

10th September, 1924

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THE  
LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume IV, Part V

*(3rd September to 16th September 1924)*

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FIRST SESSION

OF THE

SECOND LEGISLATIVE ASSEMBLY, 1924



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# LEGISLATIVE ASSEMBLY.

Wednesday, 10th September, 1924.

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

## MEMBER SWORN.

Maulvi Badi-uz-Zaman, M.L.A. (Bhagalpur Division : Muhammadan).

## QUESTIONS AND ANSWERS.

### TENDERS FOR THE SUPPLY OF BRITISH PORTLAND CEMENT FOR THE SOUTH INDIAN RAILWAY.

1695. \***Sir Purshotamdas Thakurdas** : (a) Has the attention of Government been drawn to an advertisement by the South Indian Railway calling for tenders on or before 25th July 1924 for three thousand barrels of first class British Portland cement ?

(b) If the reply to the above be in the affirmative will Government be pleased to say whether the South Indian Railway has failed to find amongst the various manufactures of cement in India, quality suitable for their purpose ?

(c) Are Government aware that many Departments of the Central and Provincial Governments have found Indian cement to be of the quality they require, and will Government be pleased to state why the South Indian Railway is asking for tenders for British Portland cement to the exclusion of Indian cement ?

**Mr. A. A. L. Parsons** : (a) Yes.

(b) Before they received notice of the question, the Railway Board wrote to the Railway Company concerned and inquired why they had considered it necessary to specify British Portland cement. They have now ascertained, in the first place, that the engineers of the Railway prefer British cement as in their experience it is more uniform in quality. The point here of course is whether Indian cement is sufficiently good for their purposes, and this point will be taken up with the Agent. Secondly, as regards Northern India cement, it is more expensive than British cement

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and, in addition, it is packed in bags instead of barrels. The result is that there is risk of loss in transit, and moreover the cement is more apt to deteriorate in the damp climate of the South Indian area.

(c) The Government of India are aware of course that many Departments of Government have found Indian cement to be sufficiently good for their purposes and that is the very reason why they took up the matter with the South Indian Railway. They are inclined to think that the question of packing is one of great importance in connection with the extended use of Indian cement on Indian Railways, and this is a point on which the Tariff Board's report on the cement industry will no doubt throw considerable light.

**Sir Purshotamdas Thakurdas :** Are Government aware that the Alipore Test House have declared that certain varieties of Indian cement are as good as British cement, if not better ?

**Mr. A. A. L. Parsons :** Yes.

**Sir Purshotamdas Thakurdas :** Have they brought that to the notice of the Agent concerned ?

**Mr. A. A. L. Parsons :** No.

**Sir Purshotamdas Thakurdas :** Will they do so, which will knock out the ground that the Railway bought British cement because it was superior to Indian cement ?

**Mr. A. A. L. Parsons :** Certainly.

**Mr. K. Ahmed :** Do they propose to consult the Tariff Board on the subject ?

**Mr. A. A. L. Parsons :** We are awaiting a further report.

**Mr. K. Ahmed :** Would it not be advisable to inquire from them now and ask for their opinion on the subject because it will take a longer time before acceptance of tenders ?

**Sir Purshotamdas Thakurdas :** Are Government aware that for commercial purposes in Southern India Indian cement is being used ?

**The Honourable Sir Charles Innes :** I am aware of that fact.

**Sir Purshotamdas Thakurdas :** Therefore, the ground of deterioration due to the damp climate of Southern India does not hold good ?

**The Honourable Sir Charles Innes :** That depends upon the quantity required and the amount kept in stock.

**Sir Purshotamdas Thakurdas :** What is the average quantity kept by the Railway concerned ?

**The Honourable Sir Charles Innes :** I am not aware of that.

**Sir Purshotamdas Thakurdas :** Would that not be relevant to know when Government talk about the dampness of the South ?

**The Honourable Sir Charles Innes :** I have already told the Honourable Member, through Mr. Parsons, that we are taking up this question with the South Indian Railway.



PILGRIM TRAFFIC ON THE BARSİ LIGHT RAILWAY.

1696. \*Sir Purshotamdas Thakurdas : (a) Will Government be pleased to state the number of passengers carried by the Barsi Light Railway to Pandharpur and back from Pandharpur every year ?

(b) Will Government be pleased to state the normal volume of this traffic from month to month during the last three years ?

(c) Are Government aware that goods wagons are freely used for the transport of pilgrims to Pandharpur ?

(d) Will Government be pleased to state the number of third class passenger carriages available for the transport of pilgrims to Pandharpur over the Barsi Light Railway ?

(e) Are Government aware that the Pilgrim Committee recommended the stoppage of this practice as early as practicable, and will Government be pleased to state why they have not pressed this successfully on the Barsi Light Railway till now ?

(f) Will Government be pleased to state the charge that the Barsi Light Railway makes for the transport of third class passengers from Kuruduwadi to Pandharpur ?

(g) Is it a fact that the Barsi Light Railway charge the maximum rate that is permissible ?

(h) Will Government be pleased to state the dividend declared by the Barsi Light Railway during the last five years ?

Mr. A. A. L. Parsons : (a) and (b). A statement showing, month by month, the number of passengers carried to and from Pandharpur during the last three financial years is laid on the table.

(c) Government are aware that goods wagons are used when there is a heavy rush of pilgrims during the principal fairs at Pandharpur, but these wagons are fitted with seats and electric lights.

(d) The number is 34.

(e) Yes. The problem on this Railway is a difficult one. The Honourable Member will see from the statistics laid on the table that the pilgrim traffic comes in rushes in July and November. In July the average number of passengers carried during the last 3 years was 137,441 ; in November it was 69,545. In the remaining months of the year, the average was only 31,224. Thus if the Barsi Light Railway were to provide coaching stock sufficient to deal with the maximum pilgrim traffic, they would have to quadruple their present complement of 3rd class carriages, and in the result, about 75 per cent. of such carriages would be idle for over 10 months in the year. In the circumstances, and in view of the improved accommodation mentioned in (c) above, Government have not taken any action in the matter.

(f) The charge is 10 annas and 9 pies.

(g) Yes.

(h) The dividend has been 6 per cent. with a bonus of 2 per cent. in 1918-19 and a bonus of 6 per cent. per annum in the subsequent four years.

*Statement showing the number of outward and inward passengers carried at Pandharpur during the period of the last three years month by month, as shown below.*

Month.	YEAR ENDING 31-3-1922.		YEAR ENDING 31-3-1923.		YEAR ENDING 31-3-1924.	
	Outward No.	Inward No.	Outward No.	Inward No.	Outward No.	Inward No.
April ..	22,063½	22,318	26,547	24,212	12,290	11,349
May ..	14,193	13,635	12,211	14,520½	18,246½	20,180½
June ..	13,583½	15,440	12,460½	30,811	14,022½	14,889½
July ..	65,097	64,681	64,640½	53,272	78,445	86,188
August ..	18,711	11,776	12,428½	11,714½	11,197½	9,384½
September ..	8,208	7,985	8,916½	11,632½	9,323½	8,586
October ..	13,982	17,843	19,308½	42,838	12,172	11,318½
November ..	39,085½	33,005	40,552	13,206	42,533	40,256½
December ..	12,410	16,336½	12,658½	10,588	15,964½	15,881
January ..	13,248	15,809½	15,205½	17,743½	11,976½	13,974
February ..	19,077½	20,007	10,561	10,801½	21,342	23,602½
March ..	13,654½	15,432	18,076	19,410	16,338	16,650
Total ..	253,313½	254,268	253,565½	260,749½	263,851	272,260

*Monthly average.*

April ..	39,500	October ..	39,153
May ..	30,995	November ..	69,545
June ..	33,735	December ..	27,945
July ..	137,441	January ..	29,318
August ..	25,066	February ..	35,130
September ..	18,216	March ..	33,186

**Sir Purshotamdas Thakurdas :** It means the dividend, together with the bonus, comes to between 8 to 12 per cent. ? Am I correct in putting it like that ?

**Mr. A. A. L. Parsons :** The dividend with the bonus works out to 12 per cent.

**Sir Purshotamdas Thakurdas :** Do not the Government think that this is rather an exorbitant rate of earning in any railway in India ?

**The Honourable Sir Charles Innes :** I may say that since that answer was drafted, we have had a communication from the Honourable Member himself, and that communication has been forwarded to the Agent, who will take the matter up with him.

**Sir Purshotamdas Thakurdas :** Are the Railway Board convinced from my communication that they must move on now ?

**The Honourable Sir Charles Innes :** The Honourable Member's communication indicated that there was a case for the Agent, and an inquiry has been begun.

**Sir Purshotamdas Thakurdas :** This case was made out by the Pilgrims' Committee some years back.

**The Honourable Sir Charles Innes :** That is a matter for argument.

**Sir Purshotamdas Thakurdas :** All that I will say is that I have not put in my note anything in addition to what the Pilgrims' Committee brought to the notice of the Railway Board more than six years back.

**Diwan Bahadur M. Ramachandra Rao :** The Pilgrims' Committee objected to the conveyance of passengers by goods wagons. May I ask what action has been taken by the Railway Board in connection with that matter ?

**The Honourable Sir Charles Innes :** The whole question was discussed in the Council of State two years ago, and as a result all railways were addressed on the subject. They were asked to abolish this practice altogether, if possible ; at any rate, to reduce it as much as possible. Those instructions have been fully observed in all the railways ; some have been able to do away with the use of goods wagons altogether ; in others it has not proved possible for the reasons indicated in the reply given to this particular question.

TRANSFER OF THE ADMINISTRATION OF THE SALT DEPARTMENTS IN ORISSA TO THE NORTHERN INDIA SALT REVENUE DEPARTMENT.

1697. **\*Mr. Devaki Prasad Sinha :** (a) Will the Government be pleased to state the necessity for maintaining two separate Salt Departments in the Province of Bihar and Orissa,—one directly under the Government of India, and the other under the control of the Local Government ?

(b) Is there any other Province in India where two separate Salt Departments are maintained ?

(c) If the answer to the above is in the negative, will the Government be pleased to state what special necessity exists in Bihar and Orissa for the upkeep of two Salt Departments ?

(d) Are the Government prepared to take early steps, in order to place all salt operations in the Province of Bihar and Orissa under the control of the Government of India ? If so, will Government be pleased to give some definite date on which these changes will take effect ?

**The Honourable Sir Basil Blackett :** The question of transferring the administration of the Salt Department in Orissa to the Northern India Salt Revenue Department under the control of the Central Board of Revenue is under consideration ; and I hope that the matter will be settled shortly.

REVISION OF THE INDIAN RAILWAYS ACT, 1890.

1698. **\*Diwan Bahadur M. Ramachandra Rao :** Will the Government be pleased to state whether there is any intention to undertake a general revision of the Indian Railways Act, 1890, in the near future ?

**Mr. A. A. L. Parsons :** It is intended that the question whether a revision of the Indian Railways Act, 1890, should be undertaken, should be examined by the President of the proposed Rates Tribunal. Government are in correspondence with the Secretary of State regarding the establishment of the Tribunal.

**Diwan Bahadur M. Ramachandra Rao :** May I ask when this Tribunal is likely to be appointed ?

**Mr. A. A. L. Parsons :** I am afraid I cannot state the exact date. Government are still in correspondence with the Secretary of State.

**Diwan Bahadur M. Ramachandra Rao :** You cannot say even approximately ?

**Mr. A. A. L. Parsons :** No.

# IMPOSITION OF CERTAIN CONDITIONS ON FOREIGN INSURANCE COMPANIES OPERATING IN INDIA.

1699. \***Sir Purshotamdas Thakurdas :** (a) Will Government be pleased to state how many foreign insurance companies (fire, life, marine, accident) were closed in India on the outbreak of the war as being insurance companies with head offices in Germany or Austria ?

(b) Will Government be pleased to state how many foreign, (i.e., non-Indian insurance companies) have been working either as branches or through agencies in India since 1914 ?

(c) Will Government be pleased to state if it is their intention to introduce a bill in the Assembly making it compulsory for all insurance companies to—

(i) deposit a certain amount before they are allowed to start work here,

and

(ii) invest a certain proportion of the premium income in India.

(d) Are Government aware that conditions such as those mentioned in (c) above are compulsory before an insurance company is allowed to work in most other important countries in the world, and if so, will Government be pleased to state the reasons why they have not enforced similar conditions in India before allowing non-Indian companies to start work in India ?

**The Honourable Sir Charles Innes :** (a) 24 Agencies doing insurance business in India and having Head Offices in Germany or Austria were ordered to be closed during the war under the Enemy Trading Act, 1916.

(b) The number of Insurance Companies incorporated elsewhere than in India but working in India at the end of the year 1922-23 was 127.

(c) Government propose shortly to introduce an Insurance Bill to make provision for the deposit of securities by all Insurance Companies working in India and other matters, but the precise scope of the Bill has not yet been finally settled.

(d) Government are aware that the condition in part (c) (i) of the question is compulsory in most important countries. They are not aware that it is usual for the law to make provisions on the line suggested in part (c) (ii), but in some countries the law prescribes that insurance companies, particularly life insurance companies, must hold assets in the country equivalent to the amount of their liabilities. One reason why Government have not enforced similar conditions in India is that there is at present no law by which they could do so.

**Sir Purshotamdas Thakurdas :** When do Government expect to introduce this Bill ?

**The Honourable Sir Charles Innes :** That I cannot say, but I hope that I will be able to circulate it for opinion quite shortly.

**Sir Purshotamdas Thakurdas :** Thank you. It looks satisfactory.

**DATE OF EXPIRY OF THE SOUTH INDIAN RAILWAY CONTRACT.**

1700. \*Haji S. A. K. Jeelani : Will the Government be pleased to state :

- (a) when is the contract with the South Indian Railway Company to expire,
- (b) what do the Government propose to do after the expiry of the contract ?

**Mr. A. A. L. Parsons :** (a) The Secretary of State has the option of terminating the contract with the South Indian Railway Company on the 31st December 1945 or at the end of any succeeding fifth year.

(b) Government have not considered the question which will not arise for over 20 years.

**PROVISION OF INTERMEDIATE CLASS ACCOMMODATION ON ALL LONG DISTANCE TRAINS ON THE SOUTH INDIAN RAILWAY.**

1701. \*Haji S. A. K. Jeelani : Are the Government aware that on the South Indian Railway there is no provision for intermediate class in trains other than mail trains ? Are the Government prepared to advise the company to provide intermediate class on all long distance trains ?

**Mr. A. A. L. Parsons :** The answer to the first part of the question is in the affirmative. With regard to the second part Government are informed that intermediate class accommodation is not provided on passenger trains, as there is no demand for it.

**Sardar V. N. Mutalik :** What steps have been taken by Government to ascertain that there is no demand for intermediate class accommodation ?

**Mr. A. A. L. Parsons :** We were informed that there was no demand for it by the Agent.

**OVERCROWDING OF THIRD CLASS PASSENGERS IN MAIL TRAINS ON THE MADRAS AND SOUTHERN MAHRATTA AND SOUTH INDIAN RAILWAYS.**

1702. \*Haji S. A. K. Jeelani : Are the Government aware of the trouble that third class passengers are put to in the mail trains both on the Madras and Southern Mahratta Railway and the South Indian Railway owing to overcrowding ? Are the Government prepared to advise the Company to remove overcrowding by strictly enforcing the rule as to limit of Passenger, or by some other means as are open to the Railway companies ?

**Mr. A. A. L. Parsons :** No. This question has been carefully examined by the Railway Administrations concerned and it has been found that, with the exception of two trains, the average number of passengers travelling is less than the number of seats provided.

Rules are in force with the object of preventing overcrowding and in the circumstances Government do not propose to take any action.

## STRIKE ON THE SOUTH INDIAN RAILWAY.

1703. \*Haji S. A. K. Jeelani : Will the Government be pleased to state :

- (a) What is the origin of the strike on the South Indian Railway in June last ?
- (b) What was the cause of the recommendation of the Railway Board to effect a retrenchment of one lakh of Rupees ?
- (c) What was the amount of dividend declared and paid to the company's shareholders last year ?
- (d) What was the approximate amount of loss sustained by the company owing to the strike ?
- (e) What is the liability of the company to the public in the event of a strike being declared suddenly ?
- (f) Has any complaint been received from passengers who had suffered by the strike or any case been filed for damages ?

**Mr. A. A. L. Parsons :** (a) There were two separate strikes, one of firemen and the other of the shop staff of the Podanur shops. The origin of the former was explained in a reply given on the 11th June 1924 to Diwan Chaman Lall. The reasons which led to the strike in the latter case are obscure, but it seems to have been to some extent connected with an order of the Civil authorities prohibiting Dr. Naidu from going to Podanur to preside at a meeting for the formation of a Labour Union.

(b) The South Indian Railway Company was asked in common with other Railways to investigate and give effect to any practical measures which would result in economy in expenditure on working expenses. The Railway Board did not recommend or suggest any figure by which the expenditure should be retrenched.

(c) The dividend paid in 1924 is not known yet but it was 8 per cent. including guaranteed interest at  $3\frac{1}{4}$  per cent. during the three years prior to 1924.

(d) Government have no information and it is not proposed to call for any as it is difficult to calculate even approximately the losses suffered by Railways due to strikes.

(e) A Railway Company's liability consists in providing the best service possible under the conditions obtaining.

(f) No complaints or suits of this nature have come to the notice of Government.

**Mr. Chaman Lall :** May I know whether any cases brought against the strikers have been withdrawn ?

**Mr. A. A. L. Parsons :** Will you give me notice please ?

## CANTONMENTS IN INDIA.

1704. \*Haji S. A. K. Jeelani : Will the Government be pleased to lay on the table a statement showing (1) the total number of cantonments (2) the total population living in each cantonment according to the latest census report (3) the income of each during the last financial year, and (4) the nature of its administration, namely, whether administered by the Board or Officer Commanding ?

**Mr. E. Burdon :** I will furnish the Honourable Member separately with a statement containing the information which he desires.

**Khan Bahadur W. M. Hussanally :** Is such a statement not for the benefit of the House ?

**Mr. E. Burdon :** I did not think it would be of general interest, therefore I thought it was not desirable to go to the expense of having it printed up for the proceedings.

**Khan Bahadur W. M. Hussanally :** I think the information should be laid on the table for the information of the House.

**Mr. E. Burdon :** If a number of Honourable Members desire to have this information printed up, of course it can be done.

1705. (This question was answered† on the 8th September.)

GRANT OF FREE RAILWAY PASSES TO MEMBERS OF THE LEGISLATIVE ASSEMBLY.

1706. **\*Haji S. A. K. Jeelani :** (a) Was it ever interpellated in the Assembly that Government should encourage by granting free Railway passes, to the Members of the Assembly to tour in their respective constituencies to ascertain their needs and requirements once a year ?

(b) If the answer is in the affirmative will the Government be pleased to furnish a copy of the answer and if in the negative to state whether the Government have been aware of such feeling among the Members of the Assembly now ?

**The Honourable Sir Alexander Muddiman :** (a) The answer is in the negative.

(b) Government have no information on the subject.

#### REPORT OF THE INDIAN BAR COMMITTEE.

1707. **\*Haji S. A. K. Jeelani :** (a) What action have the Government so far taken or do they propose to take on the Report of the Indian Bar Committee ?

(b) What is the total amount of expenditure the Government had to incur on account of that Committee and how was that amount distributed ?

**The Honourable Sir Alexander Muddiman :** (a) The Honourable Member is referred to the answer given to Khan Bahadur Sarfraz Hussain Khan's question No. 1267 on the 5th June 1924.

(b) The accounts of the Committee have not yet been finally adjusted, but as stated in the Home Department Resolution published along with the report, the estimated expenditure of the Committee, including that incurred in the printing of the Report, was Rs. 1,17,000.

**Mr. K. C. Neogy :** Have Government any information as to the action contemplated by the different High Courts on the recommendations of the Bar Committee ?

**The Honourable Sir Alexander Muddiman :** I have received letters from certain Local Governments explaining the action taken, but replies have not been received from all the Local Governments.

† Vide page 3021 of Vol. IV of the Legislative Assembly Debates.

**Diwan Bahadur T. Rangachariar :** Do Government propose to issue any orders on the recommendations of the Committee ?

**The Honourable Sir Alexander Muddiman :** Certainly when we receive the replies from the Local Governments.

PROVISION OF INTERMEDIATE CLASS ACCOMMODATION ON THE M. S. M. AND SOUTH INDIAN RAILWAYS.

1708. **\*Mr. C. Duraiswami Aiyangar :** (a) Has the attention of the Government been drawn to an article from Mr. T. K. Doraiswami Aiyangar on " A Railway grievance " in the *Swarajya*, dated 30th May 1924 ?

(b) Do the Government propose to remedy the grievance complained of ?

**Mr. A. A. L. Parsons :** (a) Yes.

(b) Government are informed that intermediate class accommodation is not provided on certain sections of the Madras and Southern Mahratta Railway and on passenger trains on the South Indian Railway, because there is no demand for it.

INCONVENIENT TIMINGS ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

1709. **\*Mr. C. Duraiswami Aiyangar :** Are the Government aware that the timings of the M. and S. M. Railway are so inconveniently arranged :

(a) that there is no train on the metre gauge (Gudur to Katpadi) which immediately connects with the Mettupalaiyam Mail at Katpadi ?

(b) that passengers from Madras, Bangalore and Villupuram sides reaching Katpadi junction by night trains have all to wait till about 4 A.M. for going to Chittoor, Tirupati, etc. ?

(c) that the shuttle train service between Katpadi and Chittoor during the night was abolished to the great inconvenience of passengers ?

**Mr. A. A. L. Parsons :** (a) The metre gauge train is timed to connect with the Madras-Bangalore mail, and not with the Mettupalaiyam mail, since the former halts at more intermediate stations than the latter. Government understand that this arrangement gives greater convenience to the public than a connection with the Mettupalaiyam mail would provide.

(b) A train leaves Katpadi for Chittoor, Tirupati, etc., at 3-30 and not 4-0. This timing is arranged to serve trains arriving from Villupuram at 21-35, from Madras at 1-21, and from Bangalore at 2-45.

(c) Government understand that this service was withdrawn, because it was not sufficiently patronised. A count of passengers for a specified period shewed that few passengers used this service.

**Mr. C. Duraiswami Aiyangar :** Are the Government aware that on the Katpadi platform passengers are exposed to the cold weather when they have to wait for hours at night ?

**Mr. A. A. L. Parsons :** I do not think the question arises, but I am not aware of it.



ABOLITION OF THE NIGHT SHUTTLE TRAIN BETWEEN KATPADI AND CHITTOOR  
ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

1710. \***Mr. C. Duraiswami Aiyangar** : Are the Government aware that representations from the Chittoor Bar Association, the Municipal Council and the District Board about the shuttle train service were not complied with ?

**Mr. A. A. L. Parsons** : The Honourable Member is referred to the reply given to (c) of his immediately preceding question.

**Mr. C. Duraiswami Aiyangar** : Are Government aware that communications have been made by respectable public bodies and are still uncomplied with ?

**Mr. A. A. L. Parsons** : I have just informed the Honourable Member that the representations were not complied with and the reasons for it.

CONVEYANCE IN SEPARATE RAILWAY CARRIAGES OF TUBERCULAR PATIENTS TO  
THE SANATORIUM AT MADANAPALLI.

1711. \***Mr. C. Duraiswami Aiyangar** : (a) Are the Government aware that in the trains running between Pakala and Dharamavaram only one composite 1st and 2nd class carriage is attached ?

(b) Are the Government aware that the Sanatorium at Madanapalli is frequented by patients suffering from tuberculosis and that such patients travel in the same 2nd or 1st class compartment in which other such passengers have to travel ?

(c) Do the Government propose to consider the question of directing that Railway Companies must keep separate carriages suitable for conveyance of patients at important junctions and available at stated notice and moderate charges ?

**Mr. A. A. L. Parsons** : (a) Yes. This is in accordance with the requirements of the traffic.

(b) and (c). For the purposes of the Indian Railways Act tuberculosis is not an infectious disorder, for which reserved accommodation is necessary. Spare carriages, which can be reserved on due notice at the usual charges, are kept at Pakala and Renigunta junctions for the convenience of passengers requiring them.

**Mr. C. Duraiswami Aiyangar** : Are Government aware that a single passenger cannot engage a full compartment and will Government make arrangements for engaging a separate compartment for them on such occasions ?

**Mr. A. A. L. Parsons** : I cannot give any such undertaking, Sir.

**Mr. C. Duraiswami Aiyangar** : Do the Government see the necessity of preventing passengers suffering from tuberculosis from travelling with other passengers ?

**Mr. A. A. L. Parsons** : I must ask for notice of that.

SUPPLY TO INDIAN 1ST AND 2ND CLASS PASSENGERS OF REFRESHMENTS IN  
THEIR COMPARTMENTS.

1712. \***Mr. C. Duraiswami Aiyangar** : (a) Are the Government aware that under the management of Indian refreshment rooms by the Railway

Companies at some junctions refreshments are not supplied to 1st and 2nd class passengers in their compartments whereas similar supplies are made from European refreshment rooms ?

(b) If so do the Government propose to direct such supply in future ?

**Mr. A. A. L. Parsons :** (a) Refreshments and meals are not, except in special cases such as illness, etc., supplied from European refreshment rooms to passengers in carriages. Early morning tea, however, is so supplied, and it is understood that Indian I and II Class passengers are mostly prepared to drink tea supplied by European refreshment rooms.

For the benefit of passengers Indian refreshment rooms are worked as cheaply as possible, and, if such rooms were to supply refreshments in trains, their working cost and consequently their charges would increase. On the Madras and Southern Mahratta Railway it is understood that tea can be supplied from Indian refreshment rooms through passengers' servants, if desired.

(b) In the circumstances Government do not propose to issue any instructions in the matter.

#### IMPORT OF FOREIGN SALT.

1713. **\*Mr. C. Duraiswami Aiyangar :** (a) Will the Government be pleased to state the quantity and value of foreign salt imported into India during the years 1920-21, 1921-22, 1922-23, and 1923-24 ?

(b) Are the Indian factories unable to produce a sufficient quantity of salt to avoid any importation of foreign salt ? If so, why ?

**The Honourable Sir Basil Blackett :** (a) The quantity and value of foreign salt imported during the last four years is as follows :

			Quantity.	Value.
			Tons.	Rs.
1920-21	..	..	6,20,964	2,28,13,456
1921-22	..	..	4,72,427	1,51,68,057
1922-23	..	..	5,42,133	1,68,79,854
1923-24	..	..	4,74,696	1,10,36,070

(b) The chief obstacle in the way of Indian salt displacing foreign salt is neither the incapacity of the factories in India to produce a sufficient quantity nor (in the case of some Indian salts) the superiority of the imported article ; it is the question of freight. Foreign salt is usually imported in vessels which come to India for export cargo and it is not possible either for coastingships or for the railways to quote freights which can compare with the favourable rates offered by vessels which would otherwise have to come to India in ballast.

#### OPENING OF A POST OFFICE IN THE VILLAGE OF GUDIPALA IN THE CHITTOOR DISTRICT.

1714. **\*Mr. C. Duraiswami Aiyangar :** (a) What is the total number of (1) post offices (2) telegraph offices in the Chittoor and the Madras Ceded Districts ?

(b) What is the average number of villages and population which each post office and telegraph office in the said area serves ?

(c) Have there been frequent requests for opening a post office in the village Gudipala in Chittoor taluk of the Chittoor District? If so, what is the result?

**Mr. H. A. Sams :** (a) and (b). A statement containing the information desired is laid on the table.

(c) The reply to the first part of the question is in the affirmative. An experimental post office will shortly be opened.

