

12th January, 1922

THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

SECOND SESSION

OF THE
LEGISLATIVE ASSEMBLY, 1922



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CONTENTS.

	PAGE
TUESDAY, 10TH JANUARY, 1922	
New Year's Greetings.	
Oath.	
Statements laid on the Table.	
Questions and Answers.	
Unstarred Questions and Answers.	
Address of Welcome to H. B. H. the Prince of Wales.	
Statement of Government Business.	
Resolution <i>re</i> : the Abandonment of the Policy of Repression.	
Congratulation of Honours.	
Panel of Chairman.	
Committee on the Functions of the Deputy President.	
Ruling on Standing Order No. 38.	
Notice of Motion under Rule 11.	
Motion for Adjournment.	
The Indian Electricity (Amendment) Bill.	
The Indian Factories (Amendment) Bill.	
WEDNESDAY, 11TH JANUARY, 1922	1489-1512
Statements laid on the Table.	
Amendment of Standing Orders.	
Resolution <i>re</i> : Policy of Repression.	
THURSDAY, 12TH JANUARY, 1922	1513-1560
Oath.	
Resolution <i>re</i> : Indigenous Systems of Medicine.	
Resolution <i>re</i> : Indian Mercantile Marine.	
Resolution <i>re</i> : Prevention of Overcrowding in Railways.	
MONDAY, 16TH JANUARY, 1922	1561-1612
Oaths.	
Questions and Answers.	
Unstarred Questions and Answers.	
Statement laid on the Table.	
Address of Welcome to H. R. H. the Prince of Wales.	
Select Committee on Standing Orders.	
The Code of Criminal Procedure (Amendment) Bill.	
The Delhi University Bill.	
• Vol. II—Pt. II.	

TUESDAY, 17TH JANUARY, 1922	1613-1656
Unstarred Questions and Answers. Select Committee on Standing Orders. The Civil Marriage (Amendment) Bill. Message from the Council of State. The Civil Marriage (Amendment) Bill. The Mussalman Waqfs Registration Bill. The Code of Criminal Procedure (Amendment) Bill. The Code of Civil Procedure (Amendment) Bill. The Interest Act 1839 Amendment Bill.	
WEDNESDAY, 18TH JANUARY, 1922	1657-1736
Oaths. The Civil Marriage (Amendment) Bill. The Indian Emigration Bill. The Indian Income-tax Bill. Resolution <i>re</i> : abandonment of the Policy of Repression.	
THURSDAY, 19TH JANUARY, 1922	1737-1789
Unstarred Questions and Answers. Ballot for Bills. Statement of Government Business. Resolution <i>re</i> : Committee on certain sections of the I. P. C. and C. P. C. Resolution <i>re</i> : Elected Standing Committees with the Government of India.	
FRIDAY, 20TH JANUARY, 1922	1791-1813
Governor General's Assent to Bills passed by the Legislature. The Civil Marriage (Amendment) Bill.	
TUESDAY, 24TH JANUARY, 1922	1815-1889
Questions and Answers. Unstarred Questions and Answers. Messages from the Council of State. Resolution <i>re</i> : Committees on Currency and Exchange. Resolution <i>re</i> : the abolition of Impressed Labour, Conveyance and Provision.	
WEDNESDAY, 25TH JANUARY, 1922	1891-1941
Statement laid on the Table. The Code of Civil Procedure (Amendment) Bill. The Delhi University Bill. The Indian Income-tax Bill.	

THURSDAY, 23TH JANUARY, 1922

Situation in Guntur.
Statement laid on the Table.
Questions and Answers.
Situation in Guntur.
Statement of Government Business.
Governor General's Assent to Bills passed by the Legislature.
Resolution *re* : Votable and Non-votable items in the Budget.
Resolution *re* : Export of Manures and Oil Seeds.
Message from the Council of State.

SATURDAY, 28TH JANUARY, 1922 1991-2050

The Delhi University Bill.
The Indian Income-tax Bill.
Amendment of Standing Orders.
The Police (Incitement to Disaffection) Bill.
The Civil Procedure (Amendment) Bill.
The Indian Emigration Bill.

TUESDAY, 31ST JANUARY, 1922 2051-2073

Questions and Answers.
Unstarred Questions and Answers.
Arrangement of Government Business.
The Code of Criminal Procedure (Amendment) Bill.
The Land Acquisition (Amendment) Bill.
The Code of Criminal Procedure (Amendment) Bill.

WEDNESDAY, 1ST FEBRUARY, 1922 2075-2102

Bills passed by the Council of State.
The Indian Lunacy (Amendment) Bill.
Resolution *re* : Women's Franchise.

FRIDAY, 3RD FEBRUARY, 1922 2103-2151

Questions and Answers.
Statement of Business.
Resolution *re* : Examination of the Indian Penal Code.
Resolution *re* : Reduction of Madras Contribution to Central Government.
Resolutions withdrawn.
Resolution *re* : Separation of the Andhra Districts from the Madras Presidency.
Resolution *re* : Committee of Inquiry on Expulsion from Cantonnments.
Presentation of Report of Select Committee on Standing Orders.
Resolution *re* : Committee on Retrenchment.

	PAGE
MONDAY, 6TH FEBRUARY, 1922	2153-2220
Questions and Answers.	
Unstarred Questions and Answers.	
Motion for Adjournment.	
The Civil Procedure (Amendment) Bill.	
The Benares Hindu University (Amendment) Bill.	
The Indian Emigration Bill.	
TUESDAY, 7TH FEBRUARY, 1922	2221-2243
The Indian Limitation (Amendment) Bill.	
The Code of Civil Procedure (Amendment) Bill.	
Resolution <i>re</i> : Suppression of Traffic in Women and Children.	
The Code of Civil Procedure (Amendment) Bill.	
Discussions in Select Committee.	
WEDNESDAY, 8TH FEBRUARY, 1922	2245-2282
Presentation Ceremony and Royal Durbar.	
The Indian Lunacy (Amendment) Bill.	
Resolution <i>re</i> : Committee on New Arms Rules, 1920.	
Disturbances in the United Provinces.	
Resolution <i>re</i> : Withdrawal of Martial Law in Malabar.	
Disturbances in the United Provinces.	
THURSDAY, 9TH FEBRUARY, 1922	2283-2312
Oath.	
Question and Answer.	
Unstarred Question and Answer.	
Statement of Business.	
Resolution <i>re</i> : Improvement of Medical Education in India.	
Resolution <i>re</i> : Equality of Status for Indians in Africa.	
SATURDAY, 11TH FEBRUARY, 1922	2343-2392
Questions and Answers.	
Unstarred Questions and Answers.	
Governor General's Assent to the Benares Hindu University (Amendment) Bill.	
Resolution <i>re</i> : Indianisation of the Services.	
MONDAY, 13TH FEBRUARY, 1922	2393-2428
Oath.	
Questions and Answers.	
Unstarred Questions and Answers.	
Motions for Adjournment.	
The Civil Procedure (Amendment) Bill.	
The Delhi University Bill.	
The Special Laws Repeal Bill.	
The Indian Criminal Law Amendment Repealing Bill.	
Amendment of Standing Orders.	
Time for Balloting.	

WEDNESDAY, 22ND FEBRUARY, 1922 2499-2498

Questions and Answers.
 Unstarred Questions and Answers.
 Message from the Secretary of State.
 The Indian Limitation (Amendment) Bill.
 The Civil Procedure (Amendment) Bill.
 The Delhi University Bill.

THURSDAY, 23RD FEBRUARY, 1922 2499-2558

Questions and Answers.
 Government Policy in regard to Non-co-operation Movement.
 Governor General's Assent to Bills.
 Statement of Legislative Business.
 Resolution *re*: Technical Training of Indian and Anglo-Indian
 Youths.
 Resolution *re*: E. and P. Service and Military Officers in Judicial or
 Administrative Posts.
 Messages from the Council of State.

MONDAY, 27TH FEBRUARY, 1922 2559-2615

Statements laid on the Table.
 Questions and Answers.
 Unstarred Questions and Answers.
 Amendment of Standing Order.
 The Indian Income-tax Bill.
 The Indian Ports (Amendment) Bill.
 Resolution *re*: India's participation in the British Empire Exhibi-
 tion.
 Resolution *re*: Prohibition of Traffic in Mipur Girls.

LEGISLATIVE ASSEMBLY.

Thursday, 12th January, 1922.

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

MEMBER SWORN.

Mr. Theodore Alban Henry Way, M.L.A. (United Provinces: Nominated Official).

RESOLUTION *RE*: UTILISATION OF INDIGENOUS SYSTEMS OF MEDICINE.

Rai Sahib Lakshmi Narayan Lal (Bihar and Orissa : Nominated Non-Official) : Sir, the Resolution that I have the honour to move runs as follows :

‘That this Assembly recommends to the Governor General in Council that some practical steps be taken to utilize the services of the Unani and Ayurvedic experts for the prevention and cure of the epidemics in the country with the help of the indigenous systems—and that a Committee be appointed to recommend those steps.’

Before I deal with the merits of the Resolution, I want to say a few words regarding the jurisdiction of this august Assembly about this Resolution. Honourable Members are aware that in February last the Honourable Lala Sukhbir Sinha moved a Resolution in the Council of State regarding the desirability of having Unani and Ayurvedic Medical Colleges in the provinces, which was lost on the ground that the matter was a provincial subject. The Resolution of the Honourable Lala Sukhbir Sinha might have touched upon a provincial subject as it related to the desirability of starting colleges in the provinces ; but I most respectfully submit, that every Resolution regarding public health is not necessarily a provincial subject. Clause 3 of the list of provincial subjects in the Appendix to the Subjects Committee’s Report is as follows :

‘Public Health and Sanitation and Vital Statistics—subject to Indian Legislation in respect of contagious diseases to such extent as may be declared by an Act of the Indian Legislature.’

The Resolution before the House relates to the prevention and cure of epidemics and so it cannot be said that this House has no jurisdiction to appoint a Committee. In their note on clause 3 above, the Committee say that the Indian Legislature should have concurrent power to legislate regarding protection against infectious and contagious diseases. In paragraph 40 of their Report, the Committee say :

‘There remains however a special case for consideration, namely, legislation affecting a certain class of provincial subjects as to which it seems expedient, while giving freedom to provincial legislatures, also to preserve the full authority of the Indian Legislature. The subjects falling into this class are subjects in which the backwardness or laxity of one province is specially liable seriously to endanger the interests of other provinces. They all have to do with health, either that of human beings, or that of animals or plants.’

[Rai Sahib Lakshmi Narayan Lal.]

After giving details of the measures they recommended, the Report goes on :

'In regard to these matters we recommend that it should be definitely recognized that it is open to the Indian Legislature to legislate, notwithstanding that they fall within the limits of provincial subjects which are not classified as subject to Indian Legislation. The provinces will, however, retain their own freedom to legislate on these subjects without previous sanction, except that, where the Indian Legislature passes a law of general application dealing with these subjects, it will be open to that Legislature to prescribe that a provincial legislature shall not be competent to amend such a law without obtaining previous sanction.

'In making the above recommendation we do not leave out of consideration one of the alternatives mentioned in paragraph 212, namely, that the Indian Legislature should pass legislation which might be adopted either *simpliciter* or with modifications by any province which may wish to make use of it. We agree that this form of legislation should be recognized as within the scope of the Indian Legislature as regards any provincial subject, and that such legislation should not be regarded as involving any invasion of the provincial field. But, as the adoption of such model legislation passed by the Indian Legislature is to be left entirely to the discretion of the province, the acceptance of this plan does not adequately provide for such conditions as are referred to in the preceding paragraph.'

Plague and influenza were not known to India before recently they broke out in a corner of the country and spread out from place to place and almost annually recur in the same manner. It is the Central Government which alone can take some adequate steps for the whole of the country for their prevention and cure. In a matter like this the Provincial Governments, with their limited resources, cannot do much, it is the Central Government which should take the lead and it is for the provinces to follow the noble example of the Central Government.

The Report of the Functions Committee states :

'The Provinces may adopt such model legislation passed by the Indian Legislature'.

It cannot be said that the Resolution has nothing to do with legislation. This is a new step for the protection of the health of the people, and the Committee may recommend some sort of legislation, and the Government, after considering the report of the Committee, may think it expedient to have recourse to some sort of legislation. A Committee appointed by this House will have special advantages. It will consist of the representatives of most of the provinces and will therefore be in a position to handle the question from an all-India point of view. Besides, the matter is so urgent that it can be safely called an emergency measure. A Reuter's telegram, as published in the *Eastern Mail* of the 6th February about the Report of the Ministry of Health, London, runs as follows :

'The Report of the Ministry of Health furnishes a grave warning with regard to world-wide possibility of further epidemics similar to those of 1919 which was responsible for more deaths than the whole war. A number of very eminent medical men state that the world's outlook with regard to future pestilence is gloomy. From a perusal of the carefully prepared report it is plain that the influenza epidemic remains a mystery disease despite all experiments in bacteriological test and other data. The medical men are at a loss to define the cause or to offer a cure. They express the opinion that conditions over wide tracts of the world will be favourable to further epidemics for at least another generation.'

Should the Central Government, after this grave warning, leave the matter entirely in the hands of the Provincial Governments? The attitude of the Government regarding this matter is, of late, very sympathetic, but mere sympathy will not solve the problem. Some practical steps should be taken.

'This warning proves, beyond doubt, that this is a very important subject and deserves the serious consideration of every well-wisher of the country. Considering the importance of the subject, I have collected the valuable opinions of high Government officials, eminent European, American and Anglo-Indian medical experts, historians, journalists and councillors speaking with personal experience and got the same printed and published as a small book called 'Glories of the Indian Medicine,' which has been circulated to the Honourable Members of this House. I made this collection for the purposes of my speech and therefore hope to be excused for making frequent references to the pages of this book. As I have said in the first page of the preface :

'Famine and pestilence are the two great evils which are the root causes of most of the present troubles of India. Although each of these two evils causes immense havoc in the country and each serves to aggravate the rigour of the other, it can be safely said that pestilence is really responsible for most of the mischiefs. Numberless souls are annually swept away like flies by the epidemics without receiving any medical relief whatsoever. In the words of the Right Honourable Winston Churchill: 'It is our duty to arrest the ghastly waste, not merely of human happiness but of national health and strength, which follows when through the death of the bread-earner, the frail boat, in which the fortunes of the family are embarked, founders and women and children are left to struggle hopelessly on the dark waters of a friendless world'.

These wise words apply *a fortiori* to India where the poverty of the people is proverbial.

'But this ghastly waste cannot be arrested without eradicating the epidemics, which is by no means an easy task, and is next to impossible in India without fighting out this fearful foe with the joint forces of the allopathic and the indigenous system of medicine.'

It is certainly not intended that recourse should be had to the indigenous system in substitution for the allopathic system. No doubt Allopathy is an acquisition to the country and is one of the blessings of British rule in India ; but there are strong grounds for supplementing the Allopathic system by the indigenous system generally for every medical relief and especially for the prevention and cure of epidemics.

Along with the aforesaid report of the Ministry of Health, London, expressing inability to define the cause or offer a cure for the influenza epidemic, Honourable Members will be pleased to hear what Dewan Bahadur D. Seshagiri Rao said in the Madras Legislative Council on the 21st February, 1921. It will be found on page 41 of the book and runs as follows :

'In the late epidemic of influenza which ravaged the Godavari district I may say from my personal experience—it is reported and I have seen it too 90 per cent. of the patients treated under the English treatment succumbed. You will also be glad to learn that 90 per cent. of the patients treated under the Ayurvedic treatment recovered. I therefore place it before the Council in order that they may be pleased to brush aside scientific knowledge for a time, and have sympathy for the poor who will get some relief if Ayurvedic system is encouraged and after all, if only on the ground of economy, we should encourage the Ayurvedic treatment. In a rich district like Godavari we have been able to start only 12 dispensaries and hospitals for a population of over 14 lakhs of people and these dispensaries are at a distance of 15 to 20 miles from one another. It is simply ridiculous for the people to be expected to go to these dispensaries for medical aid. On an average these dispensaries cost us from Rs. 200 to Rs. 250 a month and if Ayurvedic treatment is properly organised and extended to these villages that with Rs. 40 a month you can run a good dispensary which gives Ayurvedic medicines. I feel strongly on the point and the strength is due to the experience that I have gained all these 36 years.'

[Rai Sahib Lakshmi Narayan Lal.]

The Honourable Khan Bahadur Mir Asad Ali, speaking in the Supreme Council on the 15th of March, 1916 (page 34 of the book), said :

'The existing medical institutions, as well as medical practitioners, are quite inadequate to meet the growing requirements of the country. According to the latest figures available

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there is one hospital for every 5,500 population. *

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The rate of mortality is very high when

compared with that of the United Kingdom. * * * * *

and plague have claimed millions of victims.'

Babu Rebati Kanta Ghosh, in the Legislative Council of Bihar and Orissa on the 27th July last, repeats the same sad story (page 39 of the book). He says :

'It is said that the Allopathic system of treatment has improved a great deal, but I fail to understand whether this improvement is in quality or in quantity. The district from which I come as a representative is one with an area of 3,656 square miles and, after more than a century of British rule, I have got in the rural areas of that district only 8 or 9 Allopathic District Board dispensaries and four or five other dispensaries of private gentlemen. In some places there are no Allopathic dispensaries even at a distance of 30 or 40 miles. If even after more than a century of British rule we have got only a few dispensaries in the district, I do not know in how many years we can have a sufficient number of Allopathic dispensaries so that the people may be treated at their doors.'

