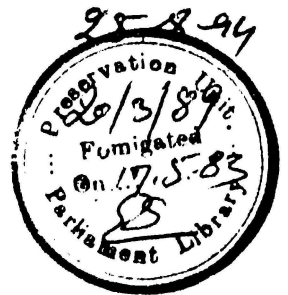


11th February, 1925

THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

SECOND SESSION
OF THE
SECOND LEGISLATIVE ASSEMBLY, 1925



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LEGISLATIVE ASSEMBLY.

Wednesday, 11th February, 1925.

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

QUESTIONS AND ANSWERS.

ARCHÆOLOGICAL MONUMENTS IN DELHI.

841. *Haji Wajihuddin: (a) Is it a fact that " Khairul Manzil " near Purana Qilla in New Delhi is included in the approved list of monuments and has conservation work been completed? If not, when is the work expected to be completed?

(b) Is the mosque adjoining it recorded as a portion of the monument? Why was the permission of necessary repair of the mosque asked by the Muhammadan Religious Endowment Protection Society rejected by the Chief Engineer, P. W. D., Delhi Province?

Mr. J. W. Bhore: (a) Yes. The special repairs have been completed, and minor repairs are carried out annually.

(b) The Mosque, its court-yard and gate-way are all known as the Khairul Manzil. No application of the nature referred to can be traced in the office of the Chief Engineer.

ARCHÆOLOGICAL MONUMENTS IN DELHI.

842. *Haji Wajihuddin: (a) Is it a fact that the following old buildings are included in the approved list of monuments at Delhi:

Qadam Sharif,
around the Khirkee Mosque,
Purana Qila and Sher Shah's mosque,
Juna Shah's mosque,
Dargah Khawaja Amir Khusro Saheb,
Hazrat Nizamuddin's Baoli,
Safdar Jung's mosque,
Moth ki Masjid,
Mohamadi Masjid,
Kalu Serai Masjid,

(b) If so, what action have the Government of India taken for their conservation, and if not, when do the Government propose to have the conservation work completed?

Mr. J. W. Bhore: (a) Yes, they are all accepted for conservation by the Archæological Department on behalf of the Government of India. With the exception of Dargah Khwaja Amir Sahib, Hazrat Nizamuddin's Baoli and Kalu Serai Masjid, for which special agreements have to be made, the others have been declared as protected.

(b) All these buildings are maintained by the Archæological Department and several special repairs have already been executed.

AMOUNT RECEIVED FROM THE EX-KING OF THE HEDJAZ FOR DISTRIBUTION TO INDIAN PILGRIMS.

843. *Haji Wajihuddin: Will the Government be pleased to state how much money they have received from Amir Husain, ex-King of the Hedjaz, for distribution to Indian Hedjaz pilgrims who suffered owing to looting by Beduins during their journey from Mecca to Medina in the year 1924, and by what channel do the Government propose to have the same distributed?

Mr. Denys Bray: No money was received by the Government of India. It is understood, however, that the Hashimite Government made a direct settlement with the sufferers, paying them from £8 to £10 apiece.

A sum of £8,800 paid by the Hashimite Government as compensation to certain pilgrims for losses in 1923 has been passed on to the Protector of Pilgrim, Bombay, for disbursement.

OPENING OF THE PORT OF CALCUTTA TO THE HEDJAZ PILGRIM TRAFFIC.

844. *Haji Wajihuddin: What arrangements are being made to have the port of Calcutta opened for the embarkation of Indian pilgrims to the Hedjaz as was recommended by the Health Committee with the Government of India, last year?

Mr. J. W. Bhorè: The Government of India are not aware to which committee the Honourable Member is referring, but I may mention for his information that they have made an inquiry from the Government of Bengal as to whether definite arrangements have been made for ships to be available for pilgrim traffic at Calcutta if the port is opened to the traffic this year, and hope to come to a decision in the matter on receipt of the Local Government's reply.

RAILWAY REFORMS.

845. *Haji Wajihuddin: Will the Government be pleased to state what action so far has been taken by them upon the Resolution recommending certain railway reforms passed by the Legislative Assembly in the last Delhi session, and also what progress has been made by the different railway authorities concerned?

Mr. G. G. Sim: As promised by Sir Charles Innes during the debate upon the Resolution referred to, copies of the same were forwarded to Railway Administrations for their consideration.

With regard to the progress made since then the Honourable Member's attention is invited to paragraph 28 at page 14 and paragraph 91 at page 65 of the Report by the Railway Board on Indian Railways for 1923-24.

REDUCTION OF RAILWAY FARES.

846. *Haji Wajihuddin: Will the Government be pleased to state what was the railway revenue from passenger fares in each year from the year 1920-21 to 1923-24, respectively, and whether they are prepared to consider the advisability of reducing the fare to the old level in the near future?

Mr. G. G. Sim: As regards the first part of his question the Honourable Member is referred to statement 6, page 51, of the Financial and Statistical statements in Volume II of the Report by the Railway Board on Indian railways for 1923-24 and to Appendix 5, page 46, in the same Report for 1921-22, copies of which are in the Members' Library.

As regards the second part of the question the Honourable Member is referred to the answer given to question No. 505 on the 30th January.

REDUCTION OF POSTAGE ON POST-CARDS.

847. *Haji Wajihuddin: Will the Government be pleased to state what was the postal revenue in each year from 1920-21 to 1923-24 and whether the Government propose in the interest of the poor class to reduce postage on post-cards to the old rate of three pies by the next financial year?

The Honourable Sir Bhupendra Nath Mitra: I would refer the Honourable Member to the answer given by me on the 26th January, 1925, to Mr. B. Venkatapatiraju's starred question No. 221. With regard to the last part of the question, I would ask the Honourable Member to await the presentation of the budget.

ARTICLE IN THE *FORWARD* REGARDING RECENT ARCHÆOLOGICAL FINDS IN THE PUNJAB.

848. *Kumar Ganganand Sinha: (a) Has the attention of the Government of India been drawn to an article entitled "Recent Archæological Finds in Punjab" which appeared in the *Forward* of the 20th January, 1925?

(b) What is the nature of supervision which the Director-General of Archæology keeps over the Archæology section of the Indian Museum?

(c) At what intervals or how frequently does the Director-General of Archæology visit Calcutta and when did he visit it last?

(d) Are the Government prepared to adopt a better method of supervision and suggest to the Director-General of Archæology to visit Calcutta once every year?

(e) Are the Government aware of the misunderstanding which resulted in the suspension of the Paharpur excavation? If so, will they be pleased to state the incidents of misunderstanding fully so as to make clear the insinuations made in the sub-heading "Paharpur Fiasco" of the article referred to in part (a) of the question?

(f) Is it a fact that plaster casts preponderate over the originals in the Archæological section of the Indian museum? If it is so, why?

(g) Will the Government be pleased to make inquiries whether the allegation made in the article referred to above, that the Archæological officer or officers in Calcutta actually went to see the Editor of a Calcutta Daily "with his influential friend" is true? If so, will they be pleased to state the name of the Editor of the Calcutta Daily and the purpose of the Archæological officers' visit when the inquiries are made? If the answer be in the negative will they be pleased to give reasons?

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

(b), (c), (d), (e) and (f). Inquiries are being made and I will give the Honourable Member the information he desires later.

(g) No Sir. The Government do not propose to make any such inquiries.

**GRANT OF A LICENSE TO THE INDIAN RADIO TELEGRAPH COMPANY TO
WORK A WIRELESS INSTITUTION IN INDIA.**

Diwan Bahadur M. Ramachandra Rao: (a) Has the attention of the Government been drawn to the statements on pages 1 and 5 of the *Pioneer* of the 8th February last regarding the grant of a license to the Indian Radio Telegraph Company for maintaining and working a Wireless Telegraph installation in India on the Beam system? Are the facts stated therein correct?

(b) Will the Government be pleased to state the names of the Directors of the Indian Company referred to above, the capital of the said Company, the headquarters of the Company and all other particulars relating to the Company?

(c) Is it a fact that a contract had been concluded between the Secretary of State for India in Council and the Indian Company above referred to and that the contract is about to be signed?

(d) Will the Government be pleased to place the contract on the table and to give an opportunity to this House or to the Standing Finance Committee to examine this contract?

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

(b) The Indian Radio Telegraph Company is registered under the Indian Companies Acts with rupee capital for the purposes of obtaining a license from the Government of India to erect and operate wireless stations in British India for communication on a commercial basis with other parts of the world and generally for participating in or undertaking the development of commercial wireless within the Empire of India. The Company informed the Government in April 1924 that the Directors of the Company then were:

- C. N. Wadia, Esquire (Chairman),
- Sir Purshotamdas Thakurdas, C.I.E., M.B.E., M.L.A.,
- Sir Ibrahim Rahimtoola, K.C.S.I.,
- Sir Rajendranath Mookerji,
- Rai Bahadur Shewpershad Tulshan, M.L.A.,
- A. K. Graham, Esquire,
- F. E. Rosher, Esquire,
- R. M. Chinoy, Esquire, and
- Sultan Chinoy, Esquire.

but it is understood that two of the above gentlemen have since retired from the Board.

The registered office of the Company is 38, Apollo Bunder Road, Bombay, and the authorised capital is Rs. three crores but as no prospectus can be issued until the Company obtains the necessary license from Government to erect the necessary stations the amount of capital to be issued in the first instance is not known to Government. In the event of the Company being granted the necessary license at least 60 per cent of such capital as is to be expended for the purpose of carrying out the terms of the license must be offered for subscription in India. The Company enjoys the sole rights in India to the Marconi and affiliated patents which are essential for the establishment of a wireless station operating on the Beam principle.