*Statement showing the total number of post offices and telegraph offices in the Chittoor and Madras Ceded Districts and the average number of villages which each post office and telegraph office in the said area serves.*

No.	Name of the District.	No. of post offices in the District.	No. of Telegraph offices in the District.	Average No. of inhabited villages which each post office serves.	Average No. of inhabited villages which each telegraph office serves.	Average population which each post office serves.	Average population which each telegraph office serves.	REMARKS.
1	Chittoor	72	12	28	166	17,613	105,763	
2	Anantapur	48	11	18	77	19,915	86,901	
3	Bellary	54	13	18	76	16,186	67,233	
4	Cuddapah	56	7	16	128	15,856	126,847	
5	Kurnool	66	11	12.8	77	13,862	83,172	

Madras Ceded District.

# RECOMMENDATIONS OF THE INDIAN BAR COMMITTEE.

1715. \***Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

(a) Whether the Local Governments have furnished them with their views, as well as the views of the High Courts, Judicial Commissioners' Courts and of legal associations on the recommendations of the Indian Bar Committee?

(b) If not, by what time are they expected to be furnished to them?

**The Honourable Sir Alexander Muddiman :** (a) and (b). The views of most of the major Local Governments, and of the authorities consulted by them have not yet been received. Every effort is being made to expedite them, but it is not possible to say at present by what date they will be received.

**Diwan Bahadur T. Rangachariar :** Is it a fact that the report is being circulated not only to the High Courts but also to legal associations and other public bodies ?

**The Honourable Sir Alexander Muddiman :** I believe that is so.

**Diwan Bahadur T. Rangachariar :** Is that the procedure adopted in regard to any other Committee's recommendations ?

**The Honourable Sir Alexander Muddiman :** I am not prepared to say off hand.

#### PRICES OF SALT AFTER THE INCREASE OF THE SALT DUTY AND AFTER ITS REDUCTION.

1716. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state the prices of salt per rupee, (a) after the increase of duty from Rs. 1-4-0 to Rs. 2-8-0, (b) after the reduction of duty from Rs. 2-8-0 to Rs. 1-4-0 ?

**The Honourable Sir Basil Blackett :** The Honourable Member is referred to the statistics of salt prices published in the official gazettes from time to time. It may, however, interest him to know that the average retail price of salt in India was 12 seers 9 chtk. per rupee in February 1923, that it rose to 9 seers 2 chtk. in July 1923, and that it has now again fallen to about 12 seers 8 chtk., i.e., to the same level as before the duty was raised.

#### PAUCITY OF VOTES POLLED IN ASSAM DURING THE LAST LEGISLATIVE ASSEMBLY ELECTIONS.

1717. **\*Khan Bahadur Sarfaraz Hussain Khan :** With reference to the statement laid on the table in reply to unstarred question No. 218, asked in the Council of State in the last Simla session regarding the voters on the Electoral Rolls of the Legislative Assembly, will the Government be pleased to state whether there was any special cause which led to the result that out of 27,183 voters in the Assam Province only 2,832 voters recorded their votes as compared with the voting in the other provinces ?

**The Honourable Sir Alexander Muddiman :** The candidates for 3 seats from Assam to the Legislative Assembly were returned unopposed. The figure, 2,382, referred to by the Honourable Member is the number of votes polled for the remaining seat which was contested. If the Honourable Member will refer to my answer to Mr. Gaya Prasad Sing's question No. 1103, dated the 30th May 1924, he will see that the percentage of electors who voted in the constituency, namely, 44 per cent. was about the average percentage for all contested constituencies for the Legislative Assembly at the general election of 1923.

#### RESEARCH INSTITUTE AT INDORE.

1718. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state whether the scheme for the establishment of the Research Institute at Indore was prepared at the instance of the Government or of the States which contributed to the scheme ?

**Mr. J. W. Bhore :** The proposal for the establishment of a Research Institute in Central India originated with the Government of India in 1920 but was held in abeyance owing to financial stringency. The Indian Central Cotton Committee however put forward the scheme which has now been sanctioned.

**COST OF ROADS IN BRITISH BALUCHISTAN AND SEISTAN.**

1719. **\*Khan Bahadur Sarfaraz Hussain Khan :** With reference to unstarred question No. 292, *re* cost of roads in British Baluchistan and Seistan, asked in the Council of State during the last Simla session and its reply, will the Government be pleased to state if the information called for has been furnished to them, and if so what is the information ?

**Mr. E. Burdon :** The necessary information has been received and I will furnish the Honourable Member with a statement containing the desired particulars.

**MILITARY ROADS IN WAZIRISTAN AND KURRAM.**

1720. **\*Khan Bahadur Sarfaraz Hussain Khan :** With reference to unstarred question No. 293, *re* military roads in Waziristan and Kurram, asked in the Council of State during the last Simla session and its reply by Government, will the Government be pleased to state if the inquiry made by them has been completed, and if so, what is the result ?

**Mr. E. Burdon :** Yes, as a result of the inquiry made, the following reply was furnished to the Honourable Member who asked the question referred to :—

- (a) The cost of maintaining metalled roads in South Waziristan is higher than it is in North Waziristan or in the Kurram.
- (b) No. The high cost is due to other causes, such as the very high cost of labour, materials, transport, etc. The roads in South Waziristan are, moreover, subject to serious damage from spates and heavy rains.
- (c) There is no evidence to show that any extensive wilful damage has been done to the roads in South Waziristan by tribesmen or contractors, though damage does occur in minor ways on the Sorarogha-Razmak and the Jandola-Sarwakai roads which are both nearing completion.
- (d) When any malicious damage, however slight, does occur, the political authorities bring pressure to bear on the tribes concerned to prevent a recurrence. Under prevailing local conditions, however, it is not possible entirely to prevent minor damage of a malicious nature.

No instances have occurred of the destruction of roads by tribesmen in the Kurram.

**RAIDS BY BORDER TRIBES.**

1721. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

- (a) The number of raids on British India by the border tribes during the last 3 years respectively, namely in 1923-24, 1922-23, 1922-21 ;

(b) The result of each of these raids ; and

(c) The cost incurred by Government in meting out punishment to the raiders ?

**Mr. Denys Bray :** (a) The number of raids in Baluchistan and the North-West Frontier Province in the three years ending last March was successively 226, 159 and 84.

(b) Statistics of persons killed, wounded and kidnapped in each year are given in a statement which is laid on the table. The preparation of a statement showing the result of each individual raid would involve labour disproportionate to its value.

(c) It is impossible to apportion the expenditure on border defence between the defence of the frontier districts and the defence of India as a whole, or further to sub-divide the former into expenditure on the repelling and intercepting of raiders on the one hand and their punishment on the other.

*Statement showing the number of raids on British India (North-West Frontier Province and Baluchistan) during the years 1921-22, 1922-23, and 1923-24, with particulars of losses, etc., sustained.*

Year.	Number of raids.	NUMBER OF PERSONS.											
		KILLED.				WOUNDED.				KIDNAPPED.			
		Hindus.	Mohamedans.	Others.	Total.	Hindus.	Mohamedans.	Others.	Total.	Hindus.	Mohamedans.	Others.	Total.
1921-22 .. ..	226	22	71	..	93	10	69	1	80	49	119	2	170
1922-23 .. ..	159	8	62	..	70	9	53	..	62	30	60	..	90
1923-24 .. ..	84	8	35	2	45	4	43	1	48	9	14	1	24

**Lala Duni Chand :** Are Government doing anything to prevent these raids ?

**Mr. Denys Bray :** The answer surely is contained in the answer I have just given. When I have said that we have brought down raids during the past three years from 226 to 84, the answer surely is there in the germ.

**Lala Duni Chand :** Are Government prepared to guarantee that the number of raids will decrease every year ?

**Mr. Denys Bray :** I wish, Sir, they could.

**Diwan Bahadur T. Rangachariar :** May I ask, Sir, what steps are being taken to arm the villagers to defend themselves.

**Mr. Denys Bray :** The villagers are being armed increasingly from year to year. I think the Honourable Member would be satisfied if I could provide him with figures—which I have not got in my head—to show that that is the case:

**Diwan Bahadur T. Rangachariar :** Are telephone connections established from village to village ?

**Mr. Denys Bray :** That is rather a large order. But we are doing what we can.

**COST OF SOUTH AFRICAN COAL IMPORTED INTO INDIA.**

1722. **\*Khan Bahadur Sarfaraz Hussain Khan :** With reference to the reply given by Government to the unstarred question No. 301, asked in the Council of State during the last Simla session, will the Government be pleased to state the reason why the average cost of coal imported into India from South Africa during the year ending March 1924, was so high as Rs. 26 per ton while the average price of Indian coal shipped to foreign countries during the same period was so low as Rs. 17 per ton ?

**The Honourable Sir Charles Innes :** The cost of imported coal includes insurance and freight from the country from which it comes to the port of import. The price of exported coal includes only the freight from the colliery to the port of export.

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

1723. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

(a) Whether they have got the information that 69 employees of the Audit Office of the B. & N. W. Railway have been dismissed simply because they stayed out of office for a few minutes ?

(b) If they have not got the information, will they be pleased to get it, and communicate it to this House ?

**Mr. A. A. L. Parsons :** (a) and (b). The Honourable Member's attention is invited to the reply given to question No. 1057 asked by Mr. Bhabendra Chandra Roy during the last session in the Legislative Assembly debates, dated the 27th May 1924.

**COUNTERVAILING DUTY ON SOUTH AFRICAN COAL.**

1724. **\*Khan Bahadur Sarfaraz Hussain Khan :** With reference to the statement laid on the table, in reply to the unstarred question No. 249, asked in the Assembly during the last Delhi session, will the Government be pleased to state, (a) the reason why they have not taken action on the Resolution "on countervailing duty on South African Coal" ? (b) whether they propose to take action on it, and if so, when ?

**The Honourable Sir Charles Innes :** The Honourable Member is referred to the answer given to Mr. Neogy's question No. 1539, dated 11th June 1924. The Government hope shortly to be able to make an announcement on the subject.

## HAJ PILGRIMS.

1725. \***Khan Bahadur Sarfaraz Hussain Khan** : With reference to the reply given by Government to starred question No. 1075, asked in the last Simla session of the Assembly, will the Government be pleased to state :

(a) Whether the return tickets purchased by the 649 pilgrims last year at Bombay and Karachi, were purchased by them of their own free will, or at the instance of the authorities concerned ?

(b) the cost at which Government assisted in the repatriation of 1,716 pilgrims ?

**Mr. J. W. Bhore** : (a) The pilgrims concerned purchased the return tickets of their own free will.

(b) Rupees 35,300.

## COST OF DEPUTATION OF INDIA'S REPRESENTATIVES TO THE IMPERIAL CONFERENCES AND MEETINGS OF THE LEAGUE OF NATIONS.

1726. \***Khan Bahadur Sarfaraz Hussain Khan** : Will the Government be pleased to state the cost of the deputation of the representatives of India to the Imperial Conferences and the meetings of the League of Nations respectively in the following years :

Imperial Conference :—1917, 1918, 1921, 1923 ;

League of Nations :—1920, 1921, 1922, 1923 ?

**The Honourable Sir Alexander Muddiman** : The information is being collected and will be laid on the table.

**Mr. Devaki Prasad Singh** : Will the Government be pleased to state if Maharajas and Ruling Chiefs who join such deputations as representatives of India at the Imperial Conference and the League of Nations, also charge the expenses of their journey ?

**The Honourable Sir Alexander Muddiman** : I am sorry I do not carry that in my head. I should like notice of the question.

## RENT FOR SHORT PERIOD OCCUPATION OF SINGLE QUARTERS AT LONGWOOD HOTEL.

1727. \***Khan Bahadur Sarfaraz Hussain Khan** : Will the Government be pleased to state :

(a) whether short period occupants of a single quarter at Longwood are charged at the rate of Rs. 3 per day ?

(b) whether the Members of the Indian Legislature who are also short period occupants are charged at a higher rate ?

**The Honourable Mr. A. C. Chatterjee** : (a) and (b). The answer to both parts of the question is in the affirmative.

## RENT OF QUARTERS AT LONGWOOD.

1728. \***Khan Bahadur Sarfaraz Hussain Khan** : With reference to the Government reply to the fourth supplementary question asked by Mr. Duraiswami Aiyangar to my starred question No. 1095 re the rent of quarters at Longwood asked in the last Simla session of the Assembly will the Government be pleased to give a detailed reply ?



**The Honourable Mr. A. C. Chatterjee :** The rents charged to Government officers are calculated on a 3½ per cent. rate of interest. The rents charged to Members have been fixed at higher rates for reasons explained in reply to question No. 1095 referred to by the Honourable Member.

**Mr. K. Ahmed :** Is there any logic, Sir, or is there any sense when the Honourable Member says that any officers occupying these quarters pay at the rate of Rs. 3 per diem, while Members of this Assembly are not charged at the same lower rate—that is to say, Rs. 3 per diem ? Do Government propose to explain ?

#### PURCHASE PRICE OF LONGWOOD HOTEL.

1729. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state under what head the cost of the purchase of Longwood Hotel is shown ?

**The Honourable Mr. A. C. Chatterjee :** 41—Civil Works, Central.

#### OCCUPATION OF QUARTERS IN LONGWOOD HOTEL BY OFFICIALS.

1730. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state whether it is a fact that before the purchase of the Longwood Hotel, they knew that the stay of the Members of the Indian Legislature in Simla would be for short periods, and that therefore its quarters would have to be rented to outsiders ?

**The Honourable Mr. A. C. Chatterjee :** Before Government purchased Longwood, they foresaw the desirability of allotting quarters in it to officials in non-session periods. It is the ordinary practice to try and obtain tenants for Government quarters which are empty with a view to minimising loss.

**Baba Ujagar Singh Bedi :** Do they propose to give it to anybody else if they want to have it on rent ?

**The Honourable Mr. A. C. Chatterjee :** Could the Honourable Member explain what he means by anybody else ?

**Baba Ujagar Singh Bedi :** Any visitor who comes up to Simla and stays here.

**The Honourable Mr. A. C. Chatterjee :** No, certainly not.

#### EXCLUSIVE USE OF LONGWOOD HOTEL BY MEMBERS OF THE INDIAN LEGISLATURE.

1731. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

- (a) whether the Longwood Hotel consists of 3 buildings, namely, (1) the Main Block, (2) the New Block, (3) the Annexe ?
- (b) whether the Main Block chiefly the upper portion of it, was ever offered to the Members of the Indian Legislature, since the purchase of the Longwood Hotel by Government, and if so, how many times ?
- (c) whether they are prepared to allow the whole of the Longwood Hotel to be kept exclusively for the use of the Members of the Indian Legislature during the Simla sessions of the Council of State and Assembly ?

**The Honourable Mr. A. C. Chatterjee :** (a) Longwood Hotel consists of—

- (i) Main block,
- (ii) Annexe,
- (iii) Range,
- (iv) 7 Cottages,
- (v) New block ;

with blocks of out houses, stables, etc.

(b) Yes, in 1921.

(c) This would probably involve Government in additional loss. We have, however, discussed informally with Members of the Legislature the best method of utilising the buildings, having due regard to the interests of the tax-payer, and I may add that the suggestions that have been made will receive careful consideration.

**Mr. K. Ahmed :** May I ask what was the price at which this Longwood property was purchased by the Government in 1920 ?

**The Honourable Mr. A. C. Chatterjee :** I should like to have notice.

#### OFFICER IN CHARGE OF LONGWOOD HOTEL.

1732. \***Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

- (a) if it is a fact that an officer was always put in charge of the Longwood Hotel during the sessions of the last Assembly but that during the last Simla session no special responsible officer was placed in charge ?
- (b) if so, will they please give reasons for his removal ?

**The Honourable Mr. A. C. Chatterjee :** The question evidently refers to the fact that in previous years an officer was brought up from Delhi during the Assembly periods to look after the comfort of the Members of the Assembly. He was, however, in no sense in charge of the hotel. He was not brought up this year, partly on grounds of economy and partly on account of the fact that his presence was considered superfluous.

**Mr. K. Ahmed :** Are the Government aware that some Members of the Assembly, especially my Honourable friend, the representative of the Landholders of the Punjab, has suffered loss, by losing his gold watch valued at five hundred rupees at Longwood residence a couple of days ago ?

**Mr. M. A. Jinnah :** Are the Government prepared, for the protection of this House, to take efficient measures to stop this volley of questions on this subject ?

**Mr. K. Ahmed :** Is this not the practice followed in the House of Commons in England, and if so, will the Honourable Member kindly not raise any objection, disallowing Members of the Assembly to put questions which they are entitled to put, representing the people of this country ?

**Mr. M. A. Jinnah :** I ask the Honourable Member to reply to my question.

**The Honourable Mr. A. C. Chatterjee :** I have always done my best, and I shall continue to do so.

**Mr. M. A. Jinnah :** Is the Honourable Member prepared to hand over the Longwood Hotel to company management if Government cannot manage it ?

**Mr. K. C. Neogy :** Is there any House Committee in existence ?

**The Honourable Mr. A. C. Chatterjee :** It is for the Honourable Members of this House to answer, Sir, not for me.

**Mr. K. Ahmed :** Did the Honourable Member try his utmost to start an organisation like that and hand over the property to them, because they cannot themselves manage it properly ?

PUNISHMENT INFLICTED ON CERTAIN BOOKING CLERKS AT HOWRAH.

1733. **\*Khan Bahadur Sarfaraz Hussain Khan :** With reference to Government reply to the supplementary question *re* punishment inflicted on certain booking clerks at Howrah, to starred question No. 1106 asked by Mr. Gaya Prasad Singh in the Simla session of the Assembly will the Government be pleased to give the reply now ?

**Mr. A. A. L. Parsons :** The Honourable Member is referred to the answer given to the question asked by Mr. Gaya Prasad Singh in this connection.

**Mr. Gaya Prasad Singh :** Are the Government aware that to my question on this subject the other day the Government did not give any reply beyond saying that the only information in their possession was that the booking clerks have been suitably dealt with ? I put the question, No. 1106 on the 30th May last and Mr. C. D. M. Hindley replied " I must have notice of that question ; I am afraid I cannot say off-hand." Then I put down this question and the only reply received was that Government have no information beyond the fact that the booking clerks concerned have been suitably punished. Is that an honest and a fair reply ? I asked the Government to find out what punishment had been inflicted. That is no answer.

**The Honourable Sir Charles Innes :** The answer, Sir, was given deliberately because we did not think it was in the public interest that inquiries should be made of the Agent in such a petty matter.

**Mr. Gaya Prasad Singh :** Then why in reply to my question No. 1106 on the 30th May 1924,—“ May I know what punishment has been inflicted on the booking clerks concerned ? ”, did Mr. Hindley, replying on behalf of Government, say “ I must have notice of that question ; I am afraid I cannot say offhand.” ? What is the use of this camouflage, when Government did not desire to give the information ?

**Mr. C. D. M. Hindley :** There was no camouflage at all in the matter. The question was fired at me after a long series of questions and I said perfectly honestly that I required notice of the question. I required notice so that I could consider whether it was advisable for Government to give the answer. There was no camouflage in the matter. It was a perfectly honest answer.

OFFICERS IN THE INDIAN CIVIL SERVICE AND INDIAN PERSONNEL OF THE SERVICE IN 1861, 1887, 1913 AND THE 1ST JANUARY 1924.

1734. **\*Sir Purshotamdas Thakurdas :** Will Government be pleased to state the total number of officers in the Indian Civil Service in the follow-

ing years, stating in each case the Indian personnel of the Service in that year :

1861,  
1887,  
1913,  
and  
1st January 1924 ?

**The Honourable Sir Alexander Muddiman :** A statement giving the information so far as it could be obtained is laid on the table.

Year.	Total number of officers.	Number of Indians.	REMARKS.
1861	306*		* This figure is only for Madras and Bombay Presidencies. Figures for other provinces are not available.
1887	1,077†	38	† Including Statutory Civilians and officers of the mixed Commissions.
1913	1,371	66‡	‡ Include 3 Anglo-Indians.
1924	1,290 (1,380 including Listed posts).	164 (251 including Listed posts).	

#### NEW LEGISLATIVE RULES.

1735. **\*Mr. K. C. Neogy :** 1. (a) Will Government be pleased to state the circumstances that prompted the making of the new legislative rules under the Government of India Act, promulgated in the Gazette of India Extraordinary dated the 21st July 1924 ?

(b) When did the question of the desirability of adding these rules (1) for the Indian Legislative Assembly, and (2) for the Provincial Councils, respectively, first come up for the consideration of Government ?

2. (a) Did Government consider the desirability of consulting the Indian Legislature before adding the aforesaid rules ?

(b) If so, what were the reasons for their decision not to consult the Indian Legislature in this particular instance ?

**The Honourable Sir Alexander Muddiman :** 1. (a) and (b). As the Honourable Member is doubtless aware, a temporary injunction was granted by the Calcutta High Court on the 7th July against the President of the Bengal Legislative Council, including in that term the Deputy President and the panel Chairman, restraining them from putting a motion relating to a supplementary grant before the Bengal Legislative Council pending the final determination of a suit which had been filed in that Court. In the course of his order directing the issue of the injunction Mr. Justice Ghosh held that the motion could not be presented to the Council because of the provisions of rule 32 of the Bengal Legislative Council Rules. It will be remembered that the Joint Select Committee in their

remarks on clause 11 of the Bill of 1919 suggested that the Governor would be justified, if so advised by his Ministers, when a Council had altered the provision for a transferred subject, in resubmitting a provision to the Council for a review of their former decision. The Joint Committee intimated that they did not apprehend that any statutory prescription to that effect was required. As stated by the Secretary of State in the House of Lords on the 21st July, 1924, the Government of India and the Secretary of State agreed in thinking that the rules referred to did not in fact preclude such a motion as was proposed to be moved by the Government of Bengal. In view however of the opinion expressed by the learned Judge of the Calcutta High Court and of the fact that the Government of India understood that a similar motion was proposed to be moved in the Bombay Legislative Council, which was due to meet on the 21st July, the Government of India considered that it was desirable *ex majori cautela* to amend the rule. They accordingly made the necessary recommendations in regard to the Indian Legislative Rules and the Legislative Council Rules of each province. Their recommendations were sanctioned by the Secretary of State in Council and amendments to remove all doubts as to the meaning of the rules were made on the 19th July and published on the 21st July. I would merely add that Mr. Justice Ghosh in directing the issue of the injunction concluded his order by expressing the opinion that the rules required revision in the light of the events in the case before him.

2. (a) and (b). The Indian Legislature was not sitting at the time and the Government of India accordingly did not consider the question of consulting the Legislature before making the amendments in question.

**Mr. K. C. Neogy** : Did the Government consult the Law Officers of the Crown with regard to the various points arising out of the judgment of Mr. Justice Ghosh before taking this action ?

**The Honourable Sir Alexander Muddiman** : Does the Honourable Member mean the Law Officer of the Crown at Home ?

**Mr. K. C. Neogy** : Yes.

**The Honourable Sir Alexander Muddiman** : No, Sir.

**Mr. Amar Nath Dutt** : Is it not a fact that a Member of this House was a plaintiff in the suit in the Calcutta High Court ?

**The Honourable Sir Alexander Muddiman** : I was not aware of it.

**Mr. A. Rangaswami Iyengar** : May I know, Sir, why the Government should have thought fit to make rules in regard to the resubmission of grants when they are rejected by the Legislative Assembly without consulting the Indian Legislature and without having regard to the fact that, so far as grants in this House are concerned, no question of the Government being bound by any vote of this House arises inasmuch as the Governor General can restore grants pertaining to all Departments unlike Governors in Provinces ?

**The Honourable Sir Alexander Muddiman** : The question is rather a long one ; but as regards the first point I made it clear in my answer that the reason why the Legislature was not consulted was that the Legislature was not then sitting.

**Mr. A. Rangaswami Iyengar** : May I know, Sir, whether the Government have now in contemplation the bringing up here again for another vote of the Assembly any grant which has already been refused by the

Assembly—a position in which the enactment and operation of the Rules may be found necessary ?

**Mr. K. Ahmed :** Has it not produced the beneficial effect, Sir, as far as the revenue of Bengal is concerned, by the passing of the new legislative rules and getting rid of all the barristers, counsel and attorneys who were engaged in this case unnecessarily, and thereby saving a great amount of money of the general revenue after all ?

**Mr. Devaki Prasad Sinha :** Are the Government aware that the remarks mentioned by the Honourable Member as occurring in the judgment of Mr. Justice Ghosh referred only to facilities for the administration and carrying on of the business of the Legislative Council and left untouched entirely the right of a private citizen and taxpayer to sue the Legislative Council when a decision of the President went wrong ?

**The Honourable Sir Alexander Muddiman :** I am glad to hear it. I personally should never desire to take away the ordinary right of a private citizen to sue if he has a right of action.

**Dr. H. S. Gour :** Sir, what I should like to ask the Honourable the Home Member is this. Is it not a fact that the existing rules relating to the supplementary grants both in the Central and Local Legislatures were drawn up to be in conformity with the constitutional practice as obtaining in the House of Commons and whether the amendment of the rules now made by the Government of India is not a departure from that constitutional practice ?

**The Honourable Sir Alexander Muddiman :** I am not prepared to say what the constitutional practice in the House of Commons is, but Government have amended the rules because they desired to bring them into conformity with what was undoubtedly the intention of the Joint Select Committee.

**Diwan Bahadur M. Ramachandra Rao :** Sir, may I ask the Honourable the Leader of the House whether he is prepared to give an assurance to this House that in future before the rules are amended this House will be consulted whether it is sitting or whether it has to be assembled for the purpose ?

**The Honourable Sir Alexander Muddiman :** Certainly not, Sir. I am not prepared to give any assurance of the kind. The occurrence of this case proves the necessity of the Government at any rate retaining the power to alter these rules without consulting this House. What has been done in this case ? An immediate matter was pending before the Bombay Council and a recommendation had been made. Could we get the House together then ? I do not think so.

**Diwan Bahadur M. Ramachandra Rao :** May I suggest to the Honourable Member that, so far as this House is concerned, there is no urgent necessity to amend the rules before consulting the House.

**The Honourable Sir Alexander Muddiman :** If you are amending the rules of one Council, you must amend the rules of the others.

**Diwan Bahadur M. Ramachandra Rao :** You might have done exactly the same after this House had been consulted, so far as this House is concerned, leaving Bengal and Bombay alone.

**SMUGGLING OF SACCHARINE.**

1736. \***Mr. Jammadas M. Mehta** : 1. Will Government be pleased to state the quantity of saccharine powder annually imported into India for three years preceding the 1st March 1923 when an import duty of Rs. 20 per pound was levied on that article ?

2. Will Government be pleased to state the quantity of the said article imported into India for twelve months following the imposition of the duty of Rs. 20 per pound ?

3. Are Government aware that the market price of saccharine for sometime after the levying of the additional duty was nearly Rs. 24 per pound ? Has it thereafter steadily declined ?

4. Are Government aware that at present the market price of saccharine is much below Rs. 10 per pound ? Can Government explain the causes of such an unusual decline ?

5. Have Government received complaints from public bodies and also from saccharine dealers in India about the heavy smuggling of saccharine from Singapore, Pondicherry and Goa ?

6. Will Government state how far the said complaints are justified and what steps they have taken or propose to take to prevent smuggling on such a huge scale ?

**The Honourable Sir Basil Blackett** : The quantity of Saccharine imported for the last four years is as follows :

(1)

Twelve months 1st April to 31st March.

Quantity of Saccharine  
imported.  
Tons.

1920-21	..	..	25
1921-22	..	..	21
1922-23	..	..	44

(2) 1923-24 .. .. . 14

3) to (6). I would invite the Honourable Member's attention to the replies given to similar questions put in the Council of State on the 4th June last. I may add that on that date, a Notification was issued prohibiting the importation of saccharine by land from the Foreign Settlements in India.

