

24th March, 1926

THE

# LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume VII, Part II

## FOURTH SESSION

OF THE

## SECOND LEGISLATIVE ASSEMBLY, 1926



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# LEGISLATIVE ASSEMBLY.

Wednesday, 24th March, 1926.

The Assembly met in the Assembly Chamber at Eleven of the Clock, Mr. President in the Chair.

## QUESTIONS AND ANSWERS.

### RECOVERY OF THE LOAN OF RS. 341 LAKHS MADE TO THE PERSIAN GOVERNMENT.

1369. \***Mr. Kasturbhai Lalbhai:** (a) Will the Government be pleased to state when they expect to recover the loan to the Persian Government of Rs. 341 lakhs, repayment of which the Financial Secretary stated in his memorandum was expected at an early date?

(b) Will the Government be pleased to state how far the negotiations have proceeded?

(c) How do Government propose to deal with the amount when realised?

**The Honourable Sir Basil Blackett:** I regret I am unable to make any statement.

### RECENT MAIL ROBBERY IN THE KHULNA DISTRICT.

1370. \***Sir Darcy Lindsay:** (a) Has the attention of Government been drawn to a recent mail robbery in the Khulna District of insured articles of considerable value in which the mail peon was severely wounded?

(b) If the answer is in the affirmative, what necessary protection do the Department propose to afford to the postal staff conveying valuables from railway stations to the post offices and *vice versa*?

(c) Have the perpetrators of the crime been discovered?

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

(b) The attention of the Honourable Member is invited to the reply given in the Legislative Assembly on the 26th January, 1926 to starred question No. 250 asked by Khan Bahadur Sarfaraz Hussain Khan. The question of extending the protection to all mail carriers is under consideration.

(c) Two persons have been arrested in connection with the robbery.

### RECOMMENDATION OF THE LEE COMMISSION REGARDING PROMOTIONS FROM THE PROVINCIAL CIVIL SERVICES TO THE SUPERIOR SERVICES.

1371. \***Mr. K. C. Neogy:** (a) With reference to the recommendation made by the Lee Commission, on the question of increasing the rate of promotion from the Provincial Civil Services and obtaining 20 per cent. of the recruits for the superior services from that source in future, what action has so far been taken in the different provinces in connection therewith?

(b) What was the number of listed appointments held by members of the Provincial Civil Service, on the judicial and executive sides respectively, in each of the Provinces at the time when the Lee Commission made their inquiry, as compared with the number at the close of 1925?

(c) Will Government be pleased to make a statement of what they propose to do in regard to the recommendation referred to in part (a)?

**The Honourable Sir Alexander Muddiman:** (a) The orders of the Secretary of State in Council on this recommendation were communicated to Local Governments of 19th November, 1925. Since that date recommendations for the listing of three additional posts have been received.

(b) I lay on the table a statement giving the figures required by the Honourable Member.

(c) The policy of Government is to fill 20 per cent. of superior posts on the cadre of the Indian Civil Service by the year 1939 by the promotion of Provincial Service officers and appointments from the Bar.

*Statement showing the number of Superior Listed appointments held by members of the Provincial Civil Service in each Province on the 1st July, 1923, (a) and 1st January, 1926, and the number to be eventually filled from this source.*

Provinces.	NUMBER OF POSTS ON 1st JULY, 1923.				NUMBER OF POSTS ON 1st JANUARY, 1926.				Total number of posts (executive and judicial) to be filled from the P. C. S. and the Bar within 15 years from 1st April, 1924.	REMARKS.
	Execu- tive.	Judicial.		Total.	Execu- tive.	Judicial.		Total.		
		Held by mem- bers of the P. C. S.	Filled from the Bar.			Held by mem- bers of the P. C. S.	Filled from the Bar.			
1	2	3	4	5	6	7	8	9	10	11
Madras . . . . .	5	5 (b)	2	12	6	6 (c)	2	14	21	
Bombay . . . . .	3	3 (d)	...	6	5	3	1	9	17	
Bengal . . . . .	6	5	1	12	6	5	1	12	22	
U. P. . . . .	4	7	1	12	4	7	1	12	25	
Punjab . . . . .	5	4	2	11	6	5	2	13	18	
Burma . . . . .	4	4	2	10	7	5	2	14	19	
B. and O. . . . .	5	2	1	8	5	2	1	8	18	
C. P. . . . .	2	5	...	7	2	5	...	7	12	
Assam . . . . .	2	...	...	2	2	...	...	2	4	
Total . . . . .	36	25	9	80	43	38	10	91	151	

(a) Except in the case of the Madras Presidency figures for which have been taken from the Civil List of 1st January, 1923.

(b) Excluding 4 additional posts sanctioned but not given effect to.

(c) Excluding 3 additional posts sanctioned but not given effect to.

(d) Including one for Assam.

#### LAST COAL CONTRACT IN CALCUTTA BY THE RAILWAY DEPARTMENT.

1922. **\*Mr. K. C. Neogy:** (a) Has the attention of Government been drawn to an editorial note in the *Servant* (Calcutta), dated the 2nd March, 1926, headed "Lowest satisfactory tender", dealing with the last coal contract in Calcutta by the Railway Department?

(b) If so, will Government be pleased to make a statement on the different points raised in the said editorial note?

**The Honourable Sir Charles Innes:** I have only to add to the reply given on 15th March last to Sir Hari Singh Gour that the latest available accounts of the workings of railway-owned collieries will be found in Appendix B of Volume II of the Railway Board's Report on Indian Railways for 1924-25.

POSITION OF PENDING RAILWAY PROJECTS IN EASTERN BENGAL.

1873. \*Mr. K. C. Neogy: Will Government be pleased to make a statement, showing with regard to each pending railway project in Eastern Bengal, its present position, and prospects of construction; as also the opinion of the local Government and the respective Railway Agents concerned on the merits and urgency of each project?

The Honourable Sir Charles Innes: A statement containing the information asked for is laid on the table.

Statement showing the present position, etc., of the projects pending in Eastern Bengal Railway.  
EASTERN BENGAL RAILWAY.

Railway project.	Present position.	Prospects of Construction.	Opinion of Local Government on the merits and urgency of each project.	Opinion of Agent on the merits and urgency of each project.
(1) Tangail Gopalpur Jamalpur.	A traffic survey recently sanctioned.	Decision regarding construction will depend on result of traffic survey.	Placed first in the list of lines recommended for construction in 1926-27.	Not yet received.
(2) Ishurdi Pabna Sadhuganj.	Traffic survey recently completed.	Ditto.	Placed fourth in the list of lines recommended for construction in 1926-27.	Ditto.
(3) Dacca Aricha . . .	Traffic survey recently ordered.	Ditto.	Not included in the list of lines recommended for construction in 1926-27.	Ditto.
(4) Faridpur Charmaguria .	Under re-investigation.	Decision regarding construction will depend on result of re-investigation.	Ditto.	Ditto.
ASSAM BENGAL RAILWAY.				
(5) Rajapur Ramchandrapur.	Traffic prospects under re-investigation.	Ditto.	Placed eleventh in the list of lines recommended for construction in 1926-27.	Ditto.
(6) Netrokona Mohurganj .	Traffic survey recently sanctioned.	Decision regarding construction will depend on result of traffic survey.	Placed thirteenth and sixteenth in the list of lines recommended for construction in 1926-27.	Ditto.
(7) Sambhuganj Halooghat				
(8) Western Extensions of the Mymensingh Bhatrab Bazar Railway—				
(i) Sarachar Hossainpur. (ii) Hossainpur Kishoreganj. (iii) Hossainpur Atharbari.				
(9) Eastern extensions of the Mymensingh Bhatrab Bazar Railway—	Revised construction estimate has just been received.	Estimates etc., are under examination.	Placed fourteenth and fifteenth in the list of lines recommended in 1926-27.	Ditto.
(iv) Atharbari Goghbar. (v) Kishoreganj Karimganj. (vi) Sarachar Bajitpur.				

RECRUITMENT OF ASSISTANT TRAFFIC SUPERINTENDENTS ON STATE  
RAILWAYS.

1874. \***Mr. K. O. Neogy:** (a) With reference to the answer to starred question No. 808, of the 15th February, 1926, is it a fact that among the candidates for appointment as Assistant Traffic Superintendents of the State Railways, who were not permitted to sit for the competitive examination, were persons, who obtained their training in England as traffic probationers under apprenticeships arranged with British railways by the High Commissioner for India?

(b) What chances will there be for such persons to be employed under state-managed Railways in India in future?

**The Honourable Sir Charles Innes:** (a) The reply is in the affirmative.

(b) In future recruitment will be made on the result of a competitive examination and only those will be eligible to compete who fulfil the conditions in the rules prescribed for the examination.

**Mr. K. O. Neogy:** Will these persons be deemed to possess the qualifications necessary for going up for the examination?

**The Honourable Sir Charles Innes:** That is a matter which will have to be examined in regard to each individual case.

REDUCTION OF COAL FREIGHTS, ETC.

1875. \***Mr. K. O. Neogy:** (a) Have Government received any resolutions passed by the Indian Industrial and Commercial Congress held at Delhi in February 1926, regarding, (i) further reduction of coal freights, (ii) the policy *re* railway collieries, (iii) a change in the purchasing agency for railway coal, and (iv) a bounty on coal exported outside India?

(b) If so, will Government be pleased to state what action they propose to take on these resolutions?

**The Honourable Sir Charles Innes:** (a) and (b). So far Government has received copies only of the Resolutions regarding the reduction in coal rates and the grant of bounties on coal exported outside India. As regards railway rates, the Government of India desire to say quite definitely that they have no present intention of making any further reductions. As the Honourable Member is aware, they recently appointed a Committee to advise them what measures should be taken to stimulate the export of coal outside India. Action has already been taken on the most important recommendations of that Committee, and the Government of India have no present intention of referring to the Tariff Board the question whether bounties should be given on coal exported outside India.

ALIGNMENT OF THE DINAJPUR-RUHEA RAILWAY.

1876. \***Mr. K. O. Neogy:** (a) Have Government in the Railway Department received any resolutions adopted at public meetings in the District of Dinajpur (Bengal), taking exception to the proposed alignment of the Dinajpur-Ruheha Railway, and making several suggestions regarding alignment and location of stations?

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

**The Honourable Sir Charles Innes:** (a) No; a telegram protesting against the alignment adopted has been received from the Chairman of the Local Board of Thakurgaon.

(b) The Honourable Member is referred to the reply given to a similar question No. 879 asked by Mr. Kumar Sankar Ray on February 19th last.

**Mr. K. Ahmed:** Are Government giving any effect to the telegram received from Dinajpur?

**The Honourable Sir Charles Innes:** The actual position is that the Agent of the Eastern Bengal Railway has been asked to obtain the opinion of the Government of Bengal before finally adopting the proposed alignment.

STAFF SELECTION BOARD'S EXAMINATION FOR STENOGRAPHERS.

1877. **\*Mr. Abdul Haya:** Is it a fact that no examination for stenographers was held by the Staff Selection Board subsequent to 1924?