(c) No. The Company applied for a license to erect and operate a Beam station in India for the purpose of carrying out a commercial telegraph service with the United Kingdom. The Government have intimated that the necessary license will be granted provided that the Company enters into an Agreement the terms of which have been finally laid down for the efficient performance of the service and the Company have signified that they are prepared to enter into the Agreement which is now being prepared for execution.

(d) A copy of the Agreement and License will be placed in the Library as soon as they are issued to the Company, but since neither create any charge on the public revenues it is not proposed to ask this House or the Standing Finance Committee to examine them.

Diwan Bahadur T. Rangachariar: May I ask has this Company any Managing Agents?

The Honourable Sir Bhupendra Nath Mitra: I am sorry, Sir, I have not got the information. They must have got Managing Agents and my recollection is that Sultan Chinoy is the Managing Agent, but I cannot say definitely.

Diwan Bahadur M. Ramachandra Rao: Is there an agreement, independent of the license, between the Government and the Company?

The Honourable Sir Bhupendra Nath Mitra: The agreement is supplementary to the license.

Diwan Bahadur M. Ramachandra Rao: May I ask if that agreement has been concluded or not as yet?

The Honourable Sir Bhupendra Nath Mitra: The agreement is about to be concluded.

Diwan Bahadur M. Ramachandra Rao: May I ask whether that agreement will be placed in the Library before it is concluded?

The Honourable Sir Bhupendra Nath Mitra: I have said, Sir, that it is not possible to do so.

Diwan Bahadur M. Ramachandra Rao: May I know why it is not possible to do so?

The Honourable Sir Bhupendra Nath Mitra: Because it is a matter for the Executive Government to settle.

Mr. A. Rangaswami Iyengar: Is it intended that questions of executive administration are not to be subjected to the scrutiny of this House?

The Honourable Sir Bhupendra Nath Mitra: Of course they are to be subjected to the criticism of this House in certain matters. But this is not one of the matters in which the criticism of the House in the opinion of Government would be of any value.

Mr. A. Rangaswami Iyengar: Is there any provision of law, Sir, under which these things are excluded from the scrutiny of this House?

The Honourable Sir Bhupendra Nath Mitra: I should like to have notice of that question, Sir.

Mr. N. M. Joshi: May I ask whether Government have ever considered the question whether it is not in the interests of the country that all the wireless work should be kept under the control of the State and should not be given to any private company?

The Honourable Sir Bhupendra Nath Mitra: That matter was duly considered by Government.

Diwan Bahadur M. Ramachandra Rao: May I ask the Honourable Member what provision has been made in the proposed agreement for the training of Indians in radio telegraphy?

The Honourable Sir Bhupendra Nath Mitra: I can assure the Honourable Member that the point has not been lost sight of. He will be able to see what the precise provision is as soon as a copy of the agreement is placed in the Library.

Diwan Bahadur M. Ramachandra Rao: But is there any way of modifying that agreement in the light of any criticisms that may be offered in this House on that agreement after it is completed?

The Honourable Sir Bhupendra Nath Mitra: No, Sir.

Diwan Bahadur M. Ramachandra Rao: Does the Honourable Member regard it as a satisfactory state of things if, after this agreement is concluded, criticisms are offered in this House and the Government feel it difficult to modify that agreement in view of the criticisms of this House afterwards?

The Honourable Sir Bhupendra Nath Mitra: Sir, the Honourable Member has raised a rather important question which it is not possible to reply to offhand. I have already explained to him the position in regard to this agreement. If he has got any further questions to ask, I would suggest to him that he might put regular questions.

Sir Hari Singh Gour: May I ask you, Sir, what is the procedure in the House of Commons in matters of contracts entered into by the Executive Government? Is it not a fact that the contracts are laid on the table before they are concluded?

Mr. President: I have no knowledge of that.

The Honourable Sir Basil Blackett: I might be allowed to say, Sir, that, speaking generally, it is almost invariably the case that they are not. You cannot do business on those terms.

Sir Hari Singh Gour: Do I understand the Honourable Member to say that the contracts in question are not laid on the table?

The Honourable Sir Basil Blackett: Almost invariably not.

Sir Hari Singh Gour: But there is a rule requiring them to be laid on the table in the House of Commons?

Mr. N. M. Joshi: May I ask whether, in view of the fact that the Legislative Assembly has approved the State management of railways, the Government of India will ascertain the sense of this House in the matter of controlling wireless operations in this country?

THE OBSCENE PUBLICATIONS BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir Alexander Muddiman (Home Member): Sir, I beg to lay on the table the Report of the Select Committee on the Bill to give effect to certain articles of the International Convention for the Suppression of the Circulation of, and Traffic in, Obscene Publications.

THE LEGISLATIVE ASSEMBLY (PRESIDENT'S SALARY) BILL.

Mr. L. Graham (Secretary, Legislative Department): Sir, I move:

"That the Bill to determine the salary of the President of the Legislative Assembly be taken into consideration."

I think, Sir, that not many remarks are required from me on this motion, but having regard to some of the amendments which have been received I think it is necessary to read the provisions of the Government of India Act in accordance with which this legislation has been undertaken. Those provisions, Sir, are contained in sub-section (5) of section 63 C. of the Government of India Act, and they run as follows:

"A president and deputy-president shall receive such salaries as may be determined, in the case of an appointed president, by the Governor General, and in the case of an elected president and a deputy-president, by Act of the Indian legislature."

It is, Sir, to fulfil that obligation that this Bill has been placed before this House. Sir, in introducing the Bill I explained to the House that the figure of four thousand rupees which has been inserted in the Bill was inserted primarily to provide a basis for discussion; but it was also inserted having regard to the figures which had been inserted in Provincial Acts for determining the salaries of the Presidents of Provincial Councils. At this stage I have no further remarks to make, and I move, Sir, that the Bill be taken into consideration.

Mr. President: Motion moved:

"That the Bill to determine the salary of the President of the Legislative Assembly be taken into consideration."

Sir Campbell Rhodes (Bengal: European): Sir, we have before us, or shortly will have before us, many amendments to this Bill proposing a whole range of salaries from zero to Rs. 3,500, and I should like to lay before the House, before these amendments are discussed, one or two general principles which I suggest the House should bear in mind when considering what the appropriate salary should be. I think we shall all agree that in the interests of economy we should fix the minimum salary that will allow us an absolutely unlimited choice in the selection of your successor, Sir. But, while we shall fix that minimum salary, I think the House will insist that we shall not fix it so low that our selection should be in any way curtailed. We do not want to select one whom we consider to be the best man and then be told by him that he regrets that, owing to the lack of private means perhaps, he feels that at the salary offered he could not keep up the dignity of the position. We do not want to go to the second man of our choice. We do not want to select him because he has private means and thus can in a sense buy his position. Therefore,

[Sir Campbell Rhodes.]

Sir, I suggest we want the salary fixed at such a scale that we shall have an absolutely unlimited choice. The House, Sir, has always been very jealous of its dignity. I do not want unduly to blow our own trumpet, but, Sir, under your guidance we have established here conventions of courtesy, of dignity, which set a high standard for imitation in the Provincial Councils, and I think we shall all agree that we do want to maintain that very high standard unimpaired. I see an amendment on the paper suggesting that a salary should only be given provided the President devotes all his time to the duties of his office. I do not know quite what is meant by that amendment. It may mean that at the end of the session we shall select six or seven of our strongest men to hold the President in the Chair until the session meets again. I believe there was a precedent in the ancient annals of the House of Commons for such action. But if it means that we are to have a President who shall have no other occupation but shall devote himself solely to the duties of the Presidentship, then I think the whole House will be heartily in agreement with the Mover. It may seem to the outside public, Sir, that, except when the session meets and the duties of the President then become very onerous, he has not a great deal of work to do. But, Sir, you have, if I may say so, managed to occupy your time fully between one session and another when you are not actually in the Chair. I do not refer, Sir, entirely to those visits to the Provincial Councils where you have endeavoured to stabilize and standardize that dignity and orderliness of debate which I think has always been exemplified in this House. I do not refer either, Sir, to that valuable work you did on the Burma Constitutional Inquiry Committee, but I should like to refer, if you will allow me, to those very important duties you have undertaken which are apparently outside the scope of the President's work. Debarred as you have been, Sir, from any direct intervention in the political life of the country, debarred as I hope we shall insist that any future President will be (Hear, hear) in taking sides in politics, you have turned your attention to general welfare work. You have been the main stay of the St. John's Ambulance, the Red Cross Society; you have recently taken the most prominent position in getting the Leprosy Fund started and even, Sir, out of the mouths of babes and sucklings have you perfected praise. You have set a standard which I sincerely trust your successor will follow. Your position as head of this House—and what in England would be the first Commoner in the land—gives you an advantage in such work, gives you a position and a dignity of which you have made full use; and I think that this is another principle we should bear in mind in selecting our new President next session, that we should select some one and should pay him what we consider a fair salary, expecting him to take a lead in those big welfare schemes which are quite as necessary as any work we do here to-day. I personally, Sir, should have preferred this discussed in private, in Select Committee. I think myself that the figure Government have suggested is reasonable, but it is a matter entirely for the decision of the House; and in putting forward these general principles, I urge my colleagues to consider these points, to fix the salary which they consider is justified by the finances of the country and which will at the same time give us that unlimited scope of selection for which I have urged.