The Honourable Sir William Vincent, speaking in the Council of State on the 16th February last, was pleased to observe somewhat similarly :

'The real fact however is that the facilities for medical treatment in this country are very inadequate at present and we should do everything we can to increase them.'

Now let us see how to increase the facilities for medical relief.

It is not practicable to increase the facilities for medical treatment much under the Allopathic system especially under the present financial conditions. The real situation has been very clearly expressed by Dewan Bahadur M. Krishna Nayar. Speaking in Council on 21st February last (page 45 of the book) :

'There is no attempt whatever made in any direction either through this Resolution or in any other way to prevent people from adopting the Western system of medicine. The Western system has come to stay in this country, and I thank God that it is so. Its benefits are immense. What is sought in this Resolution, however, is to allow the poor Indian systems, the Unani system and the Ayurvedic system, to supplement the Western system. The Western system touches only a very small fringe of the population of the country, and I venture, Sir, to say very boldly that whatever amount the Government or any local body, Municipality or District Board may be able to spend upon the Western system, you will never be able to bring the aid under this Western medical system to the door of every man in the country. On the other hand, people living in all nooks and corners of the country would be able to avail themselves of the Unani and Ayurvedic systems. Well, Sir, with your kind permission, if you will not rule me out of order, I may be permitted to say that I know a State where this system—I am speaking with reference to the Ayurvedic system—has not only been encouraged but has been established as a Government departmental system. I refer, of course, to Travancore. There is a Government Ayurvedic Department manned at its head by an Indian graduate who is a practical and theoretical Ayurvedic physician. There is an educational institution there, an Ayurvedic *Pathshala* where, in addition to the teaching that is imparted in the Ayurvedic system, professors who are graduates of the Medical College are employed to give lectures on physiology and anatomy. There is a course of about four or five years and after students pass certain prescribed examinations, they are allowed to practise as Ayurvedic physicians, and there is a network of these Ayurvedic institutions spread throughout the State which render immense medical aid to all the population of the State. I don't want to dilate upon this but I refer to that, Sir, only for the purpose of showing that the system has not only been encouraged but introduced with success in a part of the Presidency. There is no reason whatever that a system that has been found successful in one part of the Presidency will not be found successful in another part of that Presidency.'

But economy is not the only merit of the indigenous system. It has got other valuable merits recognised by doctors and medical experts whose authority cannot be in any way challenged. In this book will be found a complete reply to the objections that are sometimes raised against the indigenous system, that it is not scientific, that its practitioners are quacks and that at any rate even if they can treat diseases successfully they do not know how to diagnose. I claim the indulgence of this House while I quote some of the opinions, in the short space of time at my disposal, and hope the others will be taken as read. Surgeon General Pardey Lukis, at pages 6, 7 and 8 of the book : While strongly supporting the Resolution moved by the Honourable Khan Bahadur Mir Asad Ali Khan in March 1916 regarding the investigation of the indigenous systems of medicine in the Imperial Legislative Council, the Honourable Surgeon General Sir Pardey Lukis remarked :

‘The motion now before us deals with the subjects to which I have devoted considerable thought during the 36 years of my residence in the East, and, as I said the other day at Indore, the longer I remain in India and the more I see of the country and its people, the more convinced I am that many of the empirical methods of treatment adopted by the Vaidas and Hakims are of the greatest value,’

and, continuing, the Surgeon General said :

‘Why then should the Allopath arrogate to himself the right to appropriate for the individual benefit all new discoveries denying these privileges to the practitioners of other systems of medicines? This appears to be specially unfair when it is borne in mind that 90 per cent of the Indian population lives in rural areas where the Vaidas and Hakims are and will be for many years to come the chief attendants of these dumb millions alluded to in recent speeches in this Council. I am strongly of opinion that in the interest of the masses the improvement of the education of those who profess the indigenous systems of medicine is quite as important as the invention of a lower grade of Allopathic practitioner—personally if I were ill I say frankly that I would prefer to be treated by a good Vaidya or Hakim rather than by a bad doctor. I resent strongly that spirit of medical trade unionism which leads many doctors to stigmatise all Vaidas and Hakims as quacks and charlatans and shall be always proud of the fact that I was privileged to have the friendship of such learned men as Nawab Shafa Uddowlah of Fyzabad and Kabiraj Bijay Ratna Sen of Calcutta. I will not trouble a lay audience with all the evidence that exists to show that many of the so-called discoveries of the recent years are re-discoveries of facts known centuries ago to the ancients; I will merely remark that I am not alone in my opinion as regards the value of the ancient systems of medicine. If I err, I do so in good company with my friend and former colleague, Sir Havelock Charles, Colonel King of Madras to whom India owes the magnificent Research Institute at Guindy and that distinguished Sanitarian, Doctor Turner, the Health Officer of Bombay.’

Again at page 8, paragraph (3). On the occasion of his opening the Hukumchand Laboratories and Reading Room attached to the King Edward Medical School at Indore, he said :

‘I wish to impress upon you most strongly that you should not run away with the idea that everything that is good in the way of medicine is contained within ring-fence of Allopathy or Western medicine. The longer I remain in India and the more I see of the country and the people, the more convinced I am that many of the empirical methods of treatment adopted by the Vaidas and Hakims are of the greatest value and there is no doubt whatever that their ancestors knew ages ago many things which are now-a-days being brought forward as new discoveries.’

Much would have been done if this Resolution had been adopted at that time, but somehow or other the matter was sent to the Local Governments for opinion and Honourable Members will find that the opinions of Local Governments were not very favourable. The Government is very keen about expert opinions and it seems to me very strange that a matter on which expert like Sir Pardey Lukis gave his opinion should have been sent for the opinions of Local Governments, which opinions could only be gathered

[Rai Sahib Lakshmi Narayan Lal.]

either from laymen or persons of inferior merits to Sir Pardey Lukis. However, that might have been done under the old Councils, but I hold that under the new Reform Councils a thing like that should not be done. When the expert opinions are unanimous in recognising the merits of the indigenous system and its utility, those opinions should be regarded. No doubt promises after promises have been made and hopes after hopes have been given by Government; but the realisation of those promises and the fulfilment of those hopes are now overdue and, if really, these indigenous systems are of any help to the public, then something practical should be done and the initial step should be taken by the Central Government. Honourable Members will find a similar opinion in a speech of Colonel Maclaren, Civil Surgeon of Allahabad, at pages 13 and 14. He said :

'When I first came to India I had no idea that your system of medicine has made such advances, but now I know better, and I much regret that owing to the busy life I have had to lead during my service, I have not given it that attention and study which its importance deserves. I know that you can diagnose and treat all diseases and that your treatment of chronic complaints is remarkable. Your treatment of such diseases as Asthma, Ascites, Insanity, diseases of the brain, spine and generative complaints is very successful under the climatic conditions of the country and the habits of the people. I was much interested in the drawings of the instrument used and charts shown to me the other day by Babu Sohan Lal Jain, Vaid, prepared under supervision of Pandit Narayan Dikshit Bapat. As you know, India is rich in medicinal products and herbs, many hundreds of which are incorporated in the Indian Pharmacopœa. I trust that as time goes on and social intercourse advances, there will be greater co-operation amongst gentlemen practising in two systems of medicines, for we can undoubtedly learn much from each other for our subject is the same, namely, the cure of the diseases. Each can learn from the other, as I say, we from your knowledge and experience, and you by the study of physical and chemical science and its applications to your medical methods.'

In page 22 of the book, Honourable Members will find :

Mr. President : I must warn the Honourable Member that he has very nearly exhausted his time.

Rai Sahib Lakshmi Narayan Lal : Honourable Members will find that all the remarks which I have still to cite in favour of the indigenous systems, are contained in this book. With these few remarks, as the time is up, I close my submission and commend this Resolution to the House as strongly as I can for its adoption. The Resolution is a very modest one. It does not dictate any particular step to be taken; it simply asks for a Committee to be appointed and it is left to the Committee to say what steps should be taken.

Mr. P. L. Misra (Central Provinces Hindi Divisions : Non-Muhammadan) : Sir, I have much pleasure in supporting this Resolution. As the Honourable Mover has said just now, the Resolution is a very simple one. It is that some practical steps should be taken to utilise the services of the Unani and Ayurvedic experts for the prevention and cure of the epidemics in the country and so on. Sir, connected as I am with many public institutions in my province I have some experience of these epidemics—I mean plague and influenza. During the last influenza epidemic, as the Assembly knows very well, millions of people were swept away by this fell disease. In my province about five lakhs of people were the victims of this epidemic, and the result was that when this epidemic spread in the districts, the dispensaries were quite insufficient to cope with it; the consequence being that, as my friend has already described in a graphic way, thousands of souls were swept away uncared for. Poverty, as the Assembly knows very well, is a curse of this country and in

the countryside many people who could not resist the disease were lying like rats and cats in the streets and in the roads. I know instances when even Government servants, police sub-inspectors, head constables and postal officials, for epidemics are no respecters of persons, were all victims to this fell disease, and the institutions such as Post and Telegraph offices in some districts had to be closed, in fact there was none to look after these institutions. In my own district, which has a population of about five lakhs, I regret very much to observe that there were only half a dozen dispensaries. Now you can imagine how ridiculously small this number was, also the staff engaged therein to cope with influenza of such a virulent type. The result was that we people had to go to these Hakims and Vaidas and ask them to use their utmost skill to treat these people; and to our surprise hundreds of patients were cured by simple treatment by these Vaidas and Hakims who administered pills consisting of herbs, and the results were marvellous. That was also the case during the plague time. The Assembly knows that no specific has yet been discovered in this country ever since plague came here. People have been using all sorts of medicines and in some cases they have been very successful. Therefore, my submission is, that when these Vaidas and Hakims can use medicines which have been proved to be efficacious in many cases, is it not time that we should take some steps to institute a sort of inquiry to encourage these people and find out from this committee whether it will really be useful to employ them during the epidemics of influenza and plague. My submission therefore is, that it is absolutely necessary that we should take this step and I therefore support this Resolution.

Lieut.-Col. H. A. J. Gidney (Nominated Anglo-Indian): Sir, my chief reason for entering into this discussion is because I find that Resolution No. 1, and the Resolution which stands against my name, No. 4, relate to two opposite systems of treatment. It has been very truly said that when doctors disagree, the only one who can settle the matter is the undertaker. Yet, we as legislators, are asked in this Resolution, by my Honourable friend, the Mover, to settle as to whether the Ayurvedic and Unani system of treatment is superior to the Allopathic system. (Cries of 'No.')

I repeat we are asked to take this matter up—if I may be allowed to continue and amplify my statement I hope to show its justification. I am alluding to the results which my Honourable friend mentioned in support of the Unani system. He stated that 90 per cent. of influenza cases had been cured by the Unani system while 9 per cent. of deaths had occurred under Allopathic treatment. Now, we are not here to decide which is the better method of treatment. We are a body of legislators, not medical men. I submit, if all that is claimed for this system of treatment, which I have no desire to deny, is true, then it needs no legislation, interference, or advocacy, on our part; it stands on its own merits, self-advertised and self-evident. I do not therefore see that any practical good will result by any such committee being appointed. The Unani and Ayurvedic systems have stood the test of centuries in India; whereas western medicine has been quite recently introduced into this country, and, if the latter system has supplanted the former, it is because it is as good or better than it. Moreover, the Indian is well able to decide the treatment he requires without any advice from the Legislative Assembly. This very matter was discussed in the Council of State and certain statistics, etc., were asked for, before that House could or would pass an opinion.

[Lieut.-Col. H. A. J. Gidney.]

The Honourable Mover of this Resolution has said that when expert opinion like that of the late Sir Pardey Lukis favoured this system, why should the matter have been sent to Local Governments for opinion. Now, if the expert opinion that was given to us before was not considered satisfactory by Government, how can the opinion of this Legislature, a body of laymen, be of any use to decide on the merits or demerits of the system? I do not, in any little way, wish to decry the merits of the indigenous systems of medicine which have peculiar justifiable claims of their own. But we must remember, in all forms of medicines; ' what is food for one is poison to another '.

I ask the Honourable Mover to believe me when I say that if I could see that any good would accrue by appointing this Committee, I, for one, would be the first to support it. But, since I am not convinced that any good will result, I feel constrained to oppose the Resolution.

Dr. Nand Lal (West Punjab : Non-Muhammadian) : Sir, I am afraid that Colonel Gidney had not sufficient time to give his serious consideration to the words of the Resolution. The words of the Resolution are not that this Assembly or the Honourable Mover is in favour of driving out the western system. What the Honourable Mover means to suggest to this Assembly is this, that the Ayurvedic system, which is an indigenous system and which has been found to be adequate so far as the diseases in this country are concerned, may as well be adopted. What the Honourable Mover has suggested in his very modest speech is this, that a Committee should be appointed and that Committee may deliberate over all the reasons which have been advanced in favour of the indigenous system. I cannot see for a moment how Colonel Gidney entertains the fear that we are against the western system. We are not against it. We concede and make bold admissions before this House that the western system of treatment has done immense good to us, but not so much good as we expected, and, therefore, we feel constrained to suggest very strongly that this Resolution, which has been so ably supported by citations, authorities, references and opinions, should be passed unanimously. I come from the Punjab, and if I may be allowed to make a reference to my own experience—I don't mean to speak of my experience as a physician, because I am not a medical man, but of my experience which has come to me in the form of an information, from a good many friends and relations—that the Ayurvedic system is as much wholesome and as much useful as the western system. If Colonel Gidney has any fear about the Ayurvedic system, he may ask his friends not to resort to it, but we Indians are quite prepared to assert in the strongest terms that the Ayurvedic system is very much useful and will, as I believe, drive away a good many diseases which, unfortunately, the western system has failed to drive. With these few observations, Sir, I very strongly support the Resolution which speaks for itself and which is very modest in its terms.

Khan Bahadur Sarfaraz Hussain Khan (Tirhut Division : Muhammadian) : Sir, not being a medical man, I cannot form an opinion on the comparative merits of the two systems of medicine, but my own experience has been that the Unani and Ayurvedic systems of medicine have done immense good to the country, but we are not going into the comparative merits of the two systems. The principal point for the consideration of this House is that Medicine is a provincial subject, and when the Provinces have not moved in the matter, there is no reason why the Imperial Government should spend,

as the Mover of the Resolution says, 'to utilise the services of the Unani and Ayurvedic experts'. Of course it will be for the Honourable the Finance Member, as the fittest person, to find out how the cost is to be met. But any one who has gone closely into the Budget will see that we have various demands of an urgent nature to meet. I therefore oppose the Resolution on purely financial grounds.

Mr. J. N. Mukherjee (Calcutta Suburbs: Non-Muhammadan Urban) : Sir, I had no intention to take part in the debate, but if I stand up, I do so with a view to remove certain misconceptions, if I may so describe them, on the point. As it has been pointed out by several previous speakers, the point is not which is the better system, the European or Indian, but the point now under consideration is the utilisation of the existing forces in the country; that is to say, when we find that there are in the country certain other systems of medicines at work, whether we should or should not avail ourselves of those systems in order to supplement the European system and whether inquiry should be made into the matter by appointing a Committee. Unless there is a central organization, for the whole of India for purposes of the inquiry, it is difficult to consider all aspects of the question in a systematic manner, and that, I submit, is the whole point. Eminent persons including even Viceroys have admitted that there are certain points in favour of the indigenous systems of medicine, but we are not concerned with these points at the present moment. The question is whether we should or should not utilize the existing forces; and not whether the European system has appealed more widely to the people generally, or not. The fact is, however, I may state, that the public have immense faith in the indigenous system. In accounting for the popularity of the European system, one must not forget that Government have put facilities in the way of the people in availing themselves of that system of medicine, and that public money is being spent towards popularising the western system of medicine. We must not forget this fact, as an element which goes towards popularising that system. We have, however, no reliable statistics upon which we can base our conclusions so far as the Unani and Ayurvedic systems of medicine are concerned. We do not possess sufficient information about their working, and what is worse, we do not even care to know anything about them. To refuse to look into the question betrays an attitude of mind which I deprecate. I am not a doctor myself and my views are not narrow. I speak as one who is anxious to make use of all the advantages or benefits that are available under the existing circumstances of the country. That is my point. I therefore submit that the House should not look at the question from a financial point of view because the present is not a financial question at all. We do not know how the Committee will be constituted, and what amount of money we shall have to spend, but at any rate it will not come to much, and we can economise as much as possible. But to postpone all inquiry into a matter of this kind, in order to meet cases of supposed emergency in other directions, indicates an attitude of mind, which does not certainly appeal to me. With all my heart, therefore, I support the Resolution which has been so ably moved by my Honourable friend, the Mover.

Rai Bahadur Bishambhar Nath (Allahabad and Jhansi Divisions: Non-Muhammadan Rural) : Sir, the importance and utility of the Unani and Ayurvedic systems of medicine and treatment has been discussed and proved several times and in different Councils. Even in the Council of State last year the subject was discussed and the attitude of the Government in the

[Rai Bahadur Bishambhar Nath.]

matter was found extremely sympathetic. I wish the Local Governments who in my opinion should take the initiative in a matter like this had done something more substantial. The Resolution that has been moved by my friend, Rai Sahib Lakshmi Narain, would once more draw their attention to the subject and they would seriously consider the steps recommended by the Committee proposed to be appointed. I therefore support the Resolution and commend it to your acceptance.