**The Honourable Sir Alexander Muddiman:** No. A departmental examination was held in December 1925.

NUMBER OF SUCCESSFUL MUHAMMADAN CANDIDATES IN THE STAFF SELECTION BOARD'S EXAMINATION FOR STENOGRAPHERS HELD IN 1924.

1878. **\*Mr. Abdul Haya:** (a) Will the Government please state what was the number of Muhammadan stenographers who were declared successful in an examination held by the Staff Selection Board in June 1924?

(b) Will the Government please state how many of them have so far been given appointments?

**The Honourable Sir Alexander Muddiman:** (a) Four.

(b) Two.

APPOINTMENT OF LALA MANGAL CHAND AS A STENOGRAPHER IN THE OFFICE OF THE CENTRAL BOARD OF REVENUE.

1879. **\*Mr. Abdul Haya:** (a) Is it a fact that an unqualified stenographer, named L. Mangal Chand, has been recently given an appointment as a stenographer in the Central Board of Revenue?

(b) Is it a fact that there were several qualified candidates available for the above post?

(c) If so, will the Government please state the reasons why their claims and qualifications have been ignored and an unqualified man appointed?

**The Honourable Sir Basil Blackett:** (a) Lala Mangal Chand, who was recently appointed as a stenographer in the Central Board of Revenue's Office, is not unqualified.

(b) He was one of several qualified candidates nominated by the Staff Selection Board for the vacancy.

In these circumstances part (c) does not arise.

TERMINATION OF THE SERVICES OF LALA MANGAL CHAND AS A  
STENOGRAPHER IN THE OFFICE OF THE CENTRAL BOARD OF  
REVENUE.

1380. \***Mr. Abdul Haya:** (a) Is it a fact that the services of L. Mangal Chand, stenographer, were terminated by the Central Board of Revenue in 1922, on account of his not having passed the examination of the Staff Selection Board?

(b) If the answer to part (a) be in the negative, will the Government please state the reasons why L. Mangal Chand's services were terminated by the Central Board of Revenue?

(c) If the answer to part (a) be in the affirmative will the Government please state if he has since then qualified himself for appointment in the Government of India?

**The Honourable Sir Basil Blackett:** (a) and (b). The person in question was in a temporary vacancy in the Central Board of Revenue and had to revert to his substantive appointment to make room for a candidate with superior claims.

(c) Mr. Mangal Chand subsequently made application to the Staff Selection Board for the registration of his name on their approved list of candidates, and his name was duly placed on that list by an order dated the 22nd November, 1923.

EXEMPTION FROM THE EXAMINATION OF THE STAFF SELECTION BOARD  
OF MEN RECRUITED FROM THE PROVINCIAL SECRETARIATS.

1381. \***Mr. Abdul Haya:** Is it a fact that there is a circular issued by the Staff Selection Board according to which persons belonging to the Provincial Governments can never be exempted from the examination of the said Board?

**The Honourable Sir Alexander Muddiman:** Prior to 1925 persons from provincial Secretariats were occasionally exempted from the Staff Selection Board examination. The Board informed the Home Department in June 1925 that they were opposed to recruitment from provincial Secretariats and attached and subordinate offices except by the ordinary door of examination, the initiative in such cases to come from the Local Government or the head of the office concerned. The Government of India accepted this recommendation.

**Mr. K. Ahmed:** Do Government propose to register names, call for and allow candidates from the provinces to come up for the examination?

**The Honourable Sir Alexander Muddiman:** I have already said so and the Honourable Member would have understood it if he had listened to my reply.

AMENDMENT OF THE PROVISIONS OF THE INDIAN COMPANIES ACT RELATING  
TO MANAGING AGENTS.

1382. \***Sir Darcy Lindsay:** 1. Have Government ever considered the question of so amending the Indian Companies Act, 1913, as to provide that it shall not be permissible for Managing Agents to utilise the funds



of one Company for the purpose of financing another Company in the same Agency, also that the funds of any Company may not be used by the Managing Agents or any of the Directors for the purposes of their business?

2. If not, do Government propose to do so?

**The Honourable Sir Charles Innes:** The Government note the Honourable Member's suggestion which will be considered when the question of amending the Act is taken up.

DATING OF BLANK TRANSFERS.

1883. **\*Sir Darcy Lindsay:** Arising out of the reply given to my question No. 1045 on 1st March and the quoted extract from a letter from the Government of Bombay, do Government propose to re-examine the position to see whether the suggested provision that blank transfers be dated could be made effective and not easily defeated were it made compulsory that in place of the present practice of adhesive stamps all transfer deeds be stamp embossed and dated at the Stamp Office before signature?

**The Honourable Sir Basil Blackett:** The Honourable Member's suggestion has been considered on more than one occasion and the Government of India have never been satisfied that it would be effective.

EXEMPTION OF THE DELHI NOTIFIED AREA COMMITTEE FROM THE OPERATION OF THE ALIENATION OF LAND ACT.

1884. **\*Mr. K. Venkataramana Reddi:** Will the Government be pleased to state whether the Delhi Notified Area Committee is also exempted from the operation of the provisions of those sections of the Alienation of Land Act from which municipalities and cantonments are exempted *vide* Notification No. 16176, dated 21st June, 1919, of the Punjab Government, Agricultural Department?

**Mr. J. W. Shore:** No such exemption has been granted.

EXEMPTION OF THE DELHI MUNICIPALITY, THE NOTIFIED AREA COMMITTEE AND THE IMPERIAL CITY COMMITTEE FROM THE OPERATION OF THE ALIEN OF LAND ACT.

1885. **\*Mr. K. Venkataramana Reddi:** Do Government propose to take any action to exempt the Municipality and Notified Area Committee of Delhi and the Imperial City Committee from the operation of the provisions of all the sections of the Alienation of Land Act in the same way as the Simla District (Summer Capital of the Government of India) has been exempted almost wholly from the said Act by the Punjab Government's Notification referred to above.

**Mr. J. W. Shore:** The Government of India do not at present contemplate such action.

REPLACEMENT OF MUHAMMAD SHARIF, SCHOOL CLERK OF THE HEAD-MASTER, GOVERNMENT HIGH SCHOOL, DELHI, BY LALA KISHORI LAL.

1886. **\*Maulvi Muhammad Yakub:** (a) Is it a fact that L. Rattan Lal, Headmaster, Government High School, Delhi, and Assistant Superintendent of Education, Delhi, replaced his school clerk, Muhammad Sharif, by a clerk named L. Kishori Lal?

(b) Is it a fact that this clerk L. Kishori Lal is a nephew (son of his real maternal aunt) of L. Rattan Lal?

(c) Will Government please state if they propose to take any action in the matter?

**Mr. J. W. Bhore:** (a) No. Muhammad Sharif, clerk, was transferred to Lahore, his home, at his own earnest and repeated request. A Christian was sent by the Director of Public Instruction, Punjab, in his place. He was arrested and later became insane and after the post had been vacant for several weeks, Kishori Lal was put in.

(b) No. They are not even of the same caste.

(c) Does not arise.

#### APPOINTMENT OF MUHAMMADANS TO THE MUNICIPAL COMMITTEE AND DISTRICT BOARD SCHOOLS IN THE DELHI PROVINCE.

1387. **\*Maulvi Muhammad Yakub:** (a) Is it a fact that the appointments in the Municipal Committee and District Board Schools are made by local bodies on the recommendation of the District Inspector of Schools?

(b) Is it a fact that according to the Punjab Education Code the District Inspector of Schools has to obtain the sanction of the Superintendent of Education to the appointments in the Municipal and District Board Schools?

(c) Is it a fact that such recommendations are invariably accepted by the Municipality and District Board?

(d) Will Government please state the reasons why no Muhammadan candidates are recommended by the educational authorities?

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

(b) Yes, in case of a few posts.

(c) Not invariably.

(d) The reason is the want of suitable candidates.

#### HEADMASTERSHIP OF THE RAISINA MIDDLE SCHOOL.

1388. **\*Maulvi Muhammad Yakub:** (a) Is it a fact that the Superintendent of Education was asked by the New Capital Committee, Delhi, to make recommendations for the appointments of the staff of the Raisina Middle School?

(b) Is it a fact that an advertisement was sent by the Superintendent of Education to three Hindu papers, i.e., *Leader*, *Tribune* and *Eastern Mail* but to no Muhammadan paper like the *Muslim Outlook*?

(c) Is it a fact that the interview for the Headmastership of the Raisina Middle School was conducted by the educational authorities and the appointment was made as a result of this interview?

(d) Are Government aware that there is no paucity of qualified and trained Muhammadan graduates in Upper India, and if so, why was no Muhammadan candidate appointed?

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

(b) The advertisement was inserted in the local paper and in the Indian papers having the largest circulation in the Punjab, and the United Provinces.

(c) Sir Hugh Keeling, President of the Raisina Municipal Committee, and the Superintendent of Education, interviewed the candidates.

(d) Of 67 applications for the post only three were from Muhammadans and not one of whom was qualified.

ALLEGED UNSYMPATHETIC TREATMENT OF MUHAMMADANS IN THE DELHI EDUCATION DEPARTMENT.

1889. \***Maulvi Muhammad Yakub:** (a) With reference to the reply given to my starred question No. 1220 on 12th March, 1926, will Government kindly state if the posts described below are held by Hindus only?—

1. Assistant Superintendent of Education.
2. District Inspector of Schools.
3. Head Clerk.

(b) Are Government aware that Muhammadans are unsympathetically treated in the Education Office of Delhi? Also will Government state what immediate steps they are going to take for the amelioration of the prospects of the Muhammadans in the Department?

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

(b) No. The Honourable Member is referred to the reply given to his question No. 1106 on the 8th instant.

RELATIONSHIP OF THE MANAGER, NAREHLA HIGH SCHOOL, AND THE CLERK, GOVERNMENT HIGH SCHOOL, TO THE ASSISTANT SUPERINTENDENT, EDUCATION DEPARTMENT, DELHI.

1890. \***Maulvi Muhammad Yakub:** Is it a fact that Sital Dass, Assistant Manager, Narehla High School and Kishori Lal, clerk, Government High School are real relatives of Ratan Lal, Assistant Superintendent, Education Office, Delhi?

**Mr. J. W. Bhore:** The Government do not propose to make any inquiry into the relationship existing between these or any of their officers unless they are satisfied that such an inquiry is necessary in the public interest.

**Mr. K. Ahmed:** How can they be satisfied unless they make an inquiry?

ABSENTEE MEMBERS OF THE SECOND LEGISLATIVE ASSEMBLY.

1891. \***Mr. B. Das:** (a) Will Government be pleased to state how many Members of the Legislative Assembly have absented themselves for more than one Session of the second Assembly?

(b) Will Government be pleased to give a list of their names and their period of absence from the Legislative Assembly?

(c) Can a Member of the Legislative Assembly absent himself for more than one Session and still retain his seat?

(d) Will Government be pleased to state whether it is compulsory for a Member of the Legislative Assembly to attend any of the Sessions of the Legislative Assembly?