**RESOLUTIONS PASSED BY THE ASSEMBLY DURING THE DELHI SESSION AND GIVEN EFFECT TO BY GOVERNMENT.**

1737. \***Mr. C. Duraiswami Aiyangar** : Will the Government be pleased to state which of the Resolutions passed by the Assembly during the Delhi session of the Assembly 1924 were—

(a) accepted by His Excellency the Governor General,  
and

(b) not accepted by His Excellency the Governor General,

(c) and are pending decision by His Excellency the Governor General ?

**Sir Henry Moncrieff Smith** : With reference to the form of the Honourable Member's question, I would point out to him that Resolutions

adopted by the Assembly are in the form of recommendations to the Governor General in Council and it rests therefore with the Governor General in Council and not with His Excellency the Governor General to accept and give effect to such recommendations. The Honourable Member is referred to the statement which I laid on the table on the 27th May, 1924, in reply to Mr. S. Sadiq Hasan's question on the same subject. That statement is printed at pages 2261-2262 of the Legislative Assembly Debates, Volume IV, No. 39.

#### PURCHASE OF STORES.

1738. \***Mr. C. Duraiswami Aiyangar** : (a) Will the Government be pleased to state how many of the firms under each of the three lists published by the Chief Controller of Stores in the Gazette of India dated July 12, 1924 are purely (1) Indian firms with Indian capital (2) Non-Indian firms with a portion of Indian shareholders or directors, stating in such cases the proportion of such Indian capital ?

(b) Will the Government be pleased to state why the purchase of articles not manufactured in India is restricted to an indent upon the Stores Department, London, and not extended to any cheaper market outside the United Kingdom if available ?

**The Honourable Mr. A. C. Chatterjee** : (a) The Government of India have not the information asked for. The attention of the Honourable Member is, however, drawn to sections 32 and 248 of the Indian Companies Act, 1913, from which he will see that in the case of such of these companies as have been registered under the Act, he can obtain from the Registrars, Joint Stock Companies, copies of lists of shareholders and directors, with their names and addresses, and the number of shares held by each.

(b) The Honourable Member appears to misunderstand the rules. The placing of an indent on the India Store Department, London, does not in any way restrict the market. I would invite his attention to the instructions given by the Government of India to the High Commissioner on the subject contained in their letter No. S-360, dated the 22nd December 1921, a copy of which was laid on the table of the House on the 18th March 1922.

#### OVERHAULING OF THE SONE BRIDGE ON THE EAST INDIAN RAILWAY.

1739. \***Khan Bahadur Sarfaraz Hussain Khan** : Will the Government be pleased to state :

(a) In what year the Sone Bridge near Koelwar station, East Indian Railway, was constructed ?

(b) Whether it is a fact that trains pass over this bridge at a much slower speed than on the bridge over the Gandak, B. and N. W. Railway, and other bridges ? If so, what is the reason ?

(c) Whether they are prepared to consider the question of thoroughly overhauling the bridge referred to in (a) with a view to minimise the chances of an accident taking place in the way of a sudden collapse ?

**Mr. A. A. L. Parsons** : (a) The bridge in question was constructed before 1870.



(b) Yes, there is a speed restriction over the bridge as the girders are old and below the required strength for fast trains.

(c) The matter has received attention already and the renewal of the bridge for one of the two tracks is in hand.

The other track will be taken in hand on completion of the first.

# ENCOURAGEMENT OF RAILWAY INDUSTRIES.

**1740. \*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state the amount spent so far towards the encouragement of Railway industries of the loan of 150 crores ?

**Mr. A. A. L. Parsons :** It is impossible to give the information in the form in which the Honourable Member asks for it ; but up to last year just under 10 crores had been spent in India out of the 150 crores grant, and about 13½ crores have been provided in the Budget for similar expenditure during 1924-25.

## CASE OF MR. N. SUBBA RAO, LATE TELEGRAPHIST OF BEZWADA.

**1741. \*Khan Bahadur Sarfaraz Hussain Khan :** (a) With reference to the reply given by Government to starred question 1138 (c) asked in the last Simla session of the Assembly, will the Government be pleased to state or lay on the table a copy of the order passed on the appeal of Mr. N. Subba Rao, telegraphist of Bezwada (Madras) ?

(b) Will the Government also please state or lay on the table, the order of the Postmaster General, passed on the explanation of Mr. M. Subba Rao, Telegraphist, Bezwada ?

**The Honourable Mr. A. C. Chatterjee :** Copies of the orders asked for are laid on the table.

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*Copy of a letter No. 2-P.T., dated the 24th September 1923, from the Secretary to the Government of India, Department of Industries and Labour, Simla, to the Director-General of Posts and Telegraphs, Simla.*

With reference to the memorial, dated the 12th May 1923, addressed to His Excellency the Viceroy by Mr. Subba Rao, late Telegraphist, attached to the Bezwada Telegraph Office, appealing against the order of his dismissal from service, I am directed to say that the Government of India have given their careful consideration to his case and have decided to reject his memorial. I am to request that the memorialist may be informed accordingly.

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*Copy of Order, dated the 13th June 1922, passed by the Postmaster-General, Madras Circle, in connection with the charges laid against Mr. N. Subba Rao, Telegraphist, Bezwada.*

The letter without date from A. Ramanna and B. Seetiah, Bezwada, was received by me on the 21st December 1921, and I ordered an investigation. A copy of the same letter was sent to me with D. O. dated the 22nd December, 1921, from Mr. deMonte, Deputy Director-General, Traffic, with the request that the truth of the allegations contained therein might be examined.

Mr. J. J. Barry, Superintendent, Telegraph Traffic, has made an exhaustive inquiry at Bezwada.

The letter is pseudonymous and contains charges against Mr. B. Purniah, Deputy Superintendent in charge, Bezwada Telegraph Office.

During the inquiry made by Mr. Barry evidence against telegraphist N. Subba Rau came to light and forms the basis of the memo. of charges which has been drawn up against him.

This memo. of charges is perhaps on technical grounds objectionable. In paragraph 1 it says 'there is clear evidence'; in para. 5 'clearly betrays'; in para. 6 'abundant evidence'. According to Rule 768 of Telegraph Traffic Manual, Volume I, "No opinion should be expressed at this stage as to the guilt of the accused or otherwise". The reason for this provision is presumably that the accused should not feel disheartened by any apparent prejudgment of his case and in consequence think it not worthwhile to offer any defence. In this particular case I consider that Subba Rau has not been prejudiced by the formal flaws in the memo. of charges drawn up by the office. He has submitted a full and lengthy defence. The case against him, therefore, can be considered on its merits without having regard to any technical objection that might be raised against the memo. of charges.

*Count 1.*—The evidence on which this is based is sufficiently stated in the memo. of charges. Telegraphist Subba Rau also has admitted that he subscribed to the Tilak Swaraj Fund. In his defence Subba Rau alleges that Mr. M. Subramiah, M. Krishna Rau and B. Krishnaswamy Naidu have enmity against him. As regards P. Hanumantha Rau, he says that according to the witness Subba Rau never started the Tilak Swaraj Fund. It is clear, however, from Hanumantha Rau's statements, dated the 7th January, 1922, and the 1st March, 1922, that the subscription list was brought to him by Subba Rau.

As regards witness Muhammad Abdur Razaek Sahib, Subba Rau says that this witness said nothing of the kind assigned to him and was not aware of what he was asked to sign by Mr. Barry. This I do not believe. I had no reasons to doubt that Md. Abdur Razaek Sahib made the statement as taken down by Mr. Barry. That he may have subsequently denied this to Subba Rau does not shake my belief in the truth of his evidence.

There is further Subba Rau's own admission before Mr. Barry that he subscribed to the Tilak Swaraj Fund. As regards this Subba Rau invites attention to his letter to me and his letter to the Director-General. The substance of these letters is much the same, viz., that Mr. Barry took no proper steps to record Subba Rau's statement and finally kept him in the travellers' bungalow from 5-30 P.M. to midnight and improperly forced the statement out of him. From Mr. Barry's report I am satisfied that this allegation of Subba Rau is untrue. The fact is that Subba Rau took every opportunity of avoiding an interview with Mr. Barry and was only with great difficulty run to earth. I have no reason whatever to believe that Mr. Barry improperly forced any statement out of Subba Rau. Subba Rau cannot get away from his admission that he subscribed to the Tilak Swaraj Fund.

There is thus ample evidence that Subba Rau either started or actively canvassed subscriptions to the Tilak Swaraj Fund in Bezvada Telegraph Office and I find this count proved. This is a violation of Rule 22 of the Rules relating to Government Servants' Conduct.

*Count 2.*—This charge is to the effect that N. Subba Rau has been associating with non-co-operators, attending their meetings, discussing non-co-operation theories in the office and propagating those theories among the office staff.

As regards the 1st four witnesses cited in the memo. of charges Subba Rau alleges enmity.

Mr. Purniah, the Deputy Superintendent in charge, deposed that Subba Rau had irregular conversation in the Club room and that he had to speak to him on the subject.

Subba Rau says that this remonstrance was addressed not to him alone but to all the members of the Club. He pleads in reply to this charge that Mr. Purniah should have reported him and that the fact that he did not do so disposes of the charge.

I do not agree. Subba Rau himself states that Deputy Superintendent, Mr. Purniah, was one of those who held the meeting for collecting subscriptions to the Tilak Swaraj Fund and against Mr. Purniah himself there is ample evidence to show that he was either himself a sympathiser with non-co-operation movement or not of sufficient force of character to check undesirable activities among his staff.

The evidence on this count satisfies me that Subba Rau has been sympathising actively with the non-co-operation movement.

**Count 3.**—This charge is to the effect that Subba Rau agitated for the discontinuance of the paper 'Justice' in favour of the 'Bombay Chronicle', 'Hindu', and 'Andhrapatrika'.

There is ample evidence to support this charge. Subba Rau explains the discontinuance of 'Justice' as being due to a general desire of the members to have a Calcutta paper. Subba Rau calls the 'Hindu' and 'Andhrapatrika', 'loyal papers'. But both these papers actively preach the doctrine of non-co-operation.

I am satisfied that Subba Rau was largely instrumental in discontinuing loyalist papers in the club and taking in only n. c. o. papers.

**Count 4.**—Mr. O. Ramaswami Sastri, Clerk, Office of the District Superintendent of Police, Godavari District, and Mr. Md. Abdur Rub, Inspector of Post Offices, Bezawada Sub-Division, have stated that while travelling from Bezawada to Marulipatnam on the 26th December, 1921, an altercation arose between Mr. Sastri and Subba Rau, the latter angrily standing up for non-co-operation. Subba Rau was at that time wearing khaddar and a Gandhi cap. Subba Rau has produced statement of two witnesses that he remained silent throughout this altercation and that the man actually disputing with Mr. Sastri was some one else not identified.

Mr. Sastri was at the time a total stranger to Subba Rau but subsequently identified him. No enmity on the part of Mr. Abdur Rub has been suggested by Subba Rau and there is no reason whatever for rejecting the statements of these two witnesses.

I find this part of the charge proved.

**Count 5.**—Subba Rau does not deny that he wears khaddar and a Gandhi cap. He relies on the statement made by the Hon'ble Sir William Vincent in the Imperial Legislative Assembly that the wearing such clothes is not in itself objectionable.

Sir William Vincent's reply to a query about Government servants wearing Khaddar in office was as follows :—

"Government do not object to their servants wearing clothes composed of any material, provided that the clothes worn do not definitely carry with them any political significance."

There is evidence that Subba Rau persuaded or tried to persuade all members of the office staff to wear Khaddar clothing; and in view of the rest of the evidence against Subba Rau his contention that the wearing by him of Khaddar and Gandhi cap had no political significance is puerile.

A careful consideration of the evidence against telegraphist Subba Rau convinces me that he has been actively sympathising with the non-co-operation movement and was largely responsible for the trouble in the Bezawada Telegraph Office. His character roll gives no reasons for lenient treatment. It shows, moreover, that he has been heavily in debt, and has been declared an insolvent. I consider that he is not a fit person to be retained in Government service and direct that he be dismissed with effect from the date of his suspension.

#### REALISATIONS FROM THE SALE OF POST OFFICE CASH CERTIFICATES.

**1742. \*Khan Bahadur Sarfaraz Hussain Khan :** With reference to my starred question No. 1146 asked in the last Simla session of the Assembly, will the Government be pleased to state if there is any special reason why the realisation from the sale of Post Office Cash Certificates in 1921-22 was only Rs. 47,98,000 and in 1923-24 Rs. 6,88,00,000 ?

**The Honourable Sir Basil Blackett :** The attention of the Honourable Member is invited to paragraph 25 of my Budget speech of the 29th February last, in which I explained how an improvement in the attractions of the investment and action taken to advertise and popularise these Cash Certificates had resulted in a striking increase in sales. I am glad to be able to say that they continue to be popular.

#### ADVISORY COMMITTEE OF THE EAST INDIAN RAILWAY.

**1743. \*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

- (a) whether the Calcutta Advisory Committee of the East Indian Railway has branches located at different places ?

(b) If so at what stations or places have those branches been located ?

**Mr. A. A. L. Parsons :** (a) and (b). There are two Advisory Committees on the East Indian Railway, a main Committee at Calcutta and a Branch Committee at Cawnpore.

#### ADVISORY COMMITTEES FOR RAILWAYS.

1744. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will Government please state whether Advisory Committees have been established for all railways in British India, and if not for how many railways have such Committees been established ?

**Mr. A. A. L. Parsons :** Local Advisory Committees have been formed on all the principal railways except the Bengal-Nagpur Railway. The formation of a Committee on that Railway is under consideration.

1745. (This question was answered† on the 8th September).

#### CONFIDENTIAL CIRCULAR ISSUED TO THEIR EMPLOYEES BY THE EAST INDIAN RAILWAY.

1746. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state if it is a fact that a confidential circular has been issued by the East Indian Railway authorities, asking their employees to take long furlough, if they so desire, in view of the decision of the Government to take over that Railway ?

**Mr. A. A. L. Parsons :** Government are not aware that any such circular has been issued.

#### PENSION OF ONE BEDAR BAKHT.

1747. **\*Khan Bahadur Sarfaraz Hussain Khan :** With reference to the Government reply to my starred question 1184 asked in the last Simla session of the Assembly will the Government please state if inquiries have been completed now ; and if so, will they please communicate the result to the House ?

**The Honourable Sir Alexander Muddiman :** I am going to answer this question later, Sir. I do not know which Department is concerned in this.

#### PROVISION OF INDICATION BOARDS FOR THE DIRECTION OF PASSENGERS AT NAIHATI STATION ON THE E. B. RAILWAY.

1748. **\*Khan Bahadur Sarfaraz Hussain Khan :** With reference to the Government reply stating " With regard to Naihati station, indication boards for the direction of passengers who should change at this station have not up to the present been provided, but Government understand that their preparation is now in hand and they will shortly be erected " to my starred question No. 1185 asked in the last session of the Assembly, will the Government please state if the indication boards have been erected now ?

**Mr. A. A. L. Parsons :** Government understand that the indication boards have been erected.

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† Vide page 3010 of Vol. IV of Legislative Assembly Debates.

HINDU-MUSLIM TENSION IN DELHI.

1749. \***Khan Bahadur Sarfaraz Hussain Khan** : (a) Has the attention of Government been drawn to the paragraphs published in the issue of the *Englishman* of the 7th July, 1924, page 4, under the headings "Affray averted in Delhi," "Hindu-Muslim tension" ?

(b) If so, will they please state the facts of the case for the information of the House ?

**The Honourable Sir Alexander Muddiman** : (a) The answer is in the affirmative.

(b) The facts of the case regarding the mosque are practically as stated in the article referred to. As regards the Hindu-Muslim Arbitration Board, Government are informed that the hopes with which the Board started were not realised—and the Board has now ceased to function.

STATION MASTER OF KASUR.

1750. \***Khan Bahadur Sarfaraz Hussain Khan** : Will the Government be pleased to state if the station master of Kasur, Lahore District (North Western Railway), has been officiating in the special class since 1919 whereas 11 station masters in Class C are senior to him ?

(b) If so, will the Government please state if there are any special reasons why the claims of the 11 senior station masters have been overlooked ?

**Mr. A. A. L. Parsons** : The Honourable Member is referred to the reply to a similar question put on the 4th June last by Lala Duni Chand.

HOUSE RENT ALLOWANCES OF EUROPEANS, ANGLO-INDIANS AND INDIANS ON COMPANY-MANAGED RAILWAYS.

1751. \***Khan Bahadur Sarfaraz Hussain Khan** : (a) With reference to the reply to starred question No. 1216 asked in the last Simla session of the Assembly, will the Government be pleased to state whether similar equality is observed between European, Anglo-Indian and Indian employees in the matter of house rent, on Company-managed railways to that observed on State railways ?

(b) If not, are they prepared to draw the attention of the authorities of the Company-managed railways to the rule on State railways, and to recommend that no distinction be made in the matter between European, Anglo-Indian and Indian employees ?

**Mr. A. A. L. Parsons** : (a) and (b). Government are not aware of the exact practice observed on Company-worked railways in regard to the payment of house rent allowance to European and Anglo-Indian and Indian employees as the policy has been to leave such matters to the discretion of the Boards of Directors of Railway Companies, whose attention will, however, be drawn to the rule observed on State-worked railways.

INDIANS IN THE ARMY IN INDIA RESERVE OF OFFICERS.

1752. \***Khan Bahadur Sarfaraz Hussain Khan** : (a) Is it a fact that there are no Indians in the Indian Army Reserve of Officers ?

(b) If so, will the Government please state if there is any special reason for that ?

**Mr. E. Burdon :** (a) There are no Indians at present in the Army in India Reserve of Officers, the body which has taken the place of the old Indian Army Reserve of Officers.

(b) The matter has recently been under consideration and it has been decided that Indians should in future be eligible for admission, under conditions which it is hoped to announce shortly.

**Mr. M. A. Jinnah :** Will the Honourable Member state whether the announcement which it is proposed to make shortly will be made before the end of this session ?

**Mr. E. Burdon :** I should think it is unlikely, Sir. The whole of the Army in India Reserve of Officers has been under reconstruction since the war. It has been a matter of great difficulty to draft a scheme. The scheme so far drawn up is in a very embryo stage and I am afraid it will not be ready before the end of this session.

#### SALARIES AND WORKING HOURS OF POSTMEN.

1753. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government please state :

(a) whether the salaries of postmen is on the same scale and their working hours the same throughout British India, or different in the different provinces ?

(b) what is the scale of their pay and their working hours in the North West Frontier Province and the Province of Bihar and Orissa respectively ?

**Mr. H. A. Sams :** (a) and (b). The salaries of postmen vary in different parts of India. The Honourable Member will find the scales of pay stated in Commerce Department Resolution No. 4737, dated the 30th July 1920, published in the Gazette of India of the 31st idem.

Theoretically the hours of work are eight throughout India, but varying local conditions preclude a rigid adherence to this principle, even within the limits of a single province.

#### OPIMUM POLICY OF THE GOVERNMENT OF INDIA.

1754. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state if they are aware that the late Mr. Gokhale had condemned and that Mahatma Gandhi condemns the opium revenue policy of the Government of India ?

**The Honourable Sir Basil Blackett :** I have seen statements on this subject in the Press.

#### DECREASE IN THE EXPORTS OF INDIAN YARN.

1755. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government be pleased to state :

(a) if it is a fact that the exports of Indian yarn by sea from British India to foreign countries during the month of April

1924 were 2 million lbs., as compared with 4 million and 5 million lbs. in the corresponding period of 1923 and 1922 respectively ?

(b) if so, what is the cause of so much decrease in April 1924 ?

**The Honourable Sir Charles Innes :** (1) Yes.

(2) The decrease is principally due to reduced exports to China where, as I have already informed the Honourable Member in reply to a similar question on the 9th June last, there has in recent years been a large increase in the number and output of local spinning mills.

JUDGMENT OF MR. JUSTICE MCCARDIE IN THE O'DWYER-NAIR CASE.

1756. **\*Khan Bahadur Sarfaraz Hussain Khan :** Will the Government please state :

(a) if they have received a copy of the judgment of Justice McCardie in the O'Dwyer-Nair case ?

(b) if they have, will they please lay a copy of it on the table ?

**The Honourable Sir Alexander Muddiman :** I have already answered this question in reply to Mr. Ranga Iyer's question† No. 1682.

RESOLUTION *re* ANSWERING OF QUESTIONS BY OFFICIALS ON SUBJECTS OVER WHICH THE GOVERNOR GENERAL IN COUNCIL HAS CONTROL AND SUPERINTENDENCE.

1757. **\*Haji S. A. K. Jeelani :** Will the Government be pleased to state what action they have taken on the Resolution of Mr. K. Ahmed, M.L.A., passed by the Assembly at its last Delhi session regarding the answering of questions by officials on subjects over which the Governor General in Council has "control and superintendence" ?

**The Honourable Sir Alexander Muddiman :** Government have decided to await the report of the Reforms Inquiry Committee before deciding what action they should take on the Resolution in question.

UNSATISFACTORY ARRANGEMENTS ON EMIGRANT STEAMERS.

1758. **\*Haji S. A. K. Jeelani :** (a) Are the Government aware that arrangements on board the steamers, intended for carrying emigrants from India to the Colonies or *vice versa*, are most unsatisfactory ?

(b) Is it a fact that the services of certified midwives are not available on board an emigrant steamer ?

(c) Is it a fact that in the course of a voyage there generally used to be from 12 to 14 births on ships ?

(d) Is it a fact that whenever occasion arises necessitating the services of midwives a man or a woman emigrant is chosen for the purpose ?

(e) Is it a fact that there are no permanently engaged cooks on board the steamers for the services of emigrants ?

(f) Is it a fact that they are chosen from among the emigrants, and made to overwork themselves for a sum of 10 shillings for the whole voyage ?

† *Vide* pages 3024-25 of Legislative Assembly Debates, Vol. IV.

(g) Is it a fact that no separate arrangement exists in emigrant ships for married couples and unmarried women ?

(h) Is it a fact that the berths provided in emigrant ships for sick people are insufficient ?

(i) To remedy any discomforts to emigrants on board the steamer do the Government propose to modify the laws relating to the carriage of emigrants ?

**Mr. J. W. Bhore :** (a) to (h). Inquiries have been made in the matter from the Local Governments concerned and the Honourable Member will be informed of the result in due course.

(i) If the replies of Local Governments indicate that the position is in any way unsatisfactory, the Honourable Member may rest assured that the Government of India will do all they can to improve matters.

**Mr. N. M. Joshi :** Will the Honourable Member be pleased to give the answer to the whole House and not to the Honourable Member alone ?

**Mr. J. W. Bhore :** I shall lay the information on the table.

#### STATE CONTROL OF RAILWAY COMPANIES.

**Q<sup>n</sup> 1759. \*Haji S. A. K. Jeelani :** (a) Will the Government be pleased to state whether they propose to take steps to widen the sphere of their control over the Railway Companies ?

(b) Will the Government be pleased to state the degree of control exercised by the Government of India and the various Boards of Directors located in England respectively in determining policy on broad questions of Railway administration ?

(c) Will the Government be pleased to state the Acts and Statutes by which the control of the State over the Railway companies is governed ?

(d) Are the Government aware of the fact that according to the findings of the Acworth Committee, railway rates do not generally operate to the advantage of Indian industry and that a policy of protection to indigenous industries might be nullified by manipulations of railway rates ?

(e) In view of the passing of the Steel Protection Bill, will the Government be pleased to state whether they contemplate revising or modifying or altering Railway rates policy ?

(f) With reference to the recommendations of the Industrial Commission and endorsed by the Fiscal Commission regarding the constitution of a Rates Tribunal, what action have the Government taken or propose to take ?

**Mr. A. A. L. Parsons :** (a) Government see no reason to take any such steps at present ; but the degree of control exercised by Government over Railway Companies in different matters is revised from time to time as circumstances and conditions require.

(b) The powers of control exercised by the Government of India over Railway Companies are stated in the Notes on the Relation of the Government to Railways in India which are printed as Appendix I of the Railway Administration Report, 1922-23, a copy of which will be found in



the Library. The determination of policy on broad questions of railway administration is reserved to Government.

(c) The control of the State over railway companies is governed by the Indian Railways Act 1890 and the contracts with the companies.

(d) No. Government are not aware that the Acworth Committee came to any such finding.

(e) The policy of Government and Railways has been and is to encourage indigenous industries by the quotation of suitable rates and the grant of concessions when they are feasible and likely to assist the development of the industries concerned, and increase traffic. There is no intention on the part of Government or Railways to depart from this policy and it has not been affected by the passing of the Steel Industry (Protection) Act.

(f) Government are in correspondence with the Secretary of State regarding the constitution of a Rates Tribunal.

1760\*. This question was answered† on the 8th September.

OPENING OF THE SUTLEJ VALLEY PROJECT RAILWAY FOR GOODS AND PASSENGER TRAFFIC.

1761. \***Lala Duni Chand** : (a) Are Government aware that neither goods nor passenger traffic is allowed on the Sutlej Valley Project railway line, that has been recently constructed from Doraha to Nalagarh, and that the line is exclusively utilized for exporting stone from the Nalagarh quarries ?

(b) Are Government aware that owing to there being three unbridged hill torrent steamers (*Naddis*) between Kurali and Rupar, the route from Sirhind to Rupar, an important Sub-Division of Ambala District, has become very difficult for all kinds of traffic ?

(c) Is it also true that the only other route available for going to Rupar is from Doraha railway station about forty miles long *via* Sirhind Canal, and that it takes more than twelve hours to reach Rupar by boat ?

(d) Do the Government propose in view of the facts as stated in (b) and (c), to order the Sutlej Valley Project Railway to be thrown open to public use ?

(e) Will the Government be pleased to state for how long it will be necessary for them to use the said Railway for the purposes of exporting stone from the Nalagarh quarries and do the Government intend to convert the said line into a regular and permanent line for usual goods and passenger traffic, after it is no more required for its present purpose ?

(f) In case the Government may not be prepared to throw open the said line for the purposes of traffic immediately, will the Government be prepared to allow the use of the line for carrying goods and passengers by motor trollies, by private persons subject to any conditions that the Government may think fit to impose.

**Mr. A. A. L. Parsons** : (a) Government are aware that public goods and passenger traffic are not being carried at present on the temporary line from Doraha to Nalagarh which has been constructed by the Punjab Irrigation Department for the purpose of carrying stone from the Nalagarh quarries for the new Sutlej Valley Irrigation Project.

† *Vide* page 3010 of Legislative Assembly Debates, Vol. IV.

(b) and (c). Government have no information.

(d) The question of opening this temporary line for the carriage of public goods and passengers has been the subject of correspondence with the Government of the Punjab. It is known that the line was inspected in May last by the Senior Government Inspector of Railways and that he furnished a report to the Punjab Government on the works that would be necessary to allow of the line being opened for public traffic, but they have no information what the Punjab Government are doing in the matter.

(e) It is not known for how long it will be necessary to use this line for the purposes of exporting stone from the Nalagarh quarries. There is no intention of converting the said line into a regular and permanent line for public traffic, as it will not be wanted when the projected line from Sirhind to Rupar is built.

(f) This proposal would be outside the requirements of the Railway Act and cannot, therefore, be agreed to.

#### CASE OF HOT LALL, A POSTAL CLERK OF GUJRAT.

1762. **\*Lala Duni Chand :** (a) Is it a fact that one Hot Lall, a postal clerk at Gujrat (Punjab) was forced to resign by the Postmaster General, Punjab, and if so, is it true that his only fault was that he had complained against another clerk, Mangal Sen, for making false receipts, and demanded an inquiry into the matter ?

(b) Is it also a fact that he had made a representation to the effect that the Postmaster and the Superintendent of Post Offices, being partial towards Mangal Sen, the inquiry should be held by some other officer and in spite of this the inquiry was held by the Superintendent of Post Offices ?