Mr. N. M. Joshi (Labour Interests): Sir, I think there is some confusion between the speeches in support of this Resolution and the wording of the Resolution itself. The wording of the Resolution does not leave it open for us to say that the Committee should consider the desirability of utilising the services of the experts of the Unani and the Ayurvedic systems. The wording of the Resolution commits the Assembly to the view that it is desirable to make use of the services of the Ayurvedic and Unani systems of medicine.

Sir, as a layman, it is very difficult for me to commit myself to the view that those systems of medicine are to-day in such a position that the Government should spend public money on them. I do say however that those systems may be good and I would not object to Government spending a limited amount in finding out whether the Unani and Ayurvedic systems are really scientific or not, but I would certainly object to Government spending money in at once establishing those systems throughout the country. If the Mover of the Resolution, or his supporters, would change the wording of the Resolution in such a way that the Government be asked to consider the desirability of utilising the services of the Unani and Ayurvedic experts, then I may be able to support it, but as it reads at present, I regret that I cannot.

Personally, I do not believe much in the Ayurvedic and Unani systems at all, although I have no objection to Government making experiments in regard to those systems. What little experience I have had of them leads me to say that even the people in general have no faith in them (Cries of 'No'!). Sir, I am only giving Members of this Assembly my own experience of the matter. I may say that during my life I have seen hundreds of cases of serious illness, and I have invariably found that when the condition of the patient really became serious, the doctor has been called in and the Hakim and the Vaid generally given a 'go-by'. That has also happened when epidemics have raged through the country; on these occasions the services of the doctor are always requisitioned.

Sir, in India we have many Municipalities and many Local Boards which could certainly patronise the Unani and Ayurvedic systems of medicine, but what do we find? Have we seen many Municipalities or Local Boards dispensing with the services of doctors and calling in Hakim or the Vaid? For my own part, I have seen very few indeed. Take even the private charitable institutions, you will find very few dispensaries with a Ayurvedic or Unani practitioner in charge. Again, whenever a person wishes to leave some money for medical purposes, it is generally left to a western institution or to be used in fitting up a dispensary on western lines. At any rate, that is my experience; the experience of other people may be different. Then there is the difficulty of the subject being a Transferred Provincial Subject, and it is not right for us to pass here a Resolution which the Local Councils may not accept. On that ground alone we should seriously consider whether we should ask the

Government of India, whose hands are already quite full and whom we want to take up several other important subjects, to fritter away their time and money on a matter which does not pertain to them.

On these grounds, Sir, as the Resolution stand, I cannot support it at all.

Mr. H. Sharp (Education Secretary): Sir, I shall try to reply briefly to the various views that have been put forward in the discussion this morning, and I hope that my reply will be acceptable both to the Mover of this Resolution and also to the majority in this House. Possibly, it will not be quite acceptable to all; for we have heard some dissentient notes; and whether it will be altogether acceptable to the Mover, or not, I cannot yet say. I think possibly that the Mover of this Resolution would like us to move rather more rapidly than the position of the Government of India, as it is at present, permits it to do. But in that respect I must point out, with reference to what the Honourable the Mover said regarding the danger of another pandemic of influenza and such diseases, that unfortunately the urgency of an object does not mean that the attainment of that object can be realised by any rapid or sudden means. After all, our medical knowledge, whether it be of the West or whether it be of the East, represents the growth of not hundreds, but thousands of years. Rome was not built in a day, and medical systems have to be built up by slow degrees. With reference to this, I must make a remark on something which the Honourable the Mover said regarding the mortality from influenza in 1918. I hope I understood him aright and I hope I heard him aright. If I understood him properly, I think he said that 90 per cent. of the patients treated by the Allopathic systems succumbed, and 90 per cent. of those treated by the indigenous systems recovered. Well now, I have seen it constantly stated, both in writing and in speech that 90 per cent. of the population of this country still depends on the Unani and Ayurvedic systems of medicine. A simple calculation will show that if these premises are, as stated, the conclusion would appear to be very inconsistent with the appalling mortality figures with which we were faced in October and November 1918. As regards the warning which the Honourable Mover put forward with reference to what has been stated in the Ministry of Health, as soon as I saw that telegram I immediately set about inquiring what are our supplies of anti-influenza vaccine and what steps can immediately be taken for combating any pandemic should it appear. I merely say that incidentally.

The Honourable Mover referred to the history of this case. I need not go further back than 1916 when the Honourable Mir Asad Ali Khan moved a Resolution in the Legislative Council. As the terms of that Resolution are important, I had better perhaps read them out to the Assembly:

'This Council recommends to the Governor General in Council that the Government of India, in consultation with Local Governments, should investigate the possibility of placing the ancient and indigenous systems of medicine on a scientific basis and increasing their usefulness.'

That Resolution, as we have already been told, was accepted, and the Government of India addressed the Local Governments asking what was being done and what could be done. As we have also heard to-day, the Local Governments found certain difficulties. Some remarks which have been made to-day show that there is not entire agreement as to the propriety of having put this question to the Local Governments in that way, and that merely lay

[Mr. H. Sharp.]

information was received back. I remember that a year ago, in the Council of State, it was stated by somebody that the investigations have been made primarily through the police. I do not think that that was so. I have the correspondence with me, and it shows that a very large amount of expert and professional opinion was at that time collected together and that the whole question was treated with very considerable care. However, in view of the opinion expressed by the Local Governments, nothing could be done. Just eleven months ago, the Honourable Lala Sukhbir Sinha moved in the Council of State another Resolution. The terms of that Resolution too are rather important, and I had better read them :

'This Council recommends to the Governor General in Council to recommend to every Provincial Government the desirability of (a) having an Ayurvedic and Tibbi Medical College in their Provinces, (b) taking measures to develop Indian drugs, and (c) appointing Vaidyas and Hakims in every dispensary to treat patients by indigenous methods'.

Various views were expressed at the time and that Resolution met with some opposition in the Council of State. The main opposition, however, that was brought against it was by reason of the fact that it seemed an invasion of the sphere of the Local Governments and the Ministers. That view was put forward by various people including non-officials, and it was put forward very forcibly by the Honourable Sir William Vincent in the following words :

'My objection, however, to the Resolution—and I hope on that point I shall secure the support of this Council—is that this is a provincial transferred subject in which it would be wrong for the Government of India as an executive body to interfere at all and that we should confine ourselves to forwarding this debate to Local Governments for such action as they think fit'.

As a matter of fact, the Honourable Sir William Vincent *did* secure very great support, so much so that if I remember aright, the Resolution secured only 11 votes against 32 votes against it, and so it was lost.

Why did the Government of India accept the one Resolution and oppose the other Resolution which was lost? The first Resolution recommended investigation; the second recommended what I may perhaps term direct action, although of course through the agency of the Local Governments. Furthermore, since the Resolution of 1916 was accepted and these circulars went out to the Local Governments there has been a constitutional change in India. It would be difficult now for the Government of India to address the Local Governments, although of course there could be no harm in sending the proceedings of to-day's meeting to them for their information, and I have no doubt that that will be done. But to go further than that would be trenching upon the domain of the Ministers, and it would constitute to some extent an undue interference with their freedom and their activities.

Now, this particular Resolution which has been moved to-day also is in danger of trenching upon that sphere, because it makes specific reference both to prevention and cure of epidemics, which are provincial transferred subjects. The Honourable Mover referred to one of the entries—I think it is No. 3—in Part II of the Schedule to the Devolution Rules under Section 45-A of the Government of India Act, and he quoted it. It shows that public health and sanitation and vital statistics are provincial subjects, subject however to legislation by the Indian Legislature in respect of infectious and contagious diseases, etc. He built an argument upon that. Well, Sir, I do not think that any argument can be built upon that in respect of this Resolution. That entry

refers to legislation. It refers undoubtedly to such measures as the Epidemic Diseases Act. We are not going to make doctors work under one system or another by means of legislation. There is, however, another entry on which I think the Honourable Member might more firmly have depended in building his argument. The Resolution asks for practical steps to be taken in bringing in Vaidyas and Hakims to assist in the prevention and cure of diseases and it also asks for a Committee. I think it was the Honourable Mover himself who said that he simply asked for a Committee. This idea of a Committee brings in what is obviously essential to any successful pursuit of this topic, and that is, preliminary investigation and research. Well, Sir, even here, research is not entirely a Central subject by any means. Local Governments are not prohibited from having their research institutes. Indeed, they already have their medical research institutes. But we do find under Part I of the Schedule to the Devolution Rules—I think it is entry No. 33 under Part I—that central agencies and institutes for research are classed as Central subjects. Now, Khan Bahadur Sarfaraz Hussain Khan pertinently asked: 'Where are we to get the money from for research or for any matter with reference to these purely Provincial transferred subjects?'. It would be, if I may say so, rather unconstitutional for Central Revenues to contribute to any such object. But if such investigation can be pursued, if such a Committee can be held in connection with any central research institute, then I think that the Government of India can do something, and I am authorised to say at once that the Government of India do view this Resolution with the very greatest sympathy (Hear, hear). They are prepared to accept it both in its general spirit, and also more particularly with reference to such practical steps as do seem possible for giving effect to it. I only hope that the Honourable Mover will understand the restrictions under which the Government of India labours in a matter like this and will not take it amiss that the acceptance of the Resolution has to be conditioned by certain factors which perhaps will make progress rather slower than he would desire.

The Government of India can do two things. In the first place, it can send the report of these proceedings round to the Local Governments. It cannot guarantee what view the Local Governments will take of them. The Local Governments will have their own ideas and no doubt they will take their own action and that action will vary from province to province. In Calcutta and in Bombay, there are now Schools of Tropical Medicine which, if I may say so, appear to afford an excellent field for discussion between Allopaths, Vaidyas and Hakims, if of course, the authorities in charge in the Local Governments think that that is desirable. It was pointed out in the Council of State a year ago that already in the Calcutta School the processes which are being used or were being used by Sir Leonard Rogers and Dr. Chatterjee in the treatment of leprosy are the accepted Indian remedies, *chanlmoogra* oil and *neem* oil. That is, I think, just a little instance of what can be done by way of collaboration in an institute of this kind. I hear that in the United Provinces the Government has granted a sum of money, and a substantial sum of money, for the maintenance of indigenous dispensaries. It was I think the Honourable Mr. Sethna who pointed out in the Council of State that although Bengal professes to be very keen on the Ayurvedic and Unani systems, the Provincial Council has passed a Resolution to the effect that every *thana* ought to possess a charitable dispensary and that every charitable dispensary should have its three Allopathic doctors. So we may expect some difference of treatment among the provinces.

[Mr. H. Sharp.]

Now, secondly, what can the Government of India do itself? The Government of India can encourage research along these lines in any central research institute. The Government of India has already a small central research institute, but that research institute during the war had transformed itself into a therapeutic institute dealing purely with the manufacture of vaccines; and I may say incidentally that by means of almost superhuman efforts that institute has saved tens of thousands of lives during the War. Partly owing to its success the demand for vaccines has arisen and, so far as one can see, that institute will have very largely to confine itself to the manufacture of vaccines in future. But the Government of India hope shortly to have a research institute on a very much larger scale. I am prohibited at the present moment from saying very much about this. The whole matter will be laid before the Assembly in due time; but this I can say by way of encouragement that save possibly for a small sum, a comparatively small sum, for capital expenditure, it is hoped that the maintenance of this institution will call for no new funds and that it will be possible to finance it out of existing funds and out of private donations which are hoped for. When the Government of India has such a research institute, then, and this is important, its professors and workers will be encouraged to get into communication with distinguished Vaidyas and Hakims; and if their discussions appear likely to lead to solid results, then will come the time for a Committee of experts of these various schools and that Committee will be able to consider the proper lines along which progress can be made and to indicate for the benefit of India at large the methods in which they can be practically employed.

I have laid stress on the extreme necessity of research in this matter—a certain amount of discussion and research even before it would be useful to appoint this Committee. The reason why I have done so is that there are certain circumstances which appear to constitute differences between the Western and Eastern systems of medicine. When I speak of differences, I am quite aware that that difference is only of method; as the Honourable General Edwards said in the Council of State, there is really no western system, there is really no eastern systems of medicine; they are alike in goal and they are alike in this also that in civilised countries, once a practitioner is qualified, he is not forbidden by law from adopting any treatment. He can adopt hydropathy, or homœopathy, or hypnotism, or faith-healing if he chooses.

Now what are the characteristics of the so-called Western medicine or Allopathy? Well, I am a layman and I daresay that Colonel Gidney will correct me if I am wrong. But I should say that these characteristics are that it insists upon organised training; it practises regular diagnosis; it has brought surgery up to an unexampled pitch; it encourages prevention as well as cure; and it depends for its development upon systematic research. Dr. Nand Lal said that he quite admired the Western system but unfortunately it has not done all that they expected of it. Nor has any system of medicine! I remember a quotation which was made in the Council of State about the methods of Hakims, and if Dr. Nand Lal wishes, I can quote him a little *shloka* which would show that a Vaidya is even a worse thief than death. But I lay no emphasis on these things at all. We find such sayings in every language, in every country, simply because no system of medicine is yet complete and therefore the doctor has not yet full commandment over the pulse of life.

Eastern medicine, on the other hand, we are often told, is characterised by the fact that it is stationary and empirical.

Now, Sir, I do not know enough about it to say whether that is correct. But this I do know, that there have come to my own notice in my time in India remarkable cures effected both by Ayurvedic and Unani Medicine; and I emphatically say with the Honourable Mover that the professors of this system, at least the professors that I have come across, are anything but quacks. They are certainly not. We hear from various sources that these systems are making progress and I see that there has been in our places copies of a little brochure by the Honourable Mover, entitled 'The Glories of Indian Medicine'. There are also schools of Unani and Ayurvedic Medicine in the country. I have sometimes visited such schools and I believe that they are doing good work. And here in Delhi we have the Tibbi College founded by the exertions of Hakim Ajmal Khan; and may I say incidentally that whatever differences may arise in political opinions, on this platform there should be no separation, namely, the platform of the alleviation of human suffering (Hear, hear), just as one wishes that differences in these opinions might make no difference in the ordinary intercourse and courtesies of human life. But there is even a greater difference between the developments of these two systems. Allopathic medicine has spread all over the world, into every civilised country and has become a world-wide heritage. The Ayurvedic and Unani systems, although they appeal to millions and hundreds of millions of people, are localised practically in India.

Now, this, I think, is a most important point and shows clearly the need for preliminary research and for some system of collaboration. The Honourable Mover himself declared that he did not wish to substitute Ayurvedic and Unani medicine for the allopathic. They ought to go hand in hand. It is not to be thought that these Indian systems should attempt to cut themselves off from the great stream of medical development which is going on in every civilised country in the world and retreat into a backwater. That is the very last thing that is required and therefore there are wanted research and discussion between the Allopath, the Hakim and the Vaidya.

I hope, Sir, that I have made myself clear. I have taken more time than I had intended to take. I hope I have made clear in the first place the circumstances which restrict the scope of the action possible by the Government of India in this matter and also the conditions, the rather restrictive conditions, upon which Government can accept the spirit and to some extent also the details of this particular Resolution. It is inconceivable to me that we should ignore the system or systems, which still cater for the great mass of the people and that we should fail to utilise this mass of experience, this mass of knowledge, which is lying about the country, so to speak unedited, unindexed, uncollected. It is also inconceivable to me that there could be any successful line of progress if we tried to develop those systems alone and did not attempt to link them up with the systems which have come to us from the West and whose great recommendation is that they are practically spread over the whole world. In conclusion, as I have stated before, the Government of India accept the spirit of this Resolution and they are also prepared to take the practical steps which I have indicated upon the conditions and in the circumstances which I have indicated. I only hope that the Honourable Mover will be satisfied.

Rao Bahadur T. Rangachariar (Madras City : Non-Muhammadan Urban) : I am thankful to Mr. Sharp for the very assuring way in which he has accepted this Resolution . . .

Sir Deva Prasad Sarvadhikary : But has he ?

Rao Bahadur T. Rangachariar : I read it so and although he has hedged round his acceptance with a lot of 'ifs' and 'buts' I wish that those 'ifs' and 'buts' disappear and that we have whole-hearted action in the direction in which this Resolution asks Government to take steps. Sir, the Honourable Member for Government brings into prominence the difficulty about this being a provincial subject and a transferred subject. There are certain areas under the Government of India direct for which the Government of India finds the money for medical relief. I know, Sir, as a Member of the Finance Committee that Mr. Sharp himself has been bringing up proposals after proposals for revisions or reorganisation of the medical department in the areas under the direct control of the Government of India and therefore in such areas there can be no such difficulty, as he fancies, of forcing his views upon the Ministers of the province and I do not think that any Minister who is responsible to his constituency will at all resent any direction and guidance from the Central Government. On the other hand, he would welcome such assistance and guidance from the Central Government so that he may go forward with the schemes which I know all of them have. The only difficulty is the question of finance in their way. The western system of medicine has under the western Government been fostered and protected and therefore it has thrived and the common people think that the western Government did not encourage the eastern systems, and one of the main causes of the unpopularity of this Government to-day is that the millions of the people of this land resort to Hakims and Vaidis and when the Government did not take steps to encourage those systems they think that the Government act as a step-mother to these systems of medicine and Colonel Gidney, I deplore it, belonging as he does to the western system of medicine, stood up to-day to oppose this Resolution. It is unfortunately the impression in the country, I do not know whether it is well founded or ill founded, that it is the doctors who advise the Government in this matter that stand in the way of the Government improving and encouraging the eastern systems of medicine. They think that their vested interests require that the Government should not take hearty action in this direction. Sir, the people of this country demand that hearty action, whole-hearted action should be taken. Sir, we believe in these systems of medicine. I was myself under the treatment of a western doctor and when my life was in danger he administered an Indian medicine and saved my life. It is not a question of research. By research you can improve the system, but you must accept the soundness of the system. Sir, an Honourable Member mentioned the financial difficulty. We are spending crores and crores of rupees upon objects which do not appeal to the country. The country will not grudge spending even a crore of rupees, or even two crores of rupees, even five crores, if they are devoted to a purpose like this which will appeal to the masses. The masses require it. The Government, I ask, should take whole-hearted action in this direction. I am glad that Mr. Sharp has defended the system. It is not intended that you should supplant the western system. The country is so large, you cannot found hospitals all over the place.