(e) Will Government be pleased to state if there are any rules that unseat a member for his prolonged absence?

**Mr. L. Graham:** (a) and (b). I lay on the table a statement which gives, so far as is available, the information required by the Honourable Member.

(c), (d) and (e). The attention of the Honourable Member is invited to the provisions of sub-section (2) of section 93 of the Government of India Act, and of rule 25 of the Legislative Assembly Electoral Rules.

*Members who absented themselves for more than one session of the second Assembly.*

Serial No.	Names.	Period of absence.
1	Maung Kun . . . . .	{ January—March 1925. { August—September 1925.
2	Sir Muthiah Chettiyar . . . . .	{ January—March 1925. { August—September 1925.
3	Sardar Mahboob Ali Khan . . . . .	{ January—March 1925. { August—September 1925.
4	Mr. Bhabendra Chandra Roy . . . . .	{ January—March 1925. { August—September 1925.
5	Raja Amarpal Singh . . . . .	{ January—March 1925. { August—September 1925.

**Mr. K. Ahmed:** Do Government propose for the benefit of the country to take stringent measures and see that elected Members do attend meetings of this Assembly to discharge their duty?

PERSONNEL OF THE INDIAN DELEGATION TO THE EIGHTH AND NINTH  
INTERNATIONAL LABOUR CONFERENCES TO BE HELD  
AT GENEVA.

1892. **\*Mr. B. Das:** (a) Will the Government be pleased to state if any nominations by the Indian Commercial Chambers were received after the 15th January, 1926, in connection with the representation of employers and workers' interests at the Eighth and Ninth Labour Conferences to be held at Geneva?

(b) If so, were they taken into consideration in composing the personnel of the Indian delegation?

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

(b) No.

SUBJECTS FOR DISCUSSION AT THE NINTH SESSION OF THE INTERNATIONAL  
LABOUR CONFERENCE.

1893. **\*Mr. B. Das:** (a) Will the Government be pleased to state if it is a fact that important matters affecting Indian shipping interests are to be discussed at the ninth session of the next International Labour Conference at Geneva?

(b) Is it a fact that representatives of British shipping interests in India have been nominated as the employers' delegates and advisers to the Ninth Conference? If so, why were the claims of representative Indians not considered?

(c) Is it a fact that Mr. Narottam Morarjee refused nomination to the Eighth Conference because it is concerned with matters which do not directly bear upon the development of Indian shipping?

**The Honourable Sir Bhupendra Nath Mitra:** (a) The subjects on the agenda of the Ninth Session of the International Labour Conference are:

- (i) International codification of rules relating to seamen's articles of agreement.
- (ii) General principles for the inspection of the conditions of work of seamen.

(b) I think the Honourable Member is under a misapprehension which appears to be shared by a certain section of the public at large. The Government of India have not a free hand in making these nominations. They are bound by the provisions of Article 389 of the Treaty of Versailles, which compels them to nominate in such cases "in agreement with the industrial organizations if such organizations exist, which are most representative of employers or workpeople, as the case may be in their respective countries." The claims of all the representatives suggested were considered, but the Government of India came to the conclusion that, had they selected as delegates any other nominee than Sir Arthur Froom on this occasion, they would have failed to comply with the provisions of the Treaty. As a matter of fact, they approached Mr. Narottam Morarjee with a view to his attending the Ninth Conference as Adviser, but he was not willing to act in this capacity.

(c) Mr. Narottam Morarjee refused a nomination to the Eighth Session, but the ground for his refusal was not as given by the Honourable Member. As a matter of fact, neither Conference deals with matters which directly bear on the development of Indian shipping as such.

†1894. and 1895.

SUPERINTENDENT OF THE STATISTICAL BRANCH IN THE OFFICE OF THE RAILWAY BOARD.

1896. **\*Mr. B. Das:** (a) Is it a fact that the Railway Board have recruited an outsider to fill up the post of the Superintendent in the Statistical Branch? If so, will Government be pleased to state the reasons why the claims of the seniormost assistant have been ignored?

(b) Is it a fact that an assistant was running the branch for so long? If so, what are the reasons for bringing in an outsider?

**The Honourable Sir Charles Innes:** The post of Superintendent of the Statistical Branch is in abeyance, *vide* page 45 of the Proceedings of Standing Finance Committee, Volume II, No. 8. The questions asked by the Honourable Member do not therefore arise.

GRANT OF FREE RAILWAY PASSES AND PRIVILEGE ORDER TICKETS TO THE CLERICAL STAFF OF THE RAILWAY BOARD.

1897. **\*Mr. B. Das:** Will Government kindly give in full the information asked for in parts (b) and (c) of starred question No. 966, on the 15th September, 1925, regarding the grant of free railway passes and privilege ticket orders to the clerical staff of the Railway Board?

**The Honourable Sir Charles Innes:** If the Honourable Member wishes the Pass Rules explained to him, this will be done if he will call on the Secretary of the Railway Board for this purpose.

#### GRANT OF RAILWAY PASSES TO THE STAFF OF THE RAILWAY BOARD.

1398. **\*Mr. B. Das:** (a) With reference to rule III (2) of the rules for the grant of passes to the staff of the Railway Board which were laid on the table of this House in reply to question No. 966, on the 15th September, 1925, will Government be pleased to state what are the special reasons in consideration of which men with 20 years' service are allowed passes in excess of the prescribed monetary limit?

(b) Is it a fact that men under the State Railway Provident Fund Rules, draw less pay than the Secretariat scales of pay? If so, do Government propose to extend the full pass concessions to them?

**The Honourable Sir Charles Innes:** (a) Length of service.

(b) The answer to the first part of the question is in the affirmative, and the second in the negative.

#### PAY OF STENOGRAPHERS OF THE RAILWAY BOARD.

1399. **\*Mr. B. Das:** Is it a fact that the pay of the stenographers employed in the Government of India Secretariat has recently been revised and that the revised rates of pay have not been given to the stenographers of the Railway Board? If so, why?

**The Honourable Sir Charles Innes:** The Honourable Member is referred to the answer given in this House to question No. 1158 by Khan Bahadur Sarfaraz Hussain Khan on the 9th March last.

#### OVERWORKED CLERKS OF THE ISSUE BRANCH OF THE RAILWAY BOARD.

1400. **\*Mr. B. Das:** (a) Is it a fact that the clerks of the Issue Branch of the Railway Board are made to work till late hours at night, Sundays and holidays not being excepted?

(b) Is it a fact that the persons concerned recently submitted a written representation to the Director of Finance to take steps to discontinue this practice? If so, will Government please state what action has been taken thereon?

**The Honourable Sir Charles Innes:** (a) The volume and urgency of work sometimes necessitates working late at night as well as on holidays, particularly in connection with the preparation of the Budget and whilst the Demands for Grants are under discussion. This applies to the office as a whole.

(b) The reply is in the negative.

#### COST OF THE MINISTERIAL ESTABLISHMENT OF THE RAILWAY BOARD.

1401. **\*Mr. B. Das:** Will Government please state the actual cost of the ministerial establishment of the Railway Board on the 1st January, 1925 and 31st December, 1925, including the cost of the Technical office and surplus establishment, if any?

**The Honourable Sir Charles Innes:** The following are the figures of the actual monthly cost of the ministerial establishment:

	Office of Railway Board.	Technical Office.
	Rs.	Rs.
On 1st January 1925 . . . . .	38,461	Nil.
On 31st December 1925 . . . . .	33,000	3,809

**RECRUITMENT OF THE CLERICAL STAFF FOR THE OFFICE OF THE RAILWAY BOARD.**

1402. **\*Mr. B. Das:** (a) Is it a fact that a number of men have been recruited in the Railway Board's establishment including the staff of officers on special duty during the last six months who are not qualified men of the Staff Selection Board? If so, what is the number of such men?

(b) Did the Staff Selection Board approve of their appointments? If not, who approved them?

(c) Do they possess any special qualifications? If so, what?

**The Honourable Sir Charles Innes:** The regulations of the Staff Selection Board do not apply to the recruitment of clerical staff for the office of the Railway Board. The questions asked by the Honourable Member do not therefore arise.

**RECRUITMENT OF THE CLERICAL STAFF FOR THE OFFICE OF THE RAILWAY BOARD.**

1403. **\*Mr. B. Das:** Is it a fact that the Director of Finance attached to the Railway Board and some Deputy Directors make direct recruitments of clerks for their respective branches and that some clerks in the office are affected thereby?

**The Honourable Sir Charles Innes:** The reply is in the negative.

**RECRUITMENT OF THE CLERICAL STAFF FOR THE OFFICE OF THE RAILWAY BOARD.**

1404. **\*Mr. B. Das:** Is it a fact that three persons were taken in by three different officers of the Railway Board against one Mr. Dharambir on deputation and that when the discovery was made two men were absorbed in the surplus establishment?

**The Honourable Sir Charles Innes:** The reply is in the negative.

**CONTROL BY THE DIRECTOR OF FINANCE, RAILWAY BOARD, OF THE RECRUITMENT AND PROMOTION OF THE CLERICAL STAFF OF THAT OFFICE.**

1405. **\*Mr. B. Das:** (a) Will Government please state the designation of the officer or officers in charge of the ministerial establishment of the Railway Board?

(b) To what extent if any, does the Director of Finance control the recruitment and promotion of the clerical staff?

(c) How many men have been brought in by him or on his recommendation since he joined the Railway Board?

(d) Is it a fact that most of the men newly recruited have been given higher places over men with many years' service in the Board? If so, why?

(e) How many of them have been found qualified by the Staff Selection Board?

**The Honourable Sir Charles Innes:** (a) Secretary, Railway Board.

(b) None whatever.

(c) Only one man and he was a qualified accountant

(d) Some of the men taken over from the office of the Accountant General, Railways, or transferred from railway administrations had to be given seniority in the Railway Board's office with due regard to their service and position in the offices from which they were taken.

(e) In view of the reply to question No. 1402 by the Honourable Member, this question does not arise.

#### SENIORITY LIST OF THE CLERICAL STAFF OF THE OFFICE OF THE RAILWAY BOARD.

1406. \***Mr. B. Das:** (a) Is it a fact that a draft seniority list was recently circulated to the clerical staff of the Railway Board with instructions to lodge written protests within four days in case any man had any complaints to make against the place assigned to him in the list?

(b) If so, will Government please state who prepared the list and what the occasion was for it?

(c) How many protests have been received and what action has been taken thereon?

(d) Were the branch officers or the Secretary consulted in preparing the list?

**The Honourable Sir Charles Innes:** (a) Yes.

(b), (c) and (d). To fix the relative seniority of men under the old and under the new rates of pay who were shown separately in the old list, a draft seniority list was prepared and circulated. A number of objections were received which were attended to. Branch officers were consulted where necessary.

#### GRANT OF TONGA HIRE AND DINNER ALLOWANCE TO THE STAFF OF THE BUDGET BRANCH OF THE RAILWAY BOARD.

1407. \***Mr. B. Das:** (a) Will Government please state the actual amount drawn by the staff of the Railway Board's Budget Branch in the shape of *tonga* hire and *dinner* allowance during the month of December, 1925, and the first half of January, 1926?