Khan Bahadur W. M. Hussainally (Sind: Muhammadan Rural): Sir, I am entirely in agreement with my friend, the Honourable Sir Campbell Rhodes in regard to all that he has said to-day in regard to the salary of

the new President we shall elect shortly to preside over our deliberations. I think, Sir, that the salary that should be offered should be a tempting one, and at the same time adequate, to enable the President to keep up his dignity and status and also the dignity and the status of the House. I therefore think that Rs. 4,000 recommended in the Bill is by no means a large sum, having regard to the salaries that the members of the Executive Council and the Secretaries of the various departments draw. My Honourable friend drew the attention of the House to the amendment that stands in my name and I may say at once that I endorse the view that he has expressed upon that subject. That was my object when I put forward the amendment that the President should do no other professional business while he is in office. That was my sole object, and surely with regard to any honorary work that he takes up, such as welfare schemes referred to by the Honourable Member, I can certainly have no objection to; but I do not think it will be right for the President that he should go as soon as the session ends, and practise at the bar or in any other line of business. That is exactly what I meant to avoid by putting in this amendment. I may inform the House that the Bombay Council have put in a similar clause in the President's Salary Bill that they have passed. I understand the Bombay Council have fixed the salary at Rs. 3,000 but with this clause added that he should do no other private business. Surely when a Provincial Council can pay Rs. 3,000, Rs. 4,000 which is recommended here is by no means too large an amount.

So far as referring the matter to the Select Committee is concerned, I am also in agreement entirely, because I consider that there should be no higgling haggling in this House with regard to the salary of the President, and if all these amendments are taken up here, I anticipate a sort of higgling haggling which surely ought to be avoided. For instance, there is an amendment that the President should entirely be an honorary gentleman. While I am not in agreement with that proposal, I think it will be very good indeed that the matter should be referred to a Select Committee and my proposal should also be considered in the Select Committee. I propose my amendment.*

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): I desire, Sir, to heartily express my agreement with the remarks which have fallen from my Honourable friend Sir Campbell Rhodes upon our ensuring conditions which will give us a fairly wide field for selection; and it was in fact that second circumstance which he referred to, namely, the great diversity of opinion which I found among my colleagues in fixing the salary of the President that led me to the view that perhaps the matter might well be discussed among the leaders in a Select Committee; and this led me to send in my amendment. But since sending notice of my amendment, I think the atmosphere has cleared, and I believe that it will be possible for us to come to some agreement; and, therefore, I think it will not be necessary for me to move this amendment which stands in my name that the Bill be referred to a Select Committee. I hope it will be possible in a very few minutes for the great majority of us to come to some agreement; and I hope it will give us a sufficiently wide field for selection as Sir Campbell Rhodes has suggested. Of course I entirely agree with him, and in fact I may add parenthetically that we all have our doubts:

* "To clause 2 of the Bill the following proviso be added, namely:
'Provided he devotes all his time to the duties of his office.'"

[Mr. M. K. Acharya.]

whether any elected President, Sir, will be able to combine in him all that knowledge of procedure, that quickness of decision and that amiability of manners which have come to be associated with the Chair in this House. (Applause.) Sir, I hope that the matter of salary will be settled very soon without a reference to a Select Committee and I therefore beg leave to withdraw the first amendment that stands in my name, namely :

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

and also the other amendment which stands later in my name, namely,

“ To add at the end of clause 2 the words :

‘ or any other sum to be fixed at the time of election of the President ’ .”

I hope the House will soon hit upon some figure which will give us ample facility for wide selection which we all certainly desire.

Mr. President: I understand that the Honourable Member does not wish to move the amendment that the Bill be referred to a Select Committee and he does not propose to move Amendment No. 12 also.

(The Honourable Member signified assent).

Before we proceed to the decision of the question that the Bill be taken into consideration, I think I ought to point out to Mr. Naidu, the author of amendment No. 3, that that amendment to clause 2 would be out of order. When the Assembly has taken the Bill into consideration it will have endorsed the principle that a salary shall be paid, and therefore it would not be open to him to move that no salary shall be paid when we come to clause 2. The Honourable Member's method of making his opinion effective will not be to move the amendment to clause 2, but to vote against the motion which is now under consideration.

Mr. N. M. Joshi (Nominated: Labour Interests): Sir, at least once I find myself in agreement with my Honourable friend, the representative of Bengal Europeans. Sir, I am one of those people who believe that some of the public offices in our country are paid more highly than the country can bear, but, Sir, I am also quite aware of the fact that in our country a large number of people are allowed to make incomes much larger than any public servant can ever aspire to obtain. I feel therefore that as long as a large number of people are allowed to make incomes which are much larger than the incomes which the public servant can obtain, it is not possible for us to get for public offices always the best men that we should obtain. I therefore think that, as long as we do not restrict the incomes of all people to the extent to which we want, it is not right for us to pay to our public servants smaller salaries. We should pay at least those salaries which will not limit the scope of our choice to any extent. I, therefore, feel, Sir, that we should pay our President the highest salary that it is possible for us to pay him. It has been said several times that people do not accept such offices as the office of the President of the Legislative Assembly or any other such public office for the money or for the salary which the post carries. Sir, it may be true. But, at the same time, it is also true that, if we do not pay a very good salary to the holders of those posts who have to occupy a very responsible position like that of the President of the Legislative Assembly, our choice will be restricted. There may be some people for whom it may be possible to make a sacrifice of their income. There may be some people who may not care very much for money and in that case may accept the office for any salary that is offered, or they may

accept a post without any salary. But, Sir, it is not possible for all people to accept public work on the basis of voluntary service or on the basis of low salaries. Therefore, if we do not pay a very good salary to our President, our choice will be restricted. Moreover, Sir, I feel that, as the world is at present constituted and as the world is dominated by certain ideas of the importance of wealth, we must provide the President of the Legislative Assembly with those means which will enable him to maintain the high social status and the dignity of his office. Sir, it may be said that the high social status and the dignity of the office do not depend upon money. But I do ask the Members of the Assembly whether it is a fact. My experience is that, to-day at least, the social status of a man and the dignity of an office do depend upon the salary that is paid and upon the wealth that he possesses. (*Several Honourable Members*: "No.") Sir, I hear some people saying "No." I assure them that I shall be very glad indeed to see the day that when social status will not depend upon wealth and when the dignity of an office will not depend upon the salary which it carries. But, Sir, that day is not to-day. I admit that even to-day some people may get very high social status without the help of money. Some people may hold a great position in society without money. But, Sir, if you ask me whether it is possible for all men to get that status or for all men to get that dignified position without wealth, I feel that we are not stating facts as they exist to-day. I, therefore, think that, as long as the world is dominated by the idea of the importance of wealth, we should invest the President of the Legislative Assembly with that wealth which is necessary to enable him to maintain a high social status as well as the dignity of that office. I feel, therefore, that the House should not consider any amendments which suggest a salary lower than what the Government have suggested. My feeling is that Government have not made a very generous suggestion, but I am not prepared to suggest an amendment for a higher figure. I do not generally send in amendments on questions like the one under discussion, and that is the only reason why I have not made any suggestion. But, Sir, if you ask my opinion, I would not pay the President of the Legislative Assembly a salary which is less than that of a Member of the Executive Council. I, therefore, feel that the House should give the President such a salary that we should be able to get the man whom we want and we should not be compelled to get a man who offers himself. It should be in our power to command the services of the man whom we consider to be a fit man for the Presidency of the Legislative Assembly, and our choice should not be restricted to those only who offer themselves for the office. With these words, Sir, I express my full concurrence with the views expressed by Sir Campbell Rhodes.

Colonel Sir Henry Stanyon (United Provinces: European): Sir, in a very few words I would like to put the matter on a slightly higher ground than it was put by the last speaker. Personally—and I am sure my feeling is shared by practically everybody in this House—I do not find my respect for a man increased by the fact that he drives in a Rolls-Royce instead of a Ford car. The question at issue is a very simple one. First of all, we want a whole-time President. After all, Sir, even the President of a Legislative Assembly like this is a human being subject to human influences; and it must be a help to him, as it certainly is to a Judge, (there is much analogy between the two positions) to be detached from other occupations and interests which may unconsciously affect his impartiality and his ability to see clearly in their right proportion the

[Sir Henry Stanyon.]

questions that so constantly come before him as President. Therefore, I am entirely in concurrence with the view that we must have a whole-time President. His chief duty as President will be to hold fair, equal and impartial judgment between all individuals and all parties in the House. Outside that, he may fill his time, if he has any time left to fill, with such non-political works of excellence as you, Sir, have made, I might almost say, your hobby. If we want that, we must pay for it. You cannot expect to get any man of the education, learning, character, age and deportment which we require for the proper occupation of the Presidential Chair in this House unless you pay him well. It has been rightly said by Sir Campbell Rhodes that this House is, and should be, an example to the Provincial Legislatures, if possible, in all matters connected with legislative procedure. If we want a man such as I have described we must pay him a reasonable salary. Not a salary beyond what the House or the country can afford; not a salary which will encourage our President to make a big splash in the world; but such a salary as—and here I am in agreement to a certain extent with Mr. Joshi—will carry a measure of respect and enable the President to disregard and put aside every other occupation for his livelihood. Therefore I think that the figure which has been fixed in this Bill is really the minimum figure which this House should offer.