There are families, well-known families who have been physicians for centuries together. If you go to the west coast of Malabar, you will find ancient families who still possess medicines prepared hundreds and hundreds of years ago. Sir, these physicians and Hakims thrived because of the encouragement given to them by the ancient Governments. We know, Sir, a Tanjore Raja under the Maratha King encouraged these systems of medicine, and medicines were prepared which have been even preserved to-day, and people resort to these in order to cure diseases which are supposed to be incurable, so that, Sir, the system need not require any defence at my hands, because they are self-evident to us. They may not be strictly scientific, but we do not care what science means, we know that it is a successful system of medicine. The only thing is that it is not getting encouragement from Government. Medical relief and sanitation are a primary function of the Government. You cannot expect people to spend large sums of money on preparing valuable and costly medicines unless the Government come to their rescue and start institutions where such medicines can be prepared, stored and distributed all over the country. I therefore heartily support the Resolution.

I shall say one word in regard to Mr. Joshi's remarks, which I think were rather unfortunate. Sir, a most enlightened countryman, Mr. V. Krishnaswamy Aiyar of the Madras Council, founded large endowments for establishing a school for encouraging the Ayurvedic system of medicine, and to-day, Sir, in Madras it is training a number of students, and there are not wanting other philanthropists who have founded similar institutions. But they are few, too few indeed. Unless the Government come to rescue, unless the Government come liberally to the rescue, of these Vaid physicians and Hakims, they are bound to die out. Would it be right to allow them to die out? Scientifically speaking, on scientific grounds it would not be right to allow them to die out. We must not starve them out. I think Government will be failing in their duty if they do not actively encourage the revival and growth of these systems. I therefore, Sir, heartily support this Resolution.

Khan Bahadur Zahiruddin Ahmed (Dacca Division: Muhammadan Rural): Sir, I support the Resolution on the ground that the Unani and Ayurvedic systems are very popular with the masses. The Allopathic system may be very good, and I personally admit it, but the masses are not yet utilising it fully as they think otherwise. My experience is, if the patient has no faith in the medicine, he or she derives no benefit from it. As the masses have faith in the Unani and Ayurvedic medicines, I am certain they will derive great benefits from using them. I have also known cases where patients determinedly refused to take Allopathic medicines, thinking them not only worthless but poisonous. Such being the public faith, it is no use to be wiser than them.

I am almost certain if the Government will take up the matter in hand, public charity will come forward to support it. I am amused to find that we have got in this Assembly a few Indians who are more westernized than the Western people. I ask—I name nobody—why are they making themselves ridiculous like that? I can only congratulate the Government on bringing such men into the Assembly by Government nomination.

Mr. J. F. Bryant (Madras: Nominated Official): Sir, I do not intend to inflict a long speech on the House to-day. I merely want to congratulate the Honourable Member for Health on the attitude he has adopted. There is a very pronounced feeling in favour of the Ayurvedic and the Unani systems of

[Mr. J. F. Bryant.]

medicine throughout the country. That sentiment is largely political. It reflects the self-centered tendency to preserve India for the Indians, and to have an Indian Government. We, westerners, have to reckon with that feeling. We see reflected in everything around us, in all the institutions of life, in everything with which we come in contact. We have to reckon with that feeling, whether we like it or not, and that feeling is reflected in the demand for indigenous systems,—the Ayurvedic and Unani systems,—as opposed to a foreign system of medicine. Sir, I can only congratulate the Government on the very correct attitude that it has adopted towards this Resolution. I sympathise with the Resolution and I support the Government.

Rai D. C. Barua Bahadur (Assam Valley Non-Muhammadan) : Sir, when I first came to know that this would be the first Resolution to-day before yesterday, I thought that it would be an uncontested one, but now I find that there are enemies to this Resolution also. After all, the thing is, what is truth? We are going to ascertain it by appointing a Committee. So from that point of view there ought not to have been any opposition simply because the truth would have been found out by the appointment of a Committee—and the Committee would not cost us very much as is apprehended in some quarters. Sir, as regards the merits of the different systems, we are not here to discuss about them : we want *all* the systems, we want Allopathy, we want Homœopathy, we want Ayurvedic, we want Unani, everything is useful. I may be permitted, Sir, to relate some of my experiences in my own family. A child of mine was attacked with fever while he was 2½ years old. Then I invited the Assistant Surgeon,—the Sub-Assistant Surgeon, to look after the child. The child would have the same amount of temperature in the day time, and at night of course there was a slight reduction, but there was no remission ; and I was myself hopeless that the child would recover, and in the last resort I called in an Ayurvedic practitioner. That gentleman came in, examined the boy, and said that there was nothing to be afraid of, that the child would get a remission in about 12 hours later, and that after 24 hours it could have rice as food. And the whole thing happened as he predicted. He took up the case and gave medicine, and there was remission after 12 hours, and after 24 hours the boy was given rice. At the same time I must relate another incident in my own family. Subsequently, about three years later, another child of mine was attacked with fever and I called in an Ayurvedic practitioner. The Ayurvedic practitioner was of no use to me this time. Then, Sir, I continued with him for some days, but without any result whatsoever. The case also seemed to be quite hopeless. Then I called in an Allopathic doctor, and that Allopathic doctor also did not for some time bring the child to recovery, and I had to call in another Allopathic doctor and this doctor prescribed injections and not medicines and those injections cured the child at once. So in my own family I have had experience of both these systems. In both cases I have found either one or the other successful. All systems are therefore useful and it is the bounden duty of the State to encourage all systems. There is no question of rivalry between different systems. We want help for the suffering public and whether it is given by the Allopathic system or the Ayurvedic or the Unani systems, we should welcome it and at the same time try our best to encourage all systems and to improve them as much as possible. Considering all these points I support the Resolution and hope that the little cost which it may be necessary to incur will not be allowed to stand in our way.

Lieut.-Col. H. A. J. Gidney: I rise to a point of order. I have been waiting for an answer from the Government Member repudiating what the Honourable Member

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

Lieut.-Col. H. A. J. Gidney: I rise to another point of order. My name was mentioned by the Honourable Member and as a medical man belonging to an honourable service I repudiate

Mr. H. Sharp: May I ask what the Honourable Member repudiates? Because I did not understand what he said. Was it anything I said?

Lieut.-Col. H. A. J. Gidney: No, I was referring to what the Honourable Mr. Rangachariar said

(At this stage several Members asked that the question be put.)

Mr. President: The question is that the question be now put.
The motion was adopted.

Mr. President: The question is :

'That this Assembly recommends to the Governor General in Council that some practical steps be taken to utilise the services of the Unani and Ayurvedic experts for the prevention and cure of the epidemics in the country with the help of the indigenous systems—and that a Committee be appointed to recommend those steps.'

The motion was adopted.

RESOLUTION *RE*: INDIAN MERCANTILE MARINE.

Sir P. S. Sivaswamy Aiyer (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural: Sir, the Resolution, which I beg to move, runs in these terms :

'This Assembly recommends to the Governor General in Council that a Committee including experts and non-official Indians be appointed to prepare a scheme :

- (i) for the liberal recruitment of Indians as Deck or Executive Officers and Engineers in the Royal Indian Marine ;
- (ii) for the establishment of a Nautical College in Indian waters for the purpose of training Executive officers and Engineers of ships ;
- (iii) for the creation of an adequate number of State scholarships for providing instruction in the Nautical Colleges and training ships, in England, pending the formation of a Nautical College in India ;
- (iv) for the encouragement of ship-building and of the growth of an Indian Mercantile Marine by a system of bounties, subsidies and such other measures as have been adopted in Japan ;
- (v) for the acquisition of training ships by gift from the Imperial Government or otherwise ; and
- (vi) for the construction of the necessary dockyards and Engineering workshops in one or more ports.'

The object of this Resolution is to investigate the possibilities and the ways and means of promoting the industrial development of India, in one important

[Sir P. S. Sivaswamy Aiyer.]

direction, namely, the formation of a Mercantile Marine and the encouragement of ship-building. The Resolution, you will see, is rather comprehensive, but it is necessarily so. The subject is wide and it is complicated and all parts of the Resolution hang together. To attain the objects of this Resolution the co-operation of a large number of factors is required; first of all, taste and aptitude for sea-faring occupations; secondly, skill and technical knowledge; thirdly, prospects of employment; fourthly, natural resources and capital; and lastly, enterprise and Government help for nursing the infant industry.

As regards the Indian's aptitude for sea-faring, I might, if I chose, take you back to ancient history and point to the extensive maritime intercourse that once subsisted between India and the other countries of the world. On the west it extended to the Persian Gulf, to Egypt and certain parts of eastern Africa. On the east it extended to Ceylon, Burma, Java, Sumatra and even to China. There were flourishing seaports on the coast of India, in Cutch, at Broach and Surat, in north Canara and south Malabar, and there were also flourishing seaports on the east coast of India, in the Tamil country, on the Kalinga country and in Bengal. Colonies were sent out by the Hindus as far east as Java and to this day there are traces of the Hindu colonization of Java. But there is no need for me to go back to such remote times. The East India Company formed a squadron at Surat in 1630. In the 18th century, ship-building was carried on both in Bombay and in Calcutta. In Bombay there was an enterprising firm of Parsee contractors and ship-builders who were exceedingly successful in constructing ships. In 1802, the Admiralty ordered certain men-of-war also to be built in Bombay. From 1781 to 1800, there were 35 ships with a total tonnage of 17,000 built on the Hooghly. From 1801 to 1830, 237 ships with a tonnage of 105,000 were built on the Hooghly. In 1800, Lord Wellesley remarked:

'From the quantity of private tonnage now at command in the port of Calcutta, from the state of perfection which the art of ship-building has already attained in Bengal, promising still more rapid progress and supported by abundant and increasing supplies of timber, it is certain that this port will always be able to furnish tonnage, to whatever extent it may be required, for conveying to the port of London the trade of the private British merchants of Bengal.'

The decline and extinction of ship-building in India may be traced to the advent of the steamship, about the middle of the 19th century when steel and iron took the place of wood. Apart from capital and enterprise, the starting of ship-building requires certain natural resources in the shape of steel, iron and coal. The development of the mineral resources of the country that is now going on may or may not be sufficient in the near future for this purpose, and to the extent to which our natural resources may not be able to cope with the demand, we may have to import the necessary materials for ship-building. In this connection the replacement of coal by oil may have a bearing. Again, as against this advantage of the cost of importing the materials required, may be set down the advantage of the comparative cheapness of labour, notwithstanding the fact that it may not be as efficient as the more highly paid labour of the west. Other countries with somewhat similar disadvantages as Japan for instance have succeeded wonderfully well in recent times. British experts may tell us that India can never become a ship-building nation, or, at any rate, must wait for a generation till her resources in

coal, steel and iron are properly developed. But I am afraid public opinion in India will not acquiesce in this verdict, at any rate it will not acquiesce in it unless and until an impartial Committee of experts and others interested in the subject has carefully examined the whole problem. For the purpose of achieving our commercial independence, for the purpose of providing a new career for our youth and for the purpose of securing for the country some of the profits of the carrying trade, our countrymen are anxious to try this experiment. The formation of a mercantile marine and the encouragement of ship-building can be largely assisted by Government, and aid of this description has been largely given by Japan and other western countries. Such aid to the encouragement of ship-building has taken various shapes. It may take the shape of an exemption of ship-building materials from import duties; it may take the shape of preferential railway rates to goods shipped over specified steamship lines; it may take the shape of loans to shipowners for the construction of ships; it may take the shape of a re-imbusement of port dues; or you may grant subventions for the purpose of carrying mails. These subventions are not always strictly proportioned to the value of the services rendered. They are often in excess of the value of such services, and, in so far as they are in excess, they operate as bounties. You may also assist by granting subsidies for the construction of ships in the country or you may grant subsidies for ships run under Indian ownership. In certain countries again the coasting trade has been reserved for ships under native management for ships of native construction. During the latter half of the 19th century and in the present century, the policy followed by England has been largely one really of abstinence from any form of adventitious aid to shipping. But England had already established her supremacy owing to various causes including a drastic scheme of navigation laws which had been in operation for nearly two centuries. I do not wish it to be understood that in making that remark, I attribute the maritime supremacy of England merely to her navigation laws. They were operative to a considerable extent, but there were undoubtedly other factors which have contributed to the maritime supremacy of England. The example of England is, in my opinion, not of much use for our purposes, and I would rather ask you to go to Japan and borrow a lesson from the experience of that country. Till 1896, Japan had no definite plan or policy, but in 1896, she took up the matter seriously and, for the purpose of encouraging her shipping trade, she passed laws for the encouragement of ship-building and for the encouragement of navigation. The Navigation Law was superseded in 1909 by what is called an Overseas Navigation Subsidy Law which is now in force. The gross tonnage of the Japanese Mercantile Marine in 1896 was 15,000 tons. In the year 1918, about 22 years after, it was 2,482,000 tons, and there are now five steamship companies which are being subsidised. You will find it stated in the latest Japanese Year Book that though seriously handicapped from an inadequate supply of materials and skilled labour, the private ship yards have attained the marked progress to which the ship-building encouragement law of 1896 has given no little aid. Here also probably our course may be to follow in the footsteps of Japan.

The formation of a Mercantile Marine may perhaps be the first step to be taken. A Mercantile Marine under Indian ownership, and the construction of the necessary dockyards for repairs and construction will have to be first taken in hand. Ship-building on an appreciable scale will perhaps have to be

[Sir P. S. Sivaswamy Aiyer.]

taken up next. I do not wish to dogmatize on a matter like this, which is essentially for the consideration of experts.

I will now pass on to another question. Where is all the capital for all these things to come from? I would say here that I do not belong to the school of thought which rejects the aid of foreign capital (Hear, hear). I would welcome the influx of foreign capital, of cheap capital from whatever source it may come. English capital, English business knowledge and English technical skill ought to be specially welcome in this connection. It is one of the unfortunate results of the movement that is now stirring the country that there is a deplorable feeling of an anti-English character, which may dispose people to reject aid from English sources. But, if we remember that our own capital is utterly inadequate for all the purposes of development of the country, if we remember that the Britisher is supreme in many spheres and especially in the sphere of ship-building, of maritime enterprise, and of banking, it would be foolish on our part not to invite the co-operation and the aid of English business knowledge and English capital. I would therefore welcome the co-operation of the Briton in achieving this object as well as many other objects which are dear to us all, for the purpose of promoting the development of the country.

Now, this policy which I advocate of giving bounties or subsidies may itself induce a number of British firms to establish the industry here.

It may be said that if you offer bounties for Indian construction of ships
 1 P.M. or if you reserve your coastal trade to ships of Indian construction, or if you impose any such restraints upon foreign ships, English firms may themselves establish branches here and start industries of this character. For my part, I would welcome such a thing. In so far as English capital may be induced to come out into this country, and in so far as English manufactures may be induced to start industries here I should welcome that contingency. But if you consider it desirable, you may impose certain conditions which will be just both to British and to Indian interests. You may, for instance, suggest that if English companies are established here, half their capital shall be open to subscription in India and that an adequate voice in the management should be given to Indians on the directorate of these companies. But these are details with which it is not necessary for me to trouble the House now.