(b) Who sanctions this expenditure and on whose recommendation and for what purpose?

(c) Is this sort of expenditure incurred by any other branch of the Railway Board? If not, why is it necessary for the Budget Branch?

(d) Is it a fact that daily *tonga* hire is given to certain persons?

(e) How many extra men could be appointed with the amount spent on this account?



**The Honourable Sir Charles Innes:** (a) Separate figures for tonga hire for the Budget Branch are not available. No dinner allowance was given, but on occasions when men of that branch remained in office till a very late hour, refreshments were provided by the Director of Finance at his own expense.

(b) Tonga hire is paid when an officer certifies that an employee was detained in office in the interest of work after 7 P.M. when no bus is available to take him home.

(c) The practice is general and is not restricted to any particular branch of the office.

(d) No.

(e) Does not arise.

**Mr. B. Das:** May I know, Sir, if the Honourable the Finance Member supplies such conveniences to his overworked staff while the Budget is being prepared in his Department?

**The Honourable Sir Basil Blckett:** If the Honourable Member will put the question down, he will get an answer.

NUMBER OF OFFICERS ON SPECIAL DUTY IN THE RAILWAY BOARD.

1408. **\*Mr. B. Das:** (a) How many officers on special duty are there at present in the Railway Board?

(b) Will Government please lay a statement on the table showing their respective duties, rates of pay, substantive appointments held by them, and pay drawn by them before their appointments on special duty?

**The Honourable Sir Charles Innes:** (a) Four.

(b) A statement giving the information is laid on the table.

*Statement referred to in the reply to part (b) of question No. 1408 by Mr. B. Das.*

Name.	Duty.	Pay.	Substantive appointment.	Pay of that appointment.
		Rs.		Rs.
Mr. M. H. Khan	To prepare in full detail a list of railway projects put forward by local administrations.	860	Superintendent, Railway Board's office.	680
Mr. R. G. Marriott.	To advise in the matter of purchase of timber and kindred subjects.	2,000	Deputy Conservator of Forests.	950 plus £30.
Mr. Gopal Nath	To co-ordinate the system of the compilation of statistics in force on different Railways.	800	Compilation Officer for Statistics, North Western Railway.	535
Col. R. A. Needham	To reorganize Medical and Sanitary arrangements on the North Western Railway and other State Railways.	3,150	Deputy Director General, Indian Medical Service.	2,400 plus £13-6-8.

**DUTIES OF THE DEPUTY SECRETARY AND CHIEF SUPERINTENDENT OF THE RAILWAY BOARD.**

1409. \***Mr. B. Das:** (a) Will Government please state what are the respective duties of the Deputy Secretary and the Chief Superintendent of the Railway Board and what were the duties of the Assistant Secretary?

(b) What pay is drawn by each of them and what pay was drawn by the Assistant Secretary before the appointment was abolished?

(c) Will Government please state in figures the actual saving to Government by the present arrangement with reference to the reply given to part (a) of the unstarred question No. 168 on the 14th September, 1925?

(d) With reference to the reply given to part (b) of the question referred to above, will Government kindly state to what post Mr. Rundlett reverted on relinquishing charge of the office of Assistant Secretary?

(e) Is it a fact that he continued in the appointment with a different nomenclature and slightly less pay?

**The Honourable Sir Charles Innes:** (a) A statement is laid on the table describing, respectively, the duties of the Deputy Secretary, the Chief Superintendent, and those previously allotted to the post of Assistant Secretary which has been abolished.

(b) Deputy Secretary—Rs. 1,300,

Chief Superintendent—Rs. 700—900,

Assistant Secretary—Rs. 1,000—1,250.

(c) As regards the question of savings, the reorganisation of the Railway Board must be considered as a whole and the details of the reduction of expenditure are given in the Proceedings of the Standing Finance Committee for Railways (*vide* Memorandum at page 45 of their Proceedings, Volume II, No. 8.)

(d) Superintendent.

(e) No.

*Statement referred to in the reply to part (a) of question No. 1941 by Mr. B. Das.*

Post.	Brief description of duties.
Deputy Secretary	Controls the Establishment and General Branches of the office and acting under instructions of the Secretary and the Board deals with questions affecting individuals in the Railway establishments and all matters affecting Unions, strikes, titles, decorations, grants, etc. Assists the Secretary in the general supervision of business in all Branches of the office. Controls the expenditure of the Board's office against the grant and is in charge of the ministerial office establishment.
Chief Superintendent	Performs the ordinary duties of the Superintendent of one of the Branches of the office and is, in addition, in charge of office management such as preparation of bills, movement of office, office stationery, furniture, telephones, printing office procedure and all correspondence in connection therewith. He is also in charge of the inferior establishment.
Assistant Secretary	All the work now performed by the Chief Superintendent together with that portion of Deputy Secretary's work which pertains to the control of office establishment.

REDUCTION OF THE CLERICAL ESTABLISHMENT OF THE OFFICE OF THE RAILWAY BOARD.

1410. **\*Mr. B. Das:** With reference to the reply to part (c) of unstarred question No. 166 put in this House on the 14th September, 1925, that some of the men were confirmed by the Railway Board's orders of the 22nd January, 1925, with retrospective effect from the 1st November, 1924, and the reply to part (d), that the orders of the 22nd January were not reversed in some cases by the orders of the 21st May, 1925, and the reply to part (c) of the same question, that the reversions were made to keep within the reduced cadre, will Government be pleased to lay copies of the two office orders in question on the table?

**The Honourable Sir Charles Innes:** Copies of the office orders are being sent to the Honourable Member.

RETIREMENT OF MEMBERS OF THE CLERICAL ESTABLISHMENT OF THE OFFICE OF THE RAILWAY BOARD.

1411. **\*Mr. B. Das:** With reference to the reply given in this House to unstarred question No. 167 on the 14th September, 1925, will Government please state how many of the 10 members of the staff of the Railway Board have been retired? If the full number has not been retired, will Government please state the reasons for revising their previous decision?

**The Honourable Sir Charles Innes:** Six have already been retired. The previous decision has not been revised and the question of selecting others for retirement is under consideration.

APPOINTMENTS IN THE ELECTRIFICATION BRANCH OF THE MECHANICAL DEPARTMENT OF THE GREAT INDIAN PENINSULA RAILWAY.

1412. **\*Mr. B. Das:** (a) Will Government be pleased to state whether it is a fact that recent Superior Revenue appointments in the Electrification Branch of the Mechanical Department of the Great Indian Peninsula Railway are being made without duly advertising the vacancies in the Press?

(b) Will the Government be pleased to state whether such minimum standard of qualifications as are fixed for recruitment in the Indian Service of Engineers is adhered to in making these appointments?

**The Honourable Sir Charles Innes:** The reply to both parts of the question is in the negative.

INDIANISATION OF THE STORES DEPARTMENT OF STATE RAILWAYS.

1413. **\*Mr. B. Das:** (a) Will Government be pleased to state what is the total number of posts in the superior grade of the Stores Department of the various Railways controlled by the State and how many of these posts are occupied by Indians?

(b) Do Government propose to give effect to 75 per cent. of Indianisation in the superior grade of the Stores Department of the various Railways?

**The Honourable Sir Charles Innes:** (a) Full information regarding the nationality of Stores Officers on the East Indian and Great Indian Peninsula Railways is not available, but on the old State lines there are 28 officers of whom 15 are Indians including statutory Indians.

(b) It is proposed to fill, in future, the superior cadre of State Railways, Stores Department, from officers of the Civil and Mechanical Engineering Departments. As regards the Indianisation of these latter Departments the Honourable Member is referred to the replies I gave to certain Honourable Members in the course of the debate on the Railway Budget on the 24th and 25th February, 1926.

#### PROVIDENT FUND AND FIDELITY INSURANCE ARRANGEMENTS IN CURRENCY OFFICES.

1414. **\*Mr. B. Das:** (a) Will Government be pleased to state if they have come to any decision on the question of Provident Funds and guarantee contributions by the Currency Office staff as was raised in starred question No. 987 of 1925?

(b) Will Government be pleased to state when they intend to publish their new Provident Fund Rules for all classes of employees?

**The Honourable Sir Basil Blackett:** (a) The Government have decided that a radical change in the Provident Fund and Fidelity Insurance arrangements in Currency Offices is undesirable at present. They have, however, sanctioned a new Fidelity Insurance scheme under which the premia payable by the employees have been reduced to one-quarter of the amount payable at present. The new scheme will probably come into force from the 1st April 1926.

(b) If, as I presume, the Honourable Member is referring to the draft Contributory Provident Fund Rules I may tell him that these are being examined and will be issued when they are finally approved by the Secretary of State in Council.

#### INTRODUCTION OF A PROVIDENT FUND SYSTEM.

1415. **\*Mr. B. Das:** Will Government be pleased to state if they have come to any decision in regard to the Resolution of the Council of State passed in February, 1924, for the introduction of a Provident Fund system? Will they be pleased to lay on the table a statement showing the steps that have been taken in this direction up to now during course of the last two years?

**The Honourable Sir Basil Blackett:** I have explained the position in the reply given to the Honourable Member's unstarred question No. 51 on the 25th August last. No decision has yet been arrived at.

#### INTRODUCTION OF A NEW FIDELITY INSURANCE SCHEME FOR EMPLOYEES OF CURRENCY OFFICES.

1416. **\*Mr. B. Das:** (a) Will Government be pleased to state whether it is a fact that they are considering the question of introducing a new insurance scheme for the benefit of employees of Indian Currency Offices which will be brought into force from 1st April, 1926?

(b) If the answer to part (a) is in the affirmative, have they asked for any constructive proposals from the staff of Currency Offices for a mutual insurance scheme as stated in answer to my question No. 94 of 26th August 1925? If not, do they propose to call now for such proposals?

(c) Will Government be pleased to lay on the table a copy of this proposed scheme?

**The Honourable Sir Basil Blackett:** (a) and (c). The Honourable Member is referred to the answer just given to question 1414.

(b) The Government do not intend to call for such proposals for the reasons stated in answer to part (d) of question 94 of the 26th August 1925.

UTILISATION OF THE BOMBAY CURRENCY OFFICE CO-OPERATIVE CREDIT SOCIETY AS AN AGENCY TO UNDERTAKE FIDELITY INSURANCE FOR THE CURRENCY OFFICE STAFF.

1417. **\*Mr. B. Das:** Will Government be pleased to state whether their attention has been drawn to the resolution passed at the meeting of the Bombay Currency Office, Co-operative Credit Society, Ltd., on 30th of March, 1925, regarding the acceptance of Fidelity Bonds from the Society?

**The Honourable Sir Basil Blackett:** The reply is in the affirmative. The Government do not propose to use the Bombay Currency Office Co-operative Credit Society as an agency to undertake Fidelity Insurance for the Currency Office staff.

UNSTARRED QUESTIONS AND ANSWERS.

EXPULSION OF MAULANA MOHAMMAD ISHAQ FROM THE NORTH WEST FRONTIER PROVINCE.