(c) Is it also true that on an appeal having been made to the Postmaster General, the said Hot Lall was assured of a fuller inquiry into his case, but the matter was kept hanging without any decision for an unusually long time, and when he pressed for the immediate disposal of his case the Postmaster General called upon him to resign, which he consequently did ?

(d) Do the Government propose to make inquiries in the case ?

**The Honourable Mr. A. C. Chatterjee :** Government have no information and I have no doubt that if the individual referred to has any grievance, he would address the Director-General or the Government in the usual manner.

**Lala Duni Chand :** When a question is put in the Assembly, is it not the duty of the Government to acquire all necessary information on the subject and answer the question ?

**The Honourable Mr. A. C. Chatterjee :** I do not think it is the duty of the Government to inquire into complaints regarding individual officers without some indication that the individual officer himself has got a grievance.

**Lala Duni Chand :** Then what is the use of the right of interpellation allowed to us ?

**The Honourable Mr. A. C. Chatterjee :** The right of interpellation, Sir, I understand, refers to matters of public interest.

**Mr. K. Ahmed :** Would it not be in the public interest that the *pros* and *cons* of complaints should be inquired into and the result of it should be stated by Government in the Assembly for the benefit of the public ? Does my Honourable friend realise that ?

**Mr. Amar Nath Dutt :** May I ask, Sir, if public service is not a matter of public interest ?

**Mr. N. M. Joshi :** May I ask, Sir, if the proper treatment of a Government officer is not a matter of public interest ?

NORTH WESTERN RAILWAY SLEEPER CONTRACT.

**Mr. Chaman Lall :** Sir, I beg leave to put the following question of which I have given private notice :

(a) Is it a fact that the Central Railway Advisory Council appointed a sub-committee to inquire into the contract for the supply of sleepers to the North Western Railway by Messrs. Spedding and Co., for a period of five years, if so, will Government be pleased to lay on the table the report, if any, of the said sub-committee together with any resolution that may have been adopted by the Central Railway Advisory Council thereon ?

(b) What action do Government contemplate in connection with the said report or resolution ?

**Mr. A. A. L. Parsons :** The Central Advisory Council appointed a sub-committee to inquire into the contract for the supply of sleepers to the North Western Railway by Messrs. Spedding and Co. for a period of five years, and a copy of the reports of the members of the sub-committee was laid on the table on the 3rd of this month in response to an unstarred question by my Honourable friend Lala Duni Chand. Government are prepared to lay on the table a copy of the advice which they have just received from the Central Advisory Council and also a statement of their final decision in the matter as soon as a decision has been reached.

**Mr. Chaman Lall :** Will the Honourable Member inform the House  
12 NOON. as to what were the four points raised by the Honourable Member himself for the decision of the Council and what the decision of the Council thereon was ?

**Mr. A. A. L. Parsons :** I cannot remember the exact wording of them now. The Honourable Member will find them stated in the reports which have already been laid on the table.

PUBLICATION OF THE EVIDENCE RECORDED BY THE LEE COMMISSION.

**Diwan Bahadur B. Ramachandra Rao :** With your permission, Sir, I beg to ask a few questions of which I have given private notice to the Honourable the Leader of the House and to the Honourable Sir Charles Innes.

Will the Government be pleased to state whether the Government of India informed the Secretary of State of the desire of this Assembly expressed in the debate in June last, for making available to the Assembly the evidence taken by the Royal Commission on Public Services, and to state if any, the reply received from the Secretary of State on the subject ?

**The Honourable Sir Alexander Muddiman :** The Government of India communicated to the Secretary of State the views expressed in

the debate in June last on the question whether the evidence given before the Lee Commission could be made available and consulted him as to whether it was feasible in any way to meet the wishes of the House. The Warrant of Appointment did not require the Commission to publish the evidence, and although, as stated in paragraph 107 of the Report, they deposited a copy of the evidence with the Secretary of State, they were under no constitutional obligation to do so. In these circumstances the Secretary of State felt bound to respect the decision of the Commission that their evidence should not be published.

**Diwan Bahadur T. Rangachariar :** Is there any precedent for authorising any Commission not to publish evidence ? Is there any specific instruction given to that effect to any Commission ?

**The Honourable Sir Alexander Muddiman :** I am not acquainted with the Warrants of Royal Commissions. But in view of the Secretary of State's reply to us, I suppose it is so.

**Mr. M. A. Jinnah :** May I know whether the Government propose to place before this House, any materials upon which the recommendations of the Royal Commission were made save and except the extracts from the representations received from certain Imperial Service Associations and so on subsequently ?

**The Honourable Sir Alexander Muddiman :** I hope to place evidence before Honourable Members in my speech on the Resolution.

**Diwan Bahadur M. Ramachandra Rao :** Apart from your speech, is there any other material other than the evidence recorded by the Royal Commission ?

**The Honourable Sir Alexander Muddiman :** We laid on the table replies of the Local Governments.

#### VIEWS OF LOCAL LEGISLATURES ON THE RECOMMENDATIONS OF THE LEE COMMISSION.

**Diwan Bahadur M. Ramachandra Rao .** Will the Government be pleased to state :

(a) whether they desired the Local Governments to obtain the views of the local Legislatures on the recommendations of the Lee Commission,

(b) whether the Lee Commission Report was discussed in any of the Legislative Councils in the Provinces, and to place on the table the Resolutions, if any, adopted by them ?

**The Honourable Sir Alexander Muddiman :** The answer to part (a) of the question is in the negative and to part (b) the Government of India have received copies of Resolutions adopted in the Assam and Madras Legislative Councils and these are placed on the table\*.

**Pandit Madan Mohan Malaviya :** May I invite the attention of the Honourable Member to the paragraph in the Warrant of Appointment where it is said :

" And for the better effecting the purposes of this Our Commission, We do by these Presents give and grant unto you, or any three or more of you, full power, at any place in Our said United Kingdom of Great Britain and Ireland, or in India, to call before you such persons as you shall judge likely to afford you any information upon the subject of this Our Commission ; and also, whether in Our said United Kingdom, or in India, to call for information in writing ; to call for, have access to and examine all such books, documents, registers and records as may afford you the fullest information on the subject, and to inquire of and concerning the premises by all other lawful ways and means whatsoever."

\* Vide Appendix " B " to these Debates.

Does not that imply that the Commission were bound to produce evidence which they recorded ?

**The Honourable Sir Alexander Muddiman :** Sir, it is a matter of opinion.

**VIEWS OF LOCAL GOVERNMENTS ON THE RECOMMENDATIONS OF THE LEE COMMISSION.**

**Diwan Bahadur M. Ramachandra Rao :** Will the Government be pleased to place on the table the views of the Local Governments, (including those of the Ministers) on the questions discussed in the Report ?

**The Honourable Sir Alexander Muddiman :** They have been laid.

**Diwan Bahadur M. Ramachandra Rao :** When were they laid ?

**The Honourable Sir Alexander Muddiman :** I understand at the first meeting, in answer to an unstarred question.

**Diwan Bahadur M. Ramachandra Rao :** Have the copies of the views of the Local Governments been supplied to Members ?

**The Honourable Sir Alexander Muddiman :** That, Sir, I am not aware of.

**Diwan Bahadur M. Ramachandra Rao :** May I know whether the Honourable the Home Member does not consider it necessary or desirable that we should have copies of the views of the Local Governments ?

**The Honourable Sir Alexander Muddiman :** Certainly. I laid them on the table at the first possible date and it has been open to any Member to obtain copies of them.

**Diwan Bahadur M. Ramachandra Rao :** Will the Honourable Member now at least take this opportunity of having those copies distributed in the House ?

**The Honourable Sir Alexander Muddiman :** Certainly, Sir, if sufficient copies are available.

**Diwan Bahadur T. Rangachariar :** May I draw the Honourable the Leader's attention to the terms of the Islington Commission which run exactly on the same lines as the present Warrant and to the fact that they published their evidence ?

**The Honourable Sir Alexander Muddiman :** I do not think it has been suggested that it was not open to the Royal Commission to publish their evidence. The question with which we are concerned was whether, when they refused to exercise their discretions in this direction, there is anything to be done.

**Mr. M. A. Jinnah :** Do the Government expect this House to deal with the recommendations without any materials ?

**The Honourable Sir Alexander Muddiman :** I hope the House has considerable materials.

**Diwan Bahadur T. Rangachariar :** Does the Honourable the Leader of the House expect to convince the House on the spot on a very detailed matter like that ?

**Mr. Chaman Lall :** May I ask the Honourable Member whether the Warrant of Appointment of the 1886-87 Committee and of the Islington Commission also contained express provisions like these ?

**The Honourable Sir Alexander Muddiman** : I have said that I have not got these Warrants before me. I do not know what they contained.

**Mr. A. Rangaswami Iyengar** : If the Honourable Member cannot place before us the materials or the evidence upon which this report was arrived at, may we know for what purpose this Report is placed before us without materials ?

**Sir Purshotamdas Thakurdas** : May I know whether the Government of India had the privilege of seeing the evidence before it was deposited with the Secretary of State ?

**The Honourable Sir Alexander Muddiman** : I certainly never saw it.

**Sir Purshotamdas Thakurdas** : I will repeat my question. My question was, whether the Government of India had an opportunity of examining or seeing this evidence before it was lodged with the Secretary of State ?

**The Honourable Sir Alexander Muddiman** : No.

**Sir Purshotamdas Thakurdas** : Then I take it that the Government of India have come to their decision regarding the Honourable Member's Resolution that is coming on for discussion without seeing the evidence ?

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

**Sir Purshotamdas Thakurdas** : Is there any precedent, Sir, where the Government of India have come to a decision without seeing the evidence of a Committee or a Commission ?

**The Honourable Sir Alexander Muddiman** : There are many precedents, Sir, where the Government of India have come to decisions on reports which contained no evidence.

**Sir Purshotamdas Thakurdas** : Does that mean that the Government of India were prevented from having access to the evidence if they wanted to see it, Sir, in these precedents ?

**The Honourable Sir Alexander Muddiman** : That, Sir, I am not prepared to answer without notice.

**Sir Purshotamdas Thakurdas** : Will the Government be pleased to mention one or two precedents ? Will the Honourable Member please mention one or two precedents he has in mind ? He said there were many.

**The Honourable Sir Alexander Muddiman** : I have been a Government officer for many years and I certainly know many cases—I cannot quote one at the moment, I might quote a wrong one—I certainly know many cases where Government have come to conclusions without considering the evidence recorded by the Commission. I take it that the Government may come to a conclusion on the report of the Indian Bar Committee without examining the evidence and also—my Honourable friend reminds me—there is the case of the Inchcape Committee.

**Mr. Amar Nath Dutt** : Was it intuition on the part of the Government of India ?

**Diwan Bahadur M. Ramachandra Rao** : The Honourable Member proposed to place before us certain materials on which the Government came to a conclusion on the Report of the Royal Commission. May I know whether those materials are independent of the materials on which the Commission arrived at their conclusions ? Are they quite different ?

**The Honourable Sir Alexander Muddiman :** Some of them are no doubt different.

**Mr. M. A. Jinnah :** Will the Government place before this House those materials upon which they have come to a conclusion independently of the materials placed before the Royal Commission ?

**The Honourable Sir Alexander Muddiman :** I shall endeavour to convince the House in the course of my Resolution that they should ~~adopt~~ the Report which is in their hands, which is the basis of the Resolution.

**Sir Purshotamdas Thakurdas :** Are Government aware that the Inchcape Committee never examined a single person outside Government officials ?

**The Honourable Sir Alexander Muddiman :** I am not aware of that.

**Sir Purshotamdas Thakurdas :** Will the Honourable the Leader of the House take it from me that they never examined a single non-official witness and that they only examined Government officials, and therefore, whatever information was given to the Inchcape Committee was available and was in possession of the Government of India ?

**The Honourable Sir Charles Innes :** May I ask whether the Honourable Member is aware that the Inchcape Committee examined Agents of certain Company Railways, who are not Government officials ?

**Sir Purshotamdas Thakurdas :** Are not Government always in a position to get information from them ?

**Mr. President :** These questions are becoming irrelevant.

**Sir Purshotamdas Thakurdas :** That part was raised by the Government Benches.

RAILWAY COLLISION AT HARAPPA ROAD, NORTH WESTERN RAILWAY.

**Diwan Bahadur M. Ramachandra Rao :** (a) Will the Government be pleased to make a statement as to whether they have received any reports in regard to the Railway collision at Harappa Road, and the circumstances under which the collision took place, and the number of casualties due to the collision ?

(b) Will the Government be pleased to state whether there is any intention to pay any compensation to the persons who received injuries in the collision and to the families of the persons who were killed in the collision ?

**The Honourable Sir Charles Innes :** Before I answer this question, Sir, I should like to take this opportunity of saying how deeply the Government of India and the Railway Board regret this accident which is one of the most terrible accidents that have happened on the Indian Railways in recent years. I should also like to express our great sympathy with the relatives of those who were unfortunately killed in the accident and with those who were injured.

(a) The Government have received a preliminary report regarding this accident, but the House will understand that I must be guarded in my reply, for a magisterial inquiry is now in progress, and it is reported in the press that an Assistant Station Master has already been arrested. The North Western Railway has already published very full information

regarding casualties. They amounted to 97 deaths and 105 injured. Of the former, one was a railway employee, 4 were postal sorters, one was a policeman and one was a prisoner. The remaining casualties were all Indian third class passengers. The accident took place at 1-18 hours on the morning of the 29th August. A relief train arrived at the spot at 5 hours. It brought railway officers from Lahore and Montgomery, a magistrate from Montgomery and the Assistant Inspector General, Railway Police. The Senior Government Inspector travelled by the same train, and in accordance with standing orders began his investigation on the 30th August. It was continued on the 31st August and 1st September. It is his preliminary report that has been received. The cause of the accident was as follows :

It was arranged that No. 43 up and No. 24 down passenger trains should cross on the morning of 29th August at Harappa Road Station which is the time-table station for the crossing of the trains. Harappa Road is on the Montgomery-Khanewal line, on which line train control is in force. That is to say, the working of all trains between the various stations on this length is subject to the orders issued by the Train Controller to individual Station Masters. But these orders do not in any way absolve Station Masters from their responsibility for the safe working of trains. No. 24 down had lost a little time, and it was found that if the crossing was made at Harappa Road, as originally intended, No. 43 up would be unnecessarily detained. Orders were therefore issued for the crossing to be made not at Harappa Road but at Mirdad Muafi. The Senior Government Inspector's preliminary report indicates that line clear was given for 43 up to run from Harappa Road to Mirdad Muafi without the line clear which has already been issued for 24 down to run from Mirdad Muafi to Harappa Road having been correctly cancelled and taken back in accordance with the rules for the safe working of trains on single lines of Railway. The Senior Government Inspector was of opinion that this was the cause of the accident, but the question is one which must finally be settled by the Courts.

(b) The North Western Railway are already investigating all cases for compensation.

**Mr. Harchandrai Vishindas :** Might I inquire, Sir, if the Government contemplate devising any measures in order to prevent such appalling disasters in the future by the collision of trains ?

**The Honourable Sir Charles Innes :** That, Sir, is one of the main objects of the Senior Government Inspector's inquiry. We shall require him to make recommendations how such disasters can be averted in the future. He has only sent in a preliminary report, but he will send in a further report on this question.

**Mr. Harchandrai Vishindas :** Might I further inquire whether the Government will be prepared to pay compensation to the relatives of those whose lives have been lost in this accident ?

**The Honourable Sir Charles Innes :** All these cases are already under investigation by the Railway Administration and we may depend upon the Railway Administration to be generous in a matter of this kind.

**Diwan Bahadur T. Rangachariar :** Will the Government consider the desirability of having a double track on these congested areas ?

**The Honourable Sir Charles Innes :** I do not know if this line is a congested one. It is rather a large order for me to give an undertaking to have a double track.



**Lala Duni Chand :** Is it a fact that good many persons out of those wounded in this accident have died ? Will the Honourable Member give the exact number of these ?

**The Honourable Sir Charles Innes :** I understand that the death roll at the present moment is 97.

**Pandit Madan Mohan Malaviya :** In view of the appalling loss of life, will the Government be pleased to associate two non-official Members of this Assembly with the inquiry which is going on ?

**The Honourable Sir Charles Innes :** The inquiry which is going on at this particular moment is a magisterial inquiry. The Government Inspector's inquiry is an inquiry on the lines of the Board of Trade inquiry at Home. Our rules are modelled on those of the Board of Trade in England. It is a technical inquiry and the primary reason for that inquiry is to have an investigation by a technical expert as to what the cause of the accident was and what measures can be taken to avert similar accidents in the future. That is the whole object of the inquiry. It is not possible—in any case it is not considered advisable—to associate the public with a technical inquiry of that kind, because that inquiry may lead to railway officers being prosecuted, and it is considered that we must not do anything in an inquiry of that kind which possibly may prejudice those railway officials in a subsequent trial.

**Pandit Madan Mohan Malaviya :** In view of the fact that a large number of persons have suffered either loss of life or injury, will not the Government consider the desirability of appointing a larger Committee in which the public would be represented and in which the facts relating to the disaster would be thoroughly inquired into and reported upon ?

**The Honourable Sir Charles Innes :** I cannot imagine, Sir, what more can the public require than a formal magisterial inquiry into a matter of this kind.

**Pandit Shamlal Nehru :** May I know, Sir, if the Government are aware that an employee of the Great Indian Peninsula Railway has invented an instrument which makes such disasters impossible and that the Great Indian Peninsula Railway have already fitted up this instrument at one of their railway stations, which is on the other side of Itarsi ?

**The Honourable Sir Charles Innes :** I have no doubt that all points of that kind will be reported upon by the Senior Government Inspector when he sends in his final report on the cause of the accident and the measures to be taken to avert such accidents in the future.

**Mr. Harchandrai Vishindas :** May I inquire, Sir, whether that report will be brought to the notice of this House ?

**The Honourable Sir Charles Innes :** I shall certainly publish that report when it is received.

**Mr. M. A. Jinnah :** The question put by Pandit Shamlal Nehru was whether the Government are aware of the instrument invented by an employee of the Great Indian Peninsula Railway ?

**The Honourable Sir Charles Innes :** I am afraid I am not aware of it.

**Mr. C. D. M. Hindley :** May I say that I am aware of this invention. I have seen it mentioned in the press that it is being tried on the Great Indian Peninsula Railway. I have no official information about this trial, but I know that there are instruments designed to avert accidents of this nature which are in course of being tried.

**Pandit Shamlal Nehru :** Will the Honourable Member get that information ?

**Mr. C. D. M. Hindley :** What information ?

**Pandit Shamlal Nehru :** The information about this instrument ?

**Mr. C. D. M. Hindley :** I have already said that I have seen some information on this question in the press. I take it from the Honourable Member that this instrument is being tried on the Great Indian Peninsula Railway. It would be premature to express any opinion on this particular instrument.

**Mr. Harchandrai Vishindas :** Is it a fact that these instruments are in the nature of searchlights in front of each train which give a very long warning to the other train coming from the other side and thus avoid collisions ?

**Mr. C. D. M. Hindley :** I think the device that was referred to in the first question is a device in connection with the stopping of the train itself and has nothing to do with the use of searchlights.

**Mr. President :** Further questions on this point had better await the moment when Government will be in a position to give further information.

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#### BILLS PASSED BY THE COUNCIL OF STATE.

**Secretary of the Assembly :** Sir, in accordance with Rule 25 of the Indian Legislative Rules, I lay on the table the Bills which were passed by the Council of State at its meeting of the 8th September, 1924. They are :

- (1) A Bill to consolidate and amend the law to provide for the special protection in respect of civil and revenue litigation of Indian soldiers serving under special conditions.
- (2) A Bill further to amend the Indian Motor Vehicles Act, 1914, for certain purposes.

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#### THE INDIAN CRIMINAL LAW AMENDMENT BILL.

##### PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

**The Honourable Sir Alexander Muddiman** (Home Member) : Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898, for the purpose of affording greater protection to persons under the age of eighteen years.

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#### THE EXTERNAL CAPITAL COMMITTEE.

##### ELECTION OF MEMBERS.

**Mr. President :** The Assembly will now proceed to elect four members to serve on the External Capital Committee. The following gentlemen

have been proposed for election to serve on the Committee to consider the question of the flow of capital into India from external sources :

Mr. W. S. J. Willson,  
 Dr. H. S. Gour,  
 Maulvi Abul Kasem,  
 Sir P. S. Sivaswamy Aiyer,  
 Pandit Madan Mohan Malaviya,  
 Sir Purshotamdas Thakurdas,  
 Mr. K. G. Lohokare, and  
 Mr. V. J. Patel.

Four members are to be elected to the Committee. The instructions are printed on the ballot paper which will now be had from the Secretary.

(The Ballot was then taken.)

**Mr. President :** Members having recorded their votes, the result of the election will be announced in due course.

#### RESOLUTION *RE* RECOMMENDATIONS OF THE LEE COMMISSION.

**The Honourable Sir Alexander Muddiman** (Home Member) : Sir, I rise to move the Resolution\* which stands in my name, and in doing so I wish to remind the House that I am redeeming a pledge which was given by the Government on several occasions that, before orders were passed on the recommendations of the Royal Commission on the Superior Civil Services, the Indian Legislature should be given an opportunity of expressing its opinion on those recommendations.

\* " This Assembly recommends to the Governor General in Council :

- (1) That the following recommendations of the Royal Commission on the Superior Civil Services in India be in principle approved :
  - (a) that while the existing system of appointment and control of the All-India Services should, in present conditions, be maintained in reserved fields, the following services operating in transferred fields, namely, the Indian Educational Service, the Indian Agricultural Service, the Indian Veterinary Service, the Buildings and Roads Branch of the Indian Service of Engineers in those provinces in which the two branches have been separated, and the Indian Forest Service in Bombay and Burma, should, so far as future recruits are concerned, be appointed and controlled by Local Governments ;
  - (b) that recruitment of Indians for the Services in reserved fields should be increased as recommended ;
  - (c) that, having particular regard to recommendation (a), early steps be taken to constitute the Public Service Commission contemplated by section 90-C. of the Government of India Act, and to enact such legislation as may be necessary ;
- (2) That pay, passage concessions and pensions be granted to the officers of the Superior Civil Services in India approximately on the scale recommended ; and
- (3) That the recommendations of the Royal Commission regarding the constitution of Provincial Medical Services in Governors' Provinces be accepted in principle, subject to :
  - (a) the employment in the provinces of an adequate military reserve ;
  - (b) the provision of adequate medical attendance for British Officers in the Civil Services and their families ; and
  - (c) the further consideration of the conditions necessary to secure an adequate number of British medical recruits for the needs of the Army."

[Sir Alexander Muddiman.]

Before I go further, I should like for a moment to invite the attention of the House to the history of the appointment of this Committee. This House opposed its appointment very bitterly, but as I gather somewhat less bitterly when it found that the scope of the reference to the Commission was wider than it originally believed it to be. In fact, in reading the debate in connection with the appointment of the Commission—for I was not then a Member of this House,—I was struck by the fact that one speaker after another based his opposition on the fear that the Commission, both in the matter of the control of the Services, and in the matter of Indianisation, would recommend a reactionary policy and would go back on the conclusions arrived at in the Montagu-Chelmsford Report. I need hardly point out that the Commission, as a matter of fact, has made in both respects an immense advance on the position contemplated in the Montagu-Chelmsford Report. However that may be, it is perfectly true that the Report of the Commission comes, as it were, with a certain sense of prejudice before this House. But I think this House is far too fair to allow its judgment to be obscured by any feeling of pique, by any feeling of dissatisfaction at the fact that its wishes were not attended to when the Commission was appointed. You have the Report; *factum valet* you have to consider it. I will invite the attention of the House to the terms of reference. What were they? They were as follows: In the first place, the Commission was to have regard to “the necessity for maintaining a standard of administration in conformity with the responsibilities of the Crown for the Government of India.” That is to say they were to make no recommendation which would in any way upset or conflict with that responsibility. In the second place, their attention is invited to “the declared policy of Parliament in respect of the increasing association of Indians in every branch of the administration.” In other words, they were directed to explore the possibilities of further advances in the Indianisation of the Services. Lastly, they were directed to keep in view “the experience now gained of the operation of the system of government established by the Government of India Act in respect of the Superior Civil Services in India.” That is to say, they were required to say whether the actual operation of the scheme of government established by that Act had disclosed anomalies in the organisation and general conditions of service, which ought to be removed. Sir, the Commission has been severely criticised, and I think unfairly criticised, for not doing what it was not directed to do. This, Sir, was not a body charged with the reform of the constitution; its duty was to make proposals which would adapt the organisation of the Services to the existing constitution. It is idle to blame the Commission for not doing what it was not directed to do. However, I shall endeavour to show later, if it is necessary for me to do so, that the Commission were not oblivious of the fact that alterations in the constitution might take place in the future. There is nothing in the Report of the Commission in my judgment which justifies a charge that their recommendations impede constitutional progress. And what was the tribunal to which these great issues were referred? Its President was an ex-Cabinet Minister, who has told us himself, that he has no Indian past and no Indian future. Of the Englishmen on the Committee, two were men who had never visited this country and had no material interest in the country; and of the other members of the

Committee there were four representative Indians, Indians whose names have been honoured highly by their own countrymen, and in this connection, Sir, with your permission I should like to digress for one moment to express my great regret that my personal friend, Mr. Bhupendra Nath Basu, has been prevented from carrying on his important duties in Bengal and has had to resign owing to ill-health.

To return to the constitution of the Commission, there was only one member of the Services on the Committee who was still serving. The other *ex-Service* member was Sir Reginald Craddock, who is well known to his House, a man of the most extensive experience, the last of the Lieutenant-Governors. So the Service element was not over-represented. Now when I read the personnel of the Commission—and in those days I had no personal concern in it ; I was an impartial observer—perhaps more so than I am now—I must say I never thought that the opinion of a Committee so constituted was very likely to be unanimous. Yet, Sir, the Report was unanimous and, when you get a unanimous Report from a Commission representing so many diverse races and so many diverse elements, I say that that fact must be borne in mind when this House comes to deal with it. I hope the House will not ignore that fact in considering the Committee's recommendations.

Another feature is that it is evident that many of the recommendations are the result of a compromise, and the value of a fair-minded compromise is very great. The Report itself refers to "the spirit of compromise which has inspired our agreed conclusions." Honourable Members will find that in paragraph 108 of the Report.

Now before I turn to the actual proposals of the Commission, there is a further point that I should like to bring to the attention of the House, and that is the position of the Services in any country and *vis-a-vis* any Government. The position of the Services, I submit, in no country is that of direct contact with the Legislature. The Executive Government is the master of the Services and at the same time their protector. It is a body interposed in all normal constitutions between the Legislature and the Services. That is a fact that I hope all those who look forward to the advance of India in the direction of responsible government will bear in mind. In the past the coincidence between the functions of the Services and the functions of the Government has done much to create feelings which are not really justifiable in regard to the Services. If a particular policy of Government creates odium, then let Government take it—do not transfer it to the Services. It is to be remembered, moreover, that in any country, however democratic, nine-tenths of the actual work of government is discharged by the Services. Listen to what Professor Ramsay Muir says ; he is writing about conditions in England, and he says :

"It is no exaggeration to say that so far as concerns the carrying on of the daily administration and the enforcement of the existing laws, which is nine-tenths of the business of Government, this country is governed by a pure bureaucracy."

That is, even in England, after centuries of democratic experience, it is not possible to dispense with a bureaucratic machine ; and I do wish to impress upon the House the importance of realising how essential is the executive machinery in whatever way it may be directed and whoever may be its head. You may have the ablest of Ministers ; you may have

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a Legislature like this Legislature informed with wisdom ; you may have a Government of the most admirable character ; but if you have not a body of officers to carry out the policy of that Government, you are like a man without arms. You will be helpless and it will involve the failure of your administration.