Then again apart from the question of finding the necessary capital and finding the necessary business knowledge for the encouragement of ship-building, I have referred to the necessity for opening of a new career for our young men. Now their willingness to undergo to train themselves depends upon the chances of employment which they can get, and their employment depends upon the training they acquire. In fact the problems of training and of employment are closely interdependent, and that is why I suggest in my Resolution that Indians should be liberally recruited for employment as deck or executive officers and Engineers in the Royal Indian Marine. I do not expect and I do not ask that Indians without qualification or training would or should be recruited at once and employed in these capacities; but what I do ask is that Indians may be recruited for these appointments provided they acquire the necessary qualifications, and that in order to enable them to acquire the necessary qualifications you must provide adequate facilities for training in this country. The nautical colleges,

I am afraid, however, cannot be started in a day, and it will take time. That is why I propose, that pending the establishment of nautical colleges in this country, scholarships should be provided for the purpose of enabling young men to acquire the necessary training in English nautical colleges and on board English training ships. There is no use in asking for the employment of Indians as deck officers or engineers on board ships which belong to English companies. There may be a very considerable amount of prejudice against such employment. There may be other reasons not perhaps of an altruistic character against such employment. We have no power to compel those companies to employ our young men. The only chances of employment for Indian youth, the only opportunities which they can get, are in connection with the Royal Indian Marine which maintains a certain number of ships for various purposes such as transport, the inspection of light-houses, and other services, and which has got a certain number of ships at its disposal. That is a service which is paid for by this country and we are entitled to ask that the higher services of the Royal Indian Marine shall be open to Indians on a liberal scale. As regards the necessary training ships, we might require one in Bombay, one in Calcutta, one in Karachi and one in Rangoon. I believe the Government of India have already applied for a training ship for the purpose of training Indians as seamen. Whether the sloop has been already received or not I do not know, but in these days when there is so much competition on the part of nations to scrap their ships, and when England has been generous enough to give a number of ships to the Colonies for training purposes, I think we may approach the Home Government with a request to treat us with the same generosity with which it has treated the colonies and to spare us a certain number of ships for which there may be no need in the British Navy but which may be useful enough for our purposes, for the purpose of providing nautical training. I ask that the whole problem should be referred to a Committee of experts and non-official Indians. I do not suggest that it should contain any Members of the Legislature or any particular Members of the Legislature. I do not wish to impose any restrictions with regard to personnel. My object is to secure the best expert advice possible and to secure the presence, if possible, of disinterested experts; and I wish to secure also on this Committee the representatives of the mercantile interests, both Indian and English in this country. I hope that a Committee composed of representatives of the mercantile interests of India, Indian and European, and consisting of experts with, I should like to say, a majority of Indian representatives, would be a suitable body for the purpose of examining this question in all its bearings and making the necessary recommendations. I do not think it necessary to expatiate further upon the subject, but I appeal to the Government to accept this Resolution and to give effect to it at as early a date as possible.

The Honourable Mr. C. A. Innes (Commerce and Industries Member) : Sir, I see that there are 15 Resolutions down on the day's paper and I think that I can save the time of the House if I make the position of Government on this Resolution plain at this very early stage of the debate. Put very shortly, Sir Sivaswamy Aiyer's object is an Indian Mercantile Marine, and I may say at once on behalf of the Government that we recognise that this desire on the part of the people of India for their own Mercantile Marine is a very natural desire and that we are quite willing to co-operate by having the whole subject

[Mr. C. A. Innes.]

thoroughly explored. We recognise of course on this side of the House, as I am sure everybody in this House recognises also and it is plain from Sir Sivaswamy Aiyer's very able and comprehensive speech that he too recognises the difficulties in the way. But if I mention one or two difficulties, I hope it will not be thought that I am mentioning those difficulties as arguments against the Resolution or by way of discouragement. My whole object is that the subject may be seen by this House in its true perspective, and that too great hopes may not be formed for the very rapid development of an Indian Mercantile Marine. Sir Sivaswamy Aiyer has referred to the example of Japan; and everybody knows that Japan's policy for the encouragement of the growth of a Mercantile Marine has been phenomenally successful. But it was a policy of encouragement by what I may call for the moment artificial means, a policy of subsidies, bounties and other measures; and it is well to bear in mind that there are two points of difference. Japan began with her Navy. The first step in Japan's marine policy was the gift in 1855 by the Dutch Government of a war-ship for training purposes. The establishment of ship-building yards and iron and steel industries were subsequent developments. They came not long after, it is true, but it is well to remember that the first impulse came from Japan's need for a Navy. She was an island nation and she had to have a Navy for her own safety. Now, India is not an island like Japan; she has not got the same vital need for a Navy and, moreover, fortunately for herself so long as she remains within the British Empire India is spared the enormous financial burden of a Navy. Her shores and her commerce are protected by the British Navy at the cost, I believe, of £100,000 per annum. There is one other point to bear in mind; in one respect Japan was peculiarly fortunate. As we all know she adopted for a period of 200 years a policy of strict seclusion, a gosha policy. She abandoned that policy in the middle of the last century and she embarked on her policy of marine enterprise just at the time when the transition from sail to steam was beginning. Consequently, she began establishing her ship-yards and building her own steam ships on more or less level terms with other nations. In India the case is different. We shall have to struggle against the competition of established ship-yards in other countries which have been long practising the art of ship-building. I have here some notes by a distinguished naval architect upon the possibilities and prospects of ship-building in India. He points out our various disabilities at present in the way of manufacture, and he arrives at the conclusion that for some years at any rate we must continue to buy engines, boilers and other special fittings from abroad. But what impressed him most was the complete absence in India not only of trained ship-builders but of the means of training ship-builders. He pointed out that ship-building is a highly developed and complex industry. In England wherever there is a ship-building port it has its school or schools in which a full technical education can be obtained. There are three universities in each of which a chair of naval architecture and engineering is established, where a full scientific education in this subject can be got; the result is that ship-designing is done by men of high scientific and technical attainments, and the ship-yards are continually recruiting young men who are technically trained to take positions as draftsmen, foremen and managers. He pointed out that it would be a long time before India can make up its deficiencies in that respect, a very important respect.

I mention these points to show that before we can fully attain the objects which Sir Sivaswamy Aiyer and indeed we all have in view two things are required. One is time and the other is money; and I must warn the House that the expenditure will be very great, even the expenditure merely on getting the nautical colleges and training ships and the ship-building yards started. It will be much greater still if we embark on a policy of subsidising navigation and subsidising ship-building yards. I do not quarrel with that policy; in fact I have a blue-book here which shows that that policy has been adopted in most countries in the world; and it has been a very successful policy in some countries, particularly in Japan, but it is a costly policy, and the time will come or may come when this House will have to count the cost very seriously. In 1901, the Japanese Government provided in its budget for navigation and ship-building subsidies the sum of nearly 7½ million yen; and taking the yen at 2 shillings and the rupee at 1s. 4d., I calculate that that cost them Rs. 112 lakhs. Since 1901 as we all know the purchasing power of money has decreased very greatly and at this time we could not give that measure of assistance to ship-building and shipping lines for anything less than Rs. 2 crores per annum. As I have said, though I think we ought to recognise these difficulties, I do not advance them in any way as arguments against the Resolution.

As I have said the Government are anxious and willing to have the whole subject explored and examined. But I have one small suggestion to make regarding the form of Sir Sivaswamy Aiyer's Resolution. As Sir Sivaswamy Aiyer has himself admitted, it is a very comprehensive Resolution. It proposes that the subject should be dealt with under six different heads, and I do not deny that each and every one of those heads refers to a very important branch of the subject. But the Resolution does not merely ask that all these branches should be examined. It suggests that the Committee should prepare a definite scheme under each and every one of these branches. Now what I feel is that if we charge this Committee with the task of preparing a definite scheme for all these six branches of the subject, we shall impose upon that Committee a subject of unmanageable proportions and we shall necessitate a Committee of unmanageable size. I suggest that we should make our terms of reference slightly more elastic and give the Committee more latitude. I quite agree with Sir Sivaswamy Aiyer that if we have a Committee at all, it should be a Committee composed, as he suggests, of experts, businessmen, and Indian non-officials. But what I suggest is that instead of asking that Committee 'to prepare a scheme,' we substitute for those words 'to consider what measures can usefully be taken'. The Committee in that case can put up a scheme for any subject for which they think they can put up an authoritative scheme, and for other subjects they can propose an expert Committee. I understand from Sir Sivaswamy Aiyer that he is willing to accept this small amendment, and I am sure that the House will do so also. If that is done, I have great pleasure in saying on behalf of Government that we should be very glad to accept the Resolution and to appoint the Committee.

Mr. President : The question is :

'That for the words 'prepare a scheme' in line 2 of the Resolution, the words 'consider what measures can usefully be taken' be inserted.'

Sir P. S. Sivaswamy Aiyer : I am willing to accept it.

The motion was adopted.

Sir Godfrey Fell (Army Secretary) : Sir, there is a small point in Sir Sivaswamy Aiyer's Resolution which was not definitely touched upon by the Honourable Mr. Innes, relating to the admission of Indians as officers in the Royal Indian Marine. I think that the Assembly might be interested to know what is the Government of India's attitude towards that part of the Resolution. The Government of India have been in correspondence with the Secretary of State on this subject. It is their aim and object to grant facilities to Indians and members of the domiciled community to attain the position of commissioned officers in the Royal Indian Marine. The exact method of training them is at present under discussion. We made a reference to the Secretary of State on the subject, and we have recently had a reply from him in which he states that he has also been considering the question and hopes very shortly to let us have his views.

Again, as regards the admission of Indians as engineer officers in the Royal Indian Marine, we have been considering how to give facilities for training in this country; but unfortunately there are great practical difficulties in the way. The Director of the Royal Indian Marine, whom we consulted on the subject, has told us that one of the qualifications for appointment of Indians as engineers in the Royal Indian Marine is that the candidate must have served for at least five years as an apprentice in a recognised engineering firm of Government Dockyard. We hoped it might be possible to afford that training either in private engineering firms in India or in the Royal Indian Marine Dockyard at Bombay. The Director of the Royal Indian Marine tells us, however, that there are no engineering firms in India at present which are capable of training apprentices as marine engineers suitable to receive commissions in the Royal Indian Marine, and that such training as can be given in the Dockyard in Bombay will also be insufficient for this purpose. The difficulty is this, that the training which the existing engineering firms or the Royal Indian Marine Dockyard might give consists only of repair work and the erection of imported machinery and its adjuncts. There is no construction work undertaken in these dockyards, nor can any theoretical work, which an engineer must know, be imparted. I am afraid, therefore, that nothing further can be done at present in the direction of affording facilities for training Indians in this country to be Engineer officers in the Royal Indian Marine. We hope, however, that the difficulties may be surmounted in time; and no doubt this is one of the matters which the Committee, which is to be appointed to consider the whole question, will deal with.

There is only one other point which I should like to mention and it is this. Sir Sivaswamy Aiyer asked that His Majesty's Government might treat us in the matter of vessels in the same generous spirit as they have treated the Colonies. I think that the Assembly might be interested to know that the Admiralty have made a free gift of one sloop for training purposes, which sloop has either just sailed from England or is just about to sail from England and will arrive in Bombay in February; and we hope very shortly to be able to train deck hands and engineers in our own waters for the Royal Indian Marine. In addition to this sloop the Admiralty have also made us a free gift of two boats of what are technically known as the 'P. C.' class.

Mr. President : It may be convenient for the Assembly to know that of the seven amendments on the paper, those standing in the name of Lala Girdharilal Agarwala are out of order, because they propose to widen the

scope of the Resolution beyond its true subject. Therefore the only amendment in order is that standing in the name of the Honourable Member from Bengal. I do not know how far the Assembly is prepared to accept the suggestion made by Mr. Innes, but in view of his readiness to accept the Resolution, the debate might be shortened. We will now adjourn for three quarters of an hour and resume at 2-15.

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

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

Sir Vithaldas D. Thackersey (Bombay Millowners' Association : Indian Commerce) : Mr. President, I have very great pleasure in supporting the Resolution moved by my Honourable friend, Sir P. S. Sivaswamy Aiyer. It is absolutely necessary that active steps be taken now for encouraging the growth of Indian Mercantile Marine and the essential condition of it is that the Indian should be trained to take up the several important appointments. My Honourable friend, the Mover, has given very strong reasons why his Resolution should be accepted by this House and I will, therefore, confine myself only to one or two aspects of the question which have come into my experience and on which I can speak with some personal knowledge. The House will agree that it is absolutely necessary that all the drawbacks and the difficulties which are existing at present against the establishment of an Indian Mercantile Marine must first be removed. It should not be forgotten that the shipping industry has become a sort of monopoly. It is a kind of trust against the principles of which it is known how America fought hard. The various methods by which the existing companies try to kill any competitor that may arise in the trade is well known. I may give a few instances of the methods by which they are trying to gain their objects.

The rebate system by which they are holding a part of the money of the shipper on condition that if he ships his goods by any other steamer, for a certain time, his money is forfeited. Government are aware that there was some years ago a great hue and cry and Government themselves sent out inquiries to the various commercial bodies about the effect of the rebate system and the Indian commercial community strongly protested against the system and asked Government to take steps to abolish the same as soon as possible. I am sorry to say that Government have taken no steps in this direction. So long as this system lasts, there is no use denying the fact that an Indian Mercantile Marine cannot be established.

It may be asked what Government can do to force this combination of liners to be reasonable. A case in point arose with the Australian shipping companies and the foreign companies tried to kill the Australian shipping companies by withholding the rebate. I am informed that the Australian Government took up a very bold stand and they declared that if this demand was persisted, the Australian Government would reimburse their shippers for all the loss they suffer by the forfeiture of the rebate, by shipping their goods into Australian boats. When the foreign steamship companies were faced with the position where the whole resources of the Australian Government were at the back of the Australian shipping companies, they gave way and a satisfactory arrangement was arrived at. Now, are the Government of India prepared to encourage the Indian Mercantile Marine

[Sir Vithaldas D. Thackersey.]

either by making the rebate system illegal or by reimbursing the shippers for their loss by forfeiture.

I do not wish to detain this House by giving specific instances as I am sure that all those who have any knowledge of shipping know the hardship of the rebate system; but if Government require any specific instances, I shall be very happy to supply all the information they want.

In addition to the rebate system, these steamship companies have adopted the system of combining and maintaining the freights at an unusually high level. Some years ago the Millowners of Bombay had a very sad experience

Mr. President: Order, order. Will the Honourable Member kindly resume his seat? I have allowed the Honourable Member to go a considerable distance beyond what I really think is in order. The proposal here is to set up a Committee to consider what measures may be taken for the establishment of an Indian Mercantile Marine and subsidiary purposes. The Committee, I take it, will not be authorised to consider questions of management, and, therefore, the question of the grievances of shippers under the practices adopted by the present shipping companies are not in order.

Sir Vithaldas D. Thackersey: I bow to your ruling, Sir, but I was only going to point out that the rebate system has a bearing on clause (iv) of the Resolution. I was about to say that when the existing liners refused to agree to a reasonable freight for China and Japan, we tried to adopt some method. What was done was that the late Sir Jamshedji Tata made an arrangement with some Japanese Companies and chartered some boats to carry yarn to China. What was the result? All the rebates were forfeited and the freights to China was at once brought down not with the object of benefiting the industry but with the object of killing the competition. No body could stand such a strong measure, and after two years of enormous loss and of rebates, we had to give up the attempt. The scheme failed. To-day also we are in the same difficulty. I am only pointing out these difficulties so that the Committee might consider them immediately so that we can at once get benefit from it. Education of course must follow as a necessary corollary. Mr. President, there is one measure which the Committee can recommend, and immediately recommend. In all the civilised countries, particularly in Japan, the law is that the coastal trade is confined to ships of their own nation. That is, in Japan, no outsider can trade from port to port. Even if we do this as a beginning, if we restrict that only Indian steamers should sail from port to port in India, and that until a sufficiently large Indian Mercantile Marine is developed, the foreign shippers should not cut the rates, if these two things are done immediately, I think it will not be difficult to get an Indian Mercantile Marine. We are not wanting in capital. All we want is exactly the same that Japan does or any other civilised country does for the maintenance of their own Marine.

With these words, Mr. President, I recommend the Resolution.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): Sir, I rise to congratulate my friend, the Honourable Mr. Innes, in his kind acceptance of the Resolution in part. The Resolution, as it stands, Sir, is for the preparation of a scheme and to appoint a Committee to consider what measures can be taken for the preparation of such a scheme. Sir, that question, on the face of it, is not a very sympathetic one. But half a loaf is better than no loaf at

all In that view, Sir, I have the greatest pleasure in thanking my Honourable friend very sincerely. But, Sir, I cannot pass over without making some remarks with regard to an observation made by the Honourable Sir Godfrey Fell. He has said something, Sir, which has really been answered by my Honourable friend, Sir Vithaldas Thackersey, from Bombay. With regard to the six items in the Resolution which we have to consider what measures can be adopted, it appears that for the first two items, *viz.*, (i) and (ii), we have got any number of men to supply and enough men to give every facility to the Committee in considering what measures should be adopted. With regard to the rest of the Resolution, Sir, it has been suggested that we are ready to accept funds from abroad such as Europe, England or anywhere outside, because it is not within our power to supply enough. On the other hand, Sir, it has been replied to by the Honourable Member on my right from Bombay that he has enough opportunities to facilitate the case. So much the better. But when we come to the question of getting persons fit for training in the Royal Indian Marine five years' training it has been said is not available because no dockyard can supply men deemed fit for entering into the Royal Indian Marine. Sir, it has been observed some time ago, I suppose with regard to the Military College at Sandhurst, that the Government of India has already given a little assistance in order to select more persons from India. Sir, 'where there is a will there is a way'. We know, Sir, that 99 per cent of the Indians on board the ships plying both in the Indian waters and in the Mediterranean are from the ports of Bombay, Calcutta, Rangoon and Madras Indian deck crews, serangs and lascars are all poor people. There is no denial of this fact that these poor people get only Rs. 25 a month on average and a few rupees for their food. Sir, if an account is brought in here, you will find that one European sailor's salary is equal to ten lascars' (or ten average Indian seamen's salary). That being so, Sir, the profit that is made by the ship-owners in this country is at a great loss to these poor people who do not even get more than one full meal per day, *i.e.*, within the course of 24 hours. If you compare the salary of the Chinese and Japanese sailors—I suppose you have got the statistics—you will realise that India has been very badly treated. I have some experience, being the Vice-President of Indian Seamen, and I have had enough opportunities of entering into their question. It is a shocking thing to find that the Indian seamen in this country have not had good treatment from their masters. Government is not willing to look at it. There was a Resolution about it last Session, but it is not only a question of complaint but it is a question of disappointment that the seamen did not receive any justice in the hands of the Government. There was misrepresentation set up by the anti-party, and Government was rather very cold. They are all in the archives of Government, and I suppose it is the office that is responsible for not uplifting the condition of these poor people. Sir, as a Secretary of the Bengal Joadars and Raiyats' Association, I am quite aware of the fact that a majority of them come from Eastern Bengal. And generally they come to the port of Calcutta. Some of them are also provided with some service in other ports such as Bombay, Rangoon and others. Some of these people are no doubt agriculturists, but certainly there is no justification why they should be paid such poor salaries while the sailors from other countries are paid more.