252. **Mr. S. Sadiq Hasan:** (1) Are the Government aware that Maulana Mohammad Ishaq, a resident of the North West Frontier Province, was expelled and is still not allowed to return to his province?

(2) Are the Government aware that the Maulana is now residing at Rawalpindi and does not get a single pie from the Government for his expenses?

(3) Are the Government aware that the Maulana averted the happening of a Hindu-Moslem riot at Rawalpindi and that the Deputy Commissioner of Rawalpindi recommended to the Punjab Government to secure the cancellation of expulsion orders?

(4) Are the Government aware that the political atmosphere in the country has cooled down, and, if so, do Government propose to allow the Maulana to return to the North West Frontier Province without any conditions?

**The Honourable Sir Alexander Muddiman** (1) and (2). Yes.

(3) No. The suggestions made in this part of the question have no foundation in fact.

(4) Government are not so aware, and it is not at present proposed to allow Mohammed Ishaq to return to the North West Frontier Province.

**APPOINTMENT OF A COMMITTEE TO INQUIRE INTO THE WORKING OF THE  
ARMY CANTEEN BOARD (INDIA).**

253. **Khan Bahadur W. M. Hussanally:** Will the Government be pleased to state if they propose to appoint a committee consisting of an equal number of officials and non-officials and presided over by an Army officer to be nominated by H. E. the Commander-in-Chief to inquire into and scrutinize the working and the accounts of the Army Canteen Board, and after such inquiry and investigation to report as to the advisability or otherwise of retaining the system and granting it a further loan besides the Rs. 80 lakhs already advanced?

**Mr. E. Burdon:** The attention of the Honourable Member is invited to the reply given on the 15th March, 1926, to his unstarred question No. 221 and also to the reply given on the 19th instant to his unstarred question No. 234.

**REVISION OF THE PAY OF SHROFFS IN CURRENCY OFFICES.**

254. **Mr. B. Das:** (a) Will Government be pleased to state whether their attention has been drawn to the inadequate scale of pay of the shroffs as stated in the representation by the Bombay Currency Association? If the answer be in the affirmative, will Government be pleased to state if the same has received favourable decision in their hands?

(b) Is it a fact that the shroffs in Currency Offices get an increment of one rupee per annum?

(c) Do Government propose to revise their scales of pay from the scale offered to them in 1922?

(d) Will Government be pleased to state whether the following comparative statement showing the scales of pay of the clerks and the shroffs in the Bombay Currency Office is correct?

Date.	CLERKS.		SHROFFS.		Head Shroff.
	Minimum.	Maximum.	Minimum.	Maximum.	
	Rs.	Rs.	Rs.	Rs.	
1919 . . . . .	30	100	30	50	50
1st January, 1920 . . . . .	40	100	40	60	70
13th October, 1920 . . . . .	50	100	50	70	80
1st March, 1922 . . . . .	60	100	50	80	90
1st June, 1924 . . . . .	60	150	50	80	90

(e) If the answer to the above be in the affirmative, do Government propose proportionately to revise the scale of shroffs along with that of the clerks?

## PAY OF THE MENIALS OF THE BOMBAY CURRENCY OFFICE.

255. **Mr. B. Das:** (a) Will Government be pleased to state whether the minimum pay of lower class servants in the Bombay Currency Office, called "menials" is only Rs. 10 (excluding allowances) and whether their maximum pay is Rs. 14 only?

(b) Is it a fact that allowances to these menials are not given in the case of sick leave on half pay?

(c) Will Government be pleased to state the average pension that retired menials of the Bombay Currency Office are drawing?

(d) What is the usual scale of rise of this class of loyal servants of the Currency Office?

(e) Will Government be pleased to state if it is a fact that the clerical staff and menials of other Imperial Departments in Bombay receive a better scale of pay after revision? Do Government propose to apply the same scale of pay to the menials of the Currency Department without waiting for the lead of the Local Government of Bombay in the matter?

## GRANT OF INCREMENTS TO THE CLERKS IN THE BOMBAY CURRENCY OFFICE.

256. **Mr. B. Das:** (a) Are Government aware that on the introduction of the revision of 1924, the senior clerks got practically very little benefit and that in the Bombay Currency Office clerks got as follows?

Clerks who have put in 8 years' service got Rs. 75.

Clerks who have put in 10 years' service got Rs. 80.

Clerks who have put in 16 years' service got Rs. 95.

(b) Do Government propose to consider the advisability of granting two or three increments to them?

## PAY OF NOTE CHECKERS IN CURRENCY OFFICES.

257. **Mr. B. Das:** (a) Are Government aware that there is a good deal of discontent amongst note examiners in Currency Offices owing to the differentiation in pay in the note verification section and the note checker's section?

(b) Do Government propose to bring the salaries of note checkers to the same grade as that of the note verification section?

**The Honourable Sir Basil Blackett:** The information required by the Honourable Member is being collected, and will be supplied to him as soon as possible.

## REVISION OF THE PAY OF SUPERINTENDENTS IN CURRENCY OFFICES.

258. **Mr. B. Das:** Will Government be pleased to state whether they are aware that the scale of pay of the Superintendents, etc., of the Currency Offices was not revised by the revision of 1924? If so, will Government be pleased to state whether they are going to revise the scale of pay of the Superintendents of the Currency Office now? If not, why not?

**The Honourable Sir Basil Blackett:** The pay of Superintendents in Currency Offices was not revised in 1924, for the reason that a further revision was not considered necessary, in view of the nature of the work, and the prospects of further promotion open to Currency Office Superintendents. But Superintendents in the Currency Offices at Karachi, Lahore and Cawnpore were placed on a scale of Rs. 200—10—300 per mensem to bring them on to a level with Superintendents in the Madras Currency Office. Further revision of the rates of pay of Superintendents in Currency Offices is not under consideration.

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BILL PASSED BY THE COUNCIL OF STATE.

**Secretary of the Assembly:** Sir, in accordance with Rule 25 of the Indian Legislative Rules, I lay on the table the Bill to amend the provisions of section 33 of the Indian Succession Act, 1925, which was passed by the Council of State at its meeting held on the 23rd March, 1926.

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MESSAGE FROM THE COUNCIL OF STATE.

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

"I am directed to inform you that the Council of State have, at their meeting held on the 22nd March, 1926, agreed without any amendments to the following Bills which were passed by the Legislative Assembly on the 16th and 17th March 1926:

1. The Indian Finance Bill, 1926.
2. A Bill to provide for the regular submission of returns of quantities of cotton goods manufactured and cotton yarn spun in British India.
3. A Bill to define in certain cases the rights of legal practitioners to sue for their fees and their liabilities to be sued in respect of negligence in the discharge of their professional duties.
4. A Bill to amend the law relating to the appointment of legal practitioners in civil suits and for this purpose further to amend the Code of Civil Procedure, 1908.
5. A Bill to provide for the maintenance of the works established to supply drinking water in bulk for the urban area of the city of Delhi, and for that purpose to constitute a Joint Water Board to undertake such maintenance.
6. A Bill further to amend the Indian Income-tax Act, 1922, for certain purposes.
7. A Bill further to amend the Indian Divorce Act.
8. A Bill further to amend the Indian Factories Act, 1911.
9. A Bill to explain certain provisions of the Transfer of Property Act, 1882."

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STATEMENT LAID ON THE TABLE.

PURCHASE OF STORES BY THE HIGH COMMISSIONER FOR INDIA.

**The Honourable Sir Bhupendra Nath Mitra** (Member for Industries and Labour): Sir, I beg to lay on the table a statement furnished by the High Commissioner for India showing all cases in which the lowest tenders have not been accepted by him in purchasing stores for the Government of India during the half year ending the 31st December, 1926.



HIGH COMMISSIONER FOR INDIA,  
INDIA STORE DEPARTMENT.

ABSTRACT OF CASES in which Tenders, other than the lowest complying with the technical description of the goods demanded, were accepted on the grounds of superior quality, superior trustworthiness of the firm tendering, greater facility of inspection, quicker delivery, etc.

HALF-YEAR ENDING 31st DECEMBER, 1925.

PART A.—Cases in which lower foreign tenders, including British tenders for foreign made goods, have been set aside wholly or partially in favour of British tenders.

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
Goods Brake-Yans . . . . .	E-2023/1754, 18th July 1925.	Stableford & Co., Ltd. . . . .	£ s. d. 15,915 0 0	£ s. d. 12,000 0 0 (Czechoslovak). 13,160 0 0 (German).	Thirty of the fifty brake-yans were very urgently required to reach India in September.  The delivery offered by the lowest tenderer, viz., 28 to 28 weeks, was unreasonably long.  The next tenderer offered slightly better delivery, viz., 18 to 20 weeks, but was ready five months later, in exceeding a previous contract. His delivery was thus not only of long time but clearly unprofitable to Messrs. Stableford. The latter offered delivery in 10 to 13 weeks and have been fairly punctual with recent orders.
Wire Fencing . . . . .	E-3021/1615, 17th July 1925.	Berman Long & Co., Ltd. . . . .	500 12 10	550 17 4 (German).	The extra cost of inspection abroad, if the order had been placed with the lowest tenderer, would have exceeded the difference between the two quotations.  Accepted on account of the quicker delivery offered.
Rails and Fishplates . . . . .	E-3024/1405, August 1925.	Cargo Fleet Iron Co., Ltd. . . . .	4,425 1 6	4,155 16 0 (German).	The stores were required to reach India by October 1925 and the delivery offered by the lowest suitable tenderer (viz. 10 to 18 weeks) would not comply with this requirement.  The next lowest tender offered completion in 6 weeks and this quotation was therefore accepted.

*PART A.—Cases in which lower foreign tenders, including British tenders for foreign made goods, have been set aside wholly or partially in favour of British tenders—contd.*

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
			£ s. d.	£ s. d.	
Screws	E-5136/4932, August 1924.	Henry Cox Screw Co., Ltd.	718 17 8	463 19 3 (German).	Accepted on the ground of the superiority of the goods which represented more than the difference in price. The samples submitted by the German firm were inferior in quality.
Wheels and Axles	E-3289/1677, August 1925.	Owen and Dyson, Ltd.	1,680 0 0	1,568 0 0 (German).	The extra cost of inspection abroad would have exceeded the difference between the two quotations.
Galvanised Strand wire	E-3287/5174, August 1925.	The Whitecross Co., Ltd.	1,087 6 5	1,005 12 6 (German).	The wire was required to be shipped in two instalments, in October and December, 1925. Inspection of the stores at the works of the Whitecross Co. could be made by the staff resident in the district, whereas two special visits to Germany would have been necessary if the continental quotation had been accepted. The extra cost of such inspection would have exceeded the difference between the two quotations.
Accumulators	E-3287/4451, August 1925.	Edison Accumulators, Ltd.	485 0 0	200 0 0 (German), 240 0 0 (British), for 600 cells.	Accepted on grounds of quicker delivery, and the superiority of the cells offered. The indent was for 2,000 cells, of which 600 were stated to be required immediately. The two lowest tenders required respectively five and six weeks for delivery of the urgent quantity, whereas the next tender, Messrs. Edison Accumulators Ltd., offered a larger, heavier and stronger type of cell for immediate supply from stock.
					It was considered that this type would last longer in use than either of those offered by the lower tenders. The 600 cells were therefore ordered of Messrs. Edison Accumulators Ltd.
					The type of cell indented for in this case is understood to have not yet been tried in India. It is therefore proposed to allocate the remaining 2,000 cells between the two lowest tenders, as it is considered desirable that the authorities concerned in India should have experience of each available type so as to determine by practical test the make most suitable for their requirements.