Pandit Motilal Nehru (Cities of the United Provinces : Non-Muhammadan Urban): Sir, I am sorry I was not in the House to hear the whole of the speech of my friend Sir Campbell Rhodes, but the latter part of it which I heard has my full concurrence. There is no doubt that the President that we select should be a man of outstanding ability, of high character and of noble deportment. I do not think that age is so much a qualification as my friend Sir Henry Stanyon suggested. But there is one thing in which I differ from the great majority of the Honourable Members who have already spoken, and that is that they seem to have taken salary to be fixed as compensation for the President for devoting his abilities and his time to the work of the Assembly. My impression is that all the Members of this House—I do not mean the salaried Government Members, but the non-official Members of the House—are here to do public service. They are not here to expect any remuneration for that service and the President of this House certainly will not expect anything like the remuneration for his services and for his time which he is accustomed to receive in his own business or profession (*A Voice*: "Why not?") for the simple reason that I know of persons eminently qualified to occupy the Chair to whom no salary you could offer would be adequate compensation, and yet they may be public-spirited enough to occupy the Chair and guide the business in this House. I differ from the proposition that it should be a tempting salary. The temptation for the President should lie in the service he is called upon to render and not in the salary which he is likely to get. But I recognise that the President, like all other human beings, has got to live. He has got to maintain a position. If you like to call it dignity you may. But to my mind the dignity of the President consists in the manner in which he discharges the duties of his office. I am happy, Sir, to join with my friends who have gone before me in saying that, if the dignity of the House is preserved by your successor in the manner in which it has been preserved by you, it is all that we would desire. Having all these con-

considerations before my mind, I feel, Sir, that it is very difficult for any one to draw a sharp line and say this figure and no more, or this figure and no less. It is really very difficult. I may mention that we have considered the question in our party meetings, and as the nature of the question shows, there could not be any agreement upon a matter like this. But I think that, if the salary is put at anything between Rs. 2,000 and Rs. 3,000, it ought to be quite enough for all the purposes which we have in contemplation. I eliminate altogether, Sir, as I have already submitted, the compensation for the abilities which the President has to bring to bear on the discharge of his duties. Now, Sir, as regards his being a whole-time man, I quite agree with the previous speakers. As regards his maintaining a wholly impartial attitude, again I am at one with my friend Sir Campbell Rhodes and the other speakers, but I have to add that the selection of a party man as President must necessarily be taken to be an invitation to him, and if he accepts the office, to be an undertaking from him, to cease to be a party man from the moment he takes office. That is a *desideratum* which we shall certainly bear in mind when we go to elect our President. Comparisons are always odious, comparisons between the salaries of the Executive Councillors, Secretaries or other Government officials are specially so. I would beg the Members entirely to free their minds from all such comparisons. All that they have to consider is what is a reasonable salary for a President with the qualifications I have mentioned, not to enable him to make a dash as Sir Henry Stanyon has just said, but to live like a gentleman and to maintain the position which is his by reason of his occupying the Chair of this House. I may mention here, though I do not know how far it is correct, that I read in one of the newspapers some time ago that Mustapha Kemal Pasha drew a salary of only £40 a month. Now that is a government of the people by themselves, and if a person of the distinction of Mustapha Kemal Pasha and his position in the country as the head of the administration, can keep all the dignity attached to that position on £40 a month, I do expect that the President of this House ought to be able to do so with something between Rs. 2,000 and Rs. 3,000. As for the respect which this House will pay to its President, I submit it is for the House itself to determine who is the person who will command their respect. It is essential that the President that we select should command the confidence not only of this House, but of the public.

Mr. M. C. Naidu (Burma: Non-European): Sir, I have two main reasons for saying that the elected President of this Assembly shall not get any salary. The first is that in a democratic Assembly like this, an elected Member, whatever duties he may be called upon to undertake, should be on the same footing as others as regards pay and allowances. The duties of President are certainly onerous, but they are not appreciably more onerous than the duties of a Member of this Assembly. The dignity of the office of President is enough to secure that there will always be plenty of aspirants for that honour and dignity alone. Many lawyers sacrifice their practices at the Bar when they are elevated to the Bench. They regard the honour of their office as sufficient reward for their pecuniary loss, and I do not see why a similar tradition should not be established in this House. We come to this House in a spirit of service to the public without regard to material considerations. I frequently hear this spirit of service talked about by Members of this House, and I thoroughly agree with it. To all those in this House who put public service above personal benefit, I think

[Mr. M. C. Naidu.]

my proposal will appeal, and it has the further advantage of economy, of saving public funds.

My second main reason is that in the present condition of Indian politics, when parties and policies are not yet in a stable and permanent condition, you will be throwing down a bone of dissension if you create an appointment with a pay of Rs. 4,000, Rs. 8,500, Rs. 3,000, Rs. 2,500, Rs. 2,000, Rs. 1,500 or even Rs. 1,000, according to the amendments, to be struggled for by all elected Members. It will tend to increase disunity. There will be danger of resort to canvassing, to the use of improper influence, and to all sorts of underhand practices if you decide that the President should be paid. The dignity of the office will be much greater if the position is honorary.

It may be said that I am going against the practice of most if not all of the democratic assemblies in the world by making this proposal. It may be so, but if it is, I reply "Never mind. Why should we not strike out a line for ourselves, and let India show the way to the rest of the world?"

I have no objection to the Bill being referred to the Select Committee.

Mr. Ahmad Ali Khan (Assam: Muhammadan): With your permission, Sir, I propose to move the amendment standing in my name to the effect that the salary of the elected President should be Rs. 8,000 a month.

Sir, we have often indulged in the easy task of lecturing to the Government Benches on the necessity of observing the greatest possible economy in the expenditure of Indian revenue. Therefore I felt that this was a time when we should practise a little of the precept that we have been so fond of preaching to others. It was with that idea in my mind that I endeavoured to find out what possible reduction we could make in the pay proposed by the Government, and I came to the conclusion that nothing less than Rs. 3,000 a month—no doubt not a very handsome sum—would suffice to enable the President to live, as a distinguished and Honourable Member of this House put it, like a gentleman filling the dignified office of President.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): May I know, Sir, what is the salary of the President in the Honourable Member's own Provincial Council?

Mr. Ahmad Ali Khan: I will tell the Honourable Member presently. I will come to that later. Of course I have kept this fact in mind that it would not be right for us to allow the President such a salary as would compel him to supplement it by having recourse to private sources of income.

Mr. L. Graham: May I ask the Honourable Member if he is moving an amendment to a clause?

Mr. President: I do not know whether he is moving any amendment. If he is moving his amendment, we have not come to that stage yet. The Honourable Member's opportunity to move will come when the motion for consideration has been carried.

The question I have to put is:

"That the Bill to determine the salary of the President of the Legislative Assembly be taken into consideration."

The motion was adopted.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur cum Orissa: Muhammadan): Sir, on principle I do not think that the salary of the President should be less than that of the Secretary of the Assembly. The pay of the Secretary of the Legislative Department, who is also the Secretary of the Assembly, is Rs. 4,000 a month; and I should therefore be very glad to move that the pay of the President be Rs. 4,000. But these are the days of retrenchment and I would therefore have it at Rs. 3,500. That is my amendment. There has been some proposal to the effect that the pay of the President should be Rs. 3,000 for the whole year. When I thought of Rs. 3,500 I thought that Rs. 3,500 would be paid only for the time that the Assembly was in session, and Rs. 2,500 or something like that, when the Assembly was not in session. But if a motion is moved that Rs. 3,000 be fixed as the salary of the President for the whole year I will accept it. After these remarks I do not wish to move my amendment but merely state that if the House accept the proposal that the pay of the President should be Rs. 3,000 for the whole year I will be satisfied.

Mr. L. Graham: Sir, do I understand that the Honourable Member has moved his amendment.

Khan Bahadur Sarfaraz Hussain Khan: No, Sir, I have not moved it.

Khan Bahadur W. M. Hussainally: On a point of order, Sir. May I know if I am at liberty to move my amendment in regard to any salary that is fixed. I should like to make the President devote all his time to the work of the Assembly, whether the salary fixed by the House is Rs. 2,000, Rs. 3,000 or less or even more. I should prefer to move my amendment to any salary fixed. I formally move the amendment at present to the Bill as presented by the Government.

Mr. President: After clause 2 has been passed, either in its present form or amended, the Honourable Member will have an opportunity of moving his proviso in the form on the paper and it will apply to any figure that then appears in clause 2.

Mr. Ahmad Ali Khan: Sir, with your permission I will answer the question that was put to me by an Honourable Member of the House as to what salary was allowed to the President of my Provincial Council. It will come as a surprise. We have been very niggardly in that respect. We only allow him Rs. 500 a month. But I do not think that should be any index to the pay of the Honourable President of this House. In fixing the salary at Rs. 3,000 my reason is that I believe that that sum should suffice the future elected President to live, as our esteemed and Honourable friend, Pandit Motilal Nehru said, like a gentleman filling the dignified office of President of this House. Of course, I am fully conscious that any figure that may be arrived at must be arbitrary.

12 NOON. Opinions may differ as to how much is necessary to enable one to live in comfort. We have different standards of comfort, but I venture to think that a good number of Honourable Members in this

[Mr. Ahmad Ali Khan.]