The Honourable Mr. C. A. Innes: May I rise to a point of order, Sir? As far as I can understand, the Honourable Member is discussing the Geneva

[Mr. C. A. Innes.]

Seamen's Conference Resolution and not the particular Resolution before the House. I ask whether that is relevant.

Mr. K. Ahmed: The Resolution speaks of the establishment of an Engineering school and the recruitment of Indian deck crews. Is not the recruitment of the Indian deck crews a relevant subject?

Mr. President: The Resolution refers to the training of officers, the higher personnel of the Indian Mercantile Marine and the Royal Indian Marine. I do not find anything in it which refers specifically to the classes of marine labour to which the Honourable Member has been referring.

Mr. K. Ahmed: When you have got to train persons for the higher offices, you have got to give a lift to the people of the lower ranks also, and in that sense I suppose I am quite entitled to make the observations I am making.

Mr. President: That is just what the Honourable Member is not entitled to.

Mr. K. Ahmed: I have no objection to begin from the top, and if you do so, the question of recruitment comes in and you cannot get any persons from a place other than that from where these men come and their children would be educated and they would discharge all the high functions relating to 'what is called the Deck Engineering Department. These are the officers we want and that has been lacking for a long time as the Government have left these people in the dark from generation to generation and taken no step to uplift the condition of these poor people.

Now, with regard to the Committee of experts and non-official Indians who are to be appointed to consider the scheme, I am afraid we have got a Committee, Sir, by the same Department of the Government of India and nothing has come out of it? The question of majority is an important question. In this Resolution two sets of people are proposed to be taken, I find that they will be experts and non-official Indians. As my Honourable friend, Sir Sivaswamy Aiyer, in his opening words said, the experts may come from England or anywhere else. But with regard to the Indian non-officials I hope some proper step will be taken to get a majority. Unfortunately the Resolution is not properly worded. But I want to bring out this fact, because a 'burnt cow fears the fire,' and I have some experience about it. Therefore I beg to suggest that some method should be adopted and justice may be done in the course of selecting the non-official Indians for the Committee in order to consider what measure should be adopted to give effect to the six items of the Resolution. The best course would be if the Government could give us some detail so that we can understand the situation. I have the greatest pleasure to see that the Government have made up their mind to consider the question which was left alone for generations. Up till now though we have been trying our best nothing has been done.

Rai Bahadur S. P. Bajpai (Lucknow Division: Non-Muhammadan Rural): I move that the question be now put.

Sir Deva Prasad Sarvadhikary (Calcutta: Non-Muhammadan Urban): I am not very greedy and I fully share Mr. Kabeer-ud-Din Ahmed's gratification

in having one loaf. Only I want it to weigh a little heavier and not to be reduced to the size of a small loaf with prices going up. I think we may very well congratulate the Government on the business-like treatment of an obvious and inevitable Resolution and I appreciate the Honourable Mr. Innes's appeal for economy of time. If I intervene in the debate at this stage it is only for the purpose of making a very small contribution.

As has been freely admitted, the Resolution is a very comprehensive one and will require a great deal of work before we can arrive at any working results. But we can and ought to proceed immediately with a great deal of work under item No. 3, namely, the creation of State scholarships for providing instruction in the nautical colleges and training ships in England. I may inform this Assembly without any breach of confidence or secrets that in response to very strong appeals by the Lytton Committee, somewhat of a red rag to some Members of the Assembly, the Marine Authorities in England have agreed to what they had never agreed to before (Hear, hear), and that is to admit half a dozen Indian students for training in the establishments if they are of the proper order. We also interviewed a large number of representatives of shipping interests and I shall not say that we have the assurance but we have reason to believe and hope that if the proper type of men should turn out there will be absolutely no difficulty in finding employment not only for half a dozen but for as many half dozens as India can find. Having regard to these facts, although my Committee could not do it, I had the honour of personally pressing before the Secretary of State two points, namely, the creation of these scholarships and also the provision of immediate facilities for training in oceanography (a subject that is engaging a very large attention in England), and dock engineering. Madras is soon going to have docks of considerable proportions, and if immediately some trained assistant engineers are sent to England to qualify in dock engineering, we can make a fair start. Therefore, in view of what the Committee will be charged with doing under sub-section (3) of the Resolution, I think this Assembly can press on the Government to enlarge the weight of the loaf that has been already given to us. Sir, the Indian Army grew up because the Government wanted it. From Telingana sepoys of Madras we have to-day an army that is giving a good account of itself not only in India and beyond the frontiers, but also in Europe. The Government's duty in the matter of marine training has been neglected and I congratulate Sir Sivaswamy Aiyer on bringing this Resolution forward, which has not come a day too soon. On the other hand, having regard to the growth of public opinion in England in marine circles to which I have referred, I think the Resolution is opportune, and as a preparation for that we ought to press for giving a large number of State scholarships, under sub-section (3) of the Resolution, and for the initial training, without which our officers will not be ready, and no college can be run unless we have men on the spot. I do sympathise with Mr. Kabeer-ud-Din Ahmed that training in the lower ranks is also necessary.

Mr. K. C. Neogy (Dacca Division : Non-Muhammadan Rural) : With reference to my amendment I hope the Honourable Mr. Innes will be pleased to explain the attitude of Government with regard to the point raised therein. So far as I could understand him, his reply does not cover the point raised by me in this amendment. Therefore I propose to move my amendment more for the purpose of eliciting a reply from the Honourable Mr. Innes than for pressing

[Mr. K. C. Neogy.]

the amendment for the acceptance of this House, and I shall be very brief in my submissions.

My amendment runs as follows :

‘ That the following words be inserted at the beginning of clause (iii) :

‘ for ensuring the entertainment of Indian apprentices for training as such officers and engineers, in the ships owned by shipping firms that enjoy any subsidy or other benefits from Government on any account and ’.

The Honourable Mr. Innes has told us that the question of development of the Indian Mercantile Marine is a question of time and money.

So far as the question of training of Indian officers goes, that also is a question of time and money. Therefore in this amendment I thought that I might as well see what could be done to utilise the available opportunities for training, on the practical side at least, of these officers by insisting on the entertainment of Indian apprentices by those firms that enjoy some subsidy or other benefits from the Government. First of all, there is the mail contract; and I remember that the Indian Merchants Chamber of Bombay has raised this question of Indian apprentices in connection with the renewal of the mail contract with the Peninsular and Oriental Company. The Chamber states that the entertainment of Indian apprentices should be made a condition of the renewal of the contract. I am told by Sir Sydney Crookshank that the mail contract is a matter which does not lie within the competence of this Government, but it is a matter wholly within the competence of the Home Government; and he has very kindly assured me that Government would not object to a suggestion being forwarded to the Home Government to see as to what could be done in this matter. That disposes of one aspect of the question. Then there are other shipping firms that enjoy Government subsidies as well. I may remind the Honourable Mr. Innes of the steamship ‘*Maharaja*’ which came in for a good deal of discussion during the September sittings of this Council. If I am not mistaken, I think Government have been guaranteeing an annual profit of Rs. 3,89,000 to the owners of that ship on the condition that they would convey our prisoners from India to the convict settlements. That may not be a bounty strictly so called, but I think we are entitled to some sort of concession at the hands of a company which is so well served in this matter. Then, Sir, I am very well aware of the objection that is likely to be raised in this connection. I may tell this Assembly that a Committee was appointed by the Government of Bengal to consider this question and some four or five shipping firms were represented on it, one of them being an Indian firm and the others European. The representative of the Indian firm has recorded a note in connection with the report of the Committee, from which I propose to read just a few lines. He says :

‘ The whole question centred in one point, *viz.*, are the shipping companies willing to employ the Indians as apprentices. The Marine Superintendent of :

- (1) the British Indian Steam Navigation Company Limited,
- (2) the Asiatic Steam Navigation Company Limited,
- (3) the Indian General Navigation Railway Company Limited, and
- (4) the Rivers Steam Navigation Company Limited,

were present and I asked them point blank if they were willing to take in Indian apprentices. All of them expressed their inability to do so, and their official reply runs as follows :

'It is doubtful if the shipping companies would find it either possible or expedient to employ Indians as mates while there are other Europeans on board with whom these Indians would have to associate'.

I tried to ascertain the cause of this unwillingness and got my colleagues to admit that it was the question of prestige that stood in the way. My friends expressed their sympathy with the aspiration of our young men to adopt the sea life, but they could not see their way to allow the Indian lads to mix on equal terms with the European lads who are already there as apprentices.

Well, Sir, I think this matter is well worth inquiring into. If the matters are as they are represented to be, we ought to be told so at once, and then we will know where we stand. I will not labour this point any more. The acceptance of my amendment does not commit this House to any particular scheme. And if the Honourable Mr. Innes will see his way to accept this small amendment of mine there will be no harm done. The Committee which will go into the other questions might go into this as well. With these few words I move my amendment.

The Honourable Mr. C. A. Innes : Sir, I think, if I may venture to say so, Mr. Neogy's procedure is rather peculiar. He has been replying to a speech which I never made. What happened was this. Just before we assembled after lunch he came to me and asked me what I thought about his amendment. I said that I proposed to advise the House against it and I gave very briefly my main reason. He has developed that theme and as I say he has been answering a speech which I have never made. I personally do not attach very much importance to the subject one way or the other, but I do not think that his amendment should be added to the Resolution. My reason is this. The only subsidies, as far as I know which the Government of India pay to any ships or steamships at all, are the mail subsidies and they are not subsidies in the ordinary sense of the term. They are not bounties. They are payments for services rendered. What happens is this. I take the case of the P. and O. It is the only important subsidy we have got. The important thing about the conveyance of His Majesty's mails is to have them as rapid, as punctual and as regular as possible. Our requirements are stated in tender forms and tenders are invited, and the lowest tenderer gets what is called a subsidy. It is not a subsidy at all. It is simply as I said a payment for services rendered. Then there is another point. The P. and O. mail subsidy is not given out by the Government of India. It is arranged for by the General Post Office at Home and the terms are approved by Parliament. The subsidy is given at present for a service not to India only. It is for India, China, Australia and the Far East generally. The annual subsidy, I understand, at the present moment is £305,000 and the share of India in that is only Rs. 6,86,000. There is one other point with which we are faced in matters of this kind. The Home Government has always laid down the principle: That the mail contract is a contract for the carriage of mails only and they have always protested against our introducing any extraneous conditions. They said: 'if you want to do these things you can make separate contracts but you must not attempt to introduce them into mail contracts'. I feel that it is a wrong way of attacking this subject to write to the Home Government and try to get this clause inserted into mail contract. I am quite sure that the Home Government would never agree to such a course, and therefore I think that the effect of adding this

[Mr. C. A. Innes.]

amendment to the Resolution would be to put the Committee on the wrong track. I entirely agree with what Sir Sivaswamy Aiyer said, namely, that this problem is one not only of training suitable Indians but also of finding them employment when they are so trained. Sir Deva Prasad Sarvadhikary has told us the right way to tackle it. Let us send our men to ships such as the Pangbourne, Worcester and Conway, and then as Sir Deva Prasad has told us the ship owners will have no objection to taking and training our men.

Sir Deva Prasad Sarvadhikary : Provided they are men of the right type.

The Honourable Mr. C. A. Innes : It is our business to see that they are men of the right type. If they do well at the Worcester, Conway or Pangbourne or any of these training establishments, I am sure that the ship-owners will take them. The Assembly can take it from me that at home there is none of this racial feeling. Mr. Neogy has referred to the question of the 'Maharaja'. Of course I know the case of the 'Maharaja'. I had something to do myself with the contract. But how long is that contract going to last? It will last for another three years at the most. And during the three years' time does Mr. Neogy expect that we can ask Turner Morrison, the owner of the line, to take Indians, *because* they are Indians and *before* they have had any training at all, as mates, as officers? That is not possible. You have got to have them trained first, and then to get them taken on. It does not really matter whether we make this addition to the Resolution or not, it does not matter a straw to us—but I do not think that is the right way of tackling the problem. It is not right to include a stipulation of this kind in a mail contract. We have got to approach the matter in a different way,—we should adopt different tactics with the shipping companies. That is my objection.

Lieut.-Col. H. A. J. Gidney (Nominated Anglo-Indian) : Sir, my reason for participating in this discussion is, *firstly*, to thank Sir Sivaswamy Aiyer, on behalf of my community, for the very able way in which he has moved his Resolution. *Secondly* I wish to thank Government for the very generous way in which they have received this Resolution and, *thirdly*, to state that two years have elapsed, since I first interested myself in this scheme, when Admiral Lord Jellicoe came to India.

This is the first time that I have had an assurance from Government that Domiciled Europeans and Anglo-Indians are to be included in this scheme, and though such a long time has elapsed, I am very much obliged to Government for recognising the claims of my Community.

Sir, this is a subject which is of very great importance, and I think, Sir Sivaswamy Aiyer deserves the thanks not only of this Honourable House, but of the whole of India, for he has in his Resolution laid the seeds of a scheme whose ultimate development none of us can foresee. It now seems quite possible that India will one day have her own mercantile service, and who can deny that this is the nucleus of a big Indian Navy. But, Sir, in forming this Committee, I would ask Sir Sivaswamy Aiyer to include one of my Community, and I should like him to give an assurance to this House, that when he talks about the admission of Indians into the Service, he *ipso facto* includes Anglo-Indians. I wish to associate myself with the amendment that has been put forward by my Honourable friend, Mr. Neogy. The Honourable Member for Commerce has repudiated

Mr. Neogy's assertion of racial bias and has said: 'If you show yourselves to be worthy, there is no racial distinction'. With all respect to his remarks, I do not accept his statement and in support of Mr. Neogy's assertion I may be allowed to relate my experience. The Kalimpong Homes have up to date sent up more than 50 Anglo-Indian youths who joined the Royal Navy. They have done well, and many have sacrificed their lives for the country during the past great war.

But I obtained statistics from the leading shipping firms in Bombay *re* Anglo-Indians in their employ. It showed that no Anglo-Indians were accepted or appointed as 'officers' in the mercantile marine service, although some of them were employed as engineers and pursers.

I placed my views prominently before Admiral Jellicoe, the Government of India, and the Bombay Government. I received no reply. 3 P. M. from any, except a demi-official letter from the present Governor of Bombay. This is the first time that I have heard from the Government Member, Sir Godfrey Fell, that the Anglo-Indians would be admitted, and I thank him. But, Sir, following up the matter, I tried to enlist the support of the various mercantile firms in Bombay to men of my Community getting into their Shipping Departments, and from every one of them I got the reply: 'we do not enlist the services of local men, we get all our men from England.' I therefore submit, Sir, that there is some justification for Mr. Neogy's amendment and I support it. I again thank Sir Sivaswamy Aiyer for his Resolution.

Mr. President: Amendment moved:

'That the following words be inserted at the beginning of clause (iii):

'for ensuring the entertainment of Indian apprentices for training as such officers and engineers, in the ships owned by shipping firms that enjoy any subsidy or other benefits from Government on any account, and.'

The question is that that amendment be made.

The motion was adopted.

Mr. R. A. Spence (Bombay: European): Sir, now that that amendment has been disposed of, I would like to express my cordial sympathy with the motion made by Sir Sivaswamy Aiyer, especially as amended and accepted by the Honourable Member for Commerce. I did think at first that this was a very comprehensive Resolution of Sir Sivaswamy Aiyer's and that he had put the various points down in the wrong order, but as it has been amended, I do not think the order matters at all. What I think is very essential is that we should press for the creation of these State scholarships, which I and many of us here have been very glad to hear that the Lytton Committee, which we had hoped would come out here, has secured for us at home.

Sir Deva Prasad Sarvadhikary: Not scholarships,—facilities.

Mr. R. A. Spence: Yes, facilities. Sir Sivaswamy Aiyer has said that in the old days India was famous for its ship-building, and I hope that the time will shortly come when there will be ship-building industries in India. I thought some few years ago most of the large shipping companies at home were coming out to Calcutta for that purpose, but I suppose it is the slump that has prevented them coming out.

I notice much has been made of the fact that the shipping companies trading in Indian waters are not Indian-owned, but I think the Members

[Mr. R. A. Spence.]

who said that must have forgotten that these companies are public companies, and that it is perfectly open to people residing in India to own the whole of them. You have only got to buy the shares. I know that the answer given by the P. and O. when a complaint was made about their fares being a little bit high, was 'become a shareholder and you won't complain': and I think that if India owned a P. and O. there would be no complaint.