PART A.—Cases in which lower foreign tenders, including British tenders for foreign made goods, have been set aside wholly or partially in favour of British tenders—contd.

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
Concretes, steel	E-3336/5171, dated 24th August 1926.	C. Richards & Sons	£ 134 17 3	£ 113 4 0 (Belgian).	The lowest tenderer (Belgian) required eight weeks for delivery, which, even if adhered to, would not comply with the requirements as specified in the indent, viz. half required to reach India in October, 1926. Moreover work on all contracts placed with Belgian makers was at the time at a standstill owing to a strike in that country. It was necessary, therefore, to place the order with the next lowest tenderer (a British firm) who offered delivery in three weeks.
Tubing Galvanized	E-3459/5175, dated 4th September 1926.	Stewarts & Lloyds, Ltd.	£ 1,306 7 5	£ 1,278 13 4 (Continental).	The accepted tender was considered to be the most advantageous taking into account the higher cost of inspection that would have been entailed by acceptance of the foreign tender.
Screw Couplings	E-3686/5081, dated 10th September 1926.	Stableford and Co., Ltd.	£ 4,720 0 0	£ 4,640 0 0 (Czecho-Slovakian) for 3,200 couplings.	Out of 5,000 screw couplings 1,700 were required to be ready for shipment by October 1925 and 4,300 by February 1926. A Czecho-Slovak firm offered the couplings at 52s. per pair for delivery of 1,600 in 13 weeks and 1,500 per month thereafter; but it was refused if this time in itself somewhat too long, would be adhered to as a percentage of the article, would have to be sent to England for test at the National Physical Laboratory, Menara, Stableford and Co. quoted 52s. 6d. per pair and offered delivery of 600 in 8 weeks and 275 per week thereafter. Division was essential both to safeguard against delay in completion and to secure the best initial instalment. Half the main quantity and the additional 700 couplings were therefore ordered of Stableford and Co. The remaining 2,500 were ordered from the lowest tenderer (the Czecho-Slovak firm).

**PART A.—Cases in which lower foreign tenders, including British tenders for foreign made goods have been set aside wholly or partially in favour of British tenders—contd.**

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
Carriages, 4 wheeled . . . . .	E-3687/4378, 12th September 1925.	Stablesford and Co., Ltd. . . . .	£ s. d. 3,080 0 0	£ s. d. 3,080 0 0 (German).	The accepted tender was the best offer having regard to the extra cost of inspection abroad and the deliveries offered. The carriages were required as early as possible during 1925-26.
Brass, Screws . . . . .	E-3674/4327, 12th September 1925.	Henry Cox Screw Co., Ltd. . . . .	30 13 6	20 19 5 (German).	The lowest tenderer required 25 weeks for delivery, whereas Messrs. Stablesford offered to deliver within 14 weeks.
Steel Fishbolts . . . . .	E-3769/778, 16th September 1925, for 35 Tons. E-3761/778, 18th September 1925, for 60 Tons.	A. de Barry . . . . . Guest Keen and Nettlesolds, Ltd.	18 0 0 per ton. 21 0 0 per ton.	17 8 0 per ton. Belgian. (This tender was accepted for 35 tons.)	Accepted on account of the superior quality of the tender samples.  The contract for these fishbolts, amounting in all to 100 tons, was placed in February 1925 with the Pioneer Works, Holland, this firm's tender being the lowest in accordance with the specification. They promised delivery of one-third of the quantity by the end of March and the remainder by the end of June 1925. By the 15th August no delivery had been made, and the contract was accordingly cancelled, the contractors being, however, allowed to complete and submit for inspection about 45 tons of bolts which had been partly made. Fresh tenders were invited by advertisement in August 1925.  The lowest tender in accordance with the specification was that of a Belgian firm at £17-8-0 per ton.  This firm, although reliable contractors for other classes of material, had never made fishbolts for Indian Railways, and it was therefore considered unwise, having regard to previous experience and to the urgency of the requirements, to give them more than a small trial order. Their tender was accordingly accepted for 35 tons early.

**PART A.—Cases in which lower foreign tenders, including British tenders for foreign tenders, have been set aside wholly or partially in favour of British tenders—contd.**

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
			£ s. d.	£ s. d.	
Steel Boiler Tubes	E. 3886/5796, September 1925.	Stewarts & Lloyds, Ltd.	3,326 9 0 (for 7,778 tubes).	2,770 8 9 (German) (for 10,778 tubes).	The next tender in accordance with the specification was from another Belgian firm at £18-4-0 per ton, and to this firm the same consideration applied. A trial order for 35 tons was accordingly placed with them.  The next tender was from another Belgian firm at £19-14-0 per ton. This firm are satisfactory makers, but their delivery (14 to 16 weeks) was too long and the higher cost of inspection at their works would have made their tender, in the end, very nearly equal to that of the lowest British tenderer at £21-0-0 per ton.  The remaining quantity, namely 68 tons, was accordingly ordered from Messrs. Guest, Keen and Nestlé for immediate delivery, thus meeting to some extent, the requirements of the Indenting Departments as regards delivery.
	E. 4069/5796, September 1925.	Howell & Co., Ltd.	1,100 0 0 (for 3,000 tubes).		Supplies from the German firm would not reach India before the end of December and in order to avoid inconvenience, it was necessary to allocate parts of the order, as shown, to two British firms who offered earlier delivery. The bulk of the order (76,335 tubes) was ordered from the lowest tenderer (German).
Fencing Steel Wire	E. 3885/4403, September 1925.	The Darlington Fencing Co., Ltd.	111 2 0	98 7 6 (German).	Supply was required as early as possible and the Darlington Co. offered better delivery; also, the cost of inspection of the German fencing would have been more than the difference between the two quotations.

**PART A.—Cases in which lower foreign tenders, including British tenders for foreign tenders for foreign made goods, have been set aside wholly or partially in favour of British tenders—contd.**

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
Steel Boiler Tubes	E-4162/2867, October 1925.	The British Mannesmann Tube Co., Ltd.	£ s. d. 1,059 1 3 (for 3,500 tubes 14' 8½" long).	£ s. d. 1,718 15 0 (for 7,500 tubes) French.	30,700 boiler tubes were indented for to be supplied in three equal instalments, the first to reach India by November 1925, and subsequently telegraphed that 15,000 of them were required immediately as stock was exhausted.
	E-4163/2867, October 1925.	Stewarts & Lloyds, Ltd.	£ s. d. 1,308 16 8 (for 5,000 tubes 10' 8½" long).		Shipment of supplies from either of the two lowest tenders (one French and one German) would not commence in less than about seven weeks, so that it was necessary to place part of the order with British makers offering earlier delivery.
		Total	£2,454 17 11 (for 7,500 tubes).		2,800 were allotted to the British Mannesmann Tube Co., at the price shown, for shipment in one to two weeks, and 5,000 to Messrs. Stewarts and Lloyds for shipment in two to three weeks.
Wire Brass	E-4159/2852, October 1925.	Charles Clifford & Son, Ltd.	£7 5 1	49 3 6 (Continental).	Only partial effect was thus given to the indenting officer's request for immediate delivery, because of the heavy extra cost (£712-2-11 for 7,800 tubes).
Sulphate of Copper	E-4170/2843, October 1925.	British Sulphate of Copper Association, Ltd.	£6 11 3	£4 1 3 (Belgian).	The lowest tender (French) was accepted for the remaining 25,200 tubes.
					The accepted tender was considered to be the most advantageous taking into account the higher cost of inspection that would have been entailed by acceptance of the foreign tender.
					The accepted tender was considered to be the most advantageous taking into account the higher cost of inspection that would have been entailed by acceptance of the foreign tender.

**PART A.—Cases in which lower foreign tenders, including British tenders for foreign or partially in favour of British tenders—contd.**

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
			£ s. d.	£ s. d.	
Superheater Fire Tubes	E-4686/7553, 10th November 1925.	P. E. Banting, Ltd.	343 10 0 (for 400 tubes).		The demand was received on 12th October and was advertised, tenders being received on 3rd November. Of 910 tubes indented for, 350 were required to reach India during November and 260 in December 1925.
	E-4689/7557, 10th November 1925.	British Mannesmann Tube Co., Ltd.	868 10 10 (for 510 tubes).		
Copper Wire	E-4670/7496, 12th November 1925.	Total of the two Contracts	1,179 0 10	797 7 6 (French).	The 510 tubes required immediately were therefore ordered from the latter firm and the balance of 400 from the lowest tenderer.
	E-4670/7496, 12th November 1925.	General Electric Co., Ltd.	121 10 3	117 11 5 (German).	The extra cost of inspection abroad, would have exceeded the difference between the two quotations. Moreover, an instalment was required to reach India by December and the accepted firm offered to commence delivery in 10 days whereas the German tenderer required six weeks.
Tube Plates	E-4716/7136, 13th November 1925.	Foley's	128 15 0	121 10 0 (German).	There had been delay in delivery under a previous contract with the lowest tenderer and the tube plates were required in India by 1st January 1926.
Steel Boiler Tubes	E-4686/8069, 6th December 1925.	J. O'Hara Murray (5,000 tubes)	956 8 4 (German).		In order to lessen the risk of delay, the order was divided equally between the two lowest tenderers. 6,000 tubes were required in India in December 1925 and 4,000 in February 1926. Shipment of tubes by the lowest tenderer (O'Hara Murray; German Agent) would take place in about eight weeks.
	E-3089/8069, 6th December 1925.	Tubes Ltd. (5,000 tubes)	878 12 6 (British).		
		Total of the two Contracts	1,864 0 10	1,865 8 4 (German).	The next tenderer (French) offered longer delivery. The third (Tubes Ltd., British) offered tubes for shipment in from two to three weeks. By dividing the order as shown 5 to 6 weeks were gained.