House will agree with me that no salary less than Rs. 3,000 a month will suffice for the purpose. Before I sit down I should like to say one word and it is this. I hope that in the election of our future President we shall be spared what to me seems the unseemly spectacle of having to decide between the claims of competing candidates and that we shall follow the practice that prevails in the House of Commons and decide on the Member beforehand whom we consider to be the most suitable to fill the Chair. Sir, I feel that I must join with those Honourable Members who have preceded me in their praise of the remarkable manner in which you have discharged the very onerous and difficult duties of President and of the remarkable success with which you have won our respect and admiration.

I move that the salary be fixed at Rs. 3,000 a month.

Mr. President: Amendment moved:

“In clause 2 for the word ‘four’ the word ‘three’ be substituted.”

The Honourable Sir Alexander Muddiman (Home Member): Sir, Mr. Graham, when he introduced this Bill, explained the attitude of Government towards this matter, and that is, that it should be left to the decision of the House. But I do feel that this is a matter in which we all have an interest and I would like to suggest one or two considerations before the House comes to a decision on this question. The Bill as it stands provides for a salary of Rs. 4,000 a month. That salary is the salary of a High Court Judge. It has been said that the position of President of this House is one of great dignity and that you require the best man for it. There can be no question about that. Sir, this House owes to you a very great debt of gratitude for the way in which you have presided over it and I hope that the future Presidents of this House will maintain the high standard you have laid down. It has been said that High Court Judges are easily obtainable on Rs. 4,000 a month. Sir, it is the duty of my Department occasionally to try and find men to fill the position of High Court Judges and I may say they are not easily obtainable. There are few men who care to, or are in a position to, sacrifice a lucrative practice at the Bar to sit on the Bench, and I think you may find some difficulty, if you fix the salary too low, in getting the best possible candidate to fill the Chair. It is a matter of very great importance. The smart transaction of the business of the House depends very very largely on the President. I myself have discharged those duties in another place for a considerable period and I have no hesitation in saying, both from my experience then and for the short time I have been in this House, how important it is for all parties and for the business of the House that the President should be a man in every way suitable for the post. It has been said that what is a sufficient salary is always a matter of discussion. I venture to think that it will be wise if this House finds it possible to arrive at a unanimous decision on this matter without taking too narrow a view of the needs of economy and without prejudicing perhaps what is a greater issue by a desire to protect the interests of those whom they represent. The attitude of Government, as I have said, will be to leave the matter to the House to this extent that officials other than members of the Executive Council will vote as they please. Members on the Government Bench will probably support the original provisions of the

Bill. But I do hope, before the House decides this matter, it will consider that unanimity in a matter of this kind is of great importance. One more point and that is that, if we compare the emoluments that are assigned to the Speakers of other Houses in other parts of the world, we should see they are usually on a liberal scale. The Speaker of the House of Commons, I believe, subject to correction, draws £5,000 a year. He has other dignities and advantages. He has free quarters. (*A Voice*: "And a sumptuary allowance.") I am informed he has also a sumptuary allowance. I am not endeavouring to sway the House unduly one way or the other, but before it comes to a decision I hope it will consider the few points I have put before it.

Mr. O. Duraiswami Aiyangar (Madras ceded districts and Chittoor: Non-Muhammadian Rural): While I associate myself with all the views expressed as to the qualifications that are necessary and ought to be expected from the President we are going to choose, I can not see my way to agreeing with some of the observations which go to show that the dignity of the Chair depends upon the salary attached to it. Sir, I have never come to associate the dignity of any office with the salary which it carries with it. The Prime Minister in England draws perhaps one-third of the amount which the Provincial Governors here draw, and yet his dignity is not impaired. (*Several Honourable Members*: "No, no.") Some Ministers there (not the Secretaries of State) draw a salary much lower than the salaries which some of our public officers in India are drawing and yet their dignity is not impaired. (*Several Honourable Members*: "No, no.") Why 'no'? (*Several Honourable Members*: "Quite wrong.") Some Ministers do get £2,000 only. With reference to the Indian comparison that the salary of a High Court Judge must be the basis upon which we must proceed here, I beg to say that it should not be the criterion. When the proposals of the Lee Commission came before this House, Honourable Members were very strong and very vigorous in criticising and scrutinising the proposals made for raising the salaries of public officials here. You criticised their budget, you scrutinised their budget, and you said that the budget of expenditure which is necessary for an officer in this country is quite satisfied by the present salary drawn by him and that no increase was necessary. But, Sir, when it comes to a proposal to fix the salary of your own President, of a man of this country whom you are likely to choose as your President, you wish to raise the salary and plead for its being increased and enhanced so much so that even a Labour Member like my Honourable friend, Mr. Joshi, who has enclosed within his own circle certain persons from whom we should choose our President, has recommended a salary much higher than that proposed by the Bill. It seems to me that if we agree now to raise the salary of the President to Rs. 4,000, to-morrow we shall not be able to plead that the salaries of the officers of Government cannot be at a high figure. It will be said by the Government Benches to-morrow that you have fixed the salary of the President at Rs. 4,000 and that it will not be right to ask for the reduction of salaries of our public officers and our Judges; and it seems to me, Sir, from the financial condition of this country that it cannot afford to put any public officer on a salary higher than Rs. 2,500 or 3,000, and we must not therefore set an example on this occasion by fixing the salary of the President of our Assembly at a high figure. Sir, in fixing the figure of Rs. 2,000 in my amendment I have taken into consideration all that is necessary for the convenience and comfort of the President that we are going to choose. I have taken into consideration his housing accommodation, his dress, his

[Mr. C. Duraiswami Aiyangar.]

clothing and I may say I have made provision in case the gentleman that we are going to choose for the Presidentship will like to have English homespun tweed instead of Indian *khaddar*.

Pandit Shamlal Nehru: May I inquire if the Honourable gentleman has taken the marriage of the President's daughter into consideration?

Mr. C. Duraiswami Aiyangar: Taking into consideration the probable candidates and the probable circle from which we are going to choose our President, I think that it will be enough to pay him Rs. 2,000 as out of pocket expenses and that will certainly not take away from the dignity of the Chair. The dignity of the Chair depends upon the way in which the Chair conducts itself and Members conduct themselves towards the Chair. I have no doubt that the Members of this Assembly will co-operate with the Chair in protecting the dignity of that Chair without any reference to the salary that the President draws. I therefore move my amendment that the salary be fixed at Rs. 2,000. As for the other amendment of which I have given notice, I thought that the word "elected" was superfluous. However it does not matter whether it appears or not.

Mr. President: The question is:

"That in clause 2, for the word 'four' the word 'three' be substituted."

Mr. N. M. Joshi: I want to oppose this amendment. I have already explained the reasons which actuate me in opposing the proposal for the reduction of the figure from 4,000 to 3,000. I have listened to the arguments of several Members who have proposed a smaller salary but I am not yet convinced why the salary should be less than what is proposed by the Government of India. It was said by the Honourable Pandit that when people accept offices like that of the President they do not do it for the salary which that office carries. I admit that fact, but at the same time the Honourable Pandit will have to admit that when you suggest a smaller salary to that extent you restrict the sphere of your choice (*Voices:* "No.") There may be some people for whom it may not be possible to make the sacrifice which it is necessary to make. (*A Voice:* "We do not want them.") You may not want them but if they are the best people we should want them. (*A Voice:* "They cannot be the best men if they want money.") Sir, money is required by the President to be elected for maintaining himself in a proper position and proper comfort. I have heard it said that people who accept public offices should accept them as a public honour. I would like them to accept office as a public duty but at the same time it is not possible for all people to make the sacrifice which such acceptance entails. I am the last person to say that while we are engaged on a public duty we should not make a sacrifice. But I hold that any sacrifice which a man may be called upon to make should be a perfectly voluntary sacrifice and not a compulsory sacrifice. If any President whom we may choose finds that the salary of Rs. 4,000 is too much for him, I shall give him a helping hand in reducing the burden of the salary. But, Sir, let us offer him the best salary that we can. If he can make a sacrifice there are many ways open to him to spend his money on the public good (*A Voice:* "Entertainments?") It was also said that when we ask the Government to pay reasonable salaries to the public servants it was somewhat inconsistent that we should ask ourselves that our President should be paid a salary of Rs. 4,000 as proposed in this Bill. I admitted when I spoke first that some of the public offices in our

country are more highly paid but at the same time I made it quite clear that if I want to begin the restriction of incomes, I shall certainly not begin that operation with the President of the Legislative Assembly. I want the large bloated incomes which some people make to be restricted but I shall first restrict their income before I restrict the income of the President of the Legislative Assembly, and let me go further and say before I restrict the salaries of the public servants in this country. If we begin the operation of reducing the incomes with the President of the Legislative Assembly and the members of our public services, we shall certainly not get the best men that we should obtain for these posts. There is only one word more I would like to say. It is said that if we pay a higher salary there will be canvassing. But I have seen canvassing even when there is no salary. There are many people who are very rich and they want some public office for honour. You cannot prevent their canvassing among themselves. I am quite sure there will be some people here who are so rich that they can afford to accept the position of the President of the Legislative Assembly if there were some Member willing to choose them. Therefore, by reducing the salary or by giving no salary, you do not prevent canvassing which is sure to take place whether there is a small salary or a large salary, but I do feel that if we can prevent canvassing by anything we can prevent it by paying a good salary, so that we can always have a large field of choice. I therefore feel that this amendment should not be accepted.

Mr. President: The original question was:

"That clause 2 stand part of the Bill."

Since which an amendment has been moved:

"That in clause 2, for the word 'four' the word 'three' be substituted."

The question is that that amendment be made.

The Assembly divided.

AYES—45.