And now I want to draw your attention to the fact that you have in India a large body of public servants carrying on the administration. It is a legitimate ground for pride that they are of a very high grade of efficiency, and I do not refer to the British officers only but to the great multitude, for the most part Indians, who are industriously and ably carrying on the details of the administration of this country. I appeal to the House that, where they find the actions of Government are not to their liking, they should confine their attack to the Government whose shoulders are broad enough to bear it and not attack the instruments of that Government ; and they should treat the Services reasonably and with justice and allow them to go about their work unhampered by considerations of policy.

Now, Sir, I come to the definite proposals made by the Commission for the control of the All-India Services which are embodied in the terms of the Resolution now before the House. At present, as the House is aware, the control is vested completely in the Secretary of State who lays down the conditions of service, the proportion of Europeans and the proportion of Indians ; he fixes the pay ; he sanctions the posts, and in the last resort the Services have an appeal to him. Now the Commission leave this position unchanged in the case of certain services while in the case of others it makes very important changes. Put in a nutshell the recommendations of the Committee appear to me to amount to this—that the Services should be controlled by the authority which is ultimately responsible for the administration of the subjects with which they deal. I could not quote any passage in the Report which in so many words states the position in that form, but I think it not an unfair general statement of the case. Now this is a two-sided argument or rather, it is a two-sided application of a single principle. The policy which it embodies should be regarded as a whole. The same argument which justifies the retention of the Secretary of State's control over the Services in the reserved field can be applied to justify the transfer of control over the Services in the transferred field. Under the recommendations of the Committee the Services in the reserved field will be only four—the Indian Civil Service, the Indian Police Service, a portion of the Indian Service of Engineers, namely, the Irrigation Branch, and the Forest Service except in the Provinces of Bombay and Burma. These Services are dealing with subjects over which Parliament has reserved the ultimate responsibility to itself, and the logical conclusion is that the ultimate authority responsible for the efficiency of the Services must be the one directly responsible to Parliament, namely, the Secretary of State. As the Constitution stands at present, it is difficult to put forward any other logical proposition. It has been contended no doubt that the Secretary of State should delegate his control over these Services to the Government of India. Now, Sir, the Government of India, as the House is well aware, is not a final constitutional authority. If those powers were delegated to it, as the Constitution now stands, it will not be responsible to Parliament, it will not be responsible to this Legislature.

I will now turn to the other side of the scheme put forward by the Commission that is, the control of the Services operating in the transferred

field. They are the Indian Educational Service, the Veterinary Service, the Agricultural Service, the Indian Forest Service in Bombay and Burma, and the Buildings and Roads Branch of the Indian Service of Engineers. I leave on one side for the present the Indian Medical Service to which I shall refer later. I will not labour the argument I have used before, for the same argument which justifies the retention of control in the reserved field calls for the transfer of control to the Local Governments in the transferred field. I will not conceal from the House that in my opinion—and what is more important—in the opinion of the Government of India, these proposals are of a very far-reaching nature. They affect important Services and mark a new departure. Take one example. Now educational advance, as I understand, is a matter in which every Member of this House is greatly interested. The administration of educational policy will in future be left to Services not such as those the Secretary of State may approve, but such as those the Provincial Governments in the transferred half will approve. It will be for them to say if they want any more Englishmen. It will be for them to regulate these Services, and that is all that any Government, however democratic, can expect to do. Similarly, with regard to the other Services to which I have referred. Now, whatever our views about it may be, it is a very great step and one of great importance to this country. The Commission decided to recommend it and the Government of India have decided to support it. Once the Services are handed over to Provincial control, it is at the same time essential—and here I think everybody in the House is with me—that they should be safeguarded from the insidious attacks of political influence. I need not enlarge on the experience of other countries. Canada and the United States have learned their lesson and it is not for this country to fall into those mistakes from which they had great difficulty in retrieving themselves. The exact measure which may be required for safeguarding the Services will require careful consideration, and the House will not expect me to express any detailed opinions to-day, but it is clear that the safeguards required must take two general forms. In the first place, as is recommended by the Royal Commission in paragraph 16 of their Report, it will be necessary to pass certain Public Service Acts with a view to secure selection over the widest possible field on merits and qualifications and to reduce the risks of political interference, to lay down procedure for punishment and appeals and to provide definite conditions in regard to such matters as pay, pensions and leave. In the second place, it will be necessary to constitute a Public Service Commission. I do not propose in the short time available to go into the delicate question of the exact functions which this Public Service Commission should perform; nor am I at present in a position to state whether it may or may not be necessary to constitute Public Service Commissions in the Provinces. I merely wish to indicate that some organization of the form of a Public Service Commission will undoubtedly be required as forming an essential part of the safeguards of the transferred Services. Without such safeguards we could not as a Government contemplate with equanimity the transfer of the control of the Services.

I have left to the end the question of the Indian Medical Service, for it has many complications which fortunately are peculiar to itself. I will leave it to my Honourable Colleague to develop in greater detail the recommendations of the Commission in regard to this Service. I will only say that the question is one of extraordinary complexity and difficulty and no hasty decision should be taken on it. There is the military problem, there is the difficult question of the military medical reserve to be available in

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time of war. But subject to these considerations we are provisionally in favour of the suggestion of the Royal Commission that so far as the non-military personnel of the civil medical administration is concerned Provinces should be allowed to develop their own Provincial Medical Services. The exact method of reconciling these two elements—the Provincial Medical and the military medical reserve—will require most careful and detailed consideration.

I would refer and very briefly to the recommendation regarding the provision of British medical attendance for British civil officers and their families. In so far as this can be done we feel that it ought to be done, and so far as we are able to judge the recommendations of the Commission apparently would not entail an appreciably larger and possibly not so large a number of British doctors as would in any case be required to be employed as a military reserve. I have dealt with this point very lightly for as I have said my Honourable Colleague will develop it in greater detail.

I now turn to the next point, namely, the Indianization of the Services. I will say here that the Commission approached this matter from a standpoint very different from that of the Islington Commission.

They say :

"In the days of the Islington Commission the question was how many Indians should be admitted in the public services, it is now become what is the minimum number of Englishmen which must still be recruited."

Well, Sir, this is a great change and it is a change which has come over the scene in a very few years. The Islington Commission reported in 1915. And in these few years we have come to a position which surely is one that must be accepted by everyone in this House, for I will not suppose that there is any one in this House prepared to say that no Englishmen will be required for India in the future.

I will quote what the Montagu-Chelmsford Report says on the question of the retention of a British element in the Services :

"Do the changes which we propose point to the gradual, possibly the rapid, extrusion of the Englishman with all the consequences that may follow the reform? Is it conceivable that India's only surviving connection with the Empire will be found in the presence of British troops for the purpose of defending her borders? We may say at once that the last contingency cannot be contemplated. At least so long as the Empire is charged with the defence of India a substantial element of English must remain and must be secured both in her Government and in her Public Services."

I would like to analyse in a little detail the proposals of the Commission so that the House may realise what it is that they actually mean. I must confess that I myself received rather a shock when I first saw the figures. I take the All-India Services. The present sanctioned strength is 4,279 ; their actual number is just under 4,000. I estimate that on the proposals of the Commission about 1,300 posts, so far as future recruits are concerned, will be provincialised, and I will assume that this means practically complete Indianization. There will remain something under 3,000 posts on an All-India basis, but of these 3,000 it is contemplated that the greater portion will eventually be filled by Indians. In every case except the Police it is recommended that Indian recruitment to these Services should be more than half the total, while in the Police it is proposed to recruit half and half. If the proposals of the Commission are given effect to, there will, I estimate, eventually remain in the All-India



Services only some 1,300 British Officers including the doctors of the military reserve. If we confine our consideration to the two security Services—the I. C. S. and the Indian Police Service, the number of posts which will eventually be held by Europeans on the proposals of the Commission is less than 900.

I sometimes wonder if it is realised that when the Indian Civil Service consists half of Europeans and half of Indians there will only be 675 British officers employed in the whole of India in the important tasks which this Service performs, and of this number less than 400 will be filling posts of major responsibility, the remainder being under training in less responsible posts or on leave. Is it really suggested that in the condition of India some 400 British officers employed in important Secretariat or administrative posts, as heads of districts, as Sessions Judges, as Political officers and the like is an excessive number in a country with more than 300 million inhabitants ?

If we look at the problem from this point of view I think few will deny that the proposals of the Lee Commission go to the very limit of safety. I do not wish to emphasize the existence of communal and provincial feeling or to lay undue stress on the conditions which I am told every day are evanescent but to which it is impossible to shut one's eyes. I have been twenty-five years in this country and I see no signs of their disappearance—I lay no further stress on that point. I for one cannot believe that this country can afford or will wish to dispense with the services of British officers. But I may be told that what is really needed is not the disappearance of the British official in India altogether, but the more rapid substitution of Indians. That, Sir, is the policy of Government within limits. But let me remind you that a service is an organism of slow growth; a few enter it, a few leave it every year. To those who complain that Indianization makes slow progress let me cite the figures for the Indian Civil Service. There are at present 165 Indians in the Service. Of these 86, that is more than half, have entered within the last five years. And this was under a system of recruitment which gave Indians appreciably less than 40 per cent. of the vacancies. The Lee Commission propose to give them 60 per cent., and in the next five years, if recruitment is normal it is quite clear that as many Indians will enter the Service as the total number that is in it at present. It has been freely argued that European recruitment should be stopped altogether. The more cautious of those who make this demand suggest that it should be stopped only for a time in order that the process of Indianization may be speeded up to a maximum. Do they honestly think that it would ever be possible to revive British recruitment when once it had been stopped ? Others point to the number of British officers at present in the Services—some 3,000 in all the All-India Services—and argue that for the next 15 or 20 years they will provide all the British element that the country needs. But do they believe that if British recruitment were closed down everything would go on in the Services as before ? Have they no fear that such an announcement might lead to a considerable exodus of British officers ? There are some I know who would welcome this result, but I believe very many others would sincerely lament it. I return to the proposals of the Commission. (*Diwan Bahadur T. Rangachariar* : “ Will you explain that point ” ) What I was suggesting to the House was that it will not be without its effect on the existing members of the Service. That is my view : it may not be yours.

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Now let me explain the proposals in terms of the recruits we need.

1 P.M.

We need annually about 22 British recruits for the Indian Civil Service, 15 for the Police, and perhaps 8 for the other two Services. This would give you a total recruitment of 45. We shall be losing British officers by retirement according to normal calculations at the rate of about 120 a year, that is, for every 10 British officers that retire from the All-India Services we shall recruit not more than 4.

And now, Sir, there is another point. I have often discussed this question with Indian friends—and I hope I have many Indian friends—and I cannot help feeling that in the back of their minds there has always been a feeling that Englishmen in this country desire to keep up English recruitment for selfish reasons; that they wish to keep the jobs for their children or their cousins and that they have at the back of their minds some reservation of that sort. Now, I ask you, Sir, 45 British recruits a year—is that a fact which is going to affect an Empire like ours or a race like mine “—45 recruits”? Why, there are many big commercial undertakings which will require nearly that number of recruits. I may be wrong—but I have always thought that the feeling to which I have referred was present in the minds of many of the people with whom I have discussed this question.

Now, I have one word to say on a point which has given rise I understand to some anxiety in the Muhammadan community. They at any rate have recognised that the recommendation of the Lee Commission will involve very large increased recruitment of Indians, and they are somewhat apprehensive that they may not get a reasonable share of these appointments. It is not only particular communities which put forward claims of this nature, but many of the Provinces show a tendency to insist that, as far as possible, strangers from other Provinces should not be placed in their Services. Now, no concession can be made to claims of this kind without departing to some extent from the principle of free competitive examination. This House has passed a Resolution affirming the principle that the Services should not be unduly overweighted with representatives of any one community or Province. It is evident that this question must be taken into careful consideration in connection with the large increased rates of recruitment for Indians arising out of the Lee Commission, and I may say that the matter is one which the Government of India have at the present moment under their close attention.

I pass to the second part of my subject, the financial relief of the Services. It is no new question. Now, the Commission, and the Government of India also, must approach this question from two points of view—that is, in the first place, the relief of the present incumbents; and, in the second place, the encouragement of recruitment. Both are of the greatest importance but I will refer later to the question of recruitment and will review now the case for general relief. The pay of the Superior Services had been under consideration and discussion now for many years. I do not propose to take the story back before 1912, by which year it had been realised that something would have to be done. Prices had been rising steadily for many years, while salaries for the most part had remained unchanged. These conditions had by 1912 produced a considerable amount of discontent. Now, there is one important point to which I wish to draw the attention of the House, and that is, that these complaints

were made before the war and long before the Reforms. I have often heard it said that the Services are asking for more pay as a bargain for the Reforms. Nothing is more untrue.

As I have said by 1912 the Services were beginning to feel the effect of the constant rise in prices. That prices have risen hardly needs demonstration, but the House will want some facts, and in this connection I will refer them to a Report which is well known to most of them. The Government of India placed an eminent Indian gentleman, Mr. K. L. Datta, on special duty to conduct an elaborate inquiry into the facts, and this Report is no doubt familiar to the House. He found that in the period 1890-1912 the general level of wholesale prices rose by 36 per cent. ; of domestic servants by some 50 per cent. and the average wage of all labourers by about 60 per cent. Roughly there was a 50 per cent. rise all round. It is, therefore, not surprising that the Services in 1912 were beginning to feel the effects of these rises. In that year the Islington Commission was appointed. They took two and a half years over that job. They took plenty of evidence and they published many volumes of it. Well, by the time the Report reached the Government of India, the great war had come on and the consideration of the Report was deferred and the Report was not actually published till January 1917. In the meantime the facts on which the Report was based had changed and were daily changing out of recognition. The war had, in India as elsewhere, produced an upheaval of prices and the recommendations of the Commission were out-of-date before they were considered, before they were even commenced to be considered, and the consideration itself was a lengthy process. It was not till the end of 1919 and the beginning of 1920 that the new scales of pay for the Services were sanctioned.

I come now to the revisions of pay of 1919-20. As I said just now, the actual proposals of the Islington Commission were out-of-date before they came up for consideration. The primary new factor was the crushing increase in prices since the Islington Commission had made their recommendations. It is probably a reasonable estimate to say that the rise in the cost of living for Europeans in India in this period had been not less than 60 per cent. But it is perfectly true that at that time there were influences of a compensatory character, and the main influence was the remarkable rise in the exchange value of the rupee. To some considerable extent the rise in the cost of living was made up by this, and it is quite clear that the revisions of pay of 1919 and 1920 were made on the assumption that the rupee would remain at or about 2 shillings. The Under Secretary of State for India made the following statement in the House of Commons on the 20th July 1922 :

“ The present scale of salaries was fixed with effect from the 1st December 1919. The official exchange value of the rupee was then 2 shillings. At that time it was expected that the exchange value would continue about that figure, though it could not be definitely guaranteed.”

(*Diwan Bahadur T. Rangachariar* : ‘ Is there any other authority for that ’ ?) I will endeavour to find out. It may assist the House to realise what an important factor this anticipation of a high exchange must have been in determining the new rates of pay for the Services, if I refer to the case of the Indian Civil Service for purposes of illustration. The Montagu-Chelmsford Report had urged that something should be done towards restoring the real pay of the Service to the level which had proved attractive 20 years ago, and in the consideration of the revision of pay of the Indian

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Civil Service, considerable stress was laid on this recommendation. To restore the pay of the Indian Civil Service to the level which had proved attractive 20 years ago would have involved perhaps an increase of 50 or 60 per cent. The actual increase sanctioned was some 8 or 10 per cent. It is, I think, very evident that these proposals would not have been considered to meet the situation adequately had it not been for the anticipation of a high rate of exchange. As the Lee Commission say in their Report, if exchange had remained at or about 2 shillings, it is probable that no complaint would have been made regarding the scales of 1919-20. But within a year of the introduction of the new scales the basis on which the new rates of pay had been fixed was shattered. The Services had been tried high. For seven years they had waited for relief which seemed to them at any rate overdue. No sooner was the relief given than an unforeseen accident deprived them of a large part of the long expected relief which they had hoped to receive. By the end of 1920 the Government were overwhelmed with a large number of memorials protesting against the new rates of pay. But at that time there was great financial stress in India. The finances were seriously involved, partly from the general after-effects of the war, partly from the failure of the currency policy, and partly owing to the fact that enormous sums amounting to 9½ or 10 crores had been incurred in recurring expenditure for the purpose of raising the pay of the Provincial and subordinate Services throughout India—charges that I myself regard as absolutely essential but still they were a heavy burden on the Exchequer of the day. Sir, the Government postponed any further action for three years—from 1920 to 1923. The decision to appoint a Royal Commission, whose Report we are discussing to-day, was made in January, 1923, but the Commission did not start its work until the cold weather of 1923-24. Sir, I have gone into this at some length because I have heard it said that the claims of the Services are really in the nature of—to put it quite frankly—black-mail. They do not like the reforms and therefore, in order to keep them quiet, you have got to pay them more. I contend that the history of this matter shows clearly that these claims arose before the reforms were thought of. It has a long history, and as they think, it has taken a very long time for them to get much needed relief.

Now, what is the relief proposed by the Commission? I know the House feels that they have not been given the full evidence on this point given before the Commission. How could the Commission, which gave a pledge that they would not reveal a great many things which were communicated to them under the pledge of secrecy, publish that evidence? Much of the most valuable evidence was given by banks which doubtless were bound to exact the pledge of secrecy; for I understand that to reveal the condition of its clients' accounts is a thing which no bank will do. Other evidence was given by commercial firms. They had very good reasons—quite obvious reasons—for not wishing their recommendations to be known.

**Pandit Motilal Nehru** (Cities of the United Provinces : Non-Muhamadan Urban) : May I ask if there is anything to show that banks and commercial concerns asked that their evidence should not be published?

**The Honourable Sir Alexander Muddiman** : I think so. I have not got the exact reference now, but I will give my Honourable friend the reference. There is a reference to this in the Report.

**Mr. M. A. Jinnah** (Bombay City : Muhammadan Urban) : That must be a privilege claimed by the banks if the privilege was not raised by the constituents.

**The Honourable Sir Alexander Muddiman** : I do not quite follow the Honourable Member. As I say, great point has been made that the detailed evidence has not been laid before the House.

**Diwan Bahadur T. Rangachariar** (Madras City : Non-Muhammadan Urban) : Is it suggested that the banks gave individual accounts to the Commission ?

**The Honourable Sir Alexander Muddiman** : The Commission say on page 26 of their Report :

“ We have obtained independent confirmation of this view from banks or financial houses in close and constant relation with members of the Services. We were informed that a great many officers, particularly in the early years of married life, are at present in debt to an extent which was unknown 20 years ago ; and that this is in no sense due to extravagance. Insurance policies are pledged as security for advances to a much greater extent than formerly and in many cases their surrender value taken.”

I understand that an insurance policy is the last thing that a man pledges.

**Mr. C. Duraiswami Aiyangar** (Madras ceded districts and Chittoor : Non-Muhammadan Rural) : Will the Honourable Member look at page 61 where he will see that a different ground is given by the Committee for not publishing the evidence ?

**Mr. President** : I must ask Honourable Members to allow the Honourable the Home Member to proceed with his argument. Government have allotted three days for this debate and Members will have full opportunity of developing their own case.

**The Honourable Sir Alexander Muddiman** : On a point like this, what you want is not for everybody individually to examine the evidence. You have had this Commission. I suggest that it would be right that their recommendations should be treated somewhat on the lines of the verdict of a jury. When you get a unanimous recommendation, you must attach some weight to it. It is not suggested that the Commission was unfair or prejudiced. They were engaged for the purpose of giving their impartial view of the matter. They presumably came with a perfectly fair mind to the matter.

Now, what are their proposals ? I will explain them in broad outline. In the first place, they propose an addition in the matter of pay. The form in which they cast their proposal was somewhat complicated. They suggested that an addition of Rs. 50 a month should be made to the overseas pay and that the whole of the overseas pay should then be converted into sterling at the favourable rate of exchange of 2 shillings. The essence of the proposal, when it is analysed, will be seen to be the payment of the whole of overseas pay in sterling. Unless the whole of the overseas pay is remitted to England, the full benefit proposed by the Commission does not accrue. We accept the fundamental principle of this proposal, but we see no advantage in stating the overseas pay first in rupees and then converting it into sterling at a favourable rate of exchange. We prefer to state the overseas pay straightaway in sterling. The effect of the proposal is, in the first place, an addition to overseas pay, in the second place, the payment of that overseas pay in sterling in such a way that the officer is protected against the loss, if the exchange

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falls below 1s. 4d. ; and the Government will take the profit when the exchange rises above 1s. 4d. This is the essence of the proposal of the Royal Commission and we are prepared to accept it, speaking generally, merely simplifying the form. With regard to the amount, this appears to us to be fair and equitable. The Commission propose that it should start at Rs. 75 a month on a 1s. 4d. basis and rise in the 12th year of service to Rs. 200 a month on the same basis.

There was one point on which the Commission were greatly divided. It was on the question how far this relief should be carried out with regard to officers holding administrative posts. The Indian members recommended no relief except for certain lower administrative posts on a pay of Rs. 1,750—100—2,150. The English members, on the other hand, proposed—and the House will find the arguments stated very clearly in the appendices—that the relief given at the top of the time-scales should be carried on for all officers above the time-scales whose pay does not exceed Rs. 4,000 a month. The Government of India are not prepared to accept either of these divergent views. They propose to take a middle course. They are impressed by the fact that the financial circumstances of many officers holding administrative posts are straitened. At the same time we think that the proposals of the English Commissioners go somewhat too far and that it is unnecessary to consider the grant of any relief to any officers at present drawing more than Rs. 3,000 a month.

The second element in the scheme of relief proposed by the Commission is the grant of free passages. This I must explain is part, and an essential part, of the general scheme of relief of the Commission. They could have done it in any other way. They could have proposed a further increase in pay, but they thought it preferable to grant the relief in the form of free passages. The officer himself is relieved of considerable mental anxiety if he knows that his passage will be paid by Government. Further, the system has the advantage of providing automatically for the actual needs of the wife and family, and lastly the system is likely to be on the whole economical to Government, because it is certain that no more money will be paid by Government than is actually required for expenditure on passages. Nothing perhaps in recent years has proved a more serious burden to the Services than the crushing increase in passage rates.

From 1903 for a good many years the cost of a P. and O. 1st class return passage from Bombay to London was £78 ; it now ranges from £122 to 157 ; the intermediate scale of accommodation, namely, 1st Class B being £140. The concession, as the House will observe, is a moderate one.

Relief is provided only on the scale of 4 first class passages in the course of a service which may be taken as averaging from 28 to 30 years, that is, one passage in seven years.

The third main head of the recommendations of the Commission is in regard to pensions. I would here call attention to the fact that the Commission have rejected the claims for increase in the pension of the Indian Civil Service and have declined to reopen the question of the refund of the 4 per cent. contribution which all officers of the I. C. S. used to make towards their pension before 1919. The Government of India accept the conclusions of the Commission on both these points, but I think the House will recognise that the Commission's conclusions were framed in a

spirit of due moderation and economy. For it must be remembered that while the I.C.S. pension is always represented as one of £1,000 a year, no officer who joined the Service before 1919 receives the full £1,000 a year from Government. On the contrary it is generally estimated that under the old system an officer of the I.C.S. contributed £250 a year to his own pension, and the Government gave a pension of only £750 a year. The cessation of the contribution of officers to their own pension from 1919 changes the situation, but the change is only a gradual one. It will be 25 years from 1919 before the first officer of the I.C.S. draws his full £1,000 pension from Government, and in the meantime those senior officers who are now retiring are receiving from Government a pension very much less than £1,000. The Commission however proposed to grant certain enhanced pensions to Members of the Indian Civil Service who attained the high rank of Member of Council or Governor. This proposal has been carefully considered by us, but we regret we find ourselves unable to support it. We think that it is difficult to reconcile with the main idea which we take to underlie the recommendations of the Commission, namely, that essential relief should be given to those who need it most. Moreover, the pension of the Indian Civil Service has been based on the principle of uniformity. This principle has many advantages, but it is inherent in it that the man below the average receives more than he deserves and the man above the average receives less. We fully recognise that a pension of a thousand pounds a year may seem meagre for an officer who has filled a great and responsible post such as that of the Governor of one of our major Indian Provinces, but we feel that such a considerable departure from the principle of uniformity as is proposed by the Royal Commission would involve a reconsideration of the principle itself, and we do not think it would be expedient to upset a system which has in the past proved one of the chief attractions to the Service.

I have explained what the Commission and the Government of India do not propose to do in the matter of enhancing pensions. What they do propose is a moderate increase in the pension of the Uncovenanted Services amounting to Rs. 1,000 a year or £87-10s. in the ordinary pension from 25 years' service onwards.

The inadequacy of the rates of the Uncovenanted Services pension has been a ground of complaint for many years. The pension was fixed originally as long ago as 1855 or 1860 at Rs. 5,000 a year which was then £500. On the proposals of the Commission the 30-year pension will now be £612-10s. I do not think any one can suggest that an increase of £112 a year to cover the changed conditions of the last 65 years is excessive.

These are the main recommendations of the Commission to which we invite attention. I will leave it to my Honourable Colleague in charge of Finance to explain any possible indirect repercussions of the proposals of the Commission on the finances of India. I will confine myself to the direct cost as estimated by the Commission, and I have my Honourable Colleague's authority for stating that the estimates given in Appendix VII of the Report may be taken as approximately correct. That is to say the cost in the first year is 96 to 98 lakhs *plus* about 7 lakhs for administrative posts, or just over one crore. This is of course on a 1s. 4d. basis ; if exchange rises it will be less.

**Diwan Bahadur T. Rangachariar :** How much of it will be Central and how much Provincial ?

**The Honourable Sir Alexander Muddiman :** My Honourable Colleague will be able to tell you accurately. There is one statement however in Appendix VII which is somewhat misleading. It is said that the annual cost will probably rise until it reaches about  $1\frac{1}{2}$  crores, and will subsequently fall, as Indianization makes itself felt. I think it can be shown that this is too pessimistic a view, and underestimates the immediate economies of Indianization. The rise is due to the increase in the pensions of the Uncovenanted Services. This is estimated to involve a progressive addition of just over a lakh a year for 15 or 16 years. But the economies on Indianization will certainly exceed a lakh a year, and therefore the cost will not gradually rise, but on the contrary will gradually fall. I tried to bring home to the House in the earlier part of my speech the exceedingly far-reaching nature of the Indianization proposals of the Commission and the rapidity with which Indians will be replacing Englishmen in the Superior Services. If we take into account both the overseas pay and the passage concession, the Indian officer of the future will be costing from the 12th year of service onwards some Rs. 500 a month or Rs. 6,000 a year less than the British officer, and even in the first year of service he will cost Rs. 2,400 less. For every 10 British officers that retire at least 6 Indians will be recruited involving an economy of over Rs. 14,000 annually. Now we may anticipate that about 150 British officers will retire each year from the All-India and Central Services. This would suggest a progressive saving of more than 2 lakhs each year which is appreciably in excess of the progressive increase on account of pensions, and will moreover steadily rise in subsequent years. The House will realise therefore what a very important economy may be anticipated through the process of Indianization. The Commission did not, it is true, propose to reduce the existing basic pay of Indians which would produce a further economy, and, in this very difficult question, I am not prepared to say that the Commission was wrong. The matter, however, is one which may, if necessary, be further considered.