**TABLE A.—Cases in which lower foreign tenders, including British tenders for foreign made goods, have been set aside wholly or partially in favour of British tenders—contd.**

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
Bridgework . . . . .	E-5145/S. 7788 December 1925.	Widnes Foundry Co., Ltd.	£ s. d. 10,337 4 3	£ s. d. 19,633 3 0 (German).	<p>The tender stated "early delivery of the girders is an essential feature of the contract".</p> <p>The lowest tender offered metric sections, some of which were not suitable, and the delivery offered was 14 to 23 weeks.</p> <p>The next tender (British) promised delivery in 10 to 26 weeks and there appeared to be every prospect of punctual delivery.</p> <p>Particulars were telegraphed to the indenting officer who accepted the British tender.</p>
Bridgework . . . . .	E-521F/6501, December 1925.	Patent Shaft and Axletree Co., Ltd.	7,033 3 0	Two lowest tenders. 6,725 10 0 (German). 6,931 15 0 (German).	<p>The girders were required to reach India in December 1925.</p> <p>The lowest tenderer offered delivery in 21 weeks to which must be added 4 weeks for transport from works to port of shipment. Further delay would have been caused, as in previous Continental contracts, by the necessary alterations of design to suit Continental sections.</p> <p>Delivery in India could not be expected before about August 1926.</p> <p>The second tenderer also offered Continental sections for delivery in 16 weeks plus delay for alteration of design plus four weeks for transport.</p> <p>This firm is good and reliable but the saving in comparison with the third tender (£80) would have been swallowed up in extra cost of inspection and the girders could not reach India until about the end of June 1926.</p> <p>The third tender was the only one offering correct sections; the firm undertook delivery in 13 weeks and the tender was accepted on the grounds of superior reliability, quicker delivery and saving on inspection costs.</p>



**PART A.—Cases in which lower foreign tenders, including British tenders for foreign tenders, have been set aside wholly or partially in favour of British tenders—continued.**

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
Springs, Half-ton and Volute	E-5328/5855, 14th December 1925.	Geo. Salter & Co., Ltd.	£ s. d. 1,383 6 8	£ s. d. 1,191 5 0 (German).	The springs had originally been ordered from a German firm in June 1925. The contractors proved to be unable to manufacture the springs satisfactorily and it has therefore been necessary to cancel the contract. After 5 months' delay the supply of the springs had become a matter of urgency and the indenting officer cabled for their immediate supply. The order has therefore been placed with the firm who offered the shortest delivery, and the extra cost incurred over and above the original contract price is being recovered from the original contractors.
Steel Tyres.	E-5344/6090, 15th December 1925.	Carters (Skoda Works)	608 2 0	---	Over half the number of tyres were required to reach India by December 1925, and the remainder by February 1926.
	E-5245/5990, 15th December 1925.	Steel Co. of Scotland	2,672 19 0 2,659 13 6	2,588 16 0 (Czecho-Slovakia).	The lowest technically satisfactory tender was that of the Skoda Works, £2,568-16-0, delivery 10 weeks, to which must be added four weeks for transit to port of shipment and an allowance for delay in delivery seeing that the last order placed with this firm was completed six weeks late.
Steam Cylinders for Locomotives.	E-5419/5946, 31st December 1925.	R. & W. Hawthorn Leslie & Co., Ltd.	5,125 6 0	5,168 0 0 (German).	In order to secure the required delivery the urgent items were ordered from the Steel Co. of Scotland for delivery in five weeks, together with two other items for which their tender was actually the lowest) for delivery in seven weeks, and the remainder was ordered from the Skoda Works. The accepted tender was considered to be the most advantageous, taking into account the higher cost of inspection that would have been entailed by acceptance of the foreign tender.

PART B.—Cases in which the discrimination is between British firms only.

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
Paint signal red . . .	E-231/1720, 22nd June 1925.	Lewis Berger and Sons, Ltd.	£ s. d. 49 10 0 for 40 gallons. 87 10 0 for 80 gallons added to contract on 18th August 1925.	£ s. d. 96 0 0 for 120 gallons.	The indent stated that Berger's paint was preferred. A quotation lower than that submitted by Berger and Sons was received from another firm whose sample compared favourably with that from the former firm. It was realised that actual experience in use was the best test and the indenting officer had previously stated that Berger's paint had proved most suitable; also he had complained about a supply made by another firm. It was considered desirable, therefore, to order the first instalment of 40 gallons, (i.e. one-third of the requirement) from Messrs. Berger.
Ammonii carbonas B. P. . . .	E-2646/3468, 16th July 1925.	Forbes, Abbott and Lennard, Ltd.	104 19 0	103 18 0	The question of the supply of the balance was referred to the indenting officer, together with a sample of the cheaper paint, and he, in reply, requested that Messrs. Berger's paint be supplied.
Scrim . . . . .	E-2740/2682, 20th July 1925.	Albert Stockwell & Co. . . .	734 12 8	713 0 0	The extra cost of inspection, if the order had been placed with the lowest tenderer, would have exceeded the difference between the two quotations.
Machines, threadlike . . .	E-2747/4552, 31st July 1925.	Buck and Hickman, Ltd. . . .	84 2 2	70 17 6 77 14 0 81 2 0	Messrs. Stockwell offered to supply 36" wide scrim for £74-12-8 by 15th August and, alternatively, 42" material at a price equivalent to £7.3 for the same area for shipment in September or October. As the indenting officer required the scrim in India without fail by 15th September it was necessary to accept the higher alternative. Accepted on the ground of the superior value offered as compared with the lower tenders, all of which were for "figurer" machines. The indent also specified that the stores were required to be Buck and Hickman's make or similar.

## PART B.—Cases in which the discrimination is between British firms only—contd.

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender actually accepted.	Reason for acceptance.
Paper, carbon	E-3019/8375, 1st August 1925.	Pencarbon Co., Ltd.	£ s. d. 1,200 0 0	£ s. d. 840 0 0	Zanetic paper (which is made by Pencarbon Co. only) was demanded in the indent, but competitive tenders for carbon paper were invited and, as a result, a tender for paper considered to be suitable was received at a much lower figure than that quoted by Pencarbon Co. Ltd. for Zanetic paper. Prices and samples were referred to the indenting officer and he, in reply, selected the Zanetic paper.
Cement, portland	E-3035/8077, 1st August 1925.	Cement Marketing Co., Ltd.	11,100 0 0	9,800 0 0	The indenting officer stated that the cement "must be of British manufacture and preferably one of the Associated Portland Cement Co.'s old established brands". Tenders for cement of British manufacture were called for by advertisement. The lowest tender was received from a British company. The tender of the Cement Marketing Co. (the selling organisation of the Associated Portland Cement Manufacturers, Ltd.) was next lowest at £11,100. The lowest tender was considered satisfactory, and this fact and the prices were telegraphed to the indenting officer who replied that unless the India Store Department would take all risk of the cement not being satisfactory, only the Associated Company's brand should be sent.
Safes, cash	E-3437/6179, August 1925.	Batner Safe Co., Ltd.	75 14 0	73 13 0	The Store Department would have been prepared to guarantee that cement accepted from the lowest tender was in strict accordance with the specification and had passed all tests, but obviously it could not assume the responsibility suggested by the indenting officer. Accepted on the ground of the superiority of the goods offered, which represented more than the small difference in price.

PART B.—Cases in which the discrimination is between British firms only—contd.

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lower Tender not accepted.	Reason for acceptance.
			£ s. d.	£ s. d.	
Wheels and axles for troley's.	E-3551/2549, September 10.5.	Blake Boiler Wagon and Engineering Co., Ltd.	97 10 0	86 0 0	The lowest tenderer required 12-14 weeks for delivery, which would not meet the requirements stated in the indent, viz., that the stores were to reach India in November 1925. The order was placed therefore with the next lowest tenderer who offered to deliver four weeks earlier.
Crane	E-3682/2013, September 1925.	Thomas Smith and Sons (Roeley), Ltd.	773 0 0	691 10 0	Accepted on the ground of the superior trustworthiness of the firm tendering. The crane (for the Lloyd Barrage Scheme) was demanded by telegram for the earliest possible supply but not later than December 1925.
Snook apparatus	E-3685/2793, September 1925.	Newton and Wright, Ltd.	369 11 6	338 6 0	The most technically suitable tender came from a firm which is seriously behind-hand with another crane for the same scheme. A complaint having been received from the Chief Engineer on the subject, it was obviously not advisable to place the order with that firm. The next lowest suitable tender was accepted.
Whistcoats, cardigan	E-3692/2607, September 1925.	Bent and Watson, Ltd.	4,709 19 10 for 13,630 cardigans.	4,608 14 3	Messrs. Newton and Wright's goods were demanded by the Procuring Department. Technically suitable offers at prices lower than those quoted by Messrs. Newton and Wright were received, however, and the matter was referred to the indenting officer who, in reply, selected Messrs. Newton and Wright's offer.
					27,680 cardigans were required urgently. The lowest suitable tender at £9,007-9-3 was from a British firm who offered to commence delivery in ten, completing in twenty-one, weeks. These times, however, would probably not be adhered to as the firm already held a contract for similar articles on which no delivery had been made.

## PART B.—Cases in which the discrimination is between British firms only—contd.

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
			£ s. d.	£ s. d.	
3-Ray transformer	E-4677/9833, 7th October 1925.	Alfred E. Dean & Co.	835 0 0	444 10 0	The next lowest suitable offer was from Messrs. Bent and Watson who promised delivery of the whole quantity in 3 to 21 weeks.  In order to secure early supply the order was divided equally between the two firms, contract times for delivery for the portions allotted being—Bent and Watson 3 to 12 weeks, and the other contractor 10 to 15 weeks.  It was specified in the indent that the apparatus was "to be obtained from Messrs. Dean & Co." Competitive tenders were obtained and apparatus offered by another firm at a lower price (as shown) was considered by the Store Department to be technically suitable and equivalent to Dean's.  The indenting officer was communicated with, and he intimated that Dean's tender should be accepted as that firm's make was known to be satisfactory.
Fuggavee cloth	E-4683/7029, 11th November 1925.	A. Stockwell & Co.	6,822 15 0		607,500 yards of fuggavee cloth were demanded after specifications had been telegraphed to the Chief Controller of Stores, Indian Stores Department.
	E-4694/7029, 11th November 1925.	E. Spilner & Co.	6,983 3 6 13,778 17 6	13,645 10 1	Delivery was very urgently required and with a view to securing the earliest possible delivery, the Chief Controller of Stores recommended that the order should not be confined to one firm; and it was therefore divided between the lowest two (suitable) tenders, the extra cost over the lowest tender being £130-7-3.
Polystal	E-4681/7008, 18th November 1925.	Alfred E. Dean & Co.	64 16 0	47 1 3	The indenting officer demanded apparatus specifying Messrs. A. E. Dean & Co. as suppliers. Competitive tenders were obtained and offers for equivalent apparatus were obtained at prices lower than Dean's.  The matter was referred to the indenting officer who replied that Messrs. Dean's tender should be accepted.

## PART B.—Cases in which the discrimination is between British firms only—concl'd.

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
Thread, fax . . .	E-4954/790, 20th November 1925.	William Harbour & Sons, Ltd.	£ s. d. 124 13 9	£ s. d. 123 4 7	Accepted on the ground of the quicker delivery offered. The thread was required in India immediately and the lowest tenderer required 7 weeks in which to complete supply.
Flannel, white . . .	E-3183/549, 8th December 1925.	James Harper & Sons . . .	3,648 3 9	7,324 7 6	The flannel was required in India urgently and the lowest tenderer—Messrs. J. Harper & Sons—required 7 weeks to commence and 17 weeks to complete delivery.
Saws, circular . . .	E-5402/826, 20th December 1925.	J. Beardshaw & Son, Ltd. . .	3,711 11 3 7,383 15 0	48 0 0	Messrs. J. Smith Milnrow, Limited—the next lowest—offered to commence supply in 5 weeks and to complete in 13 weeks. It was decided to divide the order equally between these two lowest tenders. The saws offered by Beardshaw & Son, who are specialists, were better value for money.