Acharya, Mr. M. K.
 Ahmad Ali Khan, Mr.
 Aiyangar, Mr. C. Duraiswami.
 Aiyangar, Mr. K. Rama.
 Ahmuzzaman Chowdhry, Mr.
 Belvi, Mr. D. V.
 Chetty, Mr. R. K. Shanmukham.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Datta, Dr. S. K.
 Dutt, Mr. Amar Nath.
 Goswami, Mr. I. C.
 Gour, Sir Hari Singh.
 Gulab Singh, Sardar.
 Hans Raj, Lala.
 Hari Prasad Lal, Rai.
 Iyengar, Mr. A. Rangaswami.
 Jajodia, Baboo Runglal.
 Jeelani, Haji S. A. K.
 Kazim Ali, Sheikh-e-Chatgam Maulvi
 Muhammad.
 Kelkar, Mr. N. C.
 Mehta, Mr. Jannadas M.
 Misra, Pandit Harkaran Nath.

Murluza Sahib Bahadur, Maulvi
 Sayad.
 Mutalik, Sardar V. N.
 Nambiyar, Mr. K. K.
 Nehru, Dr. Kishenlal.
 Nehru, Pandit Motilal.
 Nehru, Pandit Shamlal.
 Neogy, Mr. K. C.
 Patel, Mr. V. J.
 Piyare Lal, Lala.
 Ramachandra Rao, Diwan Bahadur
 M.
 Rangachariar, Diwan Bahadur T.
 Ray, Mr. Kumar Sankar.
 Reddi, Mr. K. Venkataramana.
 Roy, Mr. Bhabendra Chandra.
 Rushbrook-Williams, Prof. L. F.
 Samiullah Khan, Mr. M.
 Sarfaraz Hussain Khan, Khan
 Bahadur
 Shafee, Maulvi Mohammad.
 Singh, Mr. Gaya Prasad.
 Sinha, Kumar Ganganand.
 Vishindas, Mr. Harchandrai.
 Wajihuddin, Haji.

NOES—46.

Abdul Mumin, Khan Bahadur
 Muhammad.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Abul Kasem, Maulvi.
 Ahmed, Mr. K.
 Ashworth, Mr. E. H.
 Blackett, The Honourable Sir Basil.
 Bray, Mr. Denys.
 Burdon, Mr. E.
 Calvert, Mr. H.
 Chalmers, Mr. T. A.
 Cocke, Mr. H. G.
 Cosgrave, Mr. W. A.
 Crawford, Colonel J. D.
 Dalal, Sardar B. A.
 Fleming, Mr. E. G.
 Fraser, Sir Gordon.
 Ghazanfar Ali Khan, Raja.
 Ghose, Mr. S. C.
 Graham, Mr. L.
 Hira Singh, Sardar Bahadur Captain.
 Hudson, Mr. W. F.
 Hussanally, Khan Bahadur W. M.
 Jinnah, Mr. M. A.
 Joshi, Mr. N. M.
 Kasturbhai Lalbhai, Mr.

Lindsay, Mr. Darcy.
 Marr, Mr. A.
 McCallum, Mr. J. L.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Moir, Mr. T. E.
 Muddiman, The Honourable Sir
 Alexander.
 Muhammad Ismail, Khan Bahadur
 Sa'iid.
 Rajan Bakhsh Shah, Khan Bahadur
 Makhdum Syed.
 Raj Narain, Rai Bahadur.
 Rhodes, Sir Campbell.
 Sadiq Hasan, Mr. S.
 Sarda, Rai Sahib M. Harbilas.
 Sastri, Diwan Bahadur C. V.
 Visvanatha.
 Sim, Mr. G. G.
 Singh, Rai Bahadur S. N.
 Sinha, Mr. Devaki Prasad.
 Sanyon, Colonel Sir Henry.
 Tonkinson, Mr. H.
 Webb, Mr. M.
 Willson, Mr. W. S. J.
 Wilson, Mr. R. A.

The motion was negatived.

Mr. Amar Nath Dutt: Sir, I beg to move the amendment which stands in my name, and which runs as follows:

"In clause 2 for the words 'four thousand' the words 'fifteen hundred' be substituted."

Sir, my reasons for proposing that the salary proposed should be reduced to Rs. 1,500 are these (Voice: "Withdraw, withdraw, withdraw.") I am not going to withdraw unless I am forced to withdraw. In this Assembly I do not think anyone can compel me to withdraw an amendment which I put forward for consideration of this House, and I am not going to withdraw it. I do not mind whether the majority of the Members throw it out or not, but I am entitled to place my views before you. I have always felt, Sir, that money and ability do not necessarily go together. (Laughter.) It is not because you may pay a man a very fat salary that he is an able man and will be an able President. I do not believe that. Then again much has been said about the dignity of the office. Sir, in a poor country like India we are not going to rob the tax-payers of their money for the sake of the dignity of the particular individual who is to be elected to the office of President. I was really pained when I heard one of the noblest sons of India, who belongs to the Servants of India Society, Mr. Joshi, who himself does not get more than Rs. 75 per month, supporting the view that we ought to give a fat salary to our President. Sir, if we can get men like Mr. Joshi for the service of our country on Rs. 75, if we can get men like the late Mr. Gokhale for Rs. 75 and Dr. Paranjpye for Rs. 75 per month, I do not believe that we cannot get men to occupy the Presidential Chair of this House for Rs. 1,500 (Mr. M. A. Jinnah: "Fix Rs. 75.") I would be glad if Mr. Jinnah accepts or moves an amendment to reduce the salary to Rs. 75. But as I know the temper of this House, as I know that people think that living in Delhi is a little more

expensive than elsewhere, and that men coming from elsewhere may require some more money, and that at less than Rs. 1,500 a man cannot keep himself up, therefore I propose that instead of the words "four thousand" the words "fifteen hundred" be substituted; and I think that is quite a decent sum because we have seen the flowers of the Universities serving on Rs. 300 or Rs. 400; and do you mean to say that while the flowers of our Universities, of the Calcutta University for example, Premchand Roychand Students and Doctors of Science and Philosophy have been serving on Rs. 300 or Rs. 400, and that while many a graduate is not able to get even Rs. 40 a month, we should be justified in paying more than Rs. 1,500 a month which would attract the best graduates of our Universities? Therefore, Sir, I move the amendment which stands in my name for the acceptance of this House.

The motion was negatived.

Khan Bahadur W. M. Hussanally: Sir, I have already said what I had to say in regard to my amendment; and I will repeat that the Bombay Council have put in a proviso that their President shall be a whole-time man and shall do no other business than his own proper work. But as the view has been expressed by some of my friends that the President of the Assembly will have plenty of work even when the session is not on, I think the condition that he should do no other business, I think the condition my amendment imposes, ought to be enforced. So far as quite honorary work is concerned, of course my amendment does not affect the position. Sir, I formally move my amendment.

Mr. President: Amendment moved:

"To clause 2 of the Bill the following proviso be added, namely:

'Provided he devotes all his time to the duties of his office'."

Mr. L. Graham: Sir, in an earlier stage of the Bill this morning, at the consideration stage, my Honourable friend Mr. Hussanally made a mis-statement. In moving his amendment he has repeated that mis-statement. He said that the Bombay Council had added a proviso to this effect. Now, Sir, I hold in my hand the Bill as read for the third time and passed on the 18th October 1924 in the Bombay Legislative Council, and the operative section of that Bill runs as follows:

"There shall be paid to the elected President of the Bombay Legislative Council a salary calculated at the rate of three thousand rupees a month."

There was no proviso to that effect, Sir. However, that is not the ground on which I oppose this amendment. Whatever Bombay may do, let them do. In this case, they have not done it. However, it is perfectly clear that it is the general feeling of this House, and will be accepted at once as a convention, that the Honourable President of this House shall not take up professional work between the sessions, but it is unseemly that we should bind him by Statute not to do so,—and this amendment, even if it were carried, would not bind him. Who is to decide, Sir, whether the President devotes all his time to the duties of his office? What is meant by "all his time"? The matter can be reduced to an absurdity at once. Does it mean that he ought not to sleep at any time? Does it mean that he should not find time for walks? Does it mean that he is not to take up any philanthropic work? Does it mean that he should have no time for his meals? The position is utterly absurd. I do not know about his devotions. However, as I have said, this amendment proposes no authority. If the House is not satisfied with the conduct of its President, the

[Mr. L. Graham.]

remedy is provided in the Act itself, because the President may be removed from office by a vote of the Assembly with the concurrence of the Governor General. If, Sir, the President should fail to maintain those high traditions, Sir, which you have established from the Chair, then, Sir, the House has its own remedy.

Diwan Bahadur M. Ramachandra Rao (Godavari *cum* Kistna: Non-Muhammadian Rural)*: Sir, I should like to ask the Honourable Mr. Graham what is the exact position of the President in relation to other Government offices which he might hold, simultaneously, along with the Presidentship of this Assembly. I should like to know, Sir, in view of the provision contained in the English enactment relating to the salary of the Speaker that he should not hold any office either for himself or for anybody entrusted to him or any office of profit under the Crown, whether it is the intention of Government that the tradition should also be established in this House that the President of this Assembly should not, along with his office, simultaneously hold any other office of profit under the Crown. If that is so, —though there is no provision in this Bill to that effect—if that is the position, I do not think there will be any need for the amendment of my friend Mr. Hussanally. I do not think, Sir, he intended at any rate to prevent the President of this Assembly from doing any philanthropic work. What I believe he had in mind was that simultaneously, along with this office, the President of this Assembly should not perform any other office which might mean some more emoluments from the Government. I hope, Sir, that the Honourable Member will make a statement in regard to this matter.