Finally, I will deal with the very important question of recruitment. Now one of the most important aspects of the Commission's recommendations is the extent to which they will solve our present difficulties on this score. I have noticed that two conflicting lines of argument are used. There are those who say that recruits can be had for the Services without making any appreciable improvement in terms. On the other hand, there are those who say that the financial proposals of the Commission will be quite ineffective to attract recruits. I believe that both these arguments are wrong. It is quite clear that at the present time, whatever the cause, recruits cannot be had for the premier Indian Service. The Indian Civil Service is already 75 under strength. By next year it will probably be at least 100 under strength. In the examination held a month ago for the Indian Civil Service 21 British candidates presented themselves. Before the war nearly 200 used to come forward for what was generally acknowledged to be the severest competitive test in the country. The experience of this year does not stand alone. In 1923 there were 38 British candidates, in 1922, 19, in 1921, 20. The significance of these figures lies in the fact that, even on the reduced proposals for recruitment of British officers made by the Lee Commission, we require each year 22 for the I. C. S. We actually need more officers than there are candidates forthcoming. It is often said that for the Police at any rate there is no dearth of candidates. This idea has grown up owing to the experience in the first year or two succeeding the war. At that time there were a large number of officers just demobilised, and it is true that the number of applications for admis-



sion to the Indian Police Service was large. But we have now settled down to normal conditions, and I will give the House the facts relating to the examination for the Indian Police Service held a month or two ago in London. There were 18 vacancies to be filled ; for these only 41 candidates appeared. A qualifying standard is laid down for this examination, and out of the 41 candidates 13 failed to reach the qualifying standard. Therefore there were only 28 qualified candidates competing for 18 vacancies. The position is certainly not as bad as that for the Indian Civil Service, but there is little margin of safety. I do not assert that financial considerations are the only ones which deter candidates from entering these Services, but I do say that financial considerations do play a very important part and that without a removal of the present economic difficulties of the Services there is no likelihood of our being able to obtain the services of the Englishmen we want. If you want any Englishmen at all, they ought to be of the good class. If you want them, you must take care they are good ones. The improved terms recommended by the Commission will certainly not enable the services to live in affluence nor will it restore the comparatively easy circumstances of the old days. Still they ought to be sufficient and the Commission thinks so and I am prepared to trust their judgment. In that respect their proposals would give the Services at least that minimum subsistence which a public servant can rightly expect. It will enable the members of the Services living with due economy to avoid falling into debt. That is not the case with many of our officers now. I see that Lord Lee, the Chairman of the Royal Commission, stated publicly that, if the recommendations of his Commission were brought into effect, he was ready to take part in a recruiting campaign in order to secure candidates for the Indian Services. That shows, at any rate, that in his judgment the recommendations made are adequate to attract recruits and, in the second place, that he is prepared to throw his influence into the scale in favour of recruitment. I have had letters from Oxford which give me some more hopeful account of affairs there. There is no doubt that people there and people in England generally are watching very closely the action that would be taken on the Report of the Royal Commission. They will also, I have no doubt, watch very carefully and read the debates of this House when it deals with the recommendations I am making. The general impression I have derived is that, if effect is given substantially to the recommendations of the Commission, there are some hopes of a decided revival of recruitment. Now, Sir, I thank the House and you, Sir, for the indulgence in the matter of time. The ground over which I have had to travel is very extensive and I have had to restrict myself to the main issues and pass lightly over many points of great importance. The debate that will ensue will give opportunities for those points to be raised and dealt with by the House as a whole. I feel that the occasion is a great one ; that the House has a great opportunity, a great responsibility. Sir, one more word and I have done. I have throughout my speech avoided any reference to the work that has been and is being done for India by the Services as they are at present constituted. I do not desire to base my case on any appeal of this kind. But the other day I came across a phrase that attracted my attention. It was a reference to " hordes of mercenary officials ". Well, Sir, that was a phrase that stung me for a moment and I asked myself—Is that really the light in which the Services are looked on ? Of one Service it ill becomes me to speak. Its record is known and I am content to leave its merits and demerits to the verdict of history. But what of the others, the

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engineers, the doctors, the policemen, the professors, the forest officers and the rest who have spent their lives and often died in the service of India ? Were these mere mercenaries ? Is this all the recognition that is due to them from a developed India ? And then I was comforted and felt that there was no sting in the word mercenary for they were mercenaries in the same way as that great army of whom it is written :

“ These, in the day when heaven was falling,  
The hour when earth's foundations fled,  
Followed their mercenary calling  
And took their wages and are dead.”

**Mr. President :** Resolution moved :

“ This Assembly recommends to the Governor General in Council :

- (1) That the following recommendations of the Royal Commission on the Superior Civil Services in India be in principle approved :
  - (a) that while the existing system of appointment and control of the All-India Services should, in present conditions, be maintained in reserved fields, the following Services operating in transferred fields, namely, the Indian Educational Service, the Indian Agricultural Service, the Indian Veterinary Service, the Buildings and Roads Branch of the Indian Service of Engineers in those provinces in which the two branches have been separated, and the Indian Forest Service in Bombay and Burma, should so far as future recruits are concerned be appointed and controlled by Local Governments ;
  - (b) that recruitment of Indians for the Services in reserved fields should be increased as recommended ;
  - (c) that having particular regard to recommendation (a), early steps be taken to constitute the Public Service Commission contemplated by section 96-C of the Government of India Act, and to enact such legislation as may be necessary ;
- (2) That pay, passage concessions and pensions be granted to the officers of the Superior Civil Services in India approximately on the scale recommended ; and
- (3) That the recommendation of the Royal Commission regarding the constitution of Provincial Medical Services in Governor's Provinces be accepted in principle, subject to :
  - (a) the employment in the provinces of an adequate military reserve ;
  - (b) the provision of adequate medical attendance for British Officers in the Civil Services and their families ; and
  - (c) the further consideration of the conditions necessary to secure an adequate number of British medical recruits for the needs of the Army.”

We now adjourn to Twenty-five Minutes to Three. Thereafter, I shall call upon Pandit Motilal Nehru to move his amendment.

The Assembly then adjourned for Lunch till Twenty-five Minutes to Three of the Clock.

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The Assembly re-assembled after Lunch at Twenty-five Minutes to Three of the Clock, Mr. President in the Chair.

**Mr. President :** Before I call upon Pandit Motilal Nehru to move his amendment, I wish to point out to the House that the correct Amendment Paper is the one which was found lying on the desks this morning, and not that circulated two days ago.

**Pandit Motilal Nehru** (Cities of the United Provinces : Non-Muhamadan Urban) : Sir, I rise to move the Nationalist amendment\* to the Government Resolution which has just been so very ably moved by the Honourable the Home Member. The amendment stands in my name, and I wish to make it perfectly clear at the very outset that it is a Nationalist amendment. It is rather long and I would follow the example of the Honourable the Home Member in dealing with it. I shall not inflict it upon the House by reading it from beginning to end.

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\* ' That for the original Resolution the following be substituted :

‘ PART I.

That having regard to the following among other facts, namely :

- (a) That the Royal Commission on the Superior Civil Services in India was appointed, and allowed to enter upon its functions in utter disregard of the Resolutions passed by the first Assembly ;
- (b) That all questions affecting the Civil Services are inseparably connected with, and entirely dependent upon, the larger question of the grant of responsible government to India and cannot be entertained and satisfactorily dealt with unless and until the Resolution of this House on Responsible Government adopted on 18th February, 1924, is substantially complied with ;
- (c) That the terms of reference to the said Royal Commission and the recommendations made by it involve the perpetuation of an antiquated and anachronistic system of public services without any attempt to reconstruct the administrative machinery to suit the present day conditions of India which are widely different from those prevailing when it was inaugurated ;
- (d) That the said terms of reference to the said Royal Commission and the recommendations made by it are based on the unwarranted assumption that the existing system of government, both Central and Provincial, and the present position, powers and functions of the Secretary of State, the Governor General and the Governors of Provinces, would continue indefinitely ;
- (e) That some of the recommendations of the Royal Commission are intended to deprive the Legislatures even of their existing powers by suggesting devices to transfer items of expenditure hitherto subject to the vote of the Assembly and the Provincial Councils to the head of non-votable items ;
- (f) That the said recommendations have introduced racial discriminations in the treatment of the All-India Services ;
- (g) That the said recommendations make the extraordinary provision that officers appointed to the All-India Services after 1919 as also those to be appointed hereafter shall have guarantees against and compensation for being transferred from the reserved to the transferred field of Service—a contingency which they must be taken to be well aware of when they were appointed ;
- (h) That the recommendations of the Commission regarding the Medical Services are entirely unsatisfactory in that (1) they seek to perpetuate the complicated system of interdependence of the Provincial Medical Services upon the irresponsible Military Department ; (2) they introduce the objectionable principle and a costly scheme of provision for medical assistance to Europeans on a racial basis ; (3) they do not recognise the necessity of the Indian units of the Army being officered by Indian Medical officers ; and (4) they propose to absorb the present Indian Medical Service into the Royal Army Medical Corps (India)—a step which will practically close the door to Indian medical men in the said corps and thereby also in civil employment ;
- (i) That the inquiry held by the Royal Commission has been unsatisfactory in that the bulk of the evidence on which the said recommendations of the Commission are based was allowed to be tendered and accepted in camera and no material evidence is either indicated or made available to this Assembly

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Sir, before I go into my amendment I think it is but due to the Honourable the Home Member that I should congratulate him on the great ability and perspicuity with which he has dealt with the subject. He has dealt with it very fairly and has not overdone any part which related to the benefit of the Services. But remembering the undertaking that he gave at question time about the materials that he was going to place before this House, I must confess to a feeling of great nervousness all the time that I was listening to his very elaborate speech. I was listening to it almost with bated breath and at every moment I expected that some new material, something which we could not guess at from the report, would be forthcoming. I saw something protruding from the files in front of him and took it to be the fuse of the bomb under his table. I expected every moment the bomb to be thrown and sooner or later to burst upon us. I waited and waited and it was only when the Honourable the Home Member resumed his seat that I heaved a sigh of relief. The bomb did not after all explode; it was not even thrown, and we remain, so far as the materials go, where we were before the Honourable the Home Member began his speech.

this Assembly recommends to the Governor General in Council that the recommendations of the Royal Commission on the Superior Civil Services of India be not accepted, and this Assembly further recommends that instead of the recommendations referred to in clause (1), sub-clauses (a), (b) and (c) and clause (2) of Sir Alexander Muddiman's Resolution so far as the latter relates to future entrants into the Civil Services being approved, the following steps be taken in respect of future recruitment and control of the Services, namely:

- (i) That all further recruitment in England for the Civil Services in India including the Medical Service under the existing rules be stopped.
- (ii) That a Public Services Commission be established in India and the constitution and functions of that Commission be determined on the recommendations of a Committee elected by this Assembly.
- (iii) That His Majesty's Government be requested to take the necessary steps for the purpose of transferring the powers of appointment and control of the Services, now vested in the Secretary of State, to the Government of India and the Local Governments, such powers to be exercised under laws to be passed by the Indian and Local Legislatures regulating the Public Services, including the classification of the Civil Services in India, the methods of their recruitment, their conditions of service, pay, and allowances and discipline and conduct.

#### PART II.

This Assembly is unable in view of the present financial condition of India and on the materials before it to satisfy itself as to the propriety and reasonableness of the recommendations of the Royal Commission in respect of the alleged grievances of those at present holding office in the Civil Services, and cannot with due regard to the interests of the tax-payer assent to the imposing of fresh burdens on the already overburdened finances of the country.

But, in view of the financial relief that will result from the stoppage of all recruitment outside India under the existing rules as recommended above in Part I, this Assembly is prepared to consider the alleged grievances of the present incumbents as regards pay, passages, concessions and pensions and recommends such measures of redress as may be found necessary, and for that purpose it recommends to the Governor General in Council to take steps for the election of a Committee by this House to enable them to go into the entire question on all the materials available to the Royal Commission including the evidence taken in camera or such other material as may be available and to make its recommendations to this House as early as possible."

Now, Sir, he made certain preliminary remarks about the value to be attached to this Report, and I wish to deal with them point by point. What he said was that this Report was made by a Royal Commission which was constituted by gentlemen of the highest position and attainments. Nobody has ever doubted or disputed that. The next point he made was that the recommendations were the result of a compromise. It is here, Sir, that I would beg to enter my dissent. Compromise between whom? Who were the parties to that compromise? The Honourable the Home Member said that the Indian gentlemen on the Commission were representative Indians. Here again, Sir, I beg to join issue. Who elected them; whose representatives were they, and what position did they occupy in the public life of the country apart from their relations with the Government or their membership of one of the two Houses of Legislature, at one time or another? Then the Honourable the Home Member said that we must take it as a verdict of the jury, and that we must attach to it the same weight as we would attach to a unanimous verdict of a jury. Now, Sir, I have had something to do with juries, and I know under what circumstances weight is attached to the verdict of a jury, and under what circumstances no weight at all is attached to it. When the evidence is taken in open Court and the public are in possession of the facts from day to day as the trial proceeds, when the learned Judge has charged the jury in public and has reviewed the whole facts and given the law of the case, it is then that the unanimous verdict of a jury is entitled to all the weight that can be claimed for it. But without any of these things the very basis which gives the jury its weight is wanting and the verdict is of no value.

Then my Honourable friend justified the Report of the Royal Commission by the rule of *factum valet*. Here again I regret I am unable to follow my learned friend. The doctrine of *factum valet* is very well known to lawyers. It means that irregularities which had no effect on the essentials or contravene any principle must be condoned when the thing itself is done. Such irregularities must not be allowed to disturb what has already been accomplished. We have heard of an adoption or a marriage not being allowed to be questioned on the doctrine of *factum valet*, if all the objections urged against it are mere irregularities which do not go to the very root. I ask the House in the present instance whether it can possibly be said that the objections we take to the Report are mere objections of form and irregularity which do not touch the merits. The objections we take are objections which vitiate the whole proceedings, which go to the very root of every recommendation that the Royal Commission has made, as I shall proceed to show when I deal with the various paragraphs of my amendment. That being so, there is no justification whatever for invoking the doctrine of *factum valet* in support of the Report.

Now, Sir, I shall follow the course which the Honourable the Home Member has followed, and only deal with my amendment in a general way as the Honourable the Home Member has dealt with his Resolution. I shall, with your permission, lay it bit by bit before the House, and as I do so, make a sort of running comment to explain any points which I may think are necessary to be explained.

Now the whole scheme of the amendment is quite clear. It is divided into two parts. The first part gives the grounds upon which

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we say that no effect should be given to the recommendations of the Royal Commission. It also gives the constructive proposals we have to make in the light of the facts stated. The second part deals with the grievances, or rather refers to the grievances of the present incumbents in the various grades of Services.

In Part I we contend that the recommendations of the Lee Commission should be wholly rejected. In order to establish why this should be so, my task is facilitated by the Resolution which has been moved on behalf of the Government. I think, Sir, I can show to the satisfaction of this House from the terms of that Resolution itself that the Government is in full agreement with us in thinking that the recommendations of the Royal Commission should be wholly laid aside, and that our conclusions, if we have to form any, should be based upon facts quite independent of those recommendations. Now let me for a moment turn to the language of the Resolution. What is said here is that :

"The following recommendations of the Royal Commission on the Superior Civil Services in India be *in principle* approved."

What is the meaning of being approved in principle ? What is the principle that this Royal Commission has laid down ? We may as well look for a needle in a hay stack as try and find out a principle in the Report of the Royal Commission. It is a string of *ipse dixit*s, a series of bald statements, of inferences and conclusions, supposed to have been arrived at upon evidence which is not before this House. But I will assume that there is a principle in these findings, in these recommendations. If that be so, where is the acceptance of the recommendations themselves ? When a recommendation is made and you only accept it in principle, do you accept it in the form in substance or to the full extent it goes ? You certainly do not, and that being so, I say, and say with confidence, that there is not a single recommendation of the Royal Commission which has been accepted by the Government as it stands without qualifications and modifications which have not been disclosed and which for aught we know may change the whole face of the Report. The approval *in principle* applies to sub-clauses (a), (b) and (c) of clause (1) as well as clause (2) ; but when we come to clause (2), we find another word, a tell-tale word. What this House is asked to do is to approve the principle that "pay, passage, concessions and pensions be granted to the officers of the Superior Civil Services in India *approximately* on the scale recommended" ; not exactly, but *approximately*. Again in clause (3) we find the same important words *in principle*. The clause runs :

"That the recommendation of the Royal Commission regarding the constitution of Provincial Medical Services in Governors' Provinces be accepted *in principle*."

And this adoption in principle is further diluted by the sub-clauses being subjected to certain conditions.

Now, Sir, if any principle can be deduced from this Report and the recommendations of the Royal Commission, the principle is that the existing Services should be paid more money and that fresh recruits should be better treated than they are at present. Does that fact deserve to be dignified by the name of principle ? Was it not known, was it not common knowledge in this country and in England before this galaxy of gentlemen of great intelligence and high position met together and spent

five lakhs of the money of the tax-payer to lay it down as a principle? The real fact is that the Government themselves are not desirous to take the recommendations as they stand without qualification, and the whole idea of the Resolution, as I read it—and Sir, I read the lines as well as between the lines, and put upon it the meaning which any man of affairs will put is simply this, in the name of the recommendations of the Royal Commission give us a free hand to do what we please, because anything and everything can be justified as coming under the principle of that Report. Now, Sir, what is the position? As I have said, the people do not want it, and I have shown, the Government cannot accept it in its entirety. The press has pronounced against it, not merely the Swarajist press, Sir, but also the press which we all know represents the interests of the Services themselves. In this connection may I be allowed to refer to a short note which appeared only two days ago in the "*Pioneer*," that great champion of the officials all over India, and also in England? What does the writer say about this third clause, which was subsequently added to the Resolution of my Honourable friend? He says:

"The Government Resolution to be moved in the Legislative Assembly on Wednesday has been extended by the inclusion of a third clause dealing with the Lee Commission's proposals for the reorganisation of the Medical Services. As we expected, the Government cannot recommend the acceptance of the principle of these proposals without considerable reservation."

So here we have it, that the Government are not prepared to accept even the principle without certain reservations. Then he says:

"For reasons which have been given at some length in the columns of the *Pioneer*, these reservations are most important and will probably require practically a complete review of the whole question involved."

Then the writer proceeds:

"It has long been recognised that the scheme in the light of the present state of recruitment would be quite impracticable. We doubt indeed whether the Government can contemplate the adoption of even a part of the proposals made without further investigation of the whole subject of the Medical Services in India."

Now that may be taken as a fair sample of the views of the press and of the Government as regards the whole of the recommendations of the Royal Commission. So that we are, Sir, exactly where we were before the Royal Commission came, and that I submit on the showing of the Government themselves.

I will now, with your permission, take the various parts of my amendment, and in dealing with them I shall refer to such points as the Honourable the Home Member has tried to make about some of the clauses. I say in my amendment, "that the recommendations of the Royal Commission on the Superior Civil Services of India be not accepted," and the first reason I give is:

"(a) That the Royal Commission on the Superior Civil Services in India was appointed and allowed to enter upon its functions in utter disregard of the Resolutions passed by the first Assembly."

Now, Sir, a few facts, of which the House is probably well aware, are to be borne in mind. I will only give three dates.

On the 26th January, 1923, a motion for adjournment of the House was passed. That motion was made on the decision of His Majesty to appoint this Royal Commission. The motion was carried without a division. Then, on the 17th March of the same year, when the Budget came up for discussion, a motion was made to omit the provision for the expenditure to be incurred on account of this Royal Commission, and that

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motion also was carried. Lastly, on the 28th March, 10 days later, His Excellency the Governor General in Council restored the grant—not His Excellency the Governor General but the Governor General in Council. Thus the Royal Commission was forced upon the country in spite of the protest of the first Assembly—a protest which was backed by the general feeling and the general opinion in the country and in the press. It is believed that the Government of India themselves were at one time against it. In the report of the debates on this motion I find that my Honourable friend the indomitable Dr. Gour threw out an open challenge to the then Home Member, Sir Malcolm Hailey, to deny that that was the fact, namely, that the Government had at one time expressed their opinion against the appointment of this Commission. Sir Malcolm Hailey, with his usual ability as a skilful fencer in debate, avoided a direct answer to that challenge, but treated the House to a dissertation on the ethics of office and on the etiquette and conventions of men in high office, saying that he would not be tempted, whatever Dr. Gour might say, to give a direct answer. Now, Sir, I was not then a Member of this House, but the report of the proceedings leaves no doubt in my mind on the point. It may be that the Government were not at the time when Dr. Gour put the question and threw out the challenge, against the appointment of the Royal Commission; but there is no doubt that at some time or other they were against it. There was an “ultra-Conservative” Government in England in those days and there was a “reactionary” Secretary of State—the adjectives are not mine, Sir, but were used by Sir Malcolm Hailey himself. There is no doubt that the Government of India had to bend before the will of the Government at Home; and having done so it was but natural for the Governor General in Council to certify the grant which had been refused by the House. Now, Sir, we are asked to swallow all this, to put our seal of approval on these proceedings, and to consider this Report as if it was a Report made by a Commission under the sanction of this House, and the money spent was the money which this House had allotted for it. I make free to say that if the Government in England, which rode roughshod over the will of the people of India, had now been in power I should certainly have refused even to look at this Report (Hear, hear); but we know that the present Government and the present Secretary of State are not, either in fact or by any fiction of law or convention, responsible for the action taken by their predecessors. We know also what was stated in the House of Lords in the recent debate and what we are in all sincerity of purpose expected to do by the present Government. It is the present Labour Government and not their predecessors who have invited us to express ourselves upon the merits of this Report, and in common courtesy we are bound to accept their invitation and go into the merits. But I wish to make it perfectly clear that we do not abandon this plea—if I may use the language of law,—this plea is in bar. I rely upon it as a strong reason why the recommendations of the Royal Commission should not be accepted at all.

Now, Sir, in this connection there is another important fact which deserves to be noticed. It is this—that the two great divisions of political thought in India, namely, the Congress, including the Swarajists, and the Liberals including the Moderates, both pronounced against this procedure and were from the beginning opposed to the constitution of this Royal Commission. The Swarajists and the Congressmen were of



course by their very creed unable to take part in the proceedings, but the most remarkable fact is that all the Liberal Associations in the country officially resolved to boycott this Commission, and if a stray Liberal here and there gave his evidence—as I know some did—it was in his own personal capacity—he represented neither his association nor his party nor his country. That being so, I ask what is the value of such a Report, of recommendations which have been arrived at on practically one-sided evidence, of proceedings in which the public, the real masters, had no say at all and the holding of which in itself constituted an insult upon the public? So that, Sir, although we do not reject the Report on that one ground, we do ask His Majesty's Government to give the facts that I have just stated their proper weight, and giving them their proper weight, to do as they would have done if they were in our position. I ask the Labour Government to put themselves in our position and to treat this Report in the manner in which they would have treated it if they had been ignored as we were (Hear, hear.)

Now, Sir, I will come to the next clause, clause (b) of my amendment, which gives the second reason why the recommendations should not be accepted :

“ That all questions affecting the Civil Services are inseparably connected with, and entirely dependent upon, the larger question of the grant of responsible government to India and cannot be entertained and satisfactorily dealt with unless and until the Resolution of this House on responsible government adopted on 18th February 1924, is substantially complied with.”

It is impossible to conceive how any Service can be properly organised until we know exactly who will be the master that public servants will have to serve. Who can tell, before the final settlement of the question of the grant of responsible government to India, what will be the nature of the services required, who will be the persons qualified to enter those Services and what should be the terms upon which those Services are to be recruited? Now, my Honourable friend referred us to certain extracts regarding the position of Services *vis-a-vis* any form of government and he quoted from Professor Ramsay Muir that as regards the carrying on of the daily administration and the enforcement of the existing laws which is nine-tenths of the business of government, this country, i.e., England, was governed by a pure bureaucracy. Now, my Honourable friend will pardon me if I say that he need not have quoted those passages. There is not the least doubt about the principle. No one has ever said in this House or outside it that the carrying on of the daily administration and the enforcement of the existing laws is any part of the duty of this House or will be any part of the duty of the responsible government which may be set up hereafter. But these quotations refer to a different state of things. They refer to a state of things which assumes the employment of a permanent service to instruct the changing Governments which come in and go out from time to time; and in those circumstances you may call the permanent service, it may be, in a sort of vague manner, a bureaucracy. The kind of interference this House claims to be entitled to make, and the responsible government when it is established will be entitled to make, is shown in a book of greater authority than Professor Ramsay Muir's book which was referred to by the Honourable the Home Member. I mean Sidgwick's “ Elements of Politics.” At page 460 the author says :

“ As regards the organisation and management of the whole executive organ it clearly belongs to the Legislature to define the powers of officials and to determine

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what special privileges or liabilities it may be for the public advantage to allot to or impose on any class of servants of the Government, and generally lay down the conditions of appointment and tenure of executive offices."

This, Sir, is what we want. We are not asking to be allowed to interfere from day to day with the actual carrying out of the laws or the policy of Government. We claim the right to lay down that policy and to enforce it, and if public servants would not enforce it, to have the right to exercise our disciplinary jurisdiction over them and to dictate to them from time to time what is their duty. Then Sidgwick goes on to say :

"We have seen that experience alone can determine the degree of minuteness to which the financial control exercised by the Legislature over the executive should be carried so as to secure the maximum of economy without impairing the general efficiency of the organ or its power of promptly meeting sudden calls for special activity. On the other hand for reasons before given the Legislature should be prevented, by law or custom, from interfering in the selection of individuals to fill vacant posts, or in the particular allotment of tasks to them, within the range of business assigned to the department to which they belong."

That, I take it, Sir, is a correct statement of the law upon the subject and it is for that that we contend. These are more or less matters of elementary learning.

Then, as to the bureaucracy in England, we have got some very descriptive names in English and Colonial law for the permanent service; for instance we have the very expressive word "Mr. Mother country"; a gentleman who is specially versed in the laws of England and the routine work and procedure and whose business is to instruct the Government for the time being, which is generally composed of laymen. I have no objection at all to not only one but a dozen Messrs. "Mother-country" coming over here and instructing us. Now what is the theoretical relation between the political chief which we aspire to be and the permanent subordinates which the Civil Service must become sooner or later. Here it is :

"The political chief furnishes the lay element in the concern; his function is to bring the administration into harmony with the general sense of the community and especially of Parliament. He must keep it in accord with the views of the majority in the House of Commons and conversely defend it when criticised and protect it against injury by any ill-considered action of the House."

and so on.

This is from Mr. Lowell's book on the Government of England.

I therefore ask whether the policy you are pursuing is a policy which has any relation whatever to the grant of responsible government to the country. It may come to-day, it may come to-morrow, it may come ten years hence; it may come a hundred years hence. This policy is certainly not a policy to lead us to responsible government at any time. Mere substitution of Indian for English public servants has nothing whatever to do with the changes which must necessarily come the moment real power is invested in this Legislature and in the representatives of the people. We do not want simply a brown bureaucracy to be substituted for a white bureaucracy. We want substantial powers in the representatives of the people and, if our white friends would care to stay and take part in our affairs after we have got those powers, we will be very glad to see them as representatives of their community in this House.

I now come to clause (c) :

“ That the terms of reference to the said Royal Commission and the recommendations made by it involve the perpetuation of an antiquated and anachronistic system of public services without any attempt to reconstruct the administrative machinery to suit the present day conditions of India which are widely different from those prevailing when it was inaugurated.”