## PART C.—Cases in which the discrimination is between Foreign firms only.

Goods Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
Insulators	E-3807/453, 16th July 1924.	W. F. Dennis & Co.	£ 2,000 800 0 0 (Germany.)	£ s. d. 780 0 0 (France.)	100,000 insulators were required to be shipped definitely not later than 20th November 1924.  The lowest tender was from P. E. Banting, Ltd., on behalf of a French firm of manufacturers, but their promised delivery for the whole quantity would have extended to the end of January 1925.  It was therefore necessary to divide the order. 65,000 insulators were ordered from Banting at £18-8-0 per 1,000, 80,000 of which are due for delivery by the end of November and the next lowest suitable offer (W. F. Dennis, German manufacturer) was accepted for the remaining 40,000 at £21-0-1 per 1,000 for delivery by the end of October.
Articulated	E-3811/508, 2nd September 1924.	A. de Bary	1,312 10 0 (Belgian.)	1,411 13 4 (Belgian.)	Accepted on account of the superior trustworthiness of the firm tendering.
Wheels and axles for carriages.	E-3818/508, 5th September 1924.	Bochumer Verein	7,000 0 0 (German.)	7,575 0 0 (German.) 7,688 0 0 (German.)	The lowest tender at £21,875 was from a firm on whose work the Consulting Engineers had recently made an unfavourable report, and that at £21,688 was from a firm who had only just previously been heavily fined for delay in delivery.
Machinist	E-3809/723, 16th December 1924.	Leo. C. Ströhm, Ltd.	\$ 2,045 00 (U. S. A.) (U. S. A.)	230 0 0 (U. S. A.)	The lowest tender was for a like difference in design from that demanded, but apparently capable of doing the same work and comparable as regards dimensions, capacity, and weight.  The tenders were referred to the indenting officer, who selected the more expensive machine.

## RESOLUTION RE POSITION OF INDIANS IN SOUTH AFRICA.

**The Honourable Sir Alexander Muddiman** (Home Member): Sir, before you call on the Honourable Mr. Jinnah to move the Resolution\* which stands in his name, I crave your indulgence and the indulgence of this House to make a statement.

**Mr. President:** If the Honourable the Home Member desires to make a statement in connection with the question to be raised by the Resolution of Mr. Jinnah, I could not allow him to do so unless Mr. Jinnah agrees to such a course being adopted.

**Mr. M. A. Jinnah** (Bombay City: Muhammadan Urban): I am always glad to hear from the Government any statement that they may wish to make on the floor of this House as they so seldom do so.

**The Honourable Sir Alexander Muddiman:** I am glad that my request has met with Mr. Jinnah's approval, and I hope also the approval of the House.

Sir, my ground for asking leave to make a statement is that the matter which may come under the consideration of this House is one of the greatest importance on which I do not think there is any difference of opinion as to the object to be achieved on the part either of the Government or of any Member of this House, or of the people of India generally. I am at any rate convinced that, as regards the Mover of the Resolution his one object, I am sure, is to strengthen and not to weaken the hands of Government. Sir, I should like to make my own personal position in this matter as Leader of the House clear. In the first place the Resolution on the paper to-day, and the meeting of the Assembly to-day, is the

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\* "This Assembly recommends to the Governor General in Council that he will be pleased :

- (a) to represent to the Government of the South African Union that the proposed legislation known as the Areas Reservation and Immigration Registration (Further Provision) Bill is wholly unacceptable in principle, it being unjust and inequitable and inconsistent with the rights of British citizenship, and further constitutes a distinct breach of the Gandhi-Smuts agreement of 1914 in that it is calculated not only to make the position of Indians in South Africa much worse than it was in 1914, but its provisions are designed to destroy vested rights and to make residence in that country of any self-respecting Indian impossible;
- (b) to make a further effort to induce the South African Union Government to agree to a round table conference consisting of, among others, Indian representatives to settle all grave outstanding matters in controversy between the said Government and Indians;
- (c) to represent to His Majesty's Government that in view of the extreme importance and urgency of the matter it should use its influence with the South African Union Government to bring about a round table conference for the said purpose;
- (d) to arrange if necessary for a deputation consisting of representatives of the two Houses of the Indian Legislature, the Government of India and also of Indians in South Africa to visit England and make necessary representations to the British Cabinet and Parliament;
- (e) to represent to the Imperial Government that in the event of the failure of any satisfactory settlement of the question and of the passing of the Areas Reservation and Immigration (Further Provision) Bill into law His Majesty's Government should advise His Majesty to disallow the said law."



fulfilment of a pledge I gave on the 28th January last. On that occasion, Sir, I said:

"The discussion of the motion and the amendment at this particular juncture will, in the considered opinion of the Government of India, prejudice the position in South Africa where negotiations are at a very difficult and critical stage."

Since then the matter was raised in the House of Lords on the 26th February, and Lord Olivier, in withdrawing his motion, made the following remarks to which I would draw the attention of this House:

"The steps which have been taken by the Viceroy, in consultation with the noble Earl, have certainly improved the situation in so far as they enabled the whole principle of the Bill to be again discussed, and after we know the result of those steps then, I entirely agree with the noble Earl, will be the time for us, if necessary, to press His Majesty's Government for any further disclosures of their policy or their intentions."

On that Lord Olivier withdrew his motion.

Now, Sir, the position with regard to the Select Committee which, as the House knows, is sitting in South Africa, is precisely the same as when the House of Lords postponed discussion. The Select Committee is still sitting and is still at the stage of hearing witnesses. Their report is not expected before the end of the month. The published correspondence shows that the Government of India have done everything in their power to represent the Indian case and to secure an acceptable settlement. I will ask the House to accept my assurance, though it is not necessary to do so as His Excellency has already spoken on the point—however, I renew the assurance that the Government of India will continue to spare no effort to secure that the Asiatic Bill is not proceeded with and to effect an acceptable settlement of the other points at issue. Of the eventual issue it is not possible to make any forecast, but of one thing I feel sure and that is that the discussion at this stage of certain clauses of the Resolution cannot be helpful and may seriously jeopardise any prospects there may still be of a satisfactory settlement. I am confident that no Member of this House, and certainly not the Member in whose name the Resolution stands, will desire to contribute to such a result by any action on his part, and therefore I ask him, after hearing my statement, not to make his motion.

**Mr. M. A. Jinnah:** Sir, I have listened to the statement made by the Honourable the Leader of the House on behalf of Government. I fully realise the situation that is facing us at the present moment. On the 17th of February 1926 Dr. Malan, the Minister in charge of this Bill in the South African Union Parliament, stated as follows:

"So far we had turned down two very important requests of the Government of India, and under these circumstances we realise that the feeling was springing up in India, and also among the Indian community in South Africa, that we were forcing through this most important legislation in which they were so vitally concerned, not only against the will of the Indian community and the will of the Government of India, but forcing it through without giving them any proper opportunity of laying the case of the Indians before the Government of the country and before the Legislature."

From this it will be obvious that the South African Government have realised the intensity of feeling not only in this country amongst all sections of the people but also the intensity of feeling of the Indians in South Africa, whose vested rights are in jeopardy if this measure is passed. Sir, he further proceeded to say:

"We felt that it was only right to attach certain conditions and safeguards. We felt it was necessary to do this."

[Mr. M. A. Jinnah.]

—(that is, the course that they adopted)—

“because this was under the circumstances prevailing in South Africa and this House an unusual procedure (the unusual procedure being that the order to move the second reading of the Bill was discharged and a Select Committee was appointed.”

And further he recognised that the Government of India had taken up a very clear and precise position, and in his own words he says:

“ We fully recognise that our proposals ”

—(that is, the Government of India's telegram)—

“ have been given the fullest consideration, and we further understand that the offer now made to us involves departure from the normal parliamentary practice and procedure. We see in it another proof of the desire on the part of your Ministers to find a solution of this problem.”

The telegram added that the Government of India accept the offer to let the Bill go to the Select Committee before the second reading and noted with satisfaction that the terms of reference would be sufficiently wide to include the principle of the Bill. They assume that the representatives of Indian opinion in South Africa would have an opportunity of presenting their claims which they felt sure the Union Government would agree would not fail to assist the Committee enormously in their task.

Now, Sir, I fully recognise that that Select Committee has not concluded its labours, that it has not yet made its report and, to put it in legal language, the matter therefore is *sub judice*. And, Sir, nothing is further from my mind than to weaken the Government of India or their position in relation to the negotiations which are going on, and I shall be the last person who by doing it might enable the Government of India to say that because of your actions we lost this battle which is a forlorn hope in my opinion, if for no other reason, for one reason alone, that we on this side would not like to come in for the slightest blame by doing anything which might be said to have frustrated the object we have had in view. Therefore, I am in the very difficult and delicate position, and I have no desire to move this Resolution at this moment. But, I would draw the attention of the Government to one fact, and that is that Dr. Malan, in this very speech of his which I have read, says that this piece of legislation must go through before the end of the Session of the Union Parliament, which is about the end of May. Supposing the Government of India, who are doing their utmost—and I recognise that there is complete agreement between them and us—fail and this Bill is passed through before the end of the Session, where shall we stand? This Legislature will be deprived of the opportunity of pressing its opinion and making the recommendations, particularly the last recommendation which is contained in my Resolution. This is a matter of the most vital importance; you know the intensity of feeling throughout the country. I would therefore request the Government that in this matter, they should go to the length of calling a special Session of this Assembly, if necessary, at an early date and give this Legislature an opportunity of then recording its opinion and supporting them further in the event of there being a disaster. (Applause.)

**The Honourable Sir Alexander Muddiman:** Sir, I recognise that my friend has adopted what I think this House will consider a statesmanlike course in the action he has taken, and I thank him on behalf of the

Government, but more on behalf of the Indians whose interests might otherwise have been seriously prejudiced. I notice he has referred to the negotiations and has feared an ill issue; on that it would be improper for me at this moment to express an opinion, though I myself think that if one goes into negotiations with a defeatist feeling it is likely to lead to defeat. I, though not very optimistic, am perhaps slightly more optimistic than he is.

In regard to a special Session in the event of things going wrong, it is not open to me to make any pronouncement because, as my Honourable friend well knows, the calling of the Session rests with the Governor General, and it will rest with a Governor General who is not yet even in the country; but I can promise that this debate will be laid before him at an early date on his arrival.

**Mr. President:** Before I adjourn the House, I should like to remind the Honourable Members that they are required to be present in this Chamber to-morrow morning at 11 o'clock, when His Excellency the Governor General desires to address the Indian Legislature.

I adjourn the House *sine die*.

The Assembly then adjourned *sine die*.

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