel Industry (Protection) Bill—

Motion to consider. 2304-08.

Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2475-76.

Consideration of—

Clause 2. 2510-11, 2518.

Schedule. 2690, 2693-94, 2695-96.

Clause 3. 2602-05, 2611.

**WIRELESS SERVICE, RANGOON—**

Question *re* failure of the —. 2413-14.

**WOMEN—**

Question *re* introduction of the shift system in mines and prohibition of the employment of — underground. 2736.

Question *re* prohibition of the employment of — and children in mines, etc. 2856-57.

**WORKING HOURS—**

Question *re* limitation of the — of employees on Indian railways. 2552-53.

Question *re* — of certain classes of employees on the Great Indian Peninsula Railway. 2552.

Question *re* — of the staff of the Great Indian Peninsula Railway employed at Wadi Bunder. 2550-51.

• Question *re* — of subordinates employed in railway goods sheds. 2550.

Question *re* — of traffic and transport staff on Indian railways. 2549.

**WORKMEN'S BREACH OF CONTRACT ACT, 1859—**

Question *re* repeal of section 492 of the Indian Penal Code and of the —. 2736.

**WORKMEN'S COMPENSATION ACT, 1923—**

Question *re* extension of the benefit of the — to Indian seamen. 2855.

Question *re* inclusion of Indian seamen in the —. 2771-72.

**WORKSHOP(S)—**

Question *re* chargemen and journeymen in the O. and R. Railway — at Lucknow. 2248-49.

Question *re* European, Anglo-Indian and Indian apprentices in the O. and R. Railway — at Lucknow. 2249-50.

Question *re* grant of a State scholarship to an Indian graduate lately employed as an apprentice in the Jamalpur — of the East Indian Railway. 2873.

**WOVEN GOODS—**

Question *re* decrease in the excise duty on —. 2795-96.

Question *re* decrease in the output of yarn and — manufactured by Indian mills. 2795.

**Y**

**YAKUB, MAULVI MUHAMMAD—**

Question *re* abolition of racial discrimination on State Railways. 2794.

Question *re* alleged assault by Mr. Tucker upon an Indian clerk. 2793-94.

Question *re* appointment of Muhammedans to the Indian Civil Service and the Imperial Police Service. 2875-76.

**YAKUB, MAULVI MUHAMMAD—contd.**

- Question *re* case of Subrati. 2793.  
 Question *re* clearance of materials belonging to the O. and R. Railway sold at auction to contractors. 2795.  
 Question *re* construction of a platform on the Kathghar railway station. 2628.  
 Question *re* Deputy Director of Establishments, Railways. 2793.  
 Question *re* difference in terms of service of employees of the Madras Survey Department and II class officers of the Survey of India. 2264-65.  
 Question *re* dismissal of Mr. S. V. Naidu, late Station Master of Barabanki. 2627.  
 Question *re* dual appointments on the O. and R. Railway. 2795.  
 Question *re* European officers in the Survey of India. 2625-26.  
 Question *re* fees of Mr. Ross Alston, barrister for the prosecution, in the Cawnpore conspiracy case. 2627.  
 Question *re* Indian chargemen and foremen on the O. and R. Railway. 2794.  
 Question *re* Indian ladies' waiting room at the Moradabad railway station. 2628.  
 Question *re* Indians in superior appointments on the railways. 2794.  
 Question *re* monthly stipend of Sultan Mariam Begum. 2791.  
 Question *re* permission to scholars to have access to certain Government of India records. 2876.  
 Question *re* Postal Insurance Fund. 2625.  
 Question *re* Reforms Committee. 2804-05.  
 Question *re* Reforms Inquiry Committee. 2870.  
 Question *re* repair of motor cars of railway officials. 2741.  
 Question *re* reserved saloons for officials. 2791-93.  
 Question (Supplementary) *re* Resolution relating to the release of Maulana Hasrat Mohani. 2244, 2245.  
 Question *re* retrenchments on India railways. 2794.  
 Question (Supplementary) *re* rival unions on the O. and R. Railway. 2786.  
 Question (Supplementary) *re* seizure by the police of certain manuscripts belonging to Maulana Abul Kalam Azad. 2431.  
 Question *re* unprotected passenger shed at the Moradabad railway station. 2628.  
 Steel Industry (Protection) Bill—  
 Discussion on Mr. D. P. Sinha's proposal that Members interested in the Tata Company should not be allowed to take any part in the debate. 2481-82.

**YARN—**

- Question *re* decrease in the export of Indian ——. 2795.  
 Question *re* decrease in the output of — and woven goods manufactured by Indian mills. 2795.

**“YOUNG INDIA” —**

- Question *re* proscription of Lala Lajpoot Rai's book ——. 2428.

**Z****ZANZIBAR GOVERNMENT—**

- Question *re* allegations against Asiatic clerks and Indian money-lenders in the report of the Commission on Agriculture appointed by the — in 1924. 2414-15.