Now, I would like to make it clear to the House that I have nothing to say against the gentlemen who are in the Service at present or who have been in the Service in the past, or even against those who might come into the Service in future. It is the system that I attack and I attack it with all the strength at my command. This system I say is the survival—I will not say of barbarism, but of the conditions of 119 years ago when we were taken as a primitive people and the English Government began to bring us up in the knowledge of citizenship and civic duties. It was in 1813 that the Indian appointments for British youths were reserved for those trained in the Company's College at Haileybury. Since then the system that guarantees the conditions of service remained practically the same, with this exception that the pays, pensions and allowances were from time to time increased. It is the old *má-báp* system inaugurated in 1813 which we find in force in the year of grace 1923. (*A Voice* : “ 1924.”) Yes, 1924, one year makes no difference in the life of a nation. What I submit is that we are no longer in the *má-báp* period and that the *má-báp* principle will not now help you to govern the country. If you want to be here, if you want to take part in our affairs, it has to be under a *bhain-bhai* system and not a *má-báp* system. We are willing to treat you as brothers and sisters if you will treat us as brothers and sisters ; but no more of your *má-bápism*.

Well, Sir, as I have already said with reference to the previous clause, it is one thing to improve your services, it is one thing to make them fit for the growing requirements of the times, but it is quite a different thing to reconstruct your Services and your administrative machinery in accordance with the change in the Government which is bound to come sooner or later. In support of this, I shall, with your leave, Sir, read a few passages from an excellent article which appeared the other day in the *Times of India*. I read it, Sir, because the point I am now making is so well put that I could not have put it better. I adopt it as a part of my argument. Sir, I am again quoting from an Anglo-Indian paper, Anglo-Indian in colour, in spirit and in mind. (*Mr. M. A. Jinnah* : Better than the *Pioneer*.) Yes, better than the *Pioneer*. Well, Sir, this is an article which appeared on the 29th of August 1924 and here is the passage that I wish to read. Treating of the administrative foundations of political progress, the writer says :

“ The root of the whole difficulty would seem to be that Indian opinion does not believe that the Services, as at present recruited and organised, can fit harmoniously into the scheme of a self-governing India. This appears to raise a question not easily dismissed by the enunciation of common-place truisms. For reflection shows that the problem has never received adequate examination. There is no gainsaying the fact that while much attention has been devoted during the last few years to the question of political reform and constitutional progress, the reform of the administrative machinery of the country has been very largely neglected. Has any responsible person, either in India or in England, seriously sat down to think out the kind of Public Services which India really needs, and in consequence to arrive at some estimate as to the extent to which the present staffing and recruitment of the administrative machine really correspond with this desideratum? And yet, on the face of it, there would seem to be very good grounds for such a step. The political

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and constitutional progress of India is of a kind which is likely at length to assimilate her to those countries in which responsible government obtains. Yet the Public Services of India remain entirely different in type from the Public Services in other countries. Their position is more dignified; their emoluments are incomparably greater."

And then he goes on :

"But are we justified in assuming that these concessions (*of pay and allowances*) are the due of future entrants, until we have convinced ourselves that the system by which the Public Services are staffed and recruited is what the country really requires? We are not here concerned to raise the question of Indianisation, which has, it will be obvious, an important bearing upon the subject. We desire to take the broadest view. India is rapidly advancing along the lines of political reform; but the system of her Public Services still retains the characteristics of a paternal regime which is now every day vanishing further and further into obsolescence."

One more passage, Sir, before I finish with this :

"There can, of course, be no question of tampering with the rights of the present generation of public servants. But in considering the question of recruitment, the problem we have indicated arises in an acute form. Are we justified, without the most careful and the most meticulous investigation, in perpetuating a regime which took its rise in conditions now long passed away?"

Now, Sir, this is really the case I make in clause (c). It has been put clearly in this article by the writer.

I now go on to clause (d), and shall very briefly deal with it and the remaining clauses as I am afraid I am going beyond my time-limit.

Clause (d) runs :

"That the said terms of reference to the said Royal Commission and the recommendations made by it are based on the unwarranted assumption that the existing system of Government both Central and Provincial and the present position, powers and functions of the Secretary of State, the Governor General and the Governors of Provinces would continue indefinitely."

Now, Sir, there is no doubt that the Royal Commission, while they certainly have in contemplation—as they say at the beginning of their recommendation—the progressive realisation of responsible government in this country, have consciously or unconsciously made recommendations which have the opposite effect, as I shall show presently. But, taking the recommendations as they stand, they come to this that it will take 15 years to bring us to a proportion of 50 per cent. of Indians in the Superior Executive Services.

That is to say, in the year 1939, we shall have that proportion, and those who shall have entered in that lucky year will have another 25 years at least of official life to run. The complete Indianisation will thus be delayed for 40 years even if there is no further recruitment in England. But the ratio of 50 per cent. is to be kept up even after 15 years by fresh recruitment where it will remain—for how long we do not know; may be the Greek Kalends.

I was very much pained, Sir, at the reference that was made by the Honourable the Home Member to the phrase "mercenary hordes" which he said had been used to describe the British Services. I do not know if he heard it in this House or elsewhere, but so far as my information goes no Honourable Member in this House has ever permitted himself to use that expression.

**The Honourable Sir Alexander Muddiman:** No, I did not hear it stated in this House. I read it in some paper.

**Pandit Motilal Nehru :** I am very glad to hear that. I cannot think of any Honourable Member of this House referring to the Services, and especially the British Services, as hordes of mercenaries. The whole point is this, that the Services generally are an anachronism at the present day ; and I take the liberty to say of my Honourable friend the Home Member that he himself is an anachronism, a very costly anachronism. But no Member of this House has ever said anything whatever against the actual discharge of the duties by the British element of the Services as a whole. They are not wanted because their continuance in the present condition of things is not consistent with the progress that has already been made or will be made in future.

Now, Sir, I come to clause (c) which runs as follows :

“ That some of the recommendations of the Royal Commission are intended to deprive the Legislatures even of their existing powers by suggesting devices to transfer items of expenditure hitherto subject to the vote of the Assembly and the Provincial Councils to the head of non-votable items.”

That is a matter which has not been dealt with by my Honourable friend. I refer in this clause to the recommendations made in respect of passages in paragraphs 36, 37, 64 and 65 and also to the Provident Fund contributions dealt with in paragraph 87 and to the re-appointment by the Secretary of State of officers already appointed by the Government of India so as to have the benefit of non-votable salaries.

**The Honourable Sir Alexander Muddiman :** Would the Honourable Member mind giving the references again ?

**Pandit Motilal Nehru :** Paragraphs 36 and 37, and 64 and 65. Provident Fund Contributions—paragraph 86. Re-appointment of officers, paragraph 89. Now, Sir, it is often necessary for the best of objects and from the best of motives to resort to devices. But when a device is intended to curtail the liberty of the people—such scant liberty as has been allowed to them—you cannot expect them to applause either the object or the motive. What have the Royal Commission done ? In respect of passages their recommendations come to this :

“ We recommend that officers are entitled to passages. But we know that passages are subject to the vote of the Assembly. We do not want this new-fangled Assembly or the Provincial Legislatures to have at their mercy these officers for whom passages are essential. We therefore say this, that although it is an allowance for passages, although it is no part of their pay, although they are not entitled to spend it as they would their own pay, yet in spite of all this call it pay, add it to their pay, and say that it is pay, and then, when it is time for the Accountant-General to pay it is not to be paid to the officer. It is to be paid into a special fund called the ‘ Passage Fund ’ and kept apart, and when the particular officer requires a passage, it is then to be paid to him as passage money.”

It comes to this that passage is an allowance ; it remains all along a passage allowance ; it is paid as passage allowance ; it is not drawn as pay, but simply to take it away from the vote of the Assembly or the Councils they say there is no harm in calling it pay although it never was intended to be any part of the pay.

This applies also to the Providential Fund (Laughter)—I mean Provident Fund.—I wish it were Providential for in that case it would be no burden on India.

Then we come to the reappointment of officers. There are certain officers appointed in England by the Secretary of State. There are certain others who are appointed by the Government of India. The officers appointed by the Secretary of State are not under our control as regards

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pay and allowances. With regard to those appointed here, their pay and allowances are subject to the vote of the Assembly or the Councils. There is nothing easier than to ask the Secretary of State to reappoint these men, in order that these men may get out of the clutches of the Assembly, and the Royal Commission have recommended accordingly. This is how we are expected to advance step by step to responsible government.

The next paragraph of my amendment deals with racial discriminations and runs :

“(f) That the said recommendations have introduced racial discriminations in the treatment of the All-India Services.”

I shall run somewhat hurriedly through this and the remaining paragraphs and shall simply explain what I mean. In passage concessions there is racial discrimination. That is to say, the concession is to be given only to officers of non-Asiatic domicile. There is racial discrimination also in remittance privileges and the Indian Medical Service, where medical assistance is recommended to be given to Europeans on a racial basis. My friends who will follow me will deal with these subjects more in detail. I shall also for the present pass over the clause which deals with medical service. There are some of my medical friends here who understand the position better than I do and they will place their views before this House.

I now come to the last clause, that the inquiry held by the Royal Commission has been unsatisfactory in that the bulk of the evidence on which the Report is based was taken in camera and no material is referred to or made available to the Assembly. I might have added that they have not even divulged the names of the witnesses, and we do not know what class of people were examined. Now, Sir, this has been passed over very lightly by my Honourable friend. It is a matter to which I attach the greatest importance. A Royal Commission is in its very nature a public tribunal intended to hold a public inquiry. I am surprised that my Honourable friend said that the terms of reference to the Royal Commission did not include an authority or a direction to publish the evidence. I do not think that the terms of reference to any Royal Commission need contain such a direction, because it is in the very nature of things, in the very nature of its constitution, in the very nature of the inquiry it is to hold, that evidence should be recorded in public, except perhaps in cases where there are special reasons for not recording it in public ; for instance, there may be one, two or more witnesses examined in camera, to avoid State secrets from being divulged. What is most surprising is that a string of recommendations is placed before us and we are asked to accept it as it stands. As regards the passage and other allowances, there is absolutely no reason given for allowing them and there is absolutely no evidence cited to support them, yet the Government of India have by some intuition or inspiration come to know that the recommendations are quite necessary. The only reason now given is that the members of the Royal Commission were all for allowing them. Now, Sir, if that were any test, I think it will save a great deal of public money if we abolished all the Appellate Courts in the country and simply appointed honourable men as Judges of Courts of first instance and made their judgments final for all time to come. I have never heard, Sir, that any person, however high, whatever his position however great his attainments, can take shelter under his ability or attainments when called upon to support his conclusions

by the evidence that he may have taken. But here again, I have something to tell the House which will perhaps surprise Honourable Members. It has been stated that this inquiry in camera was conducted in deference to the wishes of the witnesses, and at page 61 of the Report it is stated :

“ In our view it was of paramount importance that, to guide us in our investigation, we should be able to ascertain the genuine opinions of witnesses on the matters at issue, however: confidential or controversial the latter might be. There were likely to be many witnesses, Indian as well as European, who would shrink from expressing, in public, opinions which they conscientiously held but which if published in the Press might involve them in political controversy. Had the Commission decided that it would hear no evidence which was not given in public,”—*nobody ever expected any Commission to decide that*—“ witnesses of this kind—who as it proved were by no means the most vehement in their tone or the most extreme in their demands—would, to a large extent, have declined to speak freely.”

Then, the Report goes on to say :

“ That if a witness decided to be heard in public, representatives of the Press were admitted to record his oral evidence, and received his written statement as well.”

Then again :

“ The record shows that, of the 411 witnesses who gave oral evidence, only 152 elected to be heard in public.”

Now, Sir, let us test these statements. I shall rely for my facts on another newspaper of equal standing in the official world in another presidency as the “ Pioneer ” and the “ Times of India ” are in the United Provinces and Bombay, respectively : I mean the *Madras Mail*. The writer is a gentleman who, although he has not disclosed his identity, is evidently a member of the Civil Service as the facts that he gives clearly show. He says :

“ One Service Association sent in its memorial and appointed some of its members to give evidence. Before the arrival of the Commission in Madras, the Secretary of the Association received a wire from the Secretary of the Commission asking whether the Association desired to give evidence in public or in camera. In public was the reply. When the Commission arrived in Madras and on the day before the evidence of the Association was to be taken, the Secretary of the Association received a request from the Secretary of the Commission by telephone asking him to apply for the Association's evidence to be taken in camera. It was too late for the Secretary to consult the general body of members, and as a definite request had been made by the Commission, the Secretary and those members of the Association who could be consulted agreed to send an application that the evidence should be taken in camera. After the application had been sent several members protested strongly but the step had been taken and nothing could be done.”

Then he says :

“ One of the two service representatives had put in a memorial which dealt candidly and faithfully with the question of the retention of the European Services and the Commission were anxious not to examine him on his memorial in public. The outcome of the matter was that the evidence of the service representative was taken in camera so far as it related to the joint memorial, but ”—*and now comes the important part*—“ the representative who had submitted independent views as a reply to the first interrogative, declined to be examined on the independent memorial in camera and after some deliberation, the Commission decided not to examine him at all.”

It is clear that the writer speaks with knowledge that no one outside that particular association could possibly possess. The communication to the press was made with quite a different object, and not the object for which I am utilising it. What the writer says is : “ It is true that the Royal Commission failed to take evidence in the proper way. But it is not our fault. It is not the fault of the Services, and there is no reason why those Services should suffer.” And he points out that they took every precaution to see that their evidence was taken as publicly as possible. But is

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there now, Sir, after knowing these facts, any justification for saying that the witnesses—some of them bank men and some commercial men—were so very nervous of giving their evidence in public that the Royal Commission was obliged to hear them in camera. How far is the claim of my Honourable friend that we have been treated very well sustainable after this ? Now, Sir, these are the reasons ; they are not exhaustive but they are the reasons on which we ask the House not to identify itself with any part of the recommendations of the Commission and not to accept any one of those recommendations. Then we go on to make constructive proposals, proposals which suggest the measures that were indicated in the article of the *Times of India* on which I relied for the reconstruction of the administrative machinery to suit it for the present day needs of the country. My Honourable friend has referred to the question which the Commissioners put to themselves. He referred to page 18 of the Report where it is stated “ In the days of the Islington Commission the question was how many Indians should be admitted into the public services ? ” It has now become “ what is the minimum number of Englishmen which must still be recruited ? ” My Honourable friend further said that that showed the march of events and the progress that the country had made. If I may be permitted to formulate a question of my own, it will run something like this. “ Is there any reason whatever why any Europeans at all should be retained in this country unless their services were required as experts or because they possessed special technical knowledge ? ” That is the standard which should be applied. I do not say that that means that the European Service should be abolished. No. I say that the standard of qualification for service in India should be not because a certain proportion has to be retained, but because a certain kind of work has to be done for which the Europeans are especially qualified. Then I will be the last person in the world to share the suspicions of those to whom my Honourable friend was referring when he said that the services were supposed to come out here for their own selfish ends. The Honourable the Home Member then refuted this imaginary charge by referring to the small number of recruits that come out to India every year and said : “ Can that state of recruitment mean that these people have selfish ends of their own ? ” Now, I must say that everybody who takes up a service for remuneration has a selfish motive and selfish end to serve quite apart from his public duties. But I do not wish to say that these hard-worked gentlemen who come here, so far away from their native country, and who work honestly do so only for selfish reasons. Of course, there is a selfish element in the most unselfish work of which you can conceive. Nobody will deny that. But it is quite a different thing to say that a public servant comes out to this country with selfish motives. The selfish motives with which we charge the British Government lie elsewhere—not in the motives of the Services but in the motives which lie behind the maintenance of the Services. The selfish reason, however, is the maintenance of the grip over India for all time to come. That is the selfish reason. It is not that ten, twenty or a hundred young men from England should come out here every year and be provided for. No, certainly not. What we mean by selfish motives is that you are entering into our daily life day by day to such an extent that it will take—I do not know how long it will be—hundreds of years for us to shake ourselves free of you. What we want is that you should give us the right to walk erect



in our streets and then you can come in any numbers you like. Come as our friends, come as our neighbours, not as our rulers.

Then I come to Part II of my amendment, which speaks for itself. We have made our position fairly clear. We have said that we will not accept anything until we are satisfied that the recommendations of the Royal Commission upon that point are correct ; and, in order to satisfy us, we must have the materials that the Royal Commission had or any other materials which are likely to satisfy us. We are not sticking to the nature of the materials or the evidence. How can you expect anyone whom you ask to give money for a certain purpose to be prepared to give that money unless and until he has satisfied himself that the money is required and that he can afford it ? We cannot accept the *obiter dictum* of the Royal Commission that a certain amount is fair. We must have the materials before us. One argument used in favour of this huge expenditure is the rise in prices. Where in the world have the prices not risen ? Where in the world have permanent increases of salaries been given on account of the rise in prices ? We know that war bonuses have been allowed in England and in other countries. One of the reasons why the Royal Commission is prepared to recommend this permanent enhancement of salaries is that in India the Services were not given war bonuses. By all means give them something which is temporary. The Royal Commission were satisfied that a case had been made out for a permanent increase in the salaries. But how can you ask us to commit ourselves to an expenditure without satisfying ourselves that that is a proper expenditure and therefore must be incurred from the tax-payer's point of view ?

Now, Sir, there is one paragraph in the preamble which I should have noticed. One can understand the grievances of those who have become grey in the Service—men who entered the Service and built high hopes, which hopes were frustrated for some reason or other beyond their control and beyond the control of the Government. But what about the fresh recruits ? What about those who entered after 1919 with their eyes wide open as to what they may expect, what they may not expect ; who knew that the Government of India Act had been passed and that the country was bound to have a transitional period short or long. Even taking the Government of India Act as it stands, the very least that these gentlemen who entered the Services in 1919 should have known and must have known was that they would be subject to all the vicissitudes which are mentioned here as reasons for giving them increases. It will be insulting their intelligence to say that they did not take that factor into consideration. Are young Englishmen educated in English Universities unable to understand the simple fact that after the passing of the Government of India Act, it may any day happen that from the reserved field of service they may be transferred to the transferred field of service and after being so transferred will be subject to the vote of the Council or the Assembly, as the case may be. If they knew that—and I submit that there can be no reason whatever to think that they did not—then what reason is there to provide for allowances and advancements of salaries on that ground ?

Now, Sir, I shall not detain the House at any greater length. But I may be allowed frankly and candidly to say what is the general feeling about this Royal Commission Report. The recommendations of the Royal Commission purport to be a part of the great scheme inaugurated by the Government of India Act in 1919 to enable the country eventually to

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government itself by gradually eliminating the European element from the administration. The Act itself was ushered in with a flourish of trumpets, as a remarkable piece of legislation. It was claimed for it that it was a new departure in the art of governing subject races whereby the Governors were giving to the governed, voluntarily, and in the interests of mankind in general, the right to govern themselves. Now, Sir, in the course of giving that right this Royal Commission was thought of as a necessary step. It was said that as India was progressively being entitled to responsible government something must be done to bring the Services into line with the conditions now prevailing and those which will prevail shortly in the country. What happened ? It was a great gift, if it was all that was claimed for it, but as the House is aware, there were some cynical people in the population of India who for the very reason that it was a most remarkable thing which had ever been done in the history of the world, looked askance at the Reforms, at the Act itself. They did the very ungrateful thing to examine a gift horse in the mouth, but no sooner did they do it they found it was a wooden horse ! The most venturesome of the cynical people I have referred to above refused to ride that wooden horse, and made up their minds to set out in right earnest to win the real horse, or lose the saddle. The less venturesome tried to ride it ; they rode it ; they shook themselves violently on it but it was so fixed to a steel frame underneath that it refused to rock. They had in their disappointment to ask that the steel frame may be a little loosened, so as to give some little play to this wooden horse. That request of theirs was listened to ; a Royal Commission was appointed ; Indianisation was promised ; but what was it that was done ? To carry the metaphor a little further, some screws and nails were taken from the front and fixed behind this machinery. The result was that it remained as immovable as ever. The result is that they have not even a rocking horse to give them an opportunity to acquire the necessary grip for riding a real horse. Now, Sir, I know my friends opposite think that all this suspicion, all this distrust, is without foundation ; but look at the things that are being done from day to day, and what do they come to ? They come to this that the British Government are trying to stave off the evil day as long as they can ; the evil day when full responsible government will be granted to this country ; and meanwhile, for fear lest the day may come sooner than they imagine, what are they doing ? They are sinking their foundations deeper and deeper, so that when the day really comes they may have practically nothing to hand over to the next Government, and all that matters may remain in the possession of vested interests. That really is the feeling in this country, and as I have said there is justification for it. I will not go further than this that the history of the past few years since 1919 fully justifies an apprehension of that character. I appeal, therefore, to this House not to encourage that feeling by accepting the recommendations of this Commission, but to throw them out in their entirety. I think I have, by the indulgence of the Honourable the President and this House, given fully my reasons for asking the House to do so.

**Mr. President :** Amendment moved :

“ That for the original Resolution the following be substituted :

‘ PART I.

That having regard to the following among other facts, namely :

- (a) That the Royal Commission on the Superior Civil Services in India was appointed and allowed to enter upon its functions in utter disregard of the Resolutions passed by the first Assembly ;

- (b) That all questions affecting the Civil Services are inseparably connected with, and entirely dependent upon, the larger question of the grant of responsible government to India and cannot be entertained and satisfactorily dealt with unless and until the Resolution of this House on Responsible Government adopted on 18th February 1924, is substantially complied with ;
- (c) That the terms of reference to the said Royal Commission and the recommendations made by it involve the perpetuation of an antiquated and anachronistic system of public services without any attempt to reconstruct the administrative machinery to suit the present day conditions of India which are widely different from those prevailing when it was inaugurated ;
- (d) That the said terms of reference to the said Royal Commission and the recommendations made by it are based on the unwarranted assumption that the existing system of government both Central and Provincial and the present position, powers and functions of the Secretary of State, the Governor General and the Governors of Provinces, would continue indefinitely ;
- (e) That some of the recommendations of the Royal Commission are intended to deprive the Legislatures even of their existing powers by suggesting devices to transfer items of expenditure hitherto subject to the vote of the Assembly and the Provincial Councils to the head of non-votable items ;
- (f) That the said recommendations have introduced racial discriminations in the treatment of the All-India Services ;
- (g) That the said recommendations make the extraordinary provision that officers appointed to the All-India Services after 1919 as also those to be appointed hereafter shall have guarantees against and compensation for being transferred from the reserved to the transferred field of Service—a contingency which they must be taken to be well aware of when they were appointed ;
- (h) That the recommendations of the Commission regarding the Medical Services are entirely unsatisfactory in that (1) they seek to perpetuate the complicated system of interdependence of the Provincial Medical Services upon the irresponsible Military Department ; (2) they introduce the objectionable principle and a costly scheme of provision for medical assistance to Europeans on a racial basis ; (3) they do not recognise the necessity of the Indian units of the Army being officered by Indian Medical officers ; and (4) they propose to absorb the present Indian Medical Service into the Royal Army Medical Corps (India)—a step which will practically close the door to Indian medical men in the said corps and thereby also in civil employment ;
- (i) That the inquiry held by the Royal Commission has been unsatisfactory in that the bulk of the evidence on which the bald recommendations of the Commission are based was allowed to be tendered and accepted in camera and no material evidence is either indicated or made available to this Assembly ;

this Assembly recommends to the Governor General in Council that the recommendations of the Royal Commission on the Superior Civil Services of India be not accepted and this Assembly further recommends that instead of the recommendations referred to in clause (1), sub-clauses (a), (b) and (c) and clause (2) of Sir Alexander Muddiman's Resolution so far as the latter relates to future entrants into the Civil Services being approved the following steps be taken in respect of future recruitment and control of the Services, namely :

- (i) That all further recruitment in England for the Civil Services in India including the Medical Service under the existing rules be stopped.
- (ii) That a Public Services Commission be established in India and the constitution and functions of that Commission be determined on the recommendations of a Committee elected by this Assembly.
- (iii) That His Majesty's Government be requested to take the necessary steps for the purpose of transferring the powers of appointment and control of the Services now vested in the Secretary of State to the Government of India and the Local Governments, such powers to be exercised under laws to be passed by the Indian and Local Legislatures regulating the Public Services, including the classification of the Civil Services in India, the methods of their recruitment, their conditions of service, pay, and allowances and discipline and conduct.

[Mr. President.]

## PART II.

This Assembly is unable in view of the present financial condition of India and on the materials before it to satisfy itself as to the propriety and reasonableness of the recommendations of the Royal Commission in respect of the alleged grievances of those at present holding office in the Civil Services, and cannot with due regard to the interests of the tax-payer assent to the imposing of fresh burdens on the already overburdened finances of the country.

But, in view of the financial relief that will result from the stoppage of all recruitment outside India under the existing rules as recommended above in Part I, this Assembly is prepared to consider the alleged grievances of the present incumbents as regards pay, passages, concessions and pensions and recommends such measures of redress as may be found necessary, and for that purpose it recommends to the Governor General in Council to take steps for the election of a Committee by this House to enable them to go into the entire question on all the materials available to the Royal Commission including the evidence taken in camera or such other material as may be available and to make its recommendations to this House as early as possible."

**The Honourable Sir Charles Innes** (Commerce Member) : Sir, I

4 P.M.

should like first to express our acknowledgments on this side of the House of the very moderate tone which the Honourable Pandit has adopted, and I hope, Sir, that all of us in this debate will try to observe the same restraint. I should also like to say, Sir, that we on this side of the House do recognise that in the last part of his Resolution the Honourable Pandit has held us out an olive branch. I am afraid I must make it perfectly clear that we cannot accept the proffered branch, but at the same time we do recognise that the Pandit has made the offer, and we thank him for it. I will not attempt, Sir, in the time at my disposal to take up all the points which the Honourable Pandit has covered in his very lengthy Resolution. In particular, Sir, I do not propose to follow the Pandit in his dialectics about the form of the Government Resolution. He criticised the wording of that Resolution, particularly the words "in principle" and "approximately", and played very prettily with the point. He exercised himself very skilfully in dialectics. But, Sir, I am not a lawyer, and I am not a dialectician, and I take no interest in points of that kind. I am a plain, matter-of-fact person and I can only inform the Pandit that our intention was this. In the first place, we wanted to open the whole of this subject to discussion by the House. In the second place, we were unable to draft a Resolution of any reasonable length which would cover every point raised by the Commission. We desired therefore to make it plain that we accepted in the main the proposals of the Commission, while we reserve the right in minor points of detail possibly to vary those recommendations. My Honourable Colleague on my left will make plain our position in regard to the Indian Medical Service and the reason of the form that part of the Resolution has taken. It was not intended, as the Honourable Pandit tried to make out, to give us a free hand to do what we please under the protection of the words "in principle".

Now, Sir, the first clause of the Honourable Pandit's Resolution makes a complaint that the Royal Commission was appointed and allowed to enter upon its functions in utter disregard of the Resolutions passed by the first Assembly. I have much pleasure, Sir, in congratulating the Honourable Pandit on his conversion. Hitherto it has been the attitude of the Swaraj party in this House that they alone represent the people of India, and that the first Assembly did not represent the Indian people at all.....

**Pandit Motilal Nehru** : If I may make a personal explanation. I made it quite clear that in that particular matter the first Assembly was backed by the people.

**The Honourable Sir Charles Innes** : I am glad to see that the Honourable Pandit does the first Assembly at least that justice. What, Sir, was said in this debate about the appointment of this Royal Commission ? The Honourable Pandit to-day referred to the indomitable Dr. Gour. Let me read to the House what the indomitable Dr. Gour said when this question was debated :

" I beg to ask, Sir, how is this reconcilable with the statement made in the Montagu-Chelmsford Report, which lays down the programme of progressive Indianisation of the Superior Services for the next ten years ? Are we to go back on that Report ? Are we to scrap it ? "

Again, Sir, another prominent Member of the House, said :

" A set-back may be given to the cause of Indianisation. My Honourable friend, Colonel Gidney, suggests ' who knows—the Commission may make a recommendation which might accelerate the pace of Indianisation.' Is it likely, Sir, I ask, that a Commission appointed by the reactionary Government of Great Britain at the present moment could ever help the acceleration of the pace of Indianisation ? "

The House will see that when the last Assembly got so excited over the appointment of this Royal Commission, they were entirely under a misapprehension as to the scope of the Royal Commission's inquiry. Again, Sir, I must point out to the House that under section 96 of the Government of India Act the services are reserved to the protection and control of the Secretary of State. It seems to me, Sir, that this House has no right to take up the position that His Majesty the King, on the advice of his Ministers, is not at liberty to appoint a Royal Commission of this kind, even though the House may not approve of the appointment of that Commission ; and following that, Sir, I say that, when that Commission has been appointed by the authority of His Majesty the King-Emperor himself, then it is only fitting and right that this Assembly should show some respect to the Report of that Commission.