Mr. L. Graham: Sir, I think it not quite reasonable to expect me to make a declaration at this stage. It is quite true, Sir, that the Act does not provide that the President of the Assembly shall hold no other office, but I may point out that if he, being an elected Member of this Assembly, were to accept any other office, he would have to resign his seat in the Assembly, and he would then cease to be President. We may take it, however, that it is most unlikely that he would ever be asked to accept a salaried office. We may therefore probably dismiss that contingency as absolutely incredible. But should he do so, the House has the remedy in its own hands—to ask for his removal.

Mr. W. S. J. Willson (Associated Chambers of Commerce: Nominated Non-official): Sir, my friend, Khan Bahadur Wali Muhammad Hussanally, does not pose as an expert draftsman, and while there is much in the actual wording of his amendment which may require emendation, I do strongly support the principle upon which he has drafted it. I would have expected rather more from the Honourable Mr. Graham—a proposal that he would redraft this amendment in order to meet the case. What I have in mind is this. It has been said this morning, and if I can interpret the feelings of the House correctly it received general acceptance, that our future President should not hold any other office of remuneration. If that is the feeling of the House, why should the Bill not say so and lay it down? It would be possible otherwise for a President to be, say, a director of companies or something of that kind, which might not technically mean holding another appointment. But my own view and that of my colleagues is that the man whom we elect to this exalted office, to be our own chief for

* Not corrected by the Honourable Member.

the future, should regard it as an absolutely whole-time appointment so far as any work of remuneration goes. In regard to public work of an unpaid and honourable nature, we shall be only too glad to see him devote all the spare time he can to it.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban)*: May I add one word, Sir, to what Mr. Willson has said? Take this instance. Supposing you have a member of the bar who happens to be elected as the President of this House, when the session is not on would he be entitled to practise? (*Voices*: "No.") I do not wish it either, but I ask would that be a bar?

Mr. L. Graham: The House has to decide.

Mr. M. A. Jinnah: I quite understand of course that it is quite possible that at the end of the year you may not elect him. I understand the election will be for a year.

Mr. L. Graham: Three years, or so long as he remains a Member of the Assembly.

Mr. M. A. Jinnah: It will be all the more important to make it quite clear then. I therefore certainly support the motion and I say we ought to make it very clear in the Statute rather than leave it to the House afterwards to take unpleasant steps. I think it is not desirable, but the position should be made perfectly clear.

Mr. W. M. Hussanally: Sir, in reply I have only to say a few words. So far as my recollection goes, I read in the newspapers that this clause was adopted in the Bombay Council, but if it is not so, it does not matter. All the same, as our friend Mr. Willson put it, I am concerned with the principle of the amendment and not with the wording. If the wording of my amendment does not suit the taste of Mr. Graham, I have no objection to his amending the same so as to make it acceptable to the House. So far as the question of practice at the bar is concerned, I did mention this very matter in my speech at the commencement and I am glad that my Honourable friend Mr. Jinnah has pointed this out again and Mr. Graham has no answer to give. It will be perfectly open to the President, if you do not pass this amendment, to go back when the Assembly is not in session and practise, which will certainly not be acceptable to the House. As regards taking up appointments as directors of companies, there will be no bar to him to do that as well. As the Honourable the Home Member put it only a few minutes ago, it is very difficult for Government to get Judges of the High Court on Rs. 4,000, so that it will not be very easy for us to get a suitable gentleman for the office of the President even for Rs. 4,000, I take it. If that be so, there may be a temptation to make an extra income when the Assembly is not in Session, whereas there will be plenty of work to do even when the Assembly is not on and we wish him to do that work. We also wish that the Assembly staff should be entirely separated from the Legislative Department, and when that is done, he will have plenty of work to keep him engaged all the year round. I therefore strongly support this amendment.

Mr. President: This is one of the rare occasions on which the President may reasonably enjoy the discretion vested in him under Standing Order 32, namely, to address the Assembly before putting a question to the vote.

* Not corrected by the Honourable Member.

[Mr. President.]

I have only two things to say. One is that I am very glad indeed to find a general opinion throughout the Assembly that the occupant of the Chair should be a whole-time officer, in the sense that, when the Assembly is not actually sitting, he should either be explicitly excluded by Statute or by the established convention of the Assembly from taking part in any public activity which can possibly impair his impartiality in the Chair. That is the very marrow of his function as President.

The second point to which I draw the Assembly's attention is that Mr. Graham's criticism of the drafting of Mr. Hussanally's amendment is, I think, just. The Assembly may perhaps pass the amendment in this form just now, and, when we come to the next stage, Members will have then had time to consider whether the proviso is in proper form and represents the real desire of the House. If the Assembly wishes now to insert in the Statute an explicit prohibition against the kind of activities that we have been discussing, I suggest to Government, if we put it into the Act, the motion that the Bill be passed be postponed in order to give the draftsman full time to consider, and the Assembly also further opportunity to consider whether its real intention has been established by the words proposed to be introduced.

The Honourable Sir-Alexander Muddiman: I will leave the question at this, that if it is agreed to, the clause will be re-drafted and amended at a subsequent stage of the Bill.

Mr. President: The question is :

“ That to clause 2 of the Bill the following proviso be added, namely :
‘ Provided he devotes all his time to the duties of his office ’.”

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clause 1 was added to the Bill.

The Title was added to the Bill.

Mr. President: The amendment standing in the name of Pandit Shambhu Dayal Misra will be inoperative as the word “ elected ” already occurs in the Statute. By changing the Preamble we cannot get round the original Statute.

The Preamble was added to the Bill.

Mr. L. Graham: Sir, I do not now move the motion that the Bill be passed.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

The Honourable Sir Basil Blackett (Finance Member): Sir, I beg to move that the Bill further to amend the Indian Income-tax Act, 1922, be taken into consideration.

The purpose of this Bill is, as explained in the Statement of Objects and Reasons, to bring into accordance with the law the practice that has in fact been followed for some little time in the assessment of income-tax. The practice hitherto has been where there has been a change in the constitution

of a registered firm, owing to one or more of the partners retiring, to assess the partners with reference to the shares held by them at the time of the assessment, although on the profits of the firm in the previous year. It has now been ruled that partners must be assessed not according to the shares to which they are entitled in the year of assessment, but according to those to which they were entitled in the year in which the profits were earned. The net result, as rather frequently happens in the case of super-tax, is that people who ought to be paying super-tax are apt to get off. We propose in this amending Bill to amend the law, so that in future the practice may be the one which was followed until the Bombay High Court gave that decision. The matter has been discussed with the Chambers of Commerce, and, as I have not heard from any quarter any objection to the Bill, I will confine myself now to moving the motion that stands in my name.

Mr. President: The question is :

“ That the Bill further to amend the Indian Income-tax Act, 1922, be taken into consideration.”

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Basil Blackett: Sir, I move that the Bill be passed.

Mr. President: The question is :

“ That the Bill further to amend the Indian Income-tax Act, 1922, be passed.”

The motion was adopted.

THE INDIAN TARIFF (AMENDMENT) BILL.

The Honourable Sir Basil Blackett (Finance Member): Sir, I rise to move the motion which stands in the name of my Honourable friend Sir Charles Innes. The House will regret to hear that Sir Charles Innes is confined to his house to-day with a bad chill and, with your leave, Sir, I beg humbly to try and take his place. Fortunately my task is confined to moving for leave to introduce a Bill the objects and reasons of which are fully stated in the Statement of Objects and Reasons. I need not, therefore, spend time in convincing the House that, although this is a Bill introduced by the Commerce Department, it is one in which the Finance Department takes a certain amount of interest. I should like just to add one thing. It is stated in the Statement of Objects and Reasons that these proposals are included in a separate Tariff Bill instead of in the Finance Bill because they have not been made primarily with reference to the revenues of the year 1925-26. As a matter of fact, we have had this question of changing over from *ad valorem* duties to specific duties in the case of sugar and cigarettes and one or two other things under consideration for some time and it was at one time our intention to introduce this Bill last September. The purpose is to improve the methods of our customs valuation and customs collection and at the same time to secure greater steadiness in our revenue which is apt to fluctuate rather widely in the case of *ad valorem* duties:

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on an article such as sugar. The *ad valorem* duties in India date back to the time when we had nothing but a revenue tariff. When you have a small revenue tariff, 3 or 5 per cent., there is a good deal to be said for *ad valorem* duties. But when you get higher you necessarily introduce considerable complications into the assessment and collection of customs duties if you try to maintain the *ad valorem* principle right through. In many countries specific duties have, in fact, been substituted in the particular case of sugar. The purpose of this Bill is, in addition to various small improvements in the law, to introduce specific duties in place of *ad valorem* duties in the case of sugar and cigarettes not with reference to an increase or decrease in the amount of revenues to be obtained from those articles but with reference to the convenience both of the Customs Department and of the importer. We are taking advantage of the same Bill to introduce certain small amendments which are specified in paragraphs 4 and 5 of the Statement of Objects and Reasons. In the case of silk mixtures, there have been considerable complaints, not entirely from the male sex, about the high duty that is being charged on goods that are really cotton but contain a small quantity of silk. The Government thought that 30 per cent. was rather a high charge for them. It is proposed therefore to alter the Schedule in the case of silk mixtures down to the 20 per cent. figure. Finally, one small amendment is required to rectify an error in the Schedule to the Steel Industry (Protection) Act, 1924, in the matter of discs and circles.