I was very glad that Sir Sivaswamy Aiyer expressed his welcome to foreign capital into this country and for his tribute to what British capital had done, and I am sure that we Europeans would be only too pleased to see ship-building industries and engineering works established in this country and Indians trained up to take that part in the direction and officering of the ships which the Indian seamen for generations and generations past have taken to the admiration of the whole world. I do not wish to detain the House any longer, Sir, except to assure Sir Sivaswamy of my cordial sympathy with this Resolution.

Mr. President: The question is, that the following Resolution as amended be accepted:—

'This Assembly recommends to the Governor General in Council that a Committee including experts and non-official Indians be appointed to *consider what measures can usefully be taken:*

- (i) for the liberal recruitment of Indians as Deck or Executive Officers and Engineers in the Royal Indian Marine;
- (ii) for the establishment of a Nautical College in Indian waters for the purpose of training Executive Officers and Engineers of ships;
- (iii) for ensuring the entertainment of Indian apprentices for training as such officers and engineers, in the ships owned by shipping firms that enjoy any subsidy or other benefits from Government on any account, and for the creation of an adequate number of State scholarships for providing instruction in the Nautical College and training ships in England pending the formation of a Nautical College in India;
- (iv) for the encouragement of ship-building and of the growth of an Indian Mercantile Marine by a system of bounties, subsidies and such other measures as have been adopted in Japan;
- (v) for the acquisition of training ships by gift from the Imperial Government or otherwise, and
- (vi) for the construction of the necessary dockyards and Engineering workshops in one or more ports."

The motion was adopted.

RESOLUTION RE: PREVENTION OF OVERCROWDING IN RAILWAYS.

Rao Bahadur C. S. Subrahmanayam (Madras ceded Districts and Chittoor: Non-Muhammadian Rural): The Resolution that I propose to move, Sir, reads as follows:

'This Assembly recommends to the Governor General in Council that he may be pleased to take early steps to amend section 109 of the Indian Railways Act, 1890:

- (a) In order to make it obligatory upon a railway administration to see that no more than the number of passengers exhibited on a compartment under section 63 enter such compartment or occupy the same, and
- (b) That a penalty in each case shall be imposed on such railway administration for allowing the entry or occupation by more than the maximum number of passengers so exhibited.'

Now, Sir, this question of the overcrowding of the third class carriages on railways is a very old question. For years past the conduct of railway administrations in this country has been the subject of serious and severe criticism, and representations have frequently been made to the railway administrations and also to the Government but without avail. Resolutions have been moved and interpellations have been made in the old Council. In this Assembly in the Delhi Session nearly 120 questions were asked; in the Simla Session nearly 80 questions were asked. In answer to these questions, the Honourable Member who represents the railway administration has frequently exhibited the spectacle of a good man fighting against adverse circumstances.

He has got the dangerous knack of giving us the soft word to turn away our wrath. Well, with these two characteristics he has been parrying all the questions that have been addressed to him; but that cannot last much longer; it must come to an end sooner or later. Well, one thing which strikes us is that the Government practically takes no decisive steps to correct these lapses. It is forgotten that these railway companies are commercial undertakings and they are worked for the benefit of the shareholders. Now, where do the people who travel by these railways come in? That is the question to which the Government does not seem to pay much attention. One thing ought to be kept in view, namely, that these railways are practically creatures of Government. They get so many concessions from Government which it is not necessary to detail here. These concessions cost money, and it is the taxpayers' money that has gone to help these companies and also continues to help them to run their lines. In the old days, in our school days, we were told of the benefits of railways. No one denies the benefits of railways, and I hope no one will say in this Assembly that I had forgotten to mention or minimise the benefits which railways have conferred on this country. But that stage is passed and we have come to the stage of demanding a *quid pro quo* for the money that is paid.

Now, if you take the Railway Act, you will see that the railway company is protected at every stage, that the whole Act is so conceived as to give absolute protection to all the lapses to which the railway companies are subject, and merchants and traders know it to their cost. I am not dealing now with the difficulties of merchants, but take the case of passengers. There are just two or three matters which I think it is necessary to refer to, because there may be some misapprehension in the minds of my Honourable friends who do not know how this Act is framed and what control the Government has over these railway companies.

Now there is the section which I have referred to in my Resolution, *viz.*, section 109. It says in the first instance that if a passenger enters a compartment which contains the maximum number of passengers in it and if he refuses to leave it, he may be punished, and if a compartment contains the maximum number of passengers, say it is 10, the 11th man that enters may be resisted and turned out. So far it is right, but it is put the other way. What it says is that the eleventh man who enters a compartment containing 10 may be punished if he forcibly enters it.

'If a railway servant compels a passenger'—that is another section—'to enter a compartment which has already its maximum number he shall be open to, etc.'

Well, it reads well, it sounds well. * But how to prove that a railway servant has compelled more than the maximum number of passengers to enter a

[Rao Bahadur C. S. Subrahmanayam.]

compartment? Well, I have been told, passengers need not enter when a compartment is full; but we have to take passengers—the people who travel by these carriages—as you find them. They are mostly people who cannot take care of themselves; they are illiterate villagers from far off places who are not in a position to enforce their rights. They rush into the compartments which are nearest the entrance of the station, or the compartment which is first opened, and no railway servant ever takes the trouble to direct them to other compartments or to see that they are properly seated. The railway servants think it is none of their business. The result is you find a mad rush into these railway carriages. I once heard the Honourable Member who represents the Railways say: 'What can we do if people rush the compartments and overcrowd them?' I want to put down just that evil. I want the railway servants at each station to realise that it is their duty to see that persons from whom the company have taken money are properly seated. It should be their duty, carriage after carriage, to regulate the number of persons to be carried in each compartment and if there is any surplus to send them on by the next train. If they are made to understand that they have to do that, then I think there will not be this complaint about overcrowding and so on. That is, while you impose duties upon passengers, while you protect the railway companies in various ways, no obligation upon the railway company is really enforced. It is true there is a section in the Railway Act which says that when a railway company allows a larger number of passengers than the number exhibited on the carriage to travel in the compartment it is liable to a penalty. Then section 97 says, that the sum shall be recoverable by suing in the district court having jurisdiction in the place. Then it says—here is the funniest part of it—the suit must be instituted 'with the previous sanction of the Governor General in Council'. So if the railway company commits daily this egregious offence, no doubt the law says it is liable to a penalty. That sounds well. The law is no respecter of persons and a railway company is also liable to a penalty. But how are you going to enforce the penalty? We must come to the Governor General in Council for sanction to recover that penalty. Now why this big safeguard with regard to an offence which the railway company commits daily and hourly? Now what I ask is that that should be done away with. Why it was so stringently protected is a matter which need not be discussed here. But the enforcement of the penalty must be open to every citizen in the country. Otherwise, it is no good giving this kind of redress. And I would ask whether this forfeiture has ever been enforced?

In the history of the railways in this country has the Government ever enforced this penalty against a railway for allowing overcrowding in carriages? It is true that there are notices exhibited in compartments showing the number of passengers that can be accommodated. That is after consulting railway administrations the numbers exhibited on the compartments are numbers fixed with the sanction of the Governor General in Council. All that is very nice; that shows that thought is given to it. But where is the enforcement of the thing? Therefore, I now ask that very early steps be taken to amend this section and make it obligatory upon the railway company to see that no more than the proper number is allowed and if it allows, whether intentionally or unintentionally, more than that number, it should be liable to a fine just like any other individual who violates the law and the forfeiture must be recovered by a suit or prosecution before a magistrate,

it does not matter which, by any individual. There need be absolutely no fear that there will be a crowd of prosecutions or cases ; people who travel long distances are not going to break their journey and prosecute the railway, but the railway company will begin to realise that it has got a duty to perform to the public when it knows that it will be open to any public-spirited citizen to bring it into a court of law.

I believe there may be some slight misunderstanding in the minds of my Honourable friends ; some of them seem to think that if overcrowding is not allowed, some of these passengers might be left behind. It may happen occasionally that some passengers will have to be left behind ; but it is far better that people are trained to assert their rights and the railway company is also told to do its duty than to allow things to go on and allow the railway company to profit at the expense and inconvenience and trouble of the people who travel by the railways. I therefore commend this Resolution to the unanimous acceptance of the House.

The Honourable Mr. C. A. Innes (Commerce and Industries Member) : Sir, in spite of the very powerful speech which we have heard from Mr. Subrahmanayam I confess that I am still rather doubtful whether this House is intended to take Mr. Subrahmanayam's precise suggestions very seriously. I have a sort of feeling in my mind that what Mr. Subrahmanayam is aiming at is bringing prominently to the attention of this House a very real evil, namely, the evil of overcrowding. I am very grateful to him for bringing that question up, because I hope that I shall be able to make use of his speech later on. But if he really is serious in these suggestions which he has put forward, I regret I must ask the House very definitely to oppose them, for I am quite sure that they are not practicable.

I understand that the head and front of Mr. Subrahmanayam's charge is this. He says that the railway companies exploit the Indian passenger for the benefit of their share-holders, that the representations which have frequently been made to the railway administrations have not been of any avail, that Colonel Waghorn has always given the House the soft answer that turneth away wrath, but nothing has ever come of it. Therefore, it is now time for the House to assert itself and to place upon the railway companies a definite obligation for seeing that railway carriages are not overcrowded. If this obligation is not discharged, the railway administration is to be liable to a fine or penalty. Now the first point the House has got to remember is that the Railway practically belong to the Government of India. We talk about companies. It is true. We do entrust the management of the railways to the companies, but we own the railways. To all intents and purposes they are all State Railways. In some cases 19-20ths of the net profits come to us ; in other cases 5-6ths. Mr. Subrahmanayam means, therefore, that we should fine ourselves for breaches of the law as amended and I point out that since fines will be credited to law and justice, a provincial head, we shall be fining central revenues for the benefit of provincial revenues. However, that is a small point. My real point is that it is quite impossible to work these suggestions. The provisions of our law in regard to overcrowding are practically the same as in other countries. The Railway administrations are required to exhibit on the inside and outside of each compartment the maximum number of passengers which that compartment can hold. The railway servants are authorised, if they find the compartments overcrowded, to require passengers to leave those compartments, and if a passenger won't leave

[Mr. C. A. Innes.]

a compartment, then it is an offence and he is liable to a fine. Then, again, any passenger is entitled to resist, as I read section 109 (2) of the Act, the entry into a compartment when it is full. Now, as I said, the law in this matter is the same as in other countries. What I want to know is, is there any particular reason why we should treat India separately in the matter. Overcrowding is not peculiar to India. Every one of us who has been at Home knows what it is to hang on to the strap of a London Tube. When London is going to its work in the morning or going Home from its work in the evening, the Tubes and the undergrounds are far more overcrowded than anywhere in India. I can guarantee that.

My second point is this. If we are to place a definite obligation on the railway companies to see that before a train leaves any station no compartment contains more than its maximum complement, they will naturally try to discharge the obligations. But how are they going to do it? We cannot limit the issue of tickets at any given station to a number of vacant seats we anticipate. It is not practicable. Therefore we have to issue tickets and let the passengers into the platform. The only thing to do then would be to take measures to ensure that the train did not leave the station with any carriages overcrowded. We shall have to appoint a horde of inspectors to turn out from the overcrowded compartments the excess of passengers. Let us see how an arrangement of this kind would work, say, on the suburban trains on the Bombay, Baroda and Central India Railway in Bombay. I ask any Bombay gentleman here to say whether the arrangement is possible. There are stations every few minutes apart. During the busy season you have trains charging down one after another both in the mornings and in the evenings at very short intervals. They stop for the briefest possible time and discharge hordes of passengers, take on others and then proceed. Does any reasonable man suppose that we could post inspectors at these stations and that those inspectors could go through the train and turn out passengers in excess of the prescribed number? How would the Bombay business man like it? I would like to ask what his feelings would be if he was treated in this manner. He would say: 'I do not mind putting up with the inconvenience; my fellow passengers have no objection; what right have you to interfere?'

There would be a free fight on the platforms of the stations almost every hour of the day. Trains would be delayed and the Courts would be full of cases under section 109 of the Railway Act and counter-cases of battery and assault. The whole life of Bombay would be disorganised. I cannot imagine a proposal that would cause more friction between railway administrations and their customers; and the law which Mr. Subrahmanayam proposes would be at variance with the commonsense of India. But, as I have said, I do not really suppose that Mr. Subrahmanayam means us to accept his Resolution in its present form. In my view his object is to draw attention to what I know is a serious evil. Briefly, the cause of that evil is this. The number of passengers travelling on railways in this country has increased out of all proportion to the increase in rolling stock. Since 1908 our passenger traffic expressed in terms of passenger miles has increased by almost 100 per cent. Our passenger stock on the broad gauge has increased by 42 per cent and on the meter gauge only by 40 per cent. The main reason of this overcrowding on our railways is that we have not got enough coaching stock for the number of passengers. Now what is the remedy? We cannot go in for such a

drastic remedy as is proposed. The right way is to enable us to rehabilitate the railway system. I would draw the Honourable Member's attention to the Railway Committee's Report, I would also draw his attention to the Report of the Railway Finance Committee. In that Report special attention was drawn to the very question of overcrowding, and if, when the subject comes before it, this House will give us the money we require for the next 5 years, then, I hope, they will find that this evil will have disappeared.

Dr. Nand Lal (West Punjab : Non-Muhammadan) : Sir, I am one of those who have been very staunch and strong advocates of the passengers. I identify myself with the remarks of the Honourable the Mover that so far as railway administration is concerned, we find a number of defects because a great many passengers are put to a lot of discomfort and no small inconvenience. But I am afraid I am unable to agree with him so far as the terms of his Resolution are concerned. In the first place, the very trend of the Resolution indicates that it is highly improbable and highly impracticable to adopt the method which he suggests should be carried out. I agree with the Honourable Mr. Innes that there would be free fights on the railway platforms, and the wisest course is to offer some other whole-ome suggestions, for instance, that the rolling stock should be increased. There is no doubt that the number of passengers has increased by leaps and bounds, and I know that there is a great need for carriages.

I think the explanation given by the Government seems acceptable, but all the same, the grievances which have been put forward by the Honourable Mover have got great truth in them with which I identify myself as I have already submitted above. But the Resolution, as it stands, I am afraid, cannot claim any sympathy. Therefore, I am sorry to say that I oppose this motion.

Mr. Darcy Lindsay (Bengal : European) : Sir, I must also add my voice in opposition to this Resolution. It appears to me that the Honourable the Mover's main complaint is that the Railway Act imposes regulations which the Companies do not carry out. According to what was read out, we were told that the Railway Company can prosecute and fine excess passengers. They do not do so, because that regulation is only adopted in order to safeguard the 10 passengers referred to who have the right of turning out the 11th passenger if they so wish. The Honourable Member for Commerce has explained to us the position very clearly that overcrowding is due to want of rolling stock, and that we know full well. A suggestion I make in that direction in regard to local traffic, which is perhaps the worst offender, is whether it would not be possible to have two deck carriages, as they have in Europe, particularly in France. The local traffic is very severe at certain hours of the day. As regards the possibility of carrying out the Resolution as proposed, I say it is absolutely impossible, a passenger will force his way into the carriage whether the Railway Company wish it or not. It is for the passengers who are already inside the carriage to endeavour to keep out any excess beyond the prescribed number. If they wish to exercise their right, I have no doubt that the Railway would support them in prosecuting and imposing fines on the excess passengers. The Honourable Member for Commerce has also referred to the overcrowding in England. As far as my knowledge goes, overcrowding is the same all the world over, whether on short or long journeys. When I was in England last year, I made several long journeys, and both in the third class and in the first class there were excess passengers standing down the passage way, there being no seats for them in the carriages, so that, it is not at all an evil confined to India. I am

[Mr. Darcy Lindsay.]

perfectly satisfied that if the Railways can remedy the defect, they will do so, and to impose such a Resolution as this upon the Companies, I consider, is very wrong.

Mr. W. M. Hussanally (Sind : Muhammadan Rural) : I have every sympathy, Sir, with the Resolution as proposed by my friend, Mr. Subrahmanayam, with regard to the overcrowding and the evils thereof. I will just relate an incident which occurred about a month or two ago at the Karachi Cantonment station when I was travelling myself on the North-Western Railway. Although all the seats in my compartment were occupied to the full complement of the compartment, a Railway Official, who called himself a Traffic Inspector, insisted upon coming into the compartment. I protested very vehemently. The Assistant Station Master on duty was called in, and he also, in the first instance, insisted that the man should be allowed to have a seat within the compartment. But upon my making a firm stand, better counsels prevailed, and the gentleman had to leave the compartment to find a place somewhere else. I threatened to report him, but eventually did not do so because better sense had prevailed. But this, so far as the higher compartments are concerned. So far as the third class compartments and the ladies' compartments are concerned, the overcrowding there is far worse, and frequently we find that the women and children have no seats at all, not even standing room for themselves or their children. No doubt there has been a cry about want of rolling stock, on part of the Railways concerned, but this cry has been going on for years past, and I know for certain that even before the war, in normal times there was very much overcrowding in particular places; therefore this state of things requires immediate remedy. I have had a talk with Colonel Waghorn some time ago upon this very subject, and one of my reasons for moving a Resolution with regard to the removal of the European reserved compartments at the last Session was this scandalous overcrowding. It seems to me that if the rolling stock is not sufficient at particular places, there are other remedies which ought to be had recourse to. For instance, if the trains were to go faster and less time spent at junction stations where ordinarily a long time is misspent—actually misspent—I think the trains could be run faster and consequently more trains could be run to carry the excess passengers. I can tell you that nearly one and a half hours or one hour is spent at Samasata Junction where there is absolutely no work to be done. I think about ten or fifteen minutes' stay there is ample if a sufficient number of coolies be employed to transport all the luggage and parcels, etc. Similarly, at other junction stations in Sind like Ruk, Rohri, and Kotri about an hour or an hour and a half is lost in changing passengers and parcels, which can easily be spared, and if the mail trains and other passenger trains are run faster this difficulty of rolling stock will vanish largely, and passengers can be carried much to their comfort by running extra trains for the excess. So far as this Resolution is concerned, I have every sympathy with the first clause, but I think the second clause will be unworkable so far as the State Railways are concerned, because the penalty imposed on a State Railway is a penalty imposed upon the Government itself and I do not know how that clause will be worked. But it is sufficient at the present moment that the attention of the Railway Department is attracted to this important matter and I hope that they will find some remedy for the difficulty.