I pass on to the second clause of the Pandit's Resolution. This second clause deals with the inseparability of service questions from Swaraj. Sir, the Honourable the Pandit, if I may use the same expression again, played very prettily with the metaphor of the wooden horse and he suggested that a wooden horse could not go very fast (*Honourable Members* : " Could not go at all.") When the Pandit used that metaphor I do not think he could really have studied this Report and I do not think he could have made any attempt to realise how far the proposals of this Commission go. The term " All-India services " dates from the first Report of the Government of India on Reforms. In that despatch they said the All-India services :

" should be maintained as a model to all the rest and with the object of impressing the seal of the existing system both on the Indian as well as the European elements in them, we consider that recruitment, whether in India or in England, should be according to the methods laid down by the Secretary of State and that all persons recruited should be appointed by that authority."

And they went on to say :

" The basic idea is that the structure of the public services, its duties and the general conditions of its employment should remain as far as possible untouched by political changes, at all events till the advent of the first statutory Commission."

Well, Sir, contrast that statement with the recommendations in this Report ; compare that statement with what Sir Alexander Muddiman told

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you about the future composition of the Services, and then ask yourselves whether this wooden horse has not rocked to some purpose ! But, Sir, that does not meet the Honourable Pandit's point. The Honourable Pandit makes great play of the fact that the proposals of the Royal Commission retain control of at any rate two vital services, the Police and the Indian Civil Service, in the hands of the Secretary of State. As I understand the argument, that proposal of the Royal Commission is considered to be a negation in advance of the popular demand for a further constitutional advance, particularly in the direction of political autonomy and the abolition of dyarchy. I do not think it is fair to attack the Commission on that ground. Sir Alexander Muddiman read to you this morning the terms of reference to that Commission. They were not appointed in anticipation of, or in substitution of, the statutory Commission, they were appointed to consider the Services only, and what is more, the Services in connection with the existing state of affairs. They were not appointed to make any proposals for further constitutional advance.

The only connection which they had with further constitutional advance was in so far as that further constitutional advance might have effect upon one of the main subjects which they were considering—that is, the recruitment of the Services. That is, they had to take the contingency, the possibility of further constitutional advance into account merely with reference to that one consideration. And that is all they did. They pronounced no opinion on the question whether dyarchy is or is not a good thing. They pronounced no opinion upon the desirability or otherwise of constitutional advance. They confined themselves strictly to their job. That being so, it seems to me most unreasonable that when their proposals are put before this House, this House should say :

“ We will not accept them because they do not fit in with what we consider to be a necessary measure of constitutional advance.”

If, of course, the position of the House is that they are not prepared to consider any proposals regarding the Services which do not accord with what your ideas may be of further constitutional advance, then I say it is no use continuing this debate. We are not in a position—we have not come here to-day to discuss constitutional advance. We are not here to discuss the question whether dyarchy is or is not a good thing. We are not here to-day to discuss the question of provincial autonomy. We are here to-day to discuss the question of the Services only ; and if you are not prepared to discuss the question of the Services, then why continue the debate ?

**Mr. A. Rangaswami Iyengar :** How can we discontinue it ?

**The Honourable Sir Charles Innes :** Mr. Rangaswami Iyengar will have his chance later.

**Mr. M. A. Jinnah :** What will be the effect of accepting the principle of these recommendations upon the future of constitutional advance ?

**The Honourable Sir Charles Innes :** The Honourable Mr. Jinnah asks me what will be the effect of accepting these recommendations upon future constitutional advance. I say, Sir, that the effect will be nothing at all. With reference to the question of recruitment the Commission had to take into account the possible effects of future constitutional advance upon the functions which these two Services,—the Indian Civil Service and

the Police—are called upon to perform, and had to consider the possibility of these functions being transferred. And in paragraph 74 of their Report they provide for that contingency. At the same time, in spite of what the Honourable Pandit said, I must again re-inforce the point made by the Honourable Sir Alexander Muddiman this morning that there is a clear and vital distinction between the form of government and the business of administration.

**Pandit Motilal Nehru :** I never denied it.

**The Honourable Sir Charles Innes :** What the politician in India is concerned with is the form of government. I will be generous, Sir, and I will grant to the House that out of the 245 millions who live in British India possibly five millions are interested in the form of government. On the other hand, there are 240 millions—again I take a conservative figure—who are not at all interested in the form of government. In every country in the world the mass of the people do not care two straws what the form of government is. All they want is to be governed. All they are vitally concerned with—their peace, their happiness and their security depend upon the manner in which the administration is carried on by the Services. It is exactly here that the Indian Civil Service and the Police come in. The Honourable Pandit said we were now digging our foundations deep in order that when we came to hand over India to self-government we might hand over as little as possible. I say, Sir, there is one thing that the British Government can, will and should hand over to India when India gets Swaraj and that is, strong, pure, efficient and incorruptible public Services and that, Sir, is one of the main aims and objects of this Report (Hear, hear).

Then, Sir, the Honourable the Pandit said that the Services were an anachronism. He said, I understand, that I was an anachronism. Well, Sir, if I am an anachronism, I am, to quote Mr. Rudyard Kipling, a very pachydermatous anachronism, because I do not admit that I am an anachronism at all. The Honourable Pandit said that the Services are merely a survival. It was suggested very properly by some gentleman on his left that they were a survival of the fittest, but I pass by that point. He went on to say that the Services were a survival from a time which ended very many years ago, that the Services have gone lingering on, and that the only change was in their pay and in their conditions—their pay had been improved and their pensions had been improved. I would like to join issue with the Honourable Pandit at once. I have here some rather interesting statistics of what the pay of some officers was in 1826. The Collector of Customs of Agra drew as pay Rs. 4,000 a month. The Judges of Circuit in the North-West Provinces received as pay Rs. 3,750, Rs. 3,333 and Rs. 2,916 a month. At that time, Sir, the rupee was worth anything between two shillings and six pence and three shillings, and it makes us in these later days—it makes our mouths water to think of the pay our predecessors got. I am prepared to admit that in some respects a change has come over the duties particularly of a District Officer. The Collector, for instance, is no longer connected officially with the District Board or the municipality, but all my information is that though he is no longer President of the District Board and he is no longer the official advisor of the municipalities, at any rate in Madras he does discharge the function of being unofficially the advisor of the President of the District Board and of the Chairmen of the Municipalities and also the advisor of the Ministers. I am told, Sir, by all whom I know both in Madras and in other

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Provinces who occupy the position which I used to occupy as a Collector of a District,—and I may say, Sir, that I never wish to have a better time than when I was Collector and District Magistrate of Malabar—I am told that remarkably little change has come over their actual work. And I should like to say more. In the circumstances of India, I do not care what form of government you have, you will always have to have something corresponding to the Indian Civil Service; you will always have to maintain the unit of the district. If you consider the size of the country, the distances from headquarters, and the number of the population, you will always have to have large districts and you will always have to have some officer in that district who will be the chief representative of Government. You, gentlemen, may change the form of government up here, but you are not going to change the nature of the people of India. The people of India—specially the people with whom we Civilians have to deal—like personal rule. The Honourable Pandit calls that a *ma bap* system. It may be a *ma bap* system, but it is what the ryots and what the ordinary people of this country like. They like some one person to whom they can go with their grievances, and I do not care what form of government you have in India, you must always have someone in that position in your districts.

Then, Sir, I say another thing. I say that it was never more vital than it is at the present time that you should have strong and efficient Services for the maintenance of law and order in this country. Here I am coming on to dangerous ground and I do not wish to say one word which will be provocative to any one. But I do feel that in the last few years—I will not put it higher than that—efforts have been made in this country to sap the foundations of law and order. I put it to this House that no country can be great unless it has that respect for law and order which is the foundation of the social order. In the last few years efforts have been made to sap that respect. Nobody can deny that there is much inflammable material lying about in India. You have your communal dissensions; you have your caste dissensions; you have your racial dissensions and you have your religious dissensions. At any time there may be a great conflagration. Now, Sir, I have touched on that matter as lightly as possible, because I just want to make one point. This is the very time which the Honourable Pandit selects for suggesting to the British Government at home that recruitment to the Indian Civil Service and the Indian Police Service, as it now goes on, should be stopped and that means, as Sir Alexander Muddiman pointed out clearly, that you are stopping your recruitment at home altogether. Now, Sir, the British public, the British Parliament are very greatly exercised by that aspect of the situation in India on which I have just touched and is it likely that you can persuade them to stop recruitment of Englishmen and Scotchmen for the Services of India just at this time? It seems to me, Sir, that if you want to make that request you have selected a peculiarly inappropriate moment for doing so.

I am afraid I have already taken more than my time; and I shall just say one word more. I come to what is after all the main question which this Report set itself to consider, namely, the question whether relief should be given to the Services concerned. Sir Alexander Muddiman gave you some figures in his speech this morning. He told us that from the beginning of the century to 1912 there had been an increase in prices, in the cost of living, which might roughly be put at between 40 and 50



per cent. He told us that between 1914 and 1923 there had been a further increase of 60 per cent. ; that is to say, since the beginning of this century the cost of living has gone up in India for the European by more than 100 per cent. (*Pandit Motilal Nehru* : " Only for the European ? ") I am dealing with the Services only. Sir Alexander Muddiman also told us, taking my own service only, that the actual increase of pay given to the Services, to the Indian Civil Service, was between 10 and 11 per cent. Now, Sir, I ask you to consider what that means to the Services. Nobody suggests—I would not for a moment suggest—that we should put the Services in precisely the same position as they were twenty years ago. Something to that effect was said in the Montagu-Chelmsford Report, but after all we have got to remember that there has been a war and we cannot expect to go back to the glorious days of the nineties ; but, Sir, I do put it to the House that the figures I have given show that the relief given to these Services in no way corresponds to the rise in the cost of living. In addition I think that you will all admit that the position of the Services has become more and more difficult. It may be natural perhaps ; but at any rate we who have to do the work of Collectors and the other district officials, we know that we are being made the target of attacks on all sides. It does not make our life any more pleasant and at the same time our means of living have got steadily more and more strained. Now, as Sir Alexander Muddiman said this morning, this is not the first time that these facts have been brought before the Government of India. In fact I am in a position to say that we received after 1920 memorial after memorial from all the Services on this very subject. We recognised their difficulties ; at the same time we felt that the financial condition of India was such that we could do nothing for them, and I am afraid that as a result we in the Government of India made ourselves very unpopular with the Services. What has been the result ? The result is that these grievances of the Services have been placed before an impartial tribunal. I regret very much that the Honourable Pandit cast aspersions upon the Indian members of that tribunal. They are men who to my knowledge have rendered very real and distinguished services to India ; and when they are selected for a difficult job of this kind, it is no discredit for this House to recognise their public spirit in taking up their task ; and I think also, Sir, that it ill-becomes this House, when the Indian members of this Commission have made certain recommendations, to say that those recommendations should be rejected because you say you did not elect those Indian members.

At any rate the position of the Government of India is this ; for several years past we have been resisting these demands on the ground that we could not afford the money. Now, these demands have been put before this impartial tribunal ; the tribunal has laid these recommendations before us and we think that in justice to these Services we ought to accept those recommendations.

Our main principle in dealing with this Report—and here again I am afraid that I am fundamentally at variance with my Honourable friend, the Pandit—is that at any rate for these vital services, we should continue to attract the best class of Englishmen to this country. I reject the Honourable Pandit's statement that we should not recruit Englishmen unless they have technical qualifications. My belief, Sir, is that in the circumstances of this country India will for many years to come require Englishmen of the best class to assist her in her district administration ; and, if the Honourable Pandit wishes for further information on that particular point, let me remind him of the evidence which was

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given not only in Madras but in every province by the depressed classes. Every deputation from these classes pressed not for less but for more European representation.

Sir, I have not been able to answer all the points raised by the Honourable Pandit ; I have not attempted to do so ; I have tried to confine myself to the main points he raised and I hope, Sir, that in justice, in fairness to the Services, this House will accept the recommendations of the Lee Commission.

**Mr. K. G. Lohokare** (Bombay Central Division : Non-Muhammadan Rural) : To supplement the observations by our leader, Pandit Motilal Nehru, I will speak with reference to the Medical Services. As an humble member of the profession, allow me to submit that the views I express now are the result of considered opinions of about twenty Medical Associations having a membership of almost all eminent Indian medical men in important towns in India as well as of the provincial service and Indian sections of the I. M. S. Associations, and all of them have submitted their representations to Government on the subject before this day. All of them unequivocally endorse the recommendations of the Commission as entirely unsatisfactory.

I examine them one by one. The first is that the Civil Medical Service is to be constituted on the basis of a competitive examination to be held in England and India, and part of it is to be recruited from the military.

In view of making this country capable of meeting the needs of its administration, is it right that an examination for recruitment to a service should be held somewhere else ? The medical and sanitary administrations are the last in respect of political power. Even if officers for such innocent administration are yet to be recruited from outside, I do not know when and where we begin to take up full administrative control. If British statesmen yet demur for extraneous considerations to hand over the entire control of the departments already promised to be transferred, I do not know how long India will have to wait for attaining the responsible status for other branches of the administration. That the Military Department, one which is not responsible to the Legislature, should be the source of recruiting officers for civil administration is an anomaly yet being maintained. The Lee Commission Report not only does not make any progress in control by people of India in this case but definitely takes a retrograde step and no words can describe the feelings of deep disappointment of the Indian Medical profession in this respect.

Sufficiently trained material for taking full charge of the medical administration is available since long in this country. Indian Universities have all been conforming to the standard of the General Medical Council of the United Kingdom from their very beginning, and have been bringing out hundreds of medical graduates equally qualified with the medical men of the United Kingdom, not to say of the medical schools which turn out double the number every year. Thousands of Indians with actual training in the United Kingdom medical colleges are in private practice to-day. The number of Indians holding the highest British qualifications is many times more than the number of the European medical men in India with such qualifications. In research

and scientific work too Indians are not behind. At least a score of eminent Indian men have been doing such research work in medical science as would add to the knowledge of the world. Some of them in Bombay and Calcutta are engaged in research work on their own account—not with the pay and study leave at Government expense! Why, highly qualified Indian medical men do not think of taking up Government service because of the lack of opportunities and the differential treatment meted out to them. With the material available, as satisfactory as even the United Kingdom can lay down, for administration of a Department in India, do you like, my Hon'ble Colleagues, an examination for recruitment for the medical administration somewhere else and power to recruit at least some of them in the hands of a Department irresponsible to the Legislature.

Representations from Medical Unions in important towns in India have definitely condemned the idea and I hope these are in the hands of the Government by this time.

The other recommendations of the Commission are :

- (1) Clinical chairs for the civil services only ;
- (2) Adequate medical attendance for British officers in civil employ ;
- (3) A minimum of British medical officers in the Civil Medical Service ;
- (4) Military reserve in India, R. A. M. C. (India) to be seconded ;
- (5) Adoption of R. A. M. C. (India) as per the Burtchaell Scheme ;

and the Resolution by the Honourable the Home Member includes one more important factor, a factor which was not included in the Lee Commission Report :

- (6) “ Consideration of the conditions necessary to secure an adequate number of British medical recruits for the Army ”—the bugbear of the whole question, and the result of the machinations of the British Medical Association against the legitimate aspirations of Indians—an attempt to push in the British medical men in the civil under the term—maintenance of attractiveness of Service, so often mentioned in the reports of the various Committees on Medical Services.

The reserving of clinical chairs for the members of Superior Medical Services only is, I submit, an obstacle to the advance of medical education in India. Such reservation excludes recruitment of the best teachers in the profession. The step is no advance. The number of highly qualified recruits is not sufficient for the administration nowadays. The Indian Medical Gazette Magazine conducted by the Indian Service Officers complains of this in service notes in the number of January 1924. To keep this scanty number for the clinical chairs is first to deprive the administration of good material, and secondly to shut the door against persons specially adapted to take to teaching work. Special recruitment open to all on reasonable emoluments should have been the recommendation. I am as well afraid—it is a known fact—it is no teaching work that attracts service men to these posts but opportunities

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for private practice with all well-equipped facilities at command in Government hospitals and dispensaries. Stoppage of private practice even with a compensatory allowance should have been the first condition for advancement of medical education in India. The Commission has not given consideration to the needs of medical education in this country and the recommendation in this respect is far from satisfactory.

Adequate medical attendance for British officers in the Civil Service and their families is a recommendation, I submit, vicious in principle, unnecessarily expensive to this country and an excuse or a device to put Europeans in important places, wherewith they may ascend to higher administrative appointments on the strength of having held important places formerly.

I illustrate the point. Because Agra contains a fairly large number of European officers and because they want medical aid at the hands of a European doctor, therefore the Civil Surgeon of Agra must be a European. Next comes the argument because Doctor X. Y. Z., of the Indian Medical Service, has held charge of an important place like Agra he has better experience than others—he must therefore naturally supersede an Indian above him and get the higher appointment. This is the device at the back of this recommendation. Had the recommendation been for purely medical aid to British officers—the Commission would have recommended separate posts for them having nothing to do with the other administration. Moreover, this soft corner argument stands not the least chance of being reasonable. We Indians wonder if it is from those who have come here to give us lessons in everything—Moral and Material. Science knows no colour, it is world property—that the scientific benefit must be doled out by persons of a particular colour is an inheritance of a part of the property of Indians—the property of the caste system—which the Indians are happily slowly parting with, and it pains us to see it thus sticking to those who for good or evil have been with us.

Besides the experience of eminent Indian medical men is otherwise. The representation from the Bombay Medical Union, that is already in the hands of the Government, says it distinctly. That the Commission, especially the European members, should have yielded to such an argument of colour and caste to say the least of it speaks against them. The unnecessary burden of expenses of travelling to and fro with an excuse of illness would be nothing more than a holiday trip expense of an officer with his family and children, saddled on to the shoulders of the poor Indian tax-payer. I am afraid it is not worth more than trash.

The recommendation of a minimum of British officers in the Civil either for administrative or for caste privileges of officer's purposes is already dealt with. But a peculiarity in it lies in the recommendation of the Commission in leaving control and determination of this number to the Secretary of State. It thus excludes the Indian members of the R. A. M. C. (India) cadre to be seconded to Civil. This is a step retrograde in effect to the existing arrangement and is a device that the recommendations of the bureaucracy should be worked up in the dark, while the Indian tax-payer should pay for it. If the needs of administration of the transferred departments are to be looked after by the Indian Member in charge, why should he be deprived of this part of the administration

too? Firstly, this theory of a British minimum in such an innocent department as the Medical cannot stand, and secondly, if it at all stands, why should the tax-payers not decide how much and in what manner the burden is to be shouldered. The Commission has been taking a retrograde step—taking away the power out of the hands of the transferred department. Moreover, this minimum element theory entails a permanent loss to India. The officer, with all facilities for experience at the cost of Indian tax-payer, leaves this country with his bag and baggage, depriving her of the treasure of his knowledge and experience which he has gained at the expense of India.

Another recommendation of the Commission has to do with the vexed question of the “Economic employment of the Military reserve in Civil”.

That the Army in India requires a ready prepared war reserve always on the standing cadre is an assumption on which the Army department has been saddling the Civil administration in this country. Let me once for all mention that it is peculiar to India and I do not know why Indians and British statesman too should yield to the theory when they find no such reserve ever employed in any other country. The purpose can best be served by the Civil Medical service officers being put on the reserve list, with a training to begin with and a tour of service with the Army or the Territorial Forces at short periods. A large reserve can thus be maintained, and the “economy” so loudly talked of at least by the Military Department in India, when it can manage to be burdensomely heavy in other respects, can be effectively carried out to the best interests of both the civil administration and the military requirements too. I am sorry the Services Commission have dealt with the question so inequitably.

One more recommendation of the Commission is “adoption of R. A. M. C. (India)”. They have not said whether this Corps admits Indians at all. The R. A. M. C. is not open to Indians. The Services Commission probably acquiesces that Indians may not enter the Army Medical Corps. Unless the contrary is actually notified by the Government of His Majesty, I am afraid India stands to lose everything by this recommendation of the Commission at this stage at least. Secondly, this Corps is recruited in England only. It is unfair that an Indian because of his sin in being born and bred in India, is to spend money on foreign travel and education and thus pay a heavy indemnity to take his chance of being recruited for the service of the Army of his mother-land. In spite of the professional educational facilities, Indians have to pay this penalty. Granting that half of the number going to England for being recruited succeeds, it means for one recruit India has to spend for two—an amount of not less than Rs. 30,000 per head. The Commission undertook the responsibility of this penalty to Indian parents, but would not advise training facilities and examination here.

The last point, but of first importance, is the last part of the Resolution moved by the Honourable the Home Member which did not form part of the recommendations of the Services Commission. We are told here to admit another principle by which the civil administration will be perpetually enslaved to the military department, irresponsible as it is to the Indian Legislatures. The point is “conditions necessary to secure an adequate number of British recruits for the Army.”

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I have already said it is referred to as the necessity of maintaining the attractiveness of the Military Medical Service in the reports of various Army and Medical Committees, and this attractiveness lies in the Military Service officers occupying posts in the Civil for ever. \* The number is nearly half. Instead of the Military Reserve being far below that, a good many officers, far more than the Military Reserve requires, are being drafted to civil employment. The Medical Services Committee has accepted that the Civil Departments are saddled with a far larger numbers of these officers than the Military reserve. So far this attractiveness lies in private practice in civil, and the result is inefficient Army Medical Service. I will here quote the words of the Esher Committee's Report :

" It was maintained that the officers of the latter services (I. M. S.) lack the necessary training for work in the field though quite as efficient professionally as the Royal Army Medical Corps and also specialised. This defect is attributed to their inferior military training."

These are the words of the Esher Committee Report. This factor creating inefficiency in the cadre ought to have been immediately dispensed with, and the Army cadre been restricted to the Army only, and made to serve the purpose best for which the cadre is meant. It is no use spoiling both the civil administration and the military efficiency by putting forth this attraction. The R. A. M. C. British has no such attraction. Why should the cadre in India only have it to the detriment of the purpose for which it is meant ? If recruits can be had for R. A. M. C. they can be had for the Indian cadre too. Besides the admission of Indians to the cadre in sufficient numbers would make up the deficiency of any of the British recruits if at all they fall short. If the aim of transferring the Army Services to Indians is really to be achieved, the Medical Services—the least offensive of the Army cadres, if I may say so—is the best thing for a good beginning for the Indianisation of the Army Services and I hope Government would not lose this opportunity of showing proofs of their good intentions in accepting Indians in large numbers for this Army Service, as so many professionally trained Indians willing to take a military career would be readily available. The last war has been a sufficient proof of the willingness and the efficiency of the Indian medical profession and it will serve no purpose of the Government of His Majesty to refuse the officering of Indian Units by Indian medical officers. If capability of self-defence is the test for obtaining self-government, and if the intention of Government are really honest, as expressed by the Honourable the Home Member in his speech at the Delhi session on the self-government Resolution, it stands to reason that this material of Indian medical men should be utilised in serving the Army. The Commission has as well failed to do justice to this cause.

I have said at the beginning that I will refer to some representations which support my statement. The first is the Bombay Medical Union's report. I may say that the Bombay Medical Union consists of a large number of highly British qualified people. They say :

" We notice with grave concern that officers from the Military Service are still to be seconded for civil employment and what is worse, that only European officers are to be thus treated—Indians being ineligible for seconding."

The second point they urge is that :

" The Services operating in the transferred field should be recruited and controlled only by the Local Government."

The third point is this. They say :

" We are afraid that under these conditions, Indian recruitment for the R. A. M. C. (India) will fall practically to zero, and Indians instead of gaining anything by the change stand to lose what they have already got."

These are extracts from the Bombay Medical Union's report.

The second representation is from the memorandum presented to the Royal Commission by the Indian members of the Indian Medical Service in Madras. The points that they have dealt with are these :

" The civil and the military side of the I. M. S. should be separated, the military side to remain under the control of the Government of India as an All-India Service and to be recruited by competitive examination to be held in India, the civil side on the other hand, should be entirely provincialised and be under the control of the Local Government."

The second point they urge is :

" British and Colonial recruitment to the Indian Medical Service should be stopped at once. India's ideal is to entirely Indianise the services."

They further say :

" As regards the question of reserves for the Army the experience of the great war has proved that (1) private practitioners could be depended upon in time of emergency, (2) the R. A. M. C. has no war reserve, (3) I. M. S. men who have been in civil employ for some time are no better than private practitioners in that respect, (4) military training could be imparted to private practitioners through the Territorial and Auxiliary Forces as well as to all civil medical servants."

The last point is :

" Europeans coming to India should be prepared to submit to treatment by Indian doctors. No Indian doctor has been appointed in England to look after Indian officers and other Indian residents in England of whom there are several thousands, and there are several Indian doctors settled in England who have extensive practice exclusively among English people."

This is from the Madras Association of the I. M. S. men. The third is from Ahmedabad. It says :

" Resolved that the recommendations of the Lee Commission on Medical Services in India are very unfavourable in the interests of the Indian medical profession, augmenting still more invidious race distinctions, perpetuating the existing disabilities and unnecessarily increasing the heavy burden of expenditure on poor Indian taxpayers."

and so on.

I will only read one more and finish. This is from the United Provinces Liberal Association. The meeting was presided over by Dr. Sir Tej Bahadur Sapru. The resolution passed was this :

" This Committee is also of opinion that the scheme of provincialisation of the Services, associated with the administration of transferred subjects, while seemingly satisfactory so far as it goes, cannot be approved inasmuch as the Indian demand is for the transfer of all subjects in the provinces to the control of the Legislature, as the Commission's recommendation will create a new motive of opposition to this demand on the part of the Services, now reserved, and as the recommendation itself is far too limited and qualified to result in an effective increase of the control of Ministers and Legislatures over those Services."

The last is :

" While the Committee approves of the establishment of a Civil Medical Service it is of opinion that the proposals with regard to the constitution of a Military Medical Service by the R. A. M. C. (India) and to the large proportion of civil medical posts to be filled from the latter, will amount to a continuation of the present Indian Medical Service in another and, from the Indian point of view, a more objectionable form.

[Mr. K. G. Lohokare.]

In the opinion of this Committee there should be two distinct medical services—an Indian Military and a provincial civil—the former entirely independent of the British War Office and recruited both in England and in India, and the latter wholly in this country.’’

Sir, I will not tire out the House by reading out other things. In one word, I say the recommendations of the Commission are ill-advised, retrograde, and stand no test of reason and offer nothing to Indian aspirations. They neglect to take the forecast of India's progress to self-government. The medical profession, therefore, cannot accept such recommendations and I have, therefore, to support Pandit Motilal Nehru's amendment in this respect.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 11th September, 1924.

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## **APPENDIX B.\***

**Resolution adopted by the Assam Legislative Council on the 1st August 1924.**

“ This House recommends to the Government to move the proper authorities for postponement of the consideration of the recommendations of the Lee Commission so far as this province is affected till the matter of constitutional and administrative changes which are being enquired into is finally disposed of.”

**Resolution adopted by the Madras Legislative Council on the 23rd August 1924.**

“ That this Council recommends to the Government that it should convey to the Government of India the opinion of the Council that the Lee Commission's recommendations regarding Public Services should not be given effect to in this Province.”

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\* *Vide* page 3124 of these Debates.