Mr. President: Motion moved:

“That leave be given to introduce a Bill further to amend the Indian Tariff Act, 1894.”

Mr. W. S. J. Willson (Associated Chambers of Commerce: Nominated Non-official): May I ask the Honourable Member if he will be so good as to give us some indication of the amount of time we are likely to have to consider this Bill. It has been a source of complaint on behalf of many of my Chambers of Commerce in the last year or two that Government have frequently given us insufficient time for a Bill such as this to be circulated round the country for the purpose of eliciting public opinion. And, as I can quite imagine that opinions, even of my Chambers, may be divided on the question, particularly of sugar, I should like to have an assurance from the Honourable Member now that we will be given a reasonable time to deal with the question.

The Honourable Sir Basil Blackett: I understand, Sir, that it was the intention of Sir Charles Innes to move on Monday that the Bill be referred to a Select Committee in order to afford an opportunity for the discussion of the Bill in the Select Committee. I do not know whether it will be possible by the combination of that arrangement with some other arrangement by which the discussion in the Select Committee should not be rushed to meet the difficulty to which Mr. Willson has referred.

Mr. W. S. J. Willson: I may say, Sir, that the proposal that the Bill be referred to a Select Committee next Monday would not be acceptable. We find in practice that once a matter is referred to a Select Committee, there is a natural tendency to try and dispose of it during the current session. I should not like to commit myself to the opinion that there will

be sufficient time to send it round to all the Chambers of Commerce, which are scattered all over the country, and whether they will be able to give their views within such a short time.

The Honourable Sir Basil Blackett: I will take notice of that expression of opinion. I am not sufficiently in possession of the views of the Honourable Sir Charles Innes to say anything more on the subject.

Mr. President: The question is:

"That leave be given to introduce a Bill further to amend the Indian Tariff Act, 1894."

The motion was adopted.

The Honourable Sir Basil Blackett: I introduce the Bill.

The Honourable Sir Alexander Muddiman (Home Member): Sir, I regret, in the first place, that I was not in my place when my name was called and consequently I disturbed the original sequence of the Agenda. The House disposed of the previous items so expeditiously that I was taken by surprise.

Pandit Shamlal Nehru (Meerut Division: Non-Muhammadan Rural): Can we go backwards on the Agenda, Sir?

Mr. President: The items appear on this Agenda in the form in which the Governor General chooses to lay them down. They are not governed by any precedence of ballot. At least I do not imagine that a ballot has been conducted for the Members of the Governor General's Council.

Pandit Shamlal Nehru: May I mention, Sir, that I had not the slightest intention of obstruction. But only the other day I was half a minute late for my Bill and was not called upon to move it.

The Honourable Sir Alexander Muddiman: I can assure the House that we do not ballot amongst ourselves.

THE CONTEMPT OF COURTS BILL.

The Honourable Sir Alexander Muddiman (Home Member): Sir, I beg to move for leave to introduce a Bill to define and limit the powers of certain Courts in punishing contempts of Courts.

I would ask the House to bear with me for a minute or two while I draw their attention to the existing law on the subject. As regards the courts, other than the High Courts established by Letters Patent, the provisions are to be found in the Code of Criminal Procedure and in the Indian Penal Code. As the House is aware, section 480 of the Criminal Procedure Code gives the courts a certain power of punishing contempts therein specified by a summary procedure. I do not think I need read the section to the House. But it comes to this that in cases where there has been a refusal to sign a document and one or two cases of that kind and if the offence is committed in the view and presence of the court, the court can deal with it in the summary manner provided for in that section and sentence the

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offender to a fine not exceeding Rs. 200 and, in default of payment, to simple imprisonment for a term which may extend to one month. That, Sir, is a power which is conferred on all courts.

Then we have in a section of the Penal Code, section 228, a substantive offence triable in the ordinary way as substantive offences are
 1 P.M. triable, and which enables action to be taken against people who intentionally insult or interrupt public servants sitting in judicial proceedings. Those are provisions which are common in respect of all the courts, and they are the only provisions which are common. The chartered High Courts, constituted by Letters Patent under the Government of India Act, have however certain powers, to which I must draw the attention of the House for a minute. They have the power which is vested in the superior courts in England, to punish contempt by a summary process in cases where indictment or information is not calculated to serve the ends of justice. Here the power of punishment, *brevi manu*, extends not only to contempts committed in the presence of the court, but to such actions taken outside which may have the result of prejudicing or obstructing the administration of justice. It has been a matter of some debate between the various High Courts in India whether the power which they undoubtedly possess of protecting their own proceedings in this way extends to the proceedings of their subordinate courts. I will not trouble the House at this stage with a detailed examination of the cases, but it appears that the Madras High Court in a case in 21 Madras Law Reports, page 832, and the Bombay High Court in a case in 24 Bombay Law Reports, page 16, held that they do possess this summary jurisdiction to protect their subordinate courts. On the other hand, the Calcutta High Court have expressed themselves less definitely on the subject, and indeed they seem to doubt whether that jurisdiction does exist, that is to say, the extended jurisdiction of protecting the courts subordinate to them. That was dealt with in a case reported in 17 Calcutta Weekly Notes, 1285, and in another case reported in the Indian Law Reports, 46 Calcutta, 173. That, Sir, is the position, as it occurs to me, of the law as it now exists. There are courts therefore which, though ranked as High Courts, are not chartered High Courts, and have not this special power of proceeding summarily either to protect themselves or to protect the courts which are subordinate to them. They are in fact in the same position as the ordinary courts of this country. Instances of such courts will be found in the Schedule to the Bill. They include the courts of the various Judicial Commissioners. This question whether further provision should be made to protect a court in the matter of contempt has long been under the consideration of Government. So far back as 1914 the Government of India actually introduced a Bill, which was circulated, and was not further proceeded with mainly owing to the fact that the great war had broken out. I need not detain the House with any examination of the provisions of that Bill, for the Bill for which I ask leave to introduce proceeds on an entirely different basis. The present Bill, instead of making contempt an offence punishable on trial before a Magistrate, confers all the powers in connection with the provisions which it introduces into the law, on the High Courts themselves. The High Court is made the authority which takes cognisance and deals with contempt, not only in regard to its own proceedings, but also in regard to matters arising in connection with courts subordinate to it. Now, as I said when

I referred to the existing powers of the chartered High Courts, the powers of those courts are unlimited. They have the same unrestricted, unfettered jurisdiction as the superior courts in England have. The Bill which I am asking leave to introduce provides punishment for contempt of court in clause 2, and it enables the court specified in the Schedule to take cognisance of offences punishable under that clause, when such offence is alleged to have been committed in respect of such a court, and further it enables the court specified to take cognisance of offences committed in respect of courts subordinate to it, not only of its own motion, but also on application to the court. Now, in so far as the existing contempt jurisdiction of chartered High Courts goes, that clause does not enlarge it if the view taken by the Bombay Court and the Madras Court is the correct view. It does enlarge it as regards subordinate courts if the view taken by the Calcutta High Court is the correct view, and it does in any case enlarge it because there are in the Schedule certain courts which are not chartered High Courts. Then clause 4 enables the High Court to make rules and provides what I might call procedure in contempt. Clause 5 limits the powers of the court to punish contempt. Although in one direction we are enlarging the jurisdiction in contempt, we are fettering the powers of the court in regard to punishment. As the courts at present stand they are unlimited. We seek in the Bill to fetter those powers. (*An Honourable Member*: "How can you?") We reduce the punishment to six months, whereas I am informed the power now vested in the courts in India is unlimited as it is in England. Those are the main points in the Bill and I do not think at this stage I need detain the House much longer. The Bill affirms and confirms the jurisdiction of the High Courts to protect themselves and subordinate courts; it confers the jurisdiction of chartered High Courts on certain other High Courts. It further limits and controls the powers of the High Courts as provided in the Bill in respect of punishment.

Mr. O. Duraiswami Aiyangar (Madras ceded districts and Chittoor: Non-Muhammadan Kural): Sir, I only wish to bring it to the notice of the Honourable the Home Member that in Bills of this nature it will be desirable that the Members of the House are supplied with copies of the Bill previously so that they may be in a position to say whether they want to oppose the principle or not. To the best of my recollection I have not received a copy of this Bill, and I found on making inquiry of some other Members of the Assembly that they had not likewise got a copy beforehand. I find this was printed on the 9th of February, 1925, and I think it might have been supplied at least yesterday. But although I made some inquiries at the Notice Office yesterday at about 2 or 3 o'clock, even then I was told a copy of the Bill was not available. I have no wish to oppose the introduction of the Bill at this stage, but I only want to bring to the notice of the Honourable the Home Member that in Bills of this nature, which involve a principle of conferring certain powers of a serious nature on the courts, it is better that they should be previously put into the hands of Members.

The Honourable Sir Alexander Muddiman: Sir, I am always willing in the case of any Bills with which I have to deal and desirous that Honourable Members should have them as early as possible and I regret the Honourable Member has been inconvenienced in the matter, but I may point out that this is merely a motion for leave to introduce.

Mr. President: The question is:

"That leave be given to introduce a Bill to define and limit the powers of certain Courts in punishing contempts of Courts."

The motion was adopted.

The Honourable Sir Alexander Muddiman: I introduce the Bill.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 12th February, 1925.