Mr. K. Ahmed (Rajshahi Division : Muhammadan, Rural) : . With regard to the second clause (b) of the Resolution, namely, the penal clause, I think

the proposer of the Resolution will probably find a suitable suggestion to make. I beg under the circumstances to move that the following few words may be added. The second clause runs as follows :

‘ That a penalty in each case shall be imposed on such railway administration for allowing the entry or occupation by more than the maximum number of passengers so exhibited ’.

I wish to add the words :

‘ or in the alternative to supply a sufficient number of carriages to facilitate traffic.’

Unless there is a penalty imposed it is not very easy in India, having regard to the sleeping partners of the railway at home, to get anything useful done. It is desirable under the circumstances that they must take jolly good care to supply a sufficient number of carriages to facilitate travel and that being so it is a suggestion for the Honourable Members of this House to accept and it is a good suggestion too.

Mr. President : The question is :

‘ That after clause (b) of the Resolution the following words be added :

‘ or in the alternative to supply a sufficient number of carriages to facilitate traffic ’.

The motion was negatived.

Mr. N. M. Joshi (Nominated Labour Interests) : Every Member of this Assembly deprecates the evil of overcrowding on the railways, especially in third class compartments. At the same time I must say that the remedy proposed by the Honourable Mover of this Resolution is worse than the disease.* In 75 cases out of a hundred, whenever there are more passengers in a compartment than are allowed by the rules, it is the passengers themselves who enter the compartment after it is full and the railway officers do not force them to enter it. Therefore if we make the railway companies liable for overcrowding, the result will be that the railway passengers and the railway officers will always come into conflict as was said by the Honourable Member on the other side. I therefore feel that this Assembly will not pass this Resolution. But I may suggest one thing. According to the present law a passenger can resist the entry of a surplus passenger and at the same time I would suggest that if a passenger complains to the railway officer that he does not want more passengers to be admitted than are allowed by the rules and the railway officer does not take action, he must be held responsible both in civil law and in criminal law. That we can do and I do not think the present law provides for that. I therefore feel that instead of accepting the suggestion of the Honourable Mover the law may be changed in the way I suggest. On the local trains it is simply impossible to enforce the law which the Honourable Mover proposes. The trains cannot be stopped for several minutes in order to see that each compartment does not contain more than the prescribed number of passengers. Therefore the rule will be found to be unworkable. The Honourable Member for Commerce has already said, all over the world you will find, during certain parts of the day, the trains crowded. The trains will be found to be crowded even in the first class and I think the passengers will not like a rule of the kind proposed by the Mover of the Resolution, being made. There is another difficulty. When we travel we do not purchase tickets several days before we have to start. When a passenger goes to a station and finds that he will not have a seat, I can only ask the Members of this Assembly to imagine what his feeling would be especially when he spends 4 or 5 rupees for cart or gharry hire if he has to go back for a train next day. I do not therefore feel that this House should accept this Resolution at all.

Khan Bahadur Zahiruddin Ahmed (Dacca Division: Muhammadan Rural): Sir, I support the Resolution on the ground that I have seen the railway officials forcing passengers into the compartment just as if they were so much merchandise. On one occasion I found that one passenger was pushed in such a way by a ticket collector that one leg of the man got inside, and the other remained out, as he had no room to take it in. When the door was going to be closed, the man's leg was nearly crushed. The Honourable Mr. Innes opposed the Resolution on the ground that it would be a real hardship on the railway. I may only say he ought to have been, in the same way, as generous to the employers when he forced on them similar unworkable clauses at the time of the passing of the Factories Act only a couple of days ago. Why his generous heart failed him now in the interest of passengers when it was so touchy in the interest of the workmen? I may as well ask the Labour Member, by Government nomination, why he is so callous to the sufferings of the third class passengers, as most of them are workmen whose champion he is.

Mr. F. McCarthy (Burma: European): Sir, I beg to move that the question be now put.

Mr. Jamnadas Dwarkadas (Bombay City: Non-Muhammadan Urban): Sir, I do not want to support the Resolution because I think I agree with Mr. Joshi that the remedy suggested is worse than the disease. The Honourable Member for Commerce has admitted that the evil is really a very great one, and it ought to be eradicated. Some measures ought to be taken to eradicate the evil, but, Sir, there is one point which I cannot desist the temptation of bringing to the notice of this House and to the attention of the Honourable Member for Commerce. There is a greater deal of truth in what my friend, Mr. Zahiruddin Ahmed, has said. I myself have seen third class passengers kicked into overcrowded compartments by railway guards and railway officials, that is a spectacle which certainly—I think Honourable Members will agree with me—is not a very pleasant one to look at. At the same time when in one compartment passengers are kicked by railway officials, as if they were not human beings, in the adjoining compartment I have seen one Anglo-Indian or two smoking comfortably with their legs stretched out. I do not think, Sir, I can be accused of raising any racial issue. But I do think that the practice of reserving compartments for Anglo-Indians and Europeans, especially when trains are overcrowded, and when the railway officials in the most inhuman manner kick passengers into the compartments, is a thing which I cannot characterise in words less severe than that it is inhuman.

I do not want to bring in another subject which does not relate to the subject of the Resolution, but I do feel, Sir, that the Honourable Member for Commerce and the Honourable the Chairman of the Railway Board should kindly draw the attention of the railway companies to the fact that whenever railway carriages are crowded care should be taken to remove the board 'Reserved for Anglo-Indians and Europeans', and people should be freely admitted into all compartments. I however have to oppose the Resolution because it will entail a great hardship on the railway companies.

Rao Bahadur T. Rangachariar (Madras City: Non-Muhammadan Urban): Having regard to the gravity of the issues involved and the serious complaints that have been made, I think it is but right that Government should take steps to attend to them and we must have regard to the practical difficulties which have been pointed out by the Honourable Member for

Commerce. I propose, Sir, to modify the Resolution so as to meet the necessities of the case. I would modify the Resolution to read thus :

'This Assembly recommends to the Governor General in Council that he may be pleased to consider and adopt such further measures as may be necessary to ensure the avoidance of overcrowding of passengers in railway compartments'.

I think, Sir, that will be acceptable to both sides and Government on its part should promise that steps will be taken, because the steps already taken are not sufficient.

Mr. President : The question is :

'That in place of all the words after the word 'to' in line 2 of the Resolution, where it occurs for the first time, the following words be inserted :

'consider and adopt such further measures as may be necessary to ensure the avoidance of over-crowding of passengers in railway compartments.'

The Honourable Mr. C. A. Innes : I have no objection to the Resolution worded in that way.

Mr. N. M. Joshi : While supporting this amendment I only want to say one word to the Member for Commerce and that is that I hope that while taking measures to avoid overcrowding he will not include in those measures the measure of carrying human beings in goods vans. I hope for the sake of the good name of the Government as well as for the sake of humanity, this practice will be abolished.

Mr. President : The question is that that amendment be made.

Rao Bahadur C. S. Subrahmanayam : Sir, I was surprised that the Honourable Member for Commerce simply put forward a
4 P. M. a negative to my proposal. He was not good enough to furnish any kind of explanation in amelioration of the charges I laid against the railway. My chief point which has been missed by my Honourable friends who have been eager to support Government and who have been eager to oppose my Resolution and to support the Honourable Member for Commerce's position, is the law under which the railway company is bound not to carry more than the number of passengers written on the carriage boards ; and if it does it violates the law and it is liable to a forfeiture. The forfeiture, however, can be recovered only with the sanction of the Governor General. There is therefore a law ; I want to work the law without the sanction of the Governor General. It is not altogether a new law that I am proposing. I want to take away the bar at present existing against its operation. I put the specific question whether at any time in the history of the Indian railways the Government of India had recovered any single fine for violation of the existing law, which is on the Statute Book. How is it that this law has been a dead letter for all these years. We all want law and order and to live under the rule of law and I do not see why my Honourable friend, Mr. Innes, should say that the enforcement of this law against the railway company will work hardship. Where is the hardship ? The suggestion that my Honourable friend, Mr. Joshi, made was that if a railway servant forces a number of people into a compartment, then he should be prosecuted. There is already a law to that effect. In Madras the Passengers' Association did prosecute a railway guard as a test case and he was convicted only a month ago. Honourable Members may not have looked into this law I referred to, and without looking into the law, without knowing the existing law, and without giving full value to the alteration I suggest, they have opposed me. But it does not matter. So far as the amendment is concerned, I hope that this proposal which

[Rao Bahadur C. S. Subrahmanayam.]

has been made by Government will not be a dead letter like the Statute which has been in force for so many years. It is hardly right to say on behalf of Government that overcrowding exists all over the world, let it be so here, and then make a special pleading on behalf of the railway companies at a time when everybody is displeased with the conduct of these railways. There is another point that has been made of comparing the condition of Indian railways with the condition of railways in Europe, in England, or Scotland or Ireland. But under Indian conditions the passenger and the railway management are two distinct classes. We have seen it every day, we know it every day, that the railway administration thinks that the Indian passenger is nothing more than cattle. The engenic conditions governing the selection of railway servants are largely the cause of this trouble. It is not so in England. Therefore, the analogy between the condition of railways in Britain and the condition of the management of railways in India is utterly untenable. The conditions which prevail on these latter railways are the curse of the railway carrying department; that should not be forgotten. I did not want to mention them, but I thought there would be something of a really sympathetic character, of a really friendly character from Government. Not finding it, I am only sorry to see that a blank, a bar, a negative, has been placed before me, and Honourable Members who have not seen into the matter carefully are eager to welcome the very sympathetic utterances of the Honourable Member for Commerce. This word 'sympathy' has been ridden to death. Sympathy is everywhere, but actually no action of a sympathetic character. Suburban railways do not furnish an analogy at all. Half an hour's, a quarter of an hour's or twenty minutes' overcrowding in a railway compartment does not do us any harm, but take the long distances we have to travel in India. Do you have such long distances in England, Scotland or Ireland? What is the good of comparing British railways with Indian railways? Am I to be met with an argument which can at any moment be upset? Take the case of a man travelling from Madras to Delhi. The master travels first class while the servant travels third class continuously for four days in an overcrowded compartment with ten or fifteen passengers. I cannot understand the self-sufficient way of dealing with a matter like this. I am simply sorry, not so much for the Honourable Member for Commerce as for my Honourable friends who seem to treat the matter lightly and then make suggestions which are a waste of time. The only way to have our rights established in this country is by having a legal remedy and making the offender go before a court. There is no good saying the railways are Government owned. So much the worse for Government and so much the better for my position. Because they are Government owned, Government winks at the foibles of the railways. The argument that Government owns railways and therefore the profits that are made go into the coffer of the tax-payer, and therefore the travelling public must be fleeced, must be practically looted, I do not consider that an argument at all in support of the existing state of affairs. As for the Railway Committee, goodness knows what these Committees and Commissions have done. They have been rather a frequent source of expense and practically no good comes out of them. The upshot of these Committees and Commissions is that certain gentlemen travel from one end of the country to the other at public expense in convenient carriages; but how can they know that the third class passengers are treated well and that there are no remedies to be applied in that class of travelling.

I am very sorry that this subject about which everyone raises questions should have been treated in that light-hearted manner. Well, therefore, seeing that my Honourable friends have taken up this attitude, I think it is far better to go to the Government itself for relief than to place this matter before my Honourable friends from whom I expected more sympathetic treatment for their own countrymen, and for whom they exhibit so much sympathy on public platform.

Colonel W. D. Waghorn (President, Railway Board): Sir, the Honourable the Mover has represented that Government is treating this question in a very unsympathetic manner. As a matter of fact, we feel very keenly on this question of the insufficiency of accommodation for third class passengers and conveniences for them. We have only recently addressed railway administrations in connection with the preparation of budgets which we hope we shall get passed in this House shortly with a view to paying particular attention to this question of proper facilities for the third class passenger. We know perfectly well what that involves—not only additional third class carriages and locomotives, but probably duplication of lines, platforms and facilities at railway stations. That is the remedy proposed, and these are the steps we shall have to take and must take, and the sooner we get the money and get along with these remedies the better.

As has been pointed out in the course of this debate, there are passengers who are unfortunately only too anxious to crowd into carriages rather than be left behind; and this is the case everywhere. If you wish the railway servant to use that authority, such authority as he has got under section 109, to prevent this, I am prepared to address the railway administrations and ask them to accede to and bring to the notice of their servants the power they have; but I very much doubt whether the passengers will appreciate this little attention on the part of railway servants.

Dr. Nand Lal: Sir, the Honourable Mover has been very hard upon some Members who had acted according to their conscience. My friend has not realised

Mr. W. M. Hussanally: I rise to a point of order. Has Dr. Nand Lal the right to speak twice?

Dr. Nand Lal: Certainly. An insinuation has been made, and this being a permanent record, we should explain that these remarks are unfounded.

Mr. President: The Honourable Member is giving quite the wrong reason now (Laughter).

Dr. Nand Lal: My learned friend failed to see that he was responsible for the result at which we have arrived, and the fate which has been meted out to his Resolution can be traced to his worthy self. Now he has happened to say that some of us have not sympathised with the Resolution without knowing anything. He is wrong there and I may assure him that we have studied the question as much as he has done. Does he mean that the provisions of section 109 should be seriously adopted? If so, then every passenger will be within the clutches of the Law. The Law and Rules are clear enough. A certain maximum number is fixed there. The passengers know that this compartment is full. If it is a third class compartment, then similarly third class passengers may be supposed to know at least if there is any room and they should not enter it if there is no room.

And if they are going to force their entry inside and the railway official comes and asks them not to do it, there will be a struggle. This explanation was given. Is it wrong? Will it not end in a struggle? Will it not end in

[Dr. Nand Lal.]

a fight? Will it not give rise to litigation? Is my friend in favour of litigation? There may be thousands of cases so far as the Railway Department is concerned. Does he realise the force of his Resolution? I am sorry to say that he has not penetrated into what would be the result if his Resolution were accepted. Then he says that the Railway Department should be held responsible and the Railway Department should be called upon to pay fine. Now, the explanation which was given was quite good. Does the Honourable Member know who will pay that fine? It is we who will pay the fine, so far as the State Railways are concerned, and, yet, the Honourable Member—I do not know how far he is right—had the courage to say that we were wrong in going against the Resolution—I may be excused for saying that—but every Member should be cautious so far as such remarks are concerned. Then the Honourable Member goes on to say that really the drift of the Resolution has not been followed by those Members who have unfortunately been compelled not to sympathise with his Resolution. I may tell him that some of us have read the section and his Resolution more than five times, and our opinion is this, that his Resolution is very unhappily worded. Therefore, with these remarks, I may submit that we have got full sympathy with the passengers; we are therefore compelled to say that the Railway Department is responsible for this over crowding, but we have got another remedy for it; on the occasion of the budget we shall say to the Railway Department: 'You are not doing your duty; we are not going to give you money.' That is the proper remedy. If the railway servants are not going to do their duty we are not going to pay them. But the remedy does not lie in it that a certain new law may be pressed upon them so that they feel incapacitated, so far as the performance of their duty is concerned. Certainly their administration is defective; as I offered some observations sometimes back it requires improvement and some of the third class passengers are really treated as chattels. So far as those remarks are concerned I associate myself with the Honourable Member's attitude. But if he thinks that the Railway Department should be called upon to pay a fine as the Resolution says, I differ. Therefore, the best remedy would be on the occasion of the budget; we shall then call upon the Railway Department to give us reasons why they have not made any improvements in the administration.

Mr. P. E. Percival (Bombay: Nominated Official): I move that the question be now put.

The motion was adopted.

Mr. President: The question is:

'That the proposed amendment * be made.'

The motion was adopted.

Mr. President: The question is:

'That the following Resolution, as amended, be accepted:

'This Assembly recommends to the Governor General in Council that he may be pleased to consider and adopt such further measures as may be necessary to ensure the avoidance of overcrowding of passengers in railway compartments.'

The motion was adopted.

Mr. President: This Assembly now stands adjourned till Eleven of the Clock on Monday, the 16th January, 1922.

*That in place of all the words after the word 'to' in line 2 of the Resolution, where it occurs for the first time, the following words be inserted:

'consider and adopt such further measures as may be necessary to ensure the avoidance of overcrowding of passengers in railway compartments